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

GEORGIA STATE CONFERENCE OF THE NAACP, et al.,

Plaintiffs, Case No. 1:21-CV-5338-ELB-SCJ-SDG

vs.

STATE OF GEORGIA, et al.,

Defendants.

COMMON CAUSE, et al.,

Plaintiffs, Case No.1:22-CV-00090-ELB-SCJ-SDG

vs.

BRAD RAFFENSPERGER,

Defendant.

DEPOSITION OF GERALD GRIGGS

30(B)(6) REPRESENTATIVE

THE GEORGIA STATE CONFERENCE

OF THE NAACP

JANUARY 18TH, 2023 - 9:00 a.m.

Through Video-Conference

Via ZOOM,

Inna Russell, RPR, CCR #1-1-1-1

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1 MR. BOYLE: This will be the 30 (b)(6)
2 deposition of Plaintiff Georgia State Conference
3 of the NAACP taken on behalf of Defendant Brad
4 Raffensperger. The deposition is being taken for
5 discovery, all purposes allowed under the Federal
6 Rules of Civil Procedure pursuant to notice and
7 agreement of counsel.
8 If we can have this agreement and stipulation,
9 if I would propose we stipulate, as standard in
10 Georgia, that all objections, except as to the
11 form of the question or responsiveness of the
12 answer, are reserved until such time the
13 deposition may be used at hearing, trial or
14 otherwise in the proceedings; is that acceptable?
15 MR. HEAVEN: I think that's fine. But I still
16 will object as necessary, but I'll try to keep
17 that to a minimum given the stipulation.
18 MR. BOYLE: Understood. Ms. Russell, if you
19 could go ahead and swear in the witness, please.
20 DEPONENT GERALD GRIGGS,
21 Having been duly sworn, testified under oath
22 as follows:
23 E X A M I N A T I O N
24 BY MR. BOYLE:
25 Q. Good morning. Could you state your name for

the record, please?
A. Okay. I'm an Attorney Gerald Griggs, President of the Georgia State Conference.
Q. Good morning, Mr. Griggs. I'm Donald Boyle, I'm representing Defendant Brad Raffensperger and I'm going to be asking you some questions today.
A. Okay.
Q. Mr. Griggs, I think you identified yourself as an attorney; are you an attorney?
A. Yes, I am.
Q. All right, we will get into that. What is your address, for the record, please?
A. My address currently?
Q. Yes, sir. Well, I mean, your home address, your home address.
MR. HEAVEN: His personal address?
MR. BOYLE: I was just asking the personal address, that's just a standard question we would ask; is that a problem?
MR. HEAVEN: Yeah, I think we -- I think we prefer not to put personal address on the record.
MR. BOYLE: All right.
BY MR. BOYLE:
Q. Mr. Griggs, you have just been sworn to tell the truth; do you understand that's the same oath as

if you were in court to testify the truth?
A. Yes, I understand.
Q. Have you ever had your deposition taken before?
A. No.
Q. Well, go ahead and tell me about, you are a practicing attorney; is that correct?
A. Yes, I am.
Q. How long have you been an attorney?
A. Almost 19 years.
Q. Has your experience been in litigation or otherwise?
A. Mainly in litigation.
Q. Okay. Have you had occasion to take depositions yourself?
A. Yes, I have.
Q. All right. Could you estimate how many you've taken?
A. Maybe fifteen.
Q. Well, it will just take a second, but I take a lot of depositions myself, and I always like to go over just the ground rules.
The court reporter is taking everything down, so it's important that I express myself in words, even though we can see each other and gesture and

it's important that you do the same; is that okay?
A. Yeah, that's fine. I understand.
Q. And it's important that we try not to talk over each other, not only as a matter of courtesy, but just so the court reporter can get everything down clearly; is that all right?
A. That's fine.
Q. If I ask you a question that's hard to understand, you know, I very well may come out with confusing questions, just let me know and I'll try to rephrase it; is that all right?
A. That's fine.
Q. And I don't expect this deposition to go all day, but I couldn't tell you how long it will take it, I will do my best to be efficient. But generally, every hour or a little over an hour it's good to get up and stretch your legs, take a break, so we'll try to do that. And otherwise, if you think you need a break, as long as a question is not pending, just let me know and we will do that; all right?
A. That's fine, thank you.
MR. BOYLE: Mr. Heaven, is the witness going to read and sign the deposition today?
MR. HEAVEN: We are doing errata?

MR. BOYLE: I'm sorry, is he going to read and sign the deposition transcript?

MR. HEAVEN: Yes, he will read and sign it once he has a chance to take a look at it and submit whatever the changes he needs to submit.

MR. BOYLE:

Q. All right. Mr. Griggs, are you on any medication or do you have any medical conditions that would prevent you from giving clear and accurate responses to my questions today?

A. No, I'm not. And no, I won't have any problem giving clear answers.

Q. So where are you located today for this deposition?

A. Currently, I am in the State Headquarters of the Georgia NAACP which is in College Park.

Q. And you have attorneys Mr. Heaven and Mr. Layman with you; is that correct?

A. That's correct.

Q. Is anyone else in the room with you?

A. No, no one else is in the conference room.

Q. If you've never given a deposition before, have you ever testified in court before?

A. I've testified in court numerous times.

Q. Could you estimate how many times?

A. At least forty.
Q. Have you ever testified in the federal court in Atlanta?
A. No, not in the federal court in Atlanta, no.
Q. Have you personally been involved in civil litigation, either as a plaintiff or a defendant?
A. Yes.
Q. What were the circumstances of those cases, if you could just tell me about those cases briefly?
A. Personally, a divorce; professionally, I've handled civil rights cases as well as criminal cases.
Q. Well, what I mean involved, I mean, again, you personally, not you as an attorney, but you as a party?
A. Just a divorce.
Q. Were you ever convicted of a crime?
A. No.
Q. Have you discussed this deposition today with anyone other than your counsel?
A. No. I have spoken to other members of the State Conference for the purpose of making sure I understand some of the questions that will be asked, but not spoken on my testimony, no.
Q. So you have made a deliberate effort to contact other members of the State Conference to make

sure you were well prepared on the topics?
A. That's correct.
Q. Okay. Tell me, tell me the names of everybody you talked to and what you talked to each person about?
A. I talked to Elder Ed DuBose, who is the administrator. I talked to Vivian Moore who is a former Political Action Chair. I talked to Dantaye Carter who is the current Communications Chair. And I talked to Elder David Walker who is the other administrator. And I talked to Tequeria Barrett who is the current Vice-President and former Communications Chair.
Q. Okay. Could you state that last full name again?
A. Tequeria Barrett.
Q. Can you spell the first name?
A. T-E-Q-U-E-R-I-A. And Barrett B-A-R-R-E-T-T.
Q. And the first one was Ed DuBose; is that right?
A. Yes, Ed DuBose.
Q. Could you give me your, your educational background, where you went to high school, where you went to college and all degrees you received?
A. Okay. I graduate from Woodward Academy in

1996. I got a high school diploma. I went to Oxford College of Emory University and got my associate's. And then I moved on to Emory and got my bachelor's in 2000. Then I went to the University of Cincinnati and got my Juris Doctorate in 2000 -- I'm sorry, in 2004. And that is the extent of my educational background.

Q. All right. So are you currently a Georgia Bar attorney?

A. Yes, since 2004.

Q. Are you an attorney in any other states?

A. No. I'm not barred in any other states, just the federal courts.

Q. Have you -- have you published anywhere?

A. No, I have not published anywhere.

Q. Please review with me your employment background from when you graduated from law school; where have you worked, what did you do?

A. My first job was with the Rockdale County Public Defender's Office right after law school and once I passed the bar, I was there for about eight months. And then I was hired at the DeKalb County Public Defender's Office. I was there for about two years.

Then I worked for an attorney by the name of

1 Keith Adams in Decatur. I was there for probably a
2 year before I opened my current firm inside that
3 firm. And then about either thirteen or twelve years
4 ago, I left that physical building and opened my own
5 physical building in Atlanta, and I have been doing
6 that ever since. My office has moved from Atlanta to
7 Decatur and I was in Tucker.
8 Q. Do you work with any other attorneys within
9 your law firm?
10 A. I have from time-to-time. I currently have
11 one other associate at the office.
12 Q. And what kind of matters do you handle at your
13 law firm?
14 A. Mainly criminal, some personal injury and some
15 civil rights.
16 Q. When did you become a member of the Georgia
17 Conference of the NAACP? I assume you are.
18 A. About ten years ago.
19 Q. Review with me chronologically from that time
20 to the present the different positions you've had
21 within the Georgia Conference.
22 A. Initially I was just a member, and then I was
23 appointed to be the 2nd Vice-president of the Atlanta
24 Chapter of the NAACP, at which point I met the
25 current, at that point the current Georgia State

Conference President Francis Johnson, who appointed me to be the Criminal Justice Chair of the Georgia State Conference.

I held that position during the course of his administration. Then I was elected to be the 3rd Vice-president of the Georgia State Conference under Phyllis Blake's administration, so I was still the Criminal Justice Chair, but I was also the 3rd Vice-president.

Then, President Woodall became the president, and I was not a part of the executive committee of the Georgia State Conference.

And then I was -- well -- there was a gap period between President Woodall and President Peters became the president, and then I re-ran for State Conference President and I'm currently the State Conference President.

Q. When did you become the State Conference President?

A. I was elected in April and sworn in May of 2022.

Q. You said several -- in several places there that you had been a 2nd Vice-President, 3rd Vice-President; is that -- is that -- are you talking about in time, like there was a first one and then

there was the second one and then there was the third position or the organization has several vice-presidents?

A. The organization has several vice-presidents. So the 1st Vice-President would be akin to a Vice-President, the 2nd and 3rd are subsidiaries of that in the hierarchy. So you got the president, 1st vice, 2nd vice, 3rd vice, and then you move down the ladder, so it's just the organizational structure.

Q. Mr. Griggs, I just put up on the screen through share screen the 30 (b)(6) notice, which I would like the court reporter to mark as Exhibit 1. And I will ask, can you see that?

A. Yes, I can see it.

Q. So the way we are going to have to deal with the documents, because we are on Zoom, is I'll show you a document and then I'll scroll through it to the points I want to ask you about, and if at any time you want me slow down or look at a different page, you can let me know; okay?

A. Okay.

MR. HEAVEN: Are you not using Exhibit Share?

MR. BOYLE: Let's go off the record.

(BRIEF BREAK)

(UPON RESUMING)

1 MR. BOYLE:
2 Q. Back on the record. So, Mr. Griggs, I have up
3 on the screen Exhibit 1, 30 (b)(6) deposition notice.
4 Have you seen this document before?
5 A. Yes, I've seen this document before.
6 Q. So we have two pages and then signature, then
7 there's Exhibit A with fifteen topics; have you seen
8 that before?
9 A. Yes.
10 Q. Let's go back to page 2, the paragraph there
11 were it says, Please note, the Organization must
12 designate one or more officers, directors, managing
13 agents, or other appropriate persons who consent to
14 testify on behalf of the organization.
15 Mr. Griggs, are you the person to testify on
16 behalf of the Georgia Conference of NAACP?
17 A. Yes, I am.
18 Q. And if we go to the, if I scroll to Exhibit A,
19 it's two pages and it has fifteen topics. Are you
20 prepared to testify on all of the topics on Exhibit
21 A?
22 MR. HEAVEN: Let me put on the record an
23 objection. My understanding is that there were a
24 number of topics that were withdrawn or that there
25 had been significant -- agreement to further

narrow the topics.

So my understanding is Topics 2, 6, 7, 10 are the ones that were withdrawn, so he won't be testifying with respect to those topics, but he's prepared to testify to the remaining topics.

MR. BOYLE:

Q. Thank you, counsel.

So, Mr. Griggs, your counsel has just alluded to the objection that's been filed on behalf of your organization as to Topics 2, 6, 7, and 10, but otherwise are you ready to testify on the other topics?

A. Yes, subject to my counsel's objection, yes.

Q. All right. We will go back to page 2. Right at the end, it says, The person must be ready to testify about the information known or reasonably available to the Organization. Do you see that?

A. Yes, I see it.

Q. And you are ready to testify as to what is known to the organization on those topics; correct?

A. Yes.

Q. Mr. Griggs, when did you first learn that you would be testifying today?

A. When my attorney has got the notice. I can't remember the exact date.

Q. Okay. I'm not asking you for the substance of communications with counsel, but you had not -- you had not been told of possible testimony before the formal notice was received in December of 2022 or so?

A. No, I knew that I would be testifying on behalf of the organization, I just didn't know the date, I thought you meant the date.

Q. Well, when did you first -- when did you first learn that you would be eventual 30 (b)(6) witness for the organization?

A. When I became the President of the State Conference.

Q. Okay. Because when you became the President, the litigation was already ongoing?

A. That's correct.

Q. When did you start preparing specifically to give testimony today?

MR. HEAVEN: Object to form. You can answer if you can.

DEPONENT GRIGGS:

A. A couple of months ago, maybe.

Q. And how did you start preparing?

A. I started going over what I knew, started speaking with the people who were in the previous administration who might have information, and then

that's pretty much it.
Q. What did you understand your obligations were concerning this deposition today?
A. To give truthful testimony about what I knew, what was available to the State Conference.
Q. With regard to your specific preparation, did you look at paper documents to get ready?
A. Not really, no, not aside from the legal filings.
Q. Did you look at emails to help you get ready?
MR. HEAVEN: Object to form, asked and answered. You can answer if you can.
DEPONENT GRIGGS:
A. Not that I can recall.
Q. Did you look at any financial records to help you get ready?
A. No.
Q. Did you look at any documents that dealt with efforts by the Conference to assist voters?
A. I looked at newspaper articles, but not any specific documents, no.
Q. Why were you looking at newspaper articles?
A. I wanted to get historical information as to what the previous administration had done, and they had a very robust, calm strategy where they outlined

what they did in news and media.
Q. Since you mentioned that, what was that strategy as you understood it?
A. They wanted to get the message out as far and wide as they could, so they used traditional media and social media to get their message out.
Q. What forms of social media?
A. YouTube, Twitter, Facebook, Instagram, text messaging, that's what I can remember. I know they sent emails, but I didn't get a chance to review those.
Q. What emails do you know about that you didn't get a chance to review?
MR. HEAVEN: Object to form, very ambiguous, asked and answered. You can answer if you can.
DEPONENT GRIGGS:
A. I know when I used to receive emails updates from the State Conference under the previous administration, they would send the emails out. I can't remember, you know, technically what the emails said, but I know we received them.
Q. So you are talking about emails sent to the membership, not necessarily out to the members of the public?
A. They were sent to the members of the public as

well.
Q. How did the Conference have names of non-members to send emails to?
A. That's a good question. They had a database that they used to email blast to, but I know everybody in the database were not members of the State Conference nor the NAACP.
Q. Did you review the original complaint in this action and the amended complaint?
A. Yes, I did.
Q. Did you look at any other filings in the case to help you get ready to testify?
A. The notice, the complaint, the amended complaint, the discovery responses, I think. I think that's it.
Q. Can you think of anything else that you specifically reviewed to prepare for the testimony today?
A. No, I can't recall anything else.
Q. Did you bring any of the documents that you reviewed with you to the room where you are today to help you testify?
A. No, I did not.
Q. So you don't have a file with you that you want to refer to to answer any questions today?

A. No, I don't have a file that I would use to refer to.

Q. Did you review any prior testimony, either deposition or hearing or trial testimony, to help you testify today?

A. I reviewed the transcripts of the hearings that were on re-districting.

Q. You mean hearings that were in federal court in Atlanta?

A. No, no, it was hearings that were conducted at the State Capital and around the state of the public giving comment on the re-districting.

Q. So hearings of the General Assembly in the Town Halls?

A. That's correct.

Q. Do you remember any specific topics, and I've still got my screen share up, but I will go to Exhibit A, do you remember any of these particular topics where you had to go to somebody else to gather information to help you testify?

A. Not -- no, I don't remember each specific topic, because I went to others to just make sure I got a full, overall analysis of activities and things that happened when I was not in the administration.

Q. Okay. Other than Topics 2, 6, 7, and 10,

which your counsel said you are not testifying to based on objections and/or agreement, are you otherwise prepared to testify to all of the topics on behalf of the organization?

MR. HEAVEN: I will interject. He is prepared to testify and he can testify to that, to the extent that it doesn't implicate attorney-client privilege or any other privileges, because I think that's, you know, that speaks for itself. I just wanted to put that on the record as well.

MR. BOYLE:

Q. Okay. Maybe that wasn't a good question.

Mr. Griggs, what I'm trying to ask you, and not very well I guess, is other than the four topics, 2, 6, 7, and 10, are you prepared to give all answers on the topics at this deposition today, and there is not another person who would have to come forward on behalf of the Georgia Conference to complete the answers on the remaining topics?

A. To the best of my knowledge and ability, I think that I am, but there may be some additional information that may need to be provided by individuals who have the firsthand knowledge of some of the things you may ask.

Q. Okay. Well, we'll deal with that as it comes

1 up. Thank you.
2 I'm going to start with topic Number 1, which
3 is, The Organization's allocation of resources and
4 budgetary decisions from January 1, 2021 through the
5 present that reflect the diversion of funds and
6 resources the Organization alleges it has undertaken
7 in its Complaints.
8 So what documents did you review as to Topic
9 1?
10 A. The only documents I reviewed was the
11 complaint and potentially media, both. That's pretty
12 much what I reviewed.
13 I do know some of the things that are
14 requested in this, in this question, but it was more
15 from my experience in the organization and some
16 conversations I had with people who were in the
17 previous administration.
18 Q. Who did you talk to that helped you get
19 information to answer questions on Topic 1?
20 A. Ed DuBose, Tequeria Barrett. I attempted to
21 speak with former President Woodall. That's it that
22 I can remember.
23 Q. Mr. Griggs, I put up on the screen the amended
24 complaint; do you see that, the first page?
25 A. Yes, I see it.

Q. I'm going to scroll down to Paragraph 42, it starts on page 14.
A. Yes, sir.
Q. And I'll ask you to just read that to yourself, so you are familiar with it and when you are ready, I'll scroll down to the next page.
MR. HEAVEN: Mr. Boyle, I do want to remind and put on the record that Mr. Tyson agreed to withdraw and to not pursue any questioning regarding the diversion of financial resources. So to the extent that the questions address the diversion of financial resources, those have been taken off the table by Mr. Tyson. So I just want to make sure that that's clear on both sides.
MR. BOYLE: Understood.
DEPONENT GRIGGS:
A. Okay. I've read that paragraph.
Q. Okay. And it just goes on for a couple of more lines here.
A. Okay. I've read that part, too.
Q. So in Paragraph 42, where it says the Georgia NAACP has had to commit significant time and resources and will continue to do so to combat the effect of these new maps on communities of color throughout the State.

Are those allegations still true?
A. Yes, they are.
Q. Subject to the objection as to diversion of the financial resources, could you tell me about diversion of non-financial resources of the Conference that support the allegations in Paragraph 42?
A. Sure. To the best of my knowledge, prior to my time as the president and up till now, we have had to shift our organizational philosophy and resources to making sure that the impact of the new maps does not substantially reduce the voting power of black people in communities of color throughout the State.
So, of course, the NAACP focuses on multiple pillars, both in social justice, civil rights, reducing racial discrimination, and voting, we did not put a lot of time and effort into specifically fighting re-districting until we knew that the new maps were going to be drawn and then saw the impact.
So whether that's programmatic, whether that's strategic planning, whether that's implementation, we've had to shift our resources from our main pillars to focus directly on combating the significant impact of re-districting.
Q. I believe you testified earlier, Mr. Griggs,

you have been a member of the Georgia Conference for about ten years; is that right?

A. That's correct.

Q. Are you familiar with whatever efforts the Georgia Conference may have undertaken with regard to re-districting following the 2010 Census?

A. No. I was a member of the Georgia State Conference, but I was not in the executive-level position. I know that the Atlanta branch participated, but I was mainly in the Atlanta branch at that point.

Q. Again, subject to the objection to the financial resources, can you tell me as to the allegations in Paragraph 42, what are the things that the NAACP Conference in Georgia would have done or would be doing but for the re-districting? I'll stop there.

MR. HEAVEN: Objection. Vague and ambiguous. Is there something specifically you are asking for or, because you said what they would be doing, that could be any number of things. I want to make sure we are precise with the question.

MR. BOYLE:

Q. Okay. Again, I apologize, Mr. Griggs, if my question is not clear, that happens.

In other words, what was the NAACP doing before, but it had to stop doing or had to reduce its activity, in order to concentrate on the combating restricting as alleged in Paragraph 42?

A. Okay. We were fighting racial discrimination throughout the State. We were dealing with police brutality throughout the State. We were focused on reorganization of many of our branches to be able to respond to the incidents that occur around the State that affect the quality of life of African-Americans and people of color.

And then, we knew that the maps were going to be changed, so we had to shift and make sure we were focused on not allowing for the dilution of African-Americans and people of color's voting capacity and power in the State.

So we had to shift resources from our focus, which was racial discrimination, civil rights violations, to focusing on making sure there was no dilution through the re-districting plan and implementation.

Q. If you look at the last three or four lines on page 14 in Paragraph 42, it says that the Georgia NAACP implements programs such as voter education efforts and voter registration drives, but had to

redirect funds and volunteers towards re-districting.

I'm paraphrasing, but that's basically what you are saying; right?

A. That's part of what I'm saying. That's just some of the things we do.

We do do a lot of voter education efforts and voter registration drives as well as the other items that I mentioned, but not of that was focused directly on, you know, combating re-districting or educating voters on the impact of re-districting, which is what we had to do.

We also had to make sure that we host the Town Halls throughout the State to make sure we've got the message out that there were going to be substantial changes and that people needed to understand what the impacts of those changes were going to be.

Q. Well, when Paragraph 42 says that voter education efforts and voter registration drives have had to be able to continue to be redirected. Can you be more specific about each one -- let's take voter education efforts first, how were those redirected and diverted?

A. Well, we had to shift our messaging strategy and our overall strategy to get people to understand that, you know, many of the congressional districts

that they now live in will be drastically changed, so polling precincts will be changed, their representatives will be changed, and that they need to understand what the impact that would have on them.

Voter registration drives, if you were registered to vote, especially with the voting purges, you would have to make sure your registration is still up to date and good, and that you have to make sure that you are still in whatever district you were in or you may have be moved to another district.

So we had to educate people, and we had to make sure people were aware, and we had to make sure people understood that they still had the opportunity, through the Town Halls and through the hearings, to be present to give voice to what was about to happen, but also be prepared for the outcome of what would happen.

None of that we would be doing but for the issue of re-districting. We would have been simply focused on protecting people's civil rights, making sure we responded to the police-involved incidents and the racial violence incidents that were current, and then mobilizing people to vote by educating them on the candidates and the issues, not the attempts to

dilute their voting power.

Q. So the voter education efforts, but for the re-districting, would normally include what?

A. They would include the issues, the candidates and making sure that people understood their voting dates, their polling precincts and whether or not they were registered and getting people re-registered.

Q. Are you able to say how many volunteers, whether it's a number of people or a number of hours, that were diverted, as alleged in Paragraph 42, from the NAACP's normal efforts to re-districting, to combating effects of re-districting?

A. Specifically, no, I wouldn't be able to quantify that number, one, because I wasn't in the leadership position, but I can say that I know it was substantial.

We had numerous events, both in the communities or the units and at the State Conference level to make sure that we were prepared to respond to this.

So I can't give an outright number because I wasn't the president at that time, but I know it was a substantial effort and allocation of time to make sure that we properly responded.

1 Q. Do you know whether there were any paid staff
2 of the Georgia Conference whose duties had to be
3 diverted to address the concerns as alleged in
4 Paragraph 42?
5 A. I know, at that time, the Georgia State
6 Conference had an executive director and had a
7 communications director, they had an office assistant
8 who was primarily focused on getting the message out
9 and planning the programming around pushing back on
10 re-districting. So I do know that they were working
11 on that more than they were working on anything else
12 that are a part of the pillars of our strategy to
13 make sure we advance the lives of colored people in
14 the State.
15 Q. That brings me to a question, are you paid by
16 the Georgia Conference for your duties as the
17 president?
18 A. No, it's a volunteer position.
19 Q. So you talked about educating voters about
20 their new representatives, their new districts. You
21 talked about voter registration drives, making sure
22 people were properly registered to take into account
23 the new maps.
24 Are there any other specific new activities
25 that the Georgia Conference had to undertake because

of the re-districting as alleged in Paragraph 42?
A. They had to appear at the Town Halls around the State and give testimony at the hearings. And they had other events, which were educational in focus, both digitally and in person, to make sure people were aware of what was happening and how they could push back.
Q. Can you tell me about all of those other digital and in person events?
A. I know that President Woodall and I believe President Peters had virtual Town Halls and in person Town Halls, I know the units did. By the units I mean the branches of the NAACP which encompass the State Conference.
Q. Well, that's a later topic, but I'll go ahead and ask you. How is the Conference organized by units?
A. The Conference is organized into a hundred and eighty units and eighty-three youth and college branches. So a unit is the actual functioning body in a jurisdiction. So for the adult units, there are a hundred and eighty throughout the State, they are organized by region, either by county or by city.
And then the youth and college are organized, some of the youth and college are associated with

adult branches, which would be a youth council, or they are associated with the universities in Georgia which would be a college branch.

So we have a hundred and eighty adult branches and eighty-three youth and college branches around the State.

Q. Are you able to say that there was a particular program that the NAACP Conference in Georgia would have -- would have undertaken but was not able to because it had to divert its resources to re-districting?

A. No, not an individual program. But I would say is that we would have dedicated more resources to the actual voter mobilization and get out to vote earlier than we did, because we were focused on re-districting while in the middle of the municipal races.

So we had to shift significant resources away from GOTV for municipal races to deal with special session as well as voter education of what was happening during that period in 2021.

Q. From your -- from your experiences as a member in the Georgia Conference for the last ten years, were you familiar with the Conference's "Get out the vote" efforts in the 2018 election?

A. Some --

MR. HEAVEN: Object to the form. Relevance. You may answer if you can.

DEPONENT GRIGGS:

A. Yes, somewhat.

Q. Okay. And 2018 was obviously before the 2021 re-districting occurred; correct?

A. That's correct.

Q. So tell me what those, the "Get out the vote" efforts were like in 2018?

MR. HEAVEN: The same objection. You can answer.

DEPONENT GRIGGS:

A. "Get out the vote" effort in 2018, basically they had a calm strategy where they would use local and regional media to get the message out.

They did have a few Town Halls, they did employ a few canvasses, and they partnered with several organizations to attempt to get the vote out, so Georgia Stand Up, the People's Agenda, and probably -- I know of Georgia Stand Up, People's Agenda, I think that was it. No, there was one more group I can't remember right now. But it wasn't -- it wasn't a strong statewide as it has become, so there was an effort in 2018, it wasn't as successful

as 2020 or 2022.
Q. So the "Get out the vote" effort for the Conference got strong in 202 and then even stronger in 2022?
A. Yes.
Q. Can you tell me how the Georgia Conference identifies or identified individuals affected by the 2021 re-districting apart from other groups or other people that the Conference would otherwise be trying to help?
MR. HEAVEN: Object to the form. Vague and ambiguous. You can answer if you can.
DEPONENT GRIGGS:
A. The Georgia State Conference has a hundred and eighty units, so when we got the wind that the re-districting would take place, we talked with units presidents as well as members of the individual units in the affected districts to get polls of how this would affect them.
Most of the responses we got would be this would be politically damaging to the ability for African-Americans and other people of color to continue to have overall voting strength in Georgia as we have made significant gains from 2018 to 2021, which was shown in the 2020 election.

1 Q. And were those -- was that feedback, if you
2 will, from the units was that expressed in writing?
3 A. As far as I know it was not expressed in
4 writing, it was expressed in meetings and phone
5 conversations, and overall communications between
6 leadership at the State Conference and the units
7 presidents and the membership.
8 There may have been, I wasn't privy to it, but
9 I know, especially in the Atlanta branch, there was a
10 conversation that was happening around the State.
11 It's like I said before, from 2018 to 2020, our GOTV
12 got a lot stronger. It went from maybe a fifteen
13 county strategy to a fifty-nine county strategy, and
14 now it's a hundred and fifty-nine county strategy.
15 So there was a constant flow of the
16 information going from the units to the State
17 Conference to make sure we mobilized the vote, and a
18 lot of that was redirected when we knew that
19 re-districting was coming, because we knew that there
20 was an attempt to blunt the strength of the African-
21 American vote that was shown in 2020.
22 Q. How does the Georgia Conference of the NAACP
23 track individuals affected by the 2021
24 re-districting, if it does so apart from tracking
25 people normally?

MR. HEAVEN: Objection, vague. I just want to make sure I clarify, is there something specific you want him to answer about tracking or are you talking about tracking --

MR. BOYLE:

Q. Well -- again, Mr. Griggs, you tell me if my questions are hard to understand, but it's really open-end question. I'm just asking, to the extent the Conference tracks people who are affected by re-districting, how does it do it differently from the way it tracks people otherwise for its efforts?

A. Well, through the political action committees and the units we have several programs upon which we monitor voter activity and we provide data and statistics that inform our GOTV efforts.

When we got wind of the new maps, of the potential of the new maps, many of the political action chairs I know they had conversations, they may have had meetings. Again, I wasn't the President at that time, but I do know that the better person to ask would be Vivian Moore, who is the former political action chair, she can tell you specifically.

But I know that we have programs that were used, the name of the program is escaping me right

now, not hustle, but -- I forgot the name of the program. There is a -- oh, the VAN system, through the VAN system we track all of that.

Q. Could you spell that for me?

A. VAN V-A-N Voter Access Network. It's a database that we use.

Q. How often is that database updated?

A. Every election.

Q. How is information inputted in that database, in other words what's the source of the information?

A. The source of the information would be canvassers that go out and do the door knocking. It's a website and it's a mobile app, when you make contact with voters, you input their information into the VAN system and we can watch the trends and be able to see who is voting and who is not voting and the reason why.

Q. Is that a database that's internal to the Conference or is it something that's publicly available?

A. It's internal to the Conference. It's actually internal to the NAACP, but it's internal to the Conference.

Q. Is it available to all members or only to staff?

A. Just to the political action chairs and the State political action chair and sometimes to other members of the executive board.

Q. Are there any other databases that you know of for tracking people affected by re-districting?

A. No that I could think of, no.

Q. Can you say what percentage of the Georgia Conference of the NAACP's work is currently focused on people affected by the 2021 re-districting maps?

MR. HEAVEN: Object to form. Calls for speculation. You can answer if you can.

DEPONENT GRIGGS:

A. I don't know. That would be a better question for the political action chair.

Q. Is that Vivian Moore?

A. No, currently it's Ray McClendon. Vivian Moore was the previous political action chair.

MR. HEAVEN: Hey Don, is it possible to take a quick break?

MR. BOYLE: Yeah, we are just about on that time and that's perfectly fine. And I'll try to see if I can get the -- if I can get the Exhibit Share working, otherwise we will just keep going with the screen share. We are off the record. Ten minute break.

(BRIEF BREAK)
(UPON RESUMING)
MR. BOYLE:
Q. All right. Mr. Griggs, do you understand you are still under oath?
A. Yes.
Q. Thank you. I put up on the share screen the Supplemental Objections and Responses to the First Set of Interrogatories, Requests For Production and Requests For Admission in this case; do you see that?
A. Yes.
Q. We would mark that as Exhibit 3. The amended complaint should be Exhibit 2. And I believe, Mr. Griggs, you've verified these, that's your verification of the interrogatory responses; correct?
A. That's correct.
Q. So I'd ask the reporter to make the verification Exhibit 4. I just want to ask you about a couple of the interrogatory responses.
A. Okay.
Q. So I'll scroll to page nine, so this is the response to Interrogatory 1. It says, Prior to the adoption of Redistricting Plans, the GA NAACP's support of voting rights was central to its mission; is that correct?

A. That's correct.
Q. And then the next paragraph describes specific efforts that the Georgia NAACP has used, and those include legislative advocacy, communication and outreach.
And do I understand in this response on page 9 to Interrogatory 1 you are talking about historical efforts of the Georgia NAACP without regard to re-districting; is that right?
A. That's correct, yes.
Q. Okay. What kind of legislative advocacy has NAACP undertaken in the past?
A. In the past?
Q. Yes, sir.
A. In the past, we have always had a strong presence at the State, State Halls, through lobbying, through direct advocacy with our elected officials and to push from legislation that increases older access, that increases civil rights, and to further the cause of social justice.
Q. And I believe you used the word "direct", so has the Georgia NAACP generally done its own legislative advocacy or has it also used lobbyists to help it out?
A. It's been a mixture. Some administrations

have hired lobbyist in the past, some administrations have not. But for the most part, it's been direct, but a few of the previous administrations have used lobbyists as well.

Q. And the response -- because we talked about a couple of efforts you've already described, voter registration, voter education, GOTV efforts; election protection, what does that mean?

A. Election protection is, you know, so during the course of an election, we have an election hotline and lawyers that are on hotline to make sure that people have access to the ballot and also that their votes are counted.

So basically we are protecting the integrity of the election by making sure every voter has access. So again, voter hotlines. We have poll monitors. We have election protection lawyers that are responding in realtime during the vote period and then, of course, on election day.

Q. What has been the Conference's census participation work?

A. I wasn't as involved with that, but basically we were enabling to get a fair count, so through our units we would get messaging out that we have events to make sure people are ready to participate in the

1 census and return the census information every ten
2 years.
3 The last ten years, we actually had a robust
4 program to make sure that African-Americans and
5 people of color return the census, but I wasn't
6 directly involved in it, but I do know that we had a
7 very robust program to make sure that the people
8 returned the census information.
9 Q. All right. The response mentions fair
10 re-districting maps and then impact litigation; what
11 does impact litigation mean?
12 A. Impact litigation is filing lawsuits to
13 protect voting rights, to challenge what we believe
14 are government impinging on voting rights through
15 legislation or through policy. So litigation that
16 makes an impact on protecting voting rights is what
17 it means.
18 Q. I scroll down to the next page, page 10. And
19 there is more of a specific answer with regard to
20 voter outreach?
21 A. That's correct.
22 Q. Okay. And text and phone banking programs?
23 A. Yes, that's correct.
24 Q. In line-relief activities?
25 A. That's correct.

Q. Assisting voters with transportation to the polls on election day?
A. Correct.
Q. Public education?
A. That's correct.
Q. And then it says other programmatic work; can you tell me what that would be referring to?
A. That's just an all encompassing statement of the other things that we do. Again, we mentioned the impact litigation, we mentioned the education. That just encompasses the miscellaneous things that we do to protect voting rights, whether that's marches, whether that's protest, media events. We do a lot. So it's the other miscellaneous programming work that we do around voting rights.
MR. HEAVEN: Mr. Boyle, I just want to clarify, I want to make sure that we are on the same page.
The questions that you ask him are in regard to the items identified at the bottom of page 9 of the interrogatory responses, those were pertaining to the diversion of resources. I just want to make sure that's clear on the record. And then the ones on the other page are the other things done generally.

So I want to make sure, I thought that you asked him whether those issues at the bottom of page 9 were just general things that the NAACP Conference does, but I wanted to make clear those are the things that we identified as diverting resources.

MR. BOYLE: Thanks for that. That's not really what I was -- I was really just trying to get the witness, Mr. Griggs, to just confirm the response is accurate and amplified.

As I understood the question and the response, Interrogatory Number 1 is asking for the efforts of the organization, that is the Georgia Conference of the NAACP before re-districts, so it wouldn't have to do with diversion of resources. This is what the NAACP normally was doing before re-districting. I think it's the following interrogatory that asks about diversion.

MR. HEAVEN: Okay. I just wanted to make sure we are on the same page.

MR. BOYLE:

Q. Okay. Let's go to Interrogatory 2 then, Mr. Griggs, and I'll scroll down, so that starts on page 11, there is an objection. So then starting at the bottom of page 12, it talks about the

1 Conference's activity following the adoption of the
2 re-districting plans.
3 And the paragraph starting "however" on page
4 13, it says, The adoption of the Redistricting Plans
5 has made it more difficult for the Conference to
6 carry out its mission and it talks about the
7 diversion of resources.
8 Let me back up before I ask you specifically
9 about the response to number 2, Mr. Griggs. Besides
10 verifying these responses on behalf of the
11 Conference, did you actually read them over before
12 they were printed out?
13 A. Yes.
14 Q. Did you have a role in preparing the responses
15 as far as actually providing factual information
16 towards the final response?
17 A. Yes, I provided --
18 MR. HEAVEN: I'm going to object, he provided
19 answers to the extent that it doesn't involve any
20 communications with the counsel.
21 DEPONENT GRIGGS:
22 A. Yes. I provided the information, I didn't
23 draft them.
24 Q. Okay. Okay so Interrogatory 2 then, as we are
25 looking on page 13, and you've already testified, I

1 believe, Mr. Griggs, and I don't mean to waste time,
2 it says, as a result of the re-districting, Plaintiff
3 has been forced, and will continue to be forced, to
4 divert resources to educate Black voters and other
5 voters of color about the impact of the Redistricting
6 Plans. That's correct?
7 A. That's correct.
8 Q. The next sentence says, The dilution of the
9 voting strength requires Plaintiff to expend more
10 resources on public information about the unfair
11 maps, strategies to encourage civic participation,
12 and GOTV efforts.
13 A. That's correct.
14 Q. And then the last sentence on page 13,
15 carrying over, it talks about how the plaintiff, that
16 is the Geogia Conference, had to make significant
17 changes to its civic engagement and voter education
18 programs, including creating voter education
19 materials, et cetera; do you see that?
20 A. Yes, I see it.
21 Q. Is there anything, as you sit here today, that
22 you would want to add to the response to
23 Interrogatory 2?
24 A. Not that I can think of.
25 Q. Mr. Griggs, I put up on the screen a document

that we've obtained, NAACP and Affiliates Consolidated Financial Statements and Independent Auditor's Report for the Year Ended December 31, 2019.

A. Okay.

Q. Just looking at the cover page, do you think this is a document you've seen before?

A. Not that I've seen, no.

Q. I would like to mark this as Exhibit 5. I just want to -- I'm not asking you about the financial information there because I know we have objections. I do want you to take a look at a page talking about activities of the organization, though, numbered page 8 within the document.

MR. BOYLE: Counsel, did you want me to scroll through the whole thing or did you want to show it to him?

MR. HEAVEN: Do you want him to scroll it?

DEPONENT GRIGGS:

A. I mean, I've seen something like that, I haven't seen this one, but that's fine.

Q. Well, what -- I thought this couple of pages here on pages 8, 9 and 10, this appears to be from the National Organization and it does describe various activities. And I wonder if you could just

tell me whether the Conference, the Georgia Conference also engages in these activities that are described here. Let me enlarge it a little bit.

A. And which --

Q. It mentions --

A. Go ahead.

Q. It mentions membership services; is that something the Conference does?

A. Yes.

Q. Field operations?

A. Yes.

Q. Convention; does the Conference have anything to do with the annual convention?

A. We have an annual state convention, not the national, no.

Q. Image awards; does the Conference have anything to do with that?

A. No, we don't.

Q. Leadership 500 Summit?

A. No, we don't.

Q. How about ACT-SO?

A. Yes, we do ACT-SO.

Q. What's the involvement there?

A. Basically, it's, it's the Educational Olympics, so we have participation from the unit

level and the state level, so that the students can go to the national competition of ACT-SO and participate.

Q. Has that been adversely affected by re-districting efforts?

A. No, ACT-SO hasn't, no.

Q. There is an entry here for research and policy; does the Georgia Conference do any research?

A. I mean yes, we do, on public policy, but not at the national level no; state level, yes.

Q. Does the Conference have a staffer, either paid or a volunteer staffer who does research?

A. Sometimes. I'm not sure if they had it in the previous administration.

Q. Has that been affected by re-districting?

A. Not that I know of.

Q. There is an entry here for NAACP Health Program; is that something the Conference is involved in?

A. No, not currently and not in the previous administration that I know of.

Q. Economic development; does the Conference have economic development programs?

A. Yes.

Q. What -- describe those for me if you could.

A. There is an economic development chair for the State Conference, and there is also economic development chairs in the hundred and eighty branches. Their purpose is to make sure that there is economic developments and sustainability in the communities of color throughout the State and particularly in their units jurisdictions.

Q. How about climate justice; is that something the Conference is involved in?

A. Absolutely.

Q. Has that been affected by re-districting?

MR. HEAVEN: Object to form. You can answer.

DEPONENT GRIGGS:

A. Not yet. I'm sure it will be once the -- once the hundred and eighty of Congress decides to pass policy and Marjorie Taylor Greene starts participating in that, I'm sure it will be.

Q. Are the criminal justice programs at the Conference level?

A. Yes.

Q. The human rights programs?

A. Yes.

Q. Have either of those been affected by re-districting efforts?

MR. HEAVEN: Object to form. I just want to

1 put a standing objecting for when you ask about
2 whether these programs have been affected by
3 re-districting, so just kind of a standing
4 objection to those questions, but you can answer.
5 DEPONENT GRIGGS:
6 A. Currently no, not yet.
7 Q. Does the Conference participate in the Next
8 Generation program?
9 A. Yes, we do.
10 Q. Have resources been diverted from that program
11 as a result of re-districting efforts?
12 A. Not that I know of, no.
13 Q. Mr. Griggs, when did the Georgia Conference
14 begin efforts towards individuals in the State of
15 Georgia who may be affected by the 2021
16 re-districting?
17 MR. HEAVEN: Object to form. Vague.
18 DEPONENT GRIGGS:
19 A. Once we heard that they were convening a
20 special session, we started to reach out to the units
21 and started to mobilize strategy and plan to push
22 back. So middle, middle of the summer, 2021 I think
23 or maybe the start of the summer, somewhere around
24 there.
25 Q. Was there somebody at the Conference, at the

top level of the Conference who was in charge of those efforts?

A. I would -- I don't know, but I would think that it would have been the President.

Q. So do you have any knowledge of how the President's activities in 2021 were diverted towards re-districting related efforts?

A. I know the President, from his testimony, indicated that it was, and the sessions that were given to the joint commission of the legislature.

Q. All right. Mr. Griggs, let's look at Topic 3. Do you see the notice on your screen?

A. Yes.

Q. So Number 3, the topic is the Organization's exempt purpose and activities it undertakes in accordance with its exempt purpose. And you are ready to testify on that topic?

A. Yes.

Q. So for our purposes, if we have this understanding what we mean, what I mean by the exempt purpose is the tax exempt purpose of the Georgia State Conference; is that right?

A. Yes, okay.

Q. Did you review any documents to prepare for this topic?

A. No.
Q. Did you speak to anyone within the organization specifically to get yourself ready on Topic 3?
A. No, not specifically on Topic 3, no.
Q. I put up on the screen and we'll mark this as Exhibit 6, the form 990 for the National Organization for 2018. Is this something you've ever seen before?
A. I haven't seen a 2018 one, I've seen ones from the past during National Convention.
Q. Again, this is -- this isn't to get into the numbers, but I just want to point to a couple of -- point to the first couple of pages of this document.
If you see on part 1, about a quarter way down the page, Summary Number 1, it says briefly describe the organization's mission or most significant activities; do you see that?
A. I see that.
Q. And it says, to ensure the political, educational, social and economic equality of rights for all persons to eliminate racial hatred and racial discrimination. Is that your understanding of the mission of the National NAACP?
A. Yes, that's the mission of the National NAACP.
Q. And that's also the mission of the Georgia

Conference?
A. Absolutely, yes.
Q. Let's go to the next page, 3rd page, on the 3rd page of the document under 4A, it further describes efforts of the National Organization and it describes youth services and giving an example of Back to School, Stay in School, and ACT-SO, which you talked about. I don't think you talked about Back to School, Stay in School; do you know what that program is?
A. That's the first time I've ever seen this, Back to School, Stay in School. I know what ACT-SO is.
Q. So as far as you know, the Conference doesn't participate in Back to School, Stay in School?
A. No, not that I know of. In the ten years I have been in the Conference, I've never seen that.
Q. I put on the screen what's Exhibit 7, a document titled The Articles of Incorporation. It appears to be the articles of incorporation of the National Organization and it's dated May 25, 1911. I'll just scroll down through pages. Is this something you've ever seen before?
A. No, I've never seen that before.
Q. Is it your understanding the National

Organization was founded around 1911?
A. No, it was founded in 1909.
Q. This is saying it was incorporated in 1911; do you have any other knowledge about that?
MR. HEAVEN: Objection, calls for speculation.
DEPONENT GRIGGS:
A. My understanding is that the National Association for the Advancement of Colored People was founded in 1909. There was an aggregate movement before that, but I don't -- I've never seen this document before.
Q. Look at paragraph 2 there about the principal objects for which the corporation is formed. If you could just read that, and if you need me to expand the type or anything, I can do that.
A. Okay. I read it.
Q. Is it your understanding that that's still the principle objects of the National NAACP?
A. Some of it is. I think a better source would be on the website, the purpose and mission of the NAACP.
Q. Is the Georgia Conference of the NAACP separately incorporated?
A. I believe so. I think it's incorporated in the State of Georgia. I'm not, but I think so.

I think the National Association will be incorporated in Delaware. That's just -- that calls for speculation, sorry, I'll strike that.

Q. Do you know who does the -- let me start over, strike that.

Who takes care of any necessary corporate filings for the Georgia Conference?

A. The Office of General Counsel would do that.

Q. Is that at the state level or the national level?

A. National.

Q. Mr. Griggs, I put up what I'll mark as Exhibit 8. This is -- this is a document or a couple of documents from the Georgia Secretary of State website.

I've got three pages here for Exhibit 8. The first page is the certificate of authority for the NAACP, Inc. And this document, this page reflects that it's authorized to transact business as of June 12th, 2019.

If we will go the 2nd page, it's a little harder to read. It's an application for certificate of authority by the National Organization.

And if we go to the 3rd page, there is a certificate from the Delaware Secretary of State as

to the National Organization.

So none of Exhibit 8, these three pages, refers to the Georgia Conference; right?

A. No, it refers to the National Association.

Q. Do you know why this would have been filed in 2019 and not, say, some earlier date?

MR. HEAVEN: Object to form. Calls for speculation.

DEPONENT GRIGGS:

A. Yeah, I don't know.

Q. Then Exhibit 9 is a one-page document, it's referring to the National NAACP, Inc. It's showing that as of, and I'll scroll down -- scroll up, as of January 15th, you see on the top left, January 15th, 2023 NAACP, Inc. is a foreign corporation registered in Georgia in June, 2019, and it's incorporated in Delaware; all that accurate as far as you know?

A. Yes, as far as I know, yes.

Q. Do you know anything about the registered agent, Cogency Global?

A. No, I don't.

Q. And this office that's listed at the bottom here, at Mt. Hope Drive in Baltimore, they are the national office of the National Organization?

A. That's correct.

MR. HEAVEN: I just want to put an objection on the record. All these questions are pertaining to the National Organization, he is here to testify about the Georgia Conference. And so to the extent that your questions that are not about the organizational structure of Georgia Conference, he can testify but, you know, those responses will be in his own personal capacity, not in capacity as the 30(b)(6) representative. I think these are outside the scope of the agreed-upon topics.

MR. BOYLE:

Q. Have any of those last few exhibits, Mr. Griggs, helped you jog your memory or in any way help you to give you full answers as to the Georgia Conference of the NAACP's incorporation or otherwise registration to do business in Georgia?

A. Somewhat. I mean according to the bylaws, we are subsidiary of the National NAACP, so we operate under their purview.

MR. HEAVEN: I'll just say the objection stands. I mean the deposition notice in this case, the organization is defined as the national -- as the Georgia NAACP, so the Georgia Conference. So to the extent you -- even if it

refreshes your recollection for jogging your memory, I think the testimony is still pertaining to the National Conference. But you can answer the questions, but it will be in your personal capacity.

MR. BOYLE:

Q. Exhibit 10. Mr. Griggs, I put on the screen a document called Bylaws for Units; do you see that?

A. Yes, I see it.

Q. And this is a document that I obtained from a hyperlink within interrogatory answers or the responses to the requests for production on behalf of the Georgia Conference. And it appears to be a template for bylaws for Units of the National Organization. Are you familiar with this?

A. Yes, those are, those are the bylaws.

Q. Does the Georgia Conference have bylaws?

A. It does.

Q. And the Georgia Conference's bylaws are within this template that's Exhibit 10?

A. Yes.

Q. As far as you are aware, does the Conference depart from these formed bylaws shown in Exhibit 10 in any way?

A. No, it just fleshes them out a little bit

more.
Q. Do you know or -- do you know, and maybe your counsel can help you, has the Georgia Conference produced its bylaws in this case?
A. I'm not sure.
MR. HEAVEN: I'd have to check, I don't know right offhand.
MR. BOYLE:
Q. So if we turn to page 10 of Exhibit 10, these formed bylaws, and it has an Article III of Organizational Structure.
A. Correct.
Q. So until I see the actual bylaws of the Conference, it's your understanding that what's reflected here in these formed bylaws, Article III, are what's in the actual bylaws of the Georgia Conference?
A. Correct.
Q. Does the Georgia Conference file its own tax return?
A. No, it doesn't.
Q. Does someone else file the tax return on its behalf?
A. Yes, the National NAACP does.
Q. If we turn to page 15, it talks about

membership. And again, is it your understanding that the actual bylaws of the Conference pretty much track what's here in Article IV of the template?

A. It absolutely tracks what's in Article IV.

Q. Article IV of Exhibit 10 talks about prison branches; does the Conference have prison branches?

A. Currently, we do not.

Q. Is that a result of re-districting efforts?

A. No, it's not.

Q. Let's look back at the amended complaint which was marked as Exhibit 2. I'll put that back up on the screen, and I'm at Paragraph 36; do you see that?

A. Yes, I see it.

Q. Paragraph 36 talks about various efforts at the branch level of the Georgia NAACP, and it specifically mentions the early voting events, including "Souls to the Polls". Could you tell me about that?

A. Yes. So "Souls to the Polls" is a program that we have been implementing for years to motivate Sunday early voting, and so events will take place at churches and they will have church programs, and then busses or a march will follow to get parishioners to go to the polls.

Q. Was that program impacted as a result of

efforts devoted to fighting re-districting?
A. Not yet, no.
Q. The same in Paragraph 36, it mentions grassroots mobilization. Specifically, what has the Georgia Conference done with regard to grassroots mobilization?
A. We've organized with several other voter rights groups to mobilize, at this point, seventy-six counties which make up 90 percent of the black vote to mobilize to go vote.
Q. Can you be more specific -- I'm sorry, please finish your answer.
A. That have included Black voters matter, New Georgia Project, People's Agenda, the LO, the Divine Nine, Mason's Eastern Stars, and other groups that cover people of color in the state.
Q. Have those efforts been adversely impacted as a result of efforts diverted to re-districting?
A. We had to step up --
MR. HEAVEN: Object to form.
DEPONENT GRIGGS:
A. We had to step it up because of the attempt to re-district to blunt our mobilization efforts.
Q. How were the mobilization efforts attempted to be blunted and by whom?

A. By the Georgia State Legislature, by changing the maps, because they did not want black people mobilizing the way we had in 2020.

Q. Could you just be a little more specific, how did the map changes affect the Conference's mobilization efforts?

A. It made the Conference have to double efforts to make sure that the voter dilution by the re-drawing the racial gerrymandering of the maps didn't have a substantial effect in the political power of people of color in the State.

Q. I'm scrolling down in the amended complaint to Paragraph 41. It says there that the Georgia NAACP provided oral and written testimony to the House and Senate redistricting committees; do you know who gave that testimony?

A. Yes. Vivian Moore, James Woodall, Melvin Ivey. Vivian, James, Melvin Ivey, and a written response and testimony by Elder Ed DuBose.

Q. It says in Paragraph 41 that the Conference submitted proposed Georgia Unity Maps; what are those?

A. That was an example of fair maps that could have been drawn, they were simply an example of what is possible if you take out the racial gerrymandering

that are in the current maps.
Q. Mr. Griggs, let's look at Topic 4, The Organization's organizational structure, including individuals who have the authority to make funding and resource-allocation decisions for the Organization from January 1, 2021 through the present.
Are you prepared to testify on that?
A. Yes.
Q. Did you review any documents to get ready to testify on this particular topic?
A. No.
Q. Did you have to talk to anybody to get ready to testify on it, other than counsel?
A. No, not on this topic.
Q. You may have already covered -- tell me is there anything else you need to tell me about how the organization is structured, besides the branch structure, you told me about the top level officers?
A. No, I think I covered it.
MR. HEAVEN: Object to form.
DEPONENT GRIGGS:
A. I'm sorry, I think I covered the organizational structure. Anything that I didn't cover would be covered in the bylaws.

Q. As far as you know, how long has that structure been in place for Georgia Conference?

A. I think at least, at least seventy-five years. Maybe longer.

Q. In 2021, who were the individuals who were authorized to make funding decisions for the Conference?

MR. HEAVEN: Object to form. I think we had agreed not to ask questions about this particular topic. I think Mr. Tyson agreed to that.

MR. BOYLE: Well, -- I mean, I'm not asking about specific numbers, I'm just asking who had authority. Is that off limits?

MR. HEAVEN: Yeah, I think all questions regarding the financial piece of it. You can ask him about the resource allocation --

MR. BOYLE: Again, it's very possible you and Mr. Tyson may have that understanding, but I'm looking at your objection on page 4, and it says as to topic 4 Plaintiff will not produce a witness on this topic as it relates to the organization's -- Oh, I'm sorry, I apologize. I see that. Okay. I will withdraw it. I will withdraw the question.

BY MR. BOYLE:

Q. As to the non-financial diversion of

resources, though, how did the Conference make those decisions?

A. Those decisions would have been made by either the President when the executive committee was not in session or the executive committee when it was in session, and ultimately would have to be signed off on by the administrators.

Q. I don't think I've heard you use that term before, if you did, I apologize; who are the administrators?

A. The administrators are the two members of the National Board who have been placed in charge of the State Conference currently, since middle of 2021.

Q. Who are the current members?

A. The current members or the current administrators?

Q. The current administrators, yeah, that's what I mean.

A. Ed DuBose and David Walker.

Q. Would there be any to reflect that diversion of resources?

MR. HEAVEN: Object to form. Calls for speculation.

DEPONENT GRIGGS:

A. None that I've seen.

MR. BOYLE: Can we go off the record for a second?

MR. HEAVEN: Yes.

(BRIEF BREAK)

(UPON RESUMING)

MR. BOYLE: Let's go back on. We had a conference off the record about the scope of Topic 4. We may or may not come back to Topic 4 after reviewing some emails, but we may go on to Topic 5.

BY MR. BOYLE:

Q. It's a little more of a wordy topic, Mr. Griggs, The specific ways in which the actions of the Defendants that form the basis of its Complaints in this action caused the Organization to divert resources away from its organizational activities to activities in which the Organization had not previously engaged, and the identification of the overall amount of the diverted resources. Subpart A, The specific activities and projects the Organization was unable to engage in due to the diversion of resources to activities necessitated by such actions.

You are the person to testify for the Conference on this Topic 5?

A. I think so. I mean, that was kind of wordy,

1 but yes.
2 Q. Did you review any documents to prepare to
3 testify on Topic 5?
4 A. No.
5 Q. Did you speak to anyone currently or formerly
6 associated with the Georgia Conference to get ready
7 to testify on Topic 5?
8 A. Yes.
9 Q. Who did you talk to?
10 A. Ed DuBose, Vivian Moore. That's it. Oh, I am
11 sorry, Tequeria Barrett.
12 Q. So what are the specific actions of the
13 Defendant Secretary of State may have caused for the
14 NAACP, Georgia NAACP to divert resources?
15 MR. HEAVEN: Object to form. Vague. You can
16 answer if you can.
17 DEPONENT GRIGGS:
18 A. Again, we had to shift from focused on
19 mobilization for the municipal races to a robust
20 campaign to educate and attempt to protect voters of
21 color and black voters from the results of the
22 re-districting, which would racially gerrymander the
23 districts and dilute voting power.
24 So the Secretary of State, as the chief
25 elections officer in the State, is responsible for

the implementation of the election, and thus he would be the person who, after the maps were passed, would be the chief person responsible for the election, so his duties would be to uphold the maps and the decision of the legislature.

Q. Is there something specific that the Secretary of State should have done and did not do that caused the Georgia Conference to divert its resources?

A. Well, I mean, he could have advocated for fair maps and, on the back-end, he should have done more to protect the voters of color at the ballot box and make sure that African-American voters had equal voice.

So there is several things he could have done. I'm not in the position to tell Secretary of State how to do his job, but I think that, you know, as a chief elections officer in the State, you should want to have every voice to count equally and to make sure that all voices are amplified and protecting the franchise.

Q. I believe we have already a lot of Topic 5 with regard to activities that have changed as a result of re-districting efforts.

Are you able to tell me, on behalf of the Conference, what -- strike that. Are there any

specific ways that -- specific activities that the Conference was unable to engage in due the diversion of resources that you haven't already told me about?

A. No, I think I've covered it.

Q. All right. Topic 6 is withdrawn, Topic 7 as well.

MR. BOYLE: Topic 6 and 7, as I understand it, counsel, are withdrawn or by agreement that there will not be any questioning on diversion of financial resources; that's correct, right?

MR. HEAVEN: That's my understanding, yes.

MR. BOYLE:

Q. Topic 8. The nature of membership of the Organization, including how individuals become members, any obligations of members, and any benefits offered by the Organization to its members.

Are you ready to testify on that topic?

A. Yes.

Q. Did you review any documents to be able to testify on this topic?

A. Just the bylaws.

Q. Did you speak to anybody specifically to get ready to testify on Topic 8?

A. No.

Q. Who are the members of the Georgia Conference

of the NAACP?
A. You said who are members?
Q. Yes.
MR. HEAVEN: Object to form. Vague and ambiguous. You can answer.
DEPONENT GRIGGS:
A. Anyone that pays the membership fees and agrees to abide by the bylaws of the National Association for the Advancement of Colored People.
Q. What's the membership fee?
A. The membership varies. A regular adult membership is thirty-five dollars annually. Life memberships can range from a Bronze Life Membership which is seven hundred and fifty dollars to a Platinum Life Membership which is two thousand five hundred dollars.
Q. Can anyone apply for a life membership?
A. Can anyone apply?
Q. Yes, sir.
A. Yes, anyone can apply.
Q. So somebody could join the Georgia Conference and then immediately apply to be a life member?
A. Absolutely.
Q. Now, we've already looked at the formed bylaws which you say are the basis of the Conference's

1 bylaws; right?
2 A. That's correct. As a matter of fact, the
3 membership is exactly the same.
4 Q. So did the process for becoming a member
5 change from 2021 to 2022?
6 A. No, it did not.
7 Q. What are the obligations of members of the
8 Georgia Conference?
9 A. To follow the bylaws of the National
10 Association for the Advancement of Colored People.
11 Q. I think that's the second time you've said to
12 follow the bylaws of the National Association; is
13 there a reason why you say that rather than the
14 bylaws of the Georgia Conference?
15 A. Well, essentially the membership bylaws are
16 the same. Like I said, it only fleshes out more of
17 the responsibilities of some of the committees in the
18 State bylaws. And I believe, at some point, during
19 that administration the State bylaws were suspended
20 anyway.
21 Q. What do you mean by that?
22 A. The former president and the executive
23 committee suspended the State bylaws by voting on the
24 executive committee.
25 Q. When was that done?

A. I think it was done in the middle of 2021.
Q. Do you know why that was done?
A. I don't.
Q. Did it have anything to do with re-districting efforts?
A. Not that I know of, no.
Q. Have the obligations of the members of the Georgia Conference changed from 2021 to 2022?
A. No.
Q. What benefits does the Georgia Conference offer to its members?
A. For annual members, they get an annual membership pass to fight for civil rights and social justice. Life members, they get to have a full lifetime of fighting for social justice and civil rights.
Q. Okay. Could you be more specific, are you referring to an event or what is it you are referring to?
A. I'm referring to the fact that the membership privileges are to be a civil rights activist and to engage in activities that protect the civil rights of people of color and all citizens.
So they get to participate in marches, rallies, voter mobilization activities, all of the

things that come along with being a member of the NAACP. I think it's laid out in the membership section of the bylaws.

Q. Let's go back to this. So I put the bylaws back on. Do you see that on the screen share?

A. I see it.

Q. The membership starts on page 15, so I'm going to scroll down to 15. So it starts with Membership Prerequisites, effective date, minimum voting age. I'm just looking for what-- you were referring to benefits.

A. Go back up a little bit.

Q. Okay.

A. A little bit higher, stop right there. Any person who is in accordance with the principles and policies of the Association may become a member of this Association with consent of the Board of Directors, by accepting the terms of the Constitution of the NAACP Bylaws for Units and by paying annually in advance the requisite membership fees as prescribed by the Board of Directors.

Go down a little bit more. Keep going down. Stop right there. Go down a little bit more. I don't see it here, but maybe it's on the NAACP website.

Q. Okay.
A. Yeah.
Q. So have the benefits of membership change from 2021 to 2022?
A. No, they haven't.
Q. Okay. I think I'm done with Topic 8.
Mr. Griggs, how are you doing? Do you want to take a five or ten minute break?
A. I'm good.
Q. Okay. Back to the notice, I put back up Topic 9, Whether and how the Organization determined if any of its individual members are impacted by the laws, policies, and protocols challenged in this action.
Are you ready to testify on that topic?
A. Yes.
Q. And did you review any documents to testify on this topic?
A. No, I didn't.
Q. Did you talk to anybody to be ready to testify on this topic?
A. Yes.
Q. Who was that?
A. Dantaye Carter.
Q. Is that first name spelled D-A-N-T-E?
A. D-A-N-T-A-Y-E.

Q. What did Dantaye Carter tell you?
A. He told me that his congressional district natural.
Q. So has the Conference, the Georgia Conference, determined whether any of its individual members have been affected by the 2021 re-districting?
A. Yes.
Q. How did the Conference make that determination?
A. We talked to some of the membership.
Q. And what was the forum -- what was the forum for those talks?
A. Some were phones calls, some were in person, some units reached out, I believe, via email.
Q. So one example would be a unit sending a sort of email blast to all members asking them that question; is that what you are saying?
A. Yes.
Q. It's -- I just have to ask this because I don't remember. I think you answered this, but I have to ask you again.
So were these, was this research, if you will, or these questions done at the unit level rather than from the Conference level?
A. The Conference, yes, that's correct.

Q. Are you able to testify on how many members of the Conference were affected by the re-districting?

A. No, I can't give a single number because I haven't -- I haven't seen that, that research, but I do know it was a lot.

Q. Do you know what would be involved in trying to find out that number?

A. Talking to the individual units.

Q. Is there any particular reason why you talked to Dantaye Carter for this topic?

A. Because I know that he lived in the sixth district and was drawn out of the sixth into the seventh.

Q. Topic 10, The methods used by the Organization to determine which districts it would challenge in this action.

MR. BOYLE: My understanding, counsel, is that you are not allowing testimony on this topic based on privilege; is that correct?

MR. HEAVEN: Exactly. Yes, that's right.

MR. BOYLE: I'll just note, for the record, that we, unless I've missed something, we don't concede to that, but we'll just move on for today's purposes.

BY MR. BOYLE:

Q. Topic 11. The Organization's communications with the Georgia General Assembly regarding the laws, policies, and protocols it challenges in this action, from January 1, 2021 to the present.

Are you the one to testify for the Conference on that topic?

A. Yes, sir.

Q. Did you review any documents to testify on this topic?

A. The transcripts from the joint session from the Georgia's General Assembly.

Q. Did you speak to anybody with the Conference, either currently or formerly with the Conference, to be able to testify to Topic 11?

A. Yes, I spoke with Elder Ed DeBous, I spoke with Vivian Moore, I spoke with Tequeria Barrett.

Q. Tell me all communications you know of -- on behalf of the State Conference of the NAACP with Georgia --

MR. HEAVEN: Could you restate that question, please?

DEPONENT GRIGGS:

A. You kind of faded.

Q. Okay. Tell me about all of the communications with the Georgia General Assembly regarding the laws,

policies and protocols that the Conference challenges in this lawsuit from January 1st, 2021 to the present.

MR. HEAVEN: Object to the form, you can answer.

DEPONENT GRIGGS:

A. Okay. I know that one, two, three, four, five individuals from the State Conference participated, to the best of my knowledge, in the joint session, giving testimony, that being Ed DeBous, Melvin Ivey, who is the President of the Augusta NAACP, Vivian Moore, who is the former political action chair, and Reverend James Woodall, who is the former president of the Georgia State Conference.

That's the firsthand knowledge that I have. I do know that Reverend James Woodall was up at the Capitol on behalf of the State Conference numerous times, having conversation about issues pertaining to the State Conference, including re-districting. But I was not able to talk to him directly about what communications he had with members of the Georgia General Assembly.

And I then I know that Ed DeBous sent, I believe, a letter or some sort of correspondence as to testimony to the Georgia General Assembly as to

1 effect the re-districting will have on
2 African-Americans, particularly people of color, on
3 behalf of the Georgia State Conference.
4 So those are the communications that I know of
5 that occurred regarding the re-districting on behalf
6 of the Georgia State Conference to the Georgia
7 General Assembly.
8 Q. Let me make sure I have the names all here. I
9 think you said five individuals and then you
10 identified DeBous, Ivey, Moore and Woodall; is there
11 one more?
12 A. I meant four, but several of them gave two,
13 two different testimonies before the joint session.
14 Q. Other than that letter by Mr. DeBous, do you
15 know of any other written communications relating to
16 the re-districting challenged in this lawsuit on
17 behalf of the Georgia NAACP to the Georgia General
18 Assembly?
19 A. That's the only written correspondence that I
20 personally know of. But I do know that the former
21 president was a very prolific writer of emails, but
22 we were unable to get into his email system, so he
23 may very well have written emails and other
24 correspondence.
25 Q. Were any of those individuals you talked to to

1 get ready to testify on Topic 11, did any of those
2 individuals tell you about any verbal communications,
3 in other words, conversation that they may have had
4 with members of the General Assembly?
5 A. They told me about the testimony, I didn't ask
6 them any deeper into whether they had personal
7 conversations.
8 MR. BOYLE: I would like to take a ten minute
9 break, so I can run down the hall and then we can
10 reconvene.
11 MR. HEAVEN: That's fine.
12 (BRIEF BREAK)
13 (UPON RESUMING)
14 MR. BOYLE:
15 Q. All right. I think we were -- we have just
16 been talking about Topic 11. Was there anything else
17 you wanted to say on Topic 11 before we move on?
18 A. No, that's it.
19 Q. I'll put the notice back up. Topic 12,
20 Communications between the Organization and any of
21 the co-Plaintiffs, its individual member plaintiffs,
22 its other members, and other advocates and advocacy
23 organizations, concerning this litigation or the
24 redistricting plans challenged in this action.
25 Are you here to testify on Topic 12?

A. Yes.
Q. Did you have to review any documents for Topic 12?
A. No.
Q. Did you have to talk to anybody to get ready for Topic 12?
A. Just the people previously mentioned.
Q. In this case, where the co-Plaintiffs are the Georgia Coalition for the Peoples' Agenda and GALEO Latino Community Development Fund, tell me about all the communications between the Georgia Conference and the Georgia Coalition regarding the re-districting.
MR. HEAVEN: I'm going to object on a couple of grounds. First is to the extent that that's attorney-client communications. Those should not be discussed.
Also, I think when it comes to strategy and when it comes to how to litigate and pursue the case itself, I think those discussions will be subject to the association and privilege. So I want to put that on the record as well.
You can ask the question, but to the extent that there are questions that dive into those areas, I think that we will want to make sure that we are preserving the privilege and also the

1 common interest privilege as well.
2 MR. BOYLE:
3 Q. Are you able to answer the question?
4 A. Yes. I mean I speak with Helen Butler quite a
5 bit. We speak about strategy.
6 Specifically in regard to this case, we
7 haven't had much conversation that's not covered by
8 privilege.
9 With regard to GALEO, our relationship is
10 strong. I don't speak with the executive director of
11 GALEO as much as I do with Helen, but outside of the
12 information that's privileged, we really didn't have
13 any real conversation about anything.
14 Q. Did you try to go back and talk to other
15 officers or prior officers of the State Conference
16 about their communications with either the Georgia
17 Coalition or GALEO?
18 A. Yes, I tried to speak directly with President
19 Woodall about his conversations. And no, I did not
20 speak with President Peters about her conversations.
21 Q. What did Woodall tell you?
22 A. I was unsuccessful in reaching him.
23 Q. Okay. Are there any instances of joint
24 press-conferences or joint appearances where there
25 were representatives of the Georgia Conference and

representatives of the Georgia Coalition and/or representatives of GALEO talking about this case?

A. Talking about this case?

Q. Yeah, talking about the issues in this case.

A. There may have been. I don't recall them, but it's our patterns and practice if we file a litigation that we have one, so I'm pretty sure there probably was.

Q. Tell me more about that, what would you expect in your normal pattern and practice?

A. Just an overall announcement that the lawsuit has been filed, what the grounds of the lawsuit are, and just to educate the public that we are seeking relief from the court on issue that we feel is unjust.

Q. Topic 13, The specific relief the Organization seeks that will cause it to cease diverting resources to address the laws, policies, or protocols challenged in this action.

Are you the witness for the Conference on that topic?

A. Yes.

Q. Did you talk to anybody to get ready to testify on that topic?

A. No.

Q. Did you review any documents to be ready to testify on that topic?

A. Just the complaint.

Q. What specific relief in this case will cause the Georgia Conference to cease diverting resources as you've testified to?

A. If the Court grants us the relief requested in the complaint, namely to enjoin the State from using the current maps and re-districting plan that is in place right now, I believe that that will cause that, and I would also incorporate all of the other requests for relief that are in the complaint.

Q. I've brought up again on the screen the amended complaint, Exhibit 2, and we are on page 59 or, excuse me, page 100, Prayer For Relief; do you see that?

A. Yes, I see it.

Q. Some plaintiffs, including the Georgia Conference, want a three judge court and want a declaration of the specific districts -- excuse me, a declaration of the Congressional, State, Senate and State House redistricting plans as alleged are racial gerrymanders.

That's still what the Georgia Conference is seeking?

A. Yes.
Q. Plaintiffs want a declaration of the voting strength of voters of color was diluted with respect to specific districts drawn as stated in Subpart 3.
Are you still seeking that?
A. Yes.
Q. The same thing on 4, still seeking the relief in Sub 4?
A. Yes.
Q. Discriminatory purpose.
A. Yes.
Q. Number 5, Subpart 5, Plaintiffs seek a permanent injunction from giving effect to the boundaries of the districts, new districts.
Still seeking that?
A. Yes.
Q. Subpart 6, asking the court to hold hearings, consider briefing and evidence, and otherwise take actions.
Still seeking that?
A. Yes.
Q. Seven, asking the court for the order to preclear voting changes during the following ten-year period under 52 U.S.C. §10302?
A. Yes.

Q. Topic 14, The documents produced in this litigation by Plaintiffs and the information contained in the documents.

Are you the witness for the Georgia Conference on that topic?

A. Yes.

Q. Did you review any documents to prepare to testify?

A. Just the complaint and the transcripts, yes.

MR. HEAVEN: My understanding is that we objected to the portion of 15 as well. Perhaps, we could confirm and clarify that prior to jumping into those two topics, but I was told that those were two objections, two requests that we objected to.

MR. BOYLE: I wasn't aware of an objection on the 14.

MR. HEAVEN: Can we go off the record for a second?

MR. BOYLE: That's fine.

(BRIEF BREAK)

(UPON RESUMING)

MR. HEAVEN: So we are fine moving forward on 14, my apologies, and 15 as well. I think I'll, I'll assert my objections, but you can ask the

1 questions, but it's just going to be based off the
2 privilege as we discussed earlier. But you can
3 move forward.
4 MR. BOYLE: Thank you.
5 BY MR. BOYLE:
6 Q. Mr. Griggs, for Topic 14, did you actually
7 review the document requests to the Georgia
8 Conference for Topic 14?
9 A. I'm pretty sure I did.
10 Q. And I know we talked about the interrogatories
11 and the fact that you verified those answers and
12 provided some factual information for them.
13 A. Yes.
14 Q. Did you also review the document requests when
15 they came in and then the responses before they were
16 served?
17 A. Yes.
18 Q. Who was involved on behalf of the Georgia
19 Conference in searching for responsive documents in
20 response to the document requests?
21 MR. HEAVEN: Object to form. You can answer
22 the questions to the extent that doesn't involve
23 the discussions with attorneys or the
24 co-plaintiffs.
25 DEPONENT GRIGGS:

A. Okay. Secretary of the State Conference, the previous Secretary of the State Conference. And I think, to a certain extent, the administrative assistant. I think those were the people that were involved in looking for the documents.

Q. Can you give me the names of those three people?

A. Delinda Gaskins (phonetic), Tonza Thomas and Angela McTier.

Q. How is her last name spelled?

A. M-C-T-I-E-R.

Q. Topic 15 asked for the process by which the Organization searched for and identified documents responsive to discovery requests served in this case.

Did you have to talk to anybody about that topic?

A. Yes.

Q. Who did you talk to?

A. Tequeria Barrett, Vivian Moore. Yeah, that's it. Tequeria and Vivian Moore.

Q. So what process did the Conference use to search for responsive documents?

MR. HEAVEN: Object to form. Vague and ambiguous. You can provide testimony to the extent it doesn't involve any discussions or

analysis with your attorneys or co-plaintiffs.

DEPONENT GRIGGS:

A. Okay. We also got in touch with the secretaries that I've mentioned earlier and started going through the documents and attempting to go through emails.

Q. You say attempting, does that mean that process is still under way?

A. It means that we lost the ability to search through our email database, which is why I mentioned earlier about President Woodall. There was a loss of our email database.

Q. Do you believe you are going to be able to recover any of those lost emails?

A. There is a hope.

Q. Is it based on the chronology, in other words, all the emails before certain date are not accessible or otherwise what's the hold?

A. It's based on the chronology, yes.

Q. Do you approximately know where the cutoff is?

A. Yeah, I don't know specifically, I just know that the term where President Woodall's term ended, there is a problem of getting into those emails, but everything from that point to now we didn't have that problem.

So from President Woodall's, the last part of his term, those are the problem we are having getting into that email database. President Peters until now we have the ability to do that.

Q. I apologize, you might have told me already, when did Mr. Woodall's term end?

A. Sometime in the middle of 2021. I want to say it's either May or June of 2021.

MR. BOYLE: I'm near the end. I'd like a five minute break and then we'll see if I have any more questions; is that all right?

MR. HEAVEN: That's fine. Thank you.

MR. BOYLE: Thank you.

(BRIEF BREAK)

(UPON RESUMING)

MR. BOYLE: All right. Those are all the questions I have for the witness at this time.

There were a couple of points, I think, where he said he didn't quite have all the knowledge, so I want to reserve the right for us to come back if we think that we want to get another witness to fill in some blanks. But as of right now with Mr. Griggs I'm done for today. Thank you for your time.

MR. HEAVEN: I'll put on the record, we

consider the deposition closed. To the extent there are issues, we can clearly talk about those. I don't think there was any testimony that he couldn't provide. So to the extent that there is any issue, we can address that subject to that. Thanks for your time.

THE COURT REPORTER: Mr. Heaven, would you need a copy of this deposition transcript?

MR. HEAVEN: Yes, we do.

(DEPOSITION CONCLUDED AT 12:20 P.M.)

(Signature reserved)

The following reporter and firm disclosures were presented at this proceeding for review by counsel:

REPORTER DISCLOSURES

The following representations and disclosures are made in compliance with Georgia Law, more specifically:

Article 10 (B) of the Rules and Regulations of the Board of Court Reporting (disclosure forms)

OCGA Section 9-11-28 (c) (disqualification of reporter for financial interest)

OCGA Sections 15-14-37 (a) and (b) (prohibitions against contracts except on a case-by-case basis).

- I am a certified reporter in the State of Georgia.
- I am a subcontractor for Veritext Legal Solutions.
- I have been assigned to make a complete and accurate record of these proceedings.
- I have no relationship of interest in the matter on which I am about to report which would disqualify me from making a verbatim record or maintaining my obligation of impartiality in compliance with the Code of Professional Ethics.
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- Exhibits: No changes will be made to the exhibits as submitted by the reporter, attorneys, or witnesses.

- Password-Protected Access: Transcripts and exhibits relating to this proceeding will be uploaded to a password-protected repository, to which all ordering parties will have access.

CERTIFICATE

STATE OF GEORGIA:
COUNTY OF MUSCOGEE:

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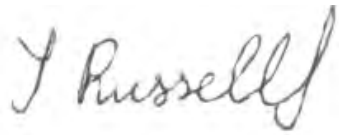
I further certify that I am not a relative or employee or attorney of any party, nor am I financially interested in the outcome of this action.

I have no relationship of interest in this matter which would disqualify me from maintaining my obligation of impartiality in compliance with the Code of Professional Ethics.

I have no direct contact with any party in this action and my compensation is based solely on the terms of my agreement with my employer.

Nothing in the arrangements made for this proceeding impacts my absolute commitment to serve all parties as an impartial officer of the court.

This 31st day of January, 2023.



Inna Russell
No. 5988-9757-0978-2016

To: Astor H. L. Heaven, Esq.
Re: Signature of Deponent Gerald Griggs
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Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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EXHIBIT

1

exhibitsticker.com

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

GEORGIA STATE CONFERENCE OF THE NAACP, et al.	)	
Plaintiffs,	)	Case No. 1:21-CV-5338-ELB-SCJ-SDG
v.	)	
STATE OF GEORGIA, et al.	)	
Defendants.	)	
COMMON CAUSE, et al.,	)	Case No. 1:22-CV-00090-ELB-SCJ-SDG
Plaintiffs,	)	
v.	)	
BRAD RAFFENSPERGER	)	
Defendant.	)	

NOTICE OF 30(b)(6) DEPOSITION OF GEORGIA STATE CONFERENCE OF THE NAACP

PLEASE TAKE NOTICE that, pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure, counsel for Defendants the State of Georgia, Governor Brian Kemp, and Brad Raffensperger, in his official capacity as Secretary of State of Georgia, will take the oral examination under oath of the designated representatives of the Georgia State Conference of the NAACP ("Georgia NAACP" or "Organization") on Wednesday, January 18, 2023, beginning at 9:00 a.m. and continuing thereafter until completed via

Zoom videoconferencing through Veritext Legal Solutions. Details regarding the videoconferencing will be emailed to those participating once all arrangements are finalized.

The deposition shall be taken before a Notary Public or some other officer authorized by law to administer oaths for use at trial. The deposition will be taken by oral examination with a written and/or sound and visual record made thereof (*e.g.*, videotape, LiveNote, etc.). The deposition will be taken for the purposes of cross-examination, discovery, and for all other purposes permitted under the Federal Rules of Civil Procedure or any other applicable law.

Please note, under Rule 30(b)(6) of the Federal Rules of Civil Procedure, the Organization must designate one or more officers, directors, managing agents, or other appropriate persons who consent to testify on behalf of the organization. The Person(s) must be ready to testify about the information known or reasonably available to the Organization regarding the topics listed in Exhibit A, attached hereto.

Respectfully submitted this 29th day of December, 2022.

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Attorneys for Defendants

Exhibit A

1. The Organization's allocation of resources and budgetary decisions from January 1, 2021 through the present that reflect the diversion of funds and resources the Organization alleges it has undertaken in its Complaints.

2. The changes made to the Organization's budgets – as well as any contemporaneous rationale for such changes – during its budget years from January 1, 2021 through the present related to the laws, policies, or protocols challenged in this action.

3. The Organization's exempt purpose and activities it undertakes in accordance with its exempt purpose.

4. The Organization's organizational structure, including individuals who have the authority to make funding and resource-allocation decisions for the Organization from January 1, 2021 through the present.

5. The specific ways in which the actions of the Defendants that form the basis of its Complaints in this action caused the Organization to divert resources away from its organizational activities to activities in which the Organization had not previously engaged, and the identification of the overall amount of the diverted resources.

    a. The specific activities and projects the Organization was unable to engage in due to the diversion of resources to activities necessitated by such actions.

6. The activities or expenditures the Organization plans to undertake in the future related to the laws, policies, and protocols challenged in this action if it is unsuccessful in achieving relief through this action.

7. The total expenditures of the Organization on activities related to this action since the Organization began participating in this litigation.

8. The nature of membership of the Organization, including how individuals become members, any obligations of members, and any benefits offered by the Organization to its members.

9. Whether and how the Organization determined if any of its individual members are impacted by the laws, policies, and protocols challenged in this action.

10. The method(s) used by the Organization to determine which district(s) it would challenge in this action.

11. The Organization's communications with the Georgia General Assembly regarding the laws, policies, and protocols it challenges in this action, from January 1, 2021 to the present.

12. Communications between the Organization and any of the co-Plaintiffs, its individual member plaintiffs, its other members, and other advocates and advocacy organizations, concerning this litigation or the redistricting plans challenged in this action.

13. The specific relief the Organization seeks that will cause it to cease diverting resources to address the laws, policies, or protocols challenged in this action.

14. The documents produced in this litigation by Plaintiffs and the information contained in the documents.

15. The process by which the Organization searched for and identified documents responsive to discovery requests served in this case.

CERTIFICATE OF SERVICE

I hereby certify that, on December 29, 2022, I caused to be served the foregoing **NOTICE OF 30(b)(6) DEPOSITION OF GEORGIA STATE CONFERENCE OF THE NAACP** via email to the following:

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**Pro Hac Vice*

Common Cause Plaintiffs

This 29th day of December, 2022.

/s/ Bryan P. Tyson
Bryan P. Tyson
Georgia Bar No. 515411

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

GEORGIA STATE CONFERENCE OF THE NAACP; GEORGIA COALITION FOR THE PEOPLE'S AGENDA, INC.; GALEO LATINO COMMUNITY DEVELOPMENT FUND, INC. *Plaintiffs*, v. STATE OF GEORGIA; BRIAN KEMP, in his official capacity as the Governor of the State of Georgia; BRAD RAFFENSPERGER, in his official capacity as the Secretary of State of Georgia, *Defendants.*	Case No. 21-civ-5338 **Requesting a three-judge panel pursuant to 28 U.S.C. § 2284**

AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF

INTRODUCTION

In the wake of the growth of communities of color in Georgia, which was reflected in the 2020 elections and the January 2021 Senate runoffs, the State of Georgia has drawn its Congressional and State legislative maps in violation of the U.S. Constitution and the Voting Rights Act. Reverting to the strategies of the Jim

EXHIBIT 2

Crow era, Georgia has employed the two classic tactics of gerrymandering to tilt the balance of electoral power to the White majority: "cracking" (diluting the voting power of voters of color across many districts) and "packing" (concentrating the voting power of voters of color in one district to reduce and dilute their voting power in other districts). These redistricting techniques undermine the voting rights of Georgia's Black, Hispanic/Latino ("Latinx") and Asian American Pacific Islander ("AAPI") citizens and deny them an equal opportunity to elect candidates of their choice.

Plaintiffs GEORGIA STATE CONFERENCE OF THE NAACP; GEORGIA COALITION FOR THE PEOPLE'S AGENDA, INC.; and GALEO LATINO COMMUNITY DEVELOPMENT FUND, INC., file this Amended Complaint for Declaratory and Injunctive Relief against Defendants STATE OF GEORGIA; BRIAN KEMP; and BRAD RAFFENSPERGER, and allege as follows:

BACKGROUND

1. According to the 2020 census, Georgia was among the top five States gaining population in the past decade, with the State adding 1,024,255 residents since 2010—a 10.6% increase. *See* U.S. Census Bureau, *Georgia: 2020 Census*, August 24, 2021, available at: https://www.census.gov/library/stories/state-by-state/georgia-population-change-between-census-decade.html.

2. Communities of color in the state account for nearly all of Georgia's reported population growth since 2010. This is so despite the well-documented undercounting of racial and ethnic minorities in the 2020 Census. The State's Black population increased by 12.5%, Latinx population increased by 31.6% and AAPI population increased by 52.3%. By contrast, Georgia's White population decreased by 4%.

3. In short, the reality is that Georgia's population is becoming more racially and ethnically diverse. With full knowledge of the State's fast changing demographics, the party controlling the Georgia General Assembly ("Controlling Party") created redistricting maps for Georgia's House, Senate, and Congressional districts which are based upon the unconstitutional and unlawful use of race. Governor Brian Kemp endorsed these unconstitutional and unlawful maps by enacting them into law.

4. Racial considerations by the Controlling Party and its chosen map drawers predominated in crucial districting decisions, diluting the voting rights of Black, Latinx, and AAPI voters. Moreover, the Controlling Party ignored the growth of communities of color by failing and refusing to create additional majority-minority and minority opportunity districts in the House, Senate, and Congressional maps.

5. Had the chosen map drawers and the Georgia General Assembly drawn districts that accurately reflect Georgia's increasingly diverse population without the improper consideration of race, opportunities for people of color to elect candidates of their choice would have necessarily increased. Instead, the Controlling Party deliberately targeted Black, Latinx, and AAPI Georgians and moved them into and out of districts to deny them equal opportunities to elect candidates of their choice, splitting communities of interest, and ensuring safe districts where White voters can elect their candidates of choice.

6. The Controlling Party in the General Assembly and their map drawers made districting decisions in which race predominated the process.

7. These maps ensure that White voters and the party favored by those voters will maintain control of the Georgia General Assembly and Georgia's Congressional delegation for the foreseeable future, despite their dwindling population, denying voters of color an opportunity to elect candidates of their choice.

8. To accomplish this, the map drawers, chosen by the Controlling Party, used similar tactics on all three maps. First, they unconstitutionally manipulated populations based on race in many districts, moving populations of color in and out of key districts. Second, they unlawfully diluted the voting strength of Black, Latinx and AAPI voters in many districts. And, finally, they abdicated their legal

responsibility to create appropriate majority-minority districts, including coalition districts where necessary to give voters of color an opportunity to elect candidates of their choice.

9. These unconstitutional and illegal redistricting tactics are nothing new in Georgia. As a result, federal courts have repeatedly invalidated Georgia State House, State Senate, and Congressional districts that disadvantaged Black people and other people of color by impermissibly drawing district lines based on race.

10. It is well-documented that voting is racially polarized in Georgia and Senator John Kennedy, Chair of the Senate Redistricting and Reapportionment Committee, admitted that this is the case during a redistricting hearing on the Controlling Party's State Senate plan.

11. In fact, Georgia legislators are aware of the degree of racial polarization and have crafted redistricting plans which pack or crack communities of color into and out of districts to dilute their voting strength in order to prevent them from having a meaningful opportunity to elect candidates of their choice.

12. Georgia's Black, Latinx, and AAPI voters often vote cohesively in the State to elect candidates of choice and White voters favor different candidates in federal and State elections. In most instances where people of color comprise the majority of the electorate, their preferred candidates win. When White voters

comprise a substantial majority of voters, the preferred candidates of voters of color usually lose.

13. The elected officials who cast the votes to enact the three maps are generally preferred by White voters and not by voters of color – they acted in their own self-interest and that of White voters, and against the voters of color. Indeed, the maps manipulate populations of Black, Latinx, and AAPI person in and out of districts to make otherwise competitive districts safe for White voters and their preferred candidates, which is decidedly unconstitutional. Manipulating populations by race and diluting the votes of persons of color with the goal of maintaining political power is no more lawful when Republicans do it in Georgia today than it was when Dixiecrats did it in Georgia decades ago.

14. Instead of allowing the incumbents the opportunity to appeal to their districts' increasingly diverse electorate, the Controlling Party in the General Assembly created these new redistricting maps to make districts safer for the Controlling Party's incumbents and candidates, while diluting the voting strength of Georgia's increasingly diverse electorate, with racial considerations used as the means for achieving this partisan end.

15. To accomplish its goal, the Controlling Party operated with surgical precision to crack and pack districts with higher percentages of Black, Latinx, and

AAPI voters, while moving the lines to increase the number of White voters in many districts.

16. Because Georgia maintains voter registration by race but not by party, the proponents of these maps necessarily used race when redrawing the boundary lines of the districts, including by racial gerrymandering, diluting the voting power of racial and ethnic minorities, and failing to create majority-minority districts.

17. Moreover, the legislature and map drawers' actions were intentional, occurring in an atmosphere that was racially charged. These three plans were enacted following a regular legislative period that was undeniably hostile to Black, Latinx, and AAPI people.

18. Just this year, the Georgia General Assembly enacted SB 202, a law that eliminated or changed longstanding voting options in the State that were particularly used in areas with high populations of people of color and resulted in high voter turnout and voters of color electing their candidates of choice.

19. SB 202 shortens the time between an election where no candidate received a majority of the vote and the runoff in apparent reaction to the approximately 76,000 new voters who registered between the November 2020 general election and the January 2021 Senate runoff elections in which Reverend Raphael Warnock and Jon Ossoff were the first Black and Jewish Senators elected

in Georgia. *See* Mark Niesse, *76K new Georgia voters registered before US Senate runoffs,* Atlanta Journal-Constitution, December 17, 2020, available at: https://www.ajc.com/politics/75k-new-georgia-voters-registered-before-us-senate-runoffs/H3CXAFIKFVCKHJNW5MBFZKQDZU/.

20. SB 202 also changed the deadline by which voters are required to request absentee ballots from the Friday before an election to 11 days before an election and also requires voters to provide a Georgia driver's license number, State ID card number, or copy of another form of acceptable ID with their absentee ballot applications.

21. According to a November 26, 2021, article in the Atlanta Journal-Constitution, about 52% of the absentee ballot applications submitted by voters for November 2021 general elections were rejected due to voters making the request after the new deadline established by SB 202 and about 15% were rejected due to the new ID requirements mandated by SB 202. The report also found that about 4% of absentee ballots applications for the November 2021 elections were rejected – a three percentage point increase over the 1% rejection rate in the November 2020 general election before these changes were enacted. The report further noted that few voters whose absentee ballots applications were rejected cast ballots in person on election day. *See* Mark Niesse, *Georgia voting law drives rejections of absentee*

requests made too late, AJC (November 26, 2021) https://www.ajc.com/politics/georgia-voting-law-drives-rejections-of-absentee-requests-made-too-late/HEZUYZA3RZBEVKZSDLEOBXLQ3E/.

22. SB 202 also provides a clear path for the intimidation of voters by allowing unlimited challenges by partisan organizations and their advocates on an expedited hearing schedule, which gives voters only three days' notice of a hearing by mail.

23. SB 202 also criminalizes efforts by nonpartisan volunteers to provide water, food, and PPE, even as wait times for voting are notoriously long in communities of color, among other voting changes.

24. The three Georgia redistricting bills were rushed through in a secretive and dubious process that gave little notice about the maps to the public or even members of the General Assembly who were not in the Controlling Party. Controlling Party members refused to answer questions about why districts were drawn as they were and what information was conveyed to them by their map drawers and consultants.

25. While paying lip-service to the Voting Rights Act, Controlling Party members refused to explain how these maps were drawn in alleged compliance with the Voting Rights Act and did not provide any of the data produced from a racially

polarized voting study they claim to have obtained from a consultant.

26. The Controlling Party's map drawers (1) strategically removed Black, Latinx, and AAPI voters from existing and performing majority-minority districts and dispersed them into White majority districts in rural and/or suburban areas where they will no longer have the ability to elect the candidates of their choice, and (2) packed Black voters and other voters of color into districts with high minority populations. The Controlling Party's legislators could have had only one motive for passing such facially unconstitutional plans: the desire to limit the voting strength of voters of color statewide.

27. There are one or more alternative maps for each body that would remedy violations of Section 2 of the Voting Rights Act present in the redistricting plans as described in more detail below, including a congressional map in which one (1) additional majority Black congressional district is drawn in the western Atlanta suburbs; a state senate map in which four (4) additional majority Black plus two (2) multi-racial coalition state senate districts are drawn; and a state house map in which seven (7) additional majority Black and (2) multi-racial coalition state house districts are drawn.

28. In addition, in many of the congressional and state legislative districts, race was the predominant factor in the drawing of the districts. To that end, the

Controlling Party's map drawers intentionally manipulated populations of voters of color by various mechanisms, including the packing of them into districts where it was unnecessary in order for them to have an opportunity to elect candidates of their choice, and by cracking these populations across several districts. These map drawers also ignored or violated traditional districting principles in order to achieve their goals.

29. As alleged in detail below, Plaintiffs respectfully seek a declaratory judgment that the redistricting plans for the Georgia Senate (SB 1 EX/AP), Georgia House of Representatives (HB 1EX LC 47 1163S/AP), and Congress (SB 2 EX/AP) are racial gerrymanders in violation of the Fourteenth and Fifteenth Amendments to the United States Constitution; that these redistricting plans dilute the voting strength of voters of color and deny them the opportunity to elect preferred candidates of their choice in violation of Section 2 of the Voting Rights Act of 1965; that these redistricting plans were drawn by the Controlling Party's mappers and were allowed to become law for the express purpose of impermissibly discriminating against voters of color in violation of the Fourteenth Amendment to the United States Constitution and the intent prong of Section 2 of the Voting Rights Act.

30. Plaintiffs seek a permanent injunction that prohibits Defendants from calling, holding, supervising, or certifying any election under these plans and further

requests the creation of revised redistricting plans that do not infringe upon the constitutional and statutory rights of Georgians of color by diluting their voting strength.

31. Finally, Plaintiffs also seek an order requiring Georgia to preclear voting changes during the following ten-year period pursuant to 52 U.S.C. § 10302.

REQUEST FOR THREE-JUDGE PANEL

32. Because this action challenges the constitutionality of the apportionment of a statewide legislative body, as well as the apportionment of a State's Congressional delegation, Plaintiffs request the convening of a three-judge panel pursuant to 28 U.S.C. § 2284.

PARTIES

33. Plaintiff GEORGIA STATE CONFERENCE OF THE NAACP (Georgia NAACP) is a non-partisan, interracial, nonprofit membership organization that was founded in 1941. Its mission is to eliminate racial discrimination through democratic processes and ensure the equal political, educational, social, and economic rights of all persons, in particular African Americans. It is headquartered in Atlanta and currently has approximately 10,000 members.

34. The Georgia NAACP works to protect voting rights through litigation, advocacy, legislation, communication, and outreach, including work to promote

voter registration, voter education, get out the vote efforts, election protection, and census participation.

35. The Georgia NAACP brings this action on behalf of itself and its individual members, including the thousands of Georgia NAACP members who are registered voters residing in Georgia House, State Senate, and Congressional districts where their voting power will be reduced under the new plans.

36. The Georgia NAACP has branches in counties across the State of Georgia that are involved in voter registration, voter assistance, voter education, election protection, grassroots mobilization, and get out the vote efforts, including Sunday early voting events, such as "Souls to the Polls."

37. The Georgia NAACP has sought to prevent efforts to suppress or disenfranchise African American voters and has been involved in voting rights litigation in Georgia to vindicate their rights.

38. The Georgia NAACP engages in voter outreach efforts, including voter education on voting in-person during early voting, voting by mail, and voting in person on election day.

39. The Georgia NAACP has conducted text and phone banking programs and reached out to voters throughout Georgia to encourage voter participation and to educate the public about the voting process, including about voting by mail.

40. The Georgia NAACP and its members have a history of advocating for fair redistricting, including a history of advocating for majority-minority coalition districts in Georgia with Black, Latinx, and AAPI voters and litigating claims challenging State legislative, county and school district plans in Georgia as well as other voting rights litigation in the State.

41. This redistricting cycle, the Georgia NAACP provided oral and written testimony to the House and Senate redistricting committees and submitted proposed Georgia Unity Maps, along with co-Plaintiffs, the Georgia Coalition for the People's Agenda, Inc. and GALEO Latino Community Development Fund, Inc., via the committees' public comment portal and advocated for the adoption of fair maps that adhere to the requirements of the Voting Rights Act of 1965 and the Fourteenth and Fifteenth Amendments to the U.S. Constitution.

42. The Georgia NAACP has had to commit significant time and resources, and will have to continue to commit significant time and resources to combatting the effects of these new maps on communities of color throughout the State now that they have been enacted. Funds and volunteers normally directed towards programs that the Georgia NAACP implements, such as voter education efforts and voter registration drives, have had to be and will continue to have to be redirected and diverted towards efforts to combat the effects of these unconstitutional new maps on

its constituents. By diverting time and resources to these priorities, Georgia NAACP will be unable to commit to other programs that are core to its mission.

43. Plaintiff THE GEORGIA COALITION FOR THE PEOPLE'S AGENDA, INC. ("GCPA") is a Georgia nonprofit corporation with its principal place of business located in Atlanta, Georgia. The GCPA is a coalition of more than 30 organizations, which collectively have more than 5,000 individual members.

44. In addition to its main office in Atlanta, the GCPA has field offices in Athens, Albany, Augusta, Macon, Savannah, and LaGrange, Georgia where it is able to provide outreach and support to voters and prospective voters of color and underserved communities outside of the Metro Atlanta area.

45. The GCPA brings this action on behalf of its itself and its individual members who are registered voters residing in Georgia House, State Senate, and Congressional districts where their voting power will be reduced under the new plans.

46. The GCPA encourages voter registration and participation, particularly among Black and other underrepresented communities of color in Georgia. The GCPA's support of voting rights is central to its mission. The organization has committed, and continues to commit, time and resources to protecting voting rights through advocacy, legislation, communication, and outreach, including work to

promote voter registration, voter education, get out the vote efforts, election protection, census participation and litigation.

47. The GCPA conducts voter registration drives, voter ID assistance, "Souls to the Polls" get out the vote events during Sunday early voting and other get out the vote efforts in Georgia that seek to encourage voter participation among Black and Brown voters and voters in historically underserved communities of color. The GCPA in coalition with other civic engagement organizations in Georgia also participates in voter education and voter empowerment programs.

48. GCPA's voter education and empowerment programs have included, but are not limited to, educating prospective voters about how to register to vote and to confirm their registration status; educating voters about the options to vote in-person during advanced voting, in-person on Election Day, and by mail via absentee ballot; providing information to voters about accessing absentee ballot drop boxes to cast their absentee ballots safely and securely, and helping voters to understand the new voting system implemented for the first-time during the 2020 election cycle statewide.

49. The GCPA has also distributed civic education materials to voters and prospective voters; arranged for rides to the polls for voters; and supported the Georgia Election Protection field program in order to assist voters on the ground near polling sites.

50. The GCPA also participates in media interviews, sponsors Public Service

Announcements (PSAs), places billboard ads, conducts phone banking, and engages in text message campaigns to educate voters and to encourage participation.

51. During this redistricting cycle, the GCPA provided oral testimony to the House and Senate redistricting committees and submitted proposed Georgia Unity Maps, along with co-Plaintiffs, the Georgia NAACP and GALEO Latino Community Development Fund, Inc., via the committees' public comment portal and advocated for the adoption of fair maps that adhere to the requirements of the Voting Rights Act of 1965 and the Fourteenth and Fifteenth Amendments to the U.S. Constitution.

52. The GCPA has had to commit significant time and resources, and will have to continue to commit significant time and resources to combatting the effects of these new maps on communities of color throughout the state now that they have been enacted. Funds and volunteers normally directed towards programs that the GCPA implements, such as voter empowerment efforts and voter registration drives, have had to be and will continue to have to be redirected and diverted towards efforts to combat the effects of these new maps on its constituents. By diverting time and resources to these priorities, GCPA will be unable to commit to other programs that are core to its mission.

53. Plaintiff GALEO LATINO COMMUNITY DEVELOPMENT FUND, INC. ("GALEO") is a non-partisan, nonprofit corporation. GALEO is one of the oldest, largest, and most significant organizations promoting and protecting the civil rights of Georgia's Latinx community. GALEO has approximately 165 members across Georgia.

54. GALEO's headquarters is in Norcross, which is in Gwinnett County, and a substantial amount of GALEO's civic engagement, voter registration and get-out-the-vote work takes place in Gwinnett County and other Metro Atlanta counties, areas in which the Controlling Party targeted people of color in its redistricting maps.

55. GALEO's work includes organizing voter education, civic engagement, voter empowerment and get out the vote events and conducting voter registration drives. After Gwinnett County became a covered jurisdiction for Spanish under Section 203 in December 2016, GALEO has worked also with the Gwinnett County Board of Registrations and Elections in an effort to bring its procedures and election materials into compliance with the law's requirements.

56. During the 2020 election cycle, GALEO also worked to address challenges facing Gwinnett County's limited-English-proficiency Spanish speaking voters as a result of the impact of the COVID-19 pandemic.

57. GALEO sent bilingual mailers to Latinx Gwinnett County voters with information about the presidential primary as well as additional mailers after the primary was postponed due to COVID-19.

58. In this redistricting cycle, GALEO provided oral testimony to the House and Senate redistricting committees and submitted proposed Georgia Unity Maps, along with co-Plaintiffs, the Georgia NAACP and GCPA via the committees' public comment portal and advocated for the adoption of fair maps that that adhere to the requirements of the Voting Rights Act of 1965 and the Fourteenth and Fifteenth Amendments to the U.S. Constitution.

59. GALEO has had to commit significant time and resources, and will continue to have to commit significant time and resources to combatting the effects of these new maps on communities of color throughout the State now that they have been enacted. Funds and volunteers normally directed towards programs that the GALEO implements, such as voter empowerment efforts and voter registration drives, have had to be and will continue to have to be redirected and diverted towards efforts to combat the effects of these new maps on its constituents. By diverting time and resources to these priorities, GALEO will be unable to commit to other programs that are core to its mission.

60. Defendant STATE OF GEORGIA is a sovereign State of the United

States of America.

61. Defendant BRIAN KEMP is the Governor of Georgia and is the chief executive officer of the State of Georgia. Governor Kemp is sued in his official capacity.

62. Defendant BRAD RAFFENSPERGER is the Secretary of State of Georgia, the State's chief election officer and is responsible for administering and implementing Georgia's election laws and regulations. Secretary Raffensperger is sued in his official capacity.

LEGAL STANDARDS

63. Section 2 of the Voting Rights Act, 52 U.S.C. § 10301(a), prohibits any "standard, practice, or procedure" that "results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color[.]" A violation of Section 2 is established if it is shown that "the political processes leading to nomination or election" in the jurisdiction "are not equally open to participation by [minority voters] in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice." 52 U.S.C. § 10301(b).

64. Section 2 of the Voting Rights Act prohibits the dilution of minority voting strength. The dilution of minority voting strength may be caused by, among

other things, the dispersal of the minority population into districts where they constitute an ineffective minority—known as "cracking"—and the concentration of minority voters into districts where they constitute an excessive majority—known as "packing." *Thornburg v. Gingles*, 478 U.S. 30, 46 n.11 (1986).

65. When in the Under *Gingles* standard, plaintiffs who are challenging a redistricting plan violates dilutes the voting strength of people of color under Section 2 of the Voting Rights Act must first demonstrate that three preconditions are met:

a. that the racial minority group or groups are sufficiently large and geographically compact to constitute a majority in a single-member district;

b. the minority group is politically cohesive; and

c. the white majority votes as a bloc such that it will usually defeat the minority group's preferred candidate.

66. In addition to the *Gingles* preconditions, vote-dilution claims under Section 2 are subject to "[a] totality of circumstances" analysis, which is guided by non-exhaustive factors set forth in Senate Report that accompanied the 1982 amendment to the Voting Rights Act.

67. These Senate factors include, but are not limited to: (1) the extent of any history of official discrimination that touched the right of the members of the

minority group to register, to vote, or otherwise to participate in the democratic process; (2) the extent to which voting is racially polarized; (3) the extent to which the State has voting practices or procedures that may enhance the opportunity for discrimination against the minority group; (4) whether the members of the minority group have been denied access to a candidate slating process, if any; (5) the extent to which members of the minority group in the State bear the effects of discrimination in such areas as education, employment and health, which hinder their ability to participate effectively in the political process; (6) whether political campaigns have been characterized by overt or subtle racial appeals; and (7) the extent to which members of the minority group have been elected to public office in the jurisdiction.

68. Courts have also considered additional factors, including whether there is a significant lack of responsiveness on the part of elected officials to the particularized needs of the members of the minority group; and whether the policy underlying the State's use of the challenged standard, practice or procedure is tenuous.

69. The Equal Protection Clause forbids racial gerrymandering, that is, intentionally assigning citizens to a district on the basis of race without sufficient justification. *Shaw v. Reno*, 509 U.S. 630, 641 (1993). The plaintiff must prove that

race was the predominant factor motivating the legislature's decision to place a significant number of voters within or without a particular district. A conflict between the enacted plan and traditional redistricting criteria is not essential to establish racial predominance, but may be persuasive circumstantial evidence. *VBethune-Hill v. Va. State Bd. of* Elections, 137 S. Ct. 788, 799 *2017). If racial considerations predominate over others, then the redistricting decision will be subject to strict scrutiny and the burden will shift to the State to prove that its redistricting decisions served a compelling interest and was narrowly tailored to that end. *Cooper v. Harris,* 136 S. Ct. 2512 (2017).

70. Intentional discrimination is proved by reference to factors set forth in *Village of Arlington Heights v. Metropolitan Dev. Corp.*, 429 U.S. 252 (1977), including whether the impact of the official action bears more heavily on one race than another; the specific sequence of events leading up to the challenged decision, including whether there are departures from the normal procedural sequence or substantive departures; and the legislative or administrative history. A plaintiff does not have to prove that the challenged action rested solely on racially discriminatory purposes. 429 U.S. at 265-267.

STATEMENT OF FACTS

71. The Georgia House of Representatives is comprised of 180 members.

Each representative is elected from a single-member district. Georgia State legislative and Congressional elections are partisan. Primary and general elections feature a majority vote requirement. If no candidate receives a majority of the votes cast, a runoff election is held between the top two candidates.

72. The majority vote requirement and runoffs make it more difficult for Latinx, Black, and AAPI voters to elect candidates of choice because they individually comprise a minority of the electorate and voting patterns in Georgia State legislative and Congressional election contests are racially polarized.

73. These polarized voting patterns are highly correlated with support for Georgia's two major political parties. Georgia's Latinx, Black, and AAPI voters strongly favor candidates from the Democratic Party, while the State's White voters overwhelmingly favor candidates from the Republican Party.

74. Racial, ethnic and language minorities historically have been and continue to be underrepresented in the Georgia General Assembly, particularly with respect to Georgia's Latinx and AAPI communities. According to the 2020 Census, Georgia's total population is comprised of 51.9% of individuals identifying as White alone; 31% as Black alone; 10.5% as Hispanic or Latino; and 4.5% as Asian alone. *See* United States Census Bureau, Georgia: 2020 Census (August 25, 2021), https://www.census.gov/library/stories/state-by-state/georgia-population-change-

between-census-decade.html.

75. By contrast, according to a December 2020 report by the National Conference of State Legislatures, 71% of the Georgia General Assembly's legislators were White, and only 1% were Latinx or AAPI. *See* National Conference of State Legislatures, *State Legislator Demographics* (December 1, 2020), https://www.ncsl.org/research/about-state-legislatures/state-legislator-demographics.aspx (note that this study was not updated to reflect the demographics of newly elected candidates who took their seats after the November 2020 general election).

I. History of Discrimination in Georgia Relevant to Redistricting

76. There is a long and well-documented history of voting discrimination against voters of color in Georgia. Indeed, Courts repeatedly have acknowledged Georgia's extensive history of discrimination in this area. *See Fair Fight Action, Inc. v. Brad Raffensperger*, Order, 1:18-cv-05391-SCJ, Document 636 at 41 (11/15/21) (taking judicial notice of Georgia's "long sad history of racist policies in a number of areas including voting"); *Wright v. Sumter Cnty. Bd. of Elections & Registration*, 301 F. Supp. 3d 1297, 1310 (M.D. Ga. 2018), *aff'd*, 979 F.3d 1282 (11th Cir. 2020) ("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."); *Georgia State Conference of the NAACP v. Fayette County Bd. of Comm'rs*, 950 F. Supp. 2d 1294, 1314-16 (N.D. Ga. 2013) (citing *Brooks v. State Bd. of Elections*, 848 F. Supp. 1548, 1560–61, 1571 (S.D. Ga. 1994) (Georgia's "segregation practice and laws at all levels has been rehashed so many times that the Court can all but take judicial notice thereof"), *vacated and remanded on other grounds*, 775 F.3d 1336 (11th Cir. 2015); and *Johnson v. Miller*, 864 F. Supp. 1354, 1379-80 (S.D. Ga. 1994), *aff'd and remanded*, 515 U.S. 900 (1995) ("we have given formal judicial notice of the State's past discrimination in voting, and have acknowledged it in the recent cases").

77. The history of voting discrimination against voters of color in Georgia is further detailed in various expert reports filed in federal voting rights litigation in Georgia and was also documented by Laughlin McDonald, et al., in *Quiet Revolution In The South: The Impact of the Voting Rights Act 1965-1990*, pp. 67-102 (Chandler Davidson & Bernard Grofman eds., 1994).

78. The historical background of redistricting by the Georgia Legislature includes numerous federal court orders revising Georgia's redistricting plans to cure violations of the federal Voting Rights Act or the Constitution. *See*, *e.g.*, *Georgia v. United States*, 411 U.S. 526 (1973) (finding a violation of Section 5 of the Voting Rights Act); *Busbee v. Smith*, 549 F. Supp. 494, 517 (D.D.C. 1982), *aff'd mem.*, 459

U.S. 1116 (1983) (finding discriminatory purpose); *Miller v. Johnson*, 515 U.S. 900, 917 (1995) (finding racial gerrymandering); *Abrams v. Johnson*, 521 U.S. 74, 107 (1997) (same); *Larios v. Cox*, 300 F. Supp. 2d 1320, 1356 (N.D. Ga.), aff'd, 542 U.S. 947 (2004) (finding that the redistricting plan violated one person, one vote principle); *Georgia v. Ashcroft*, 539 U.S. 461, 486 (2003) (noting that redistricting plan made it more difficult for minority voters to elect a candidate of their choice).

79. The socioeconomic realities of Georgia have placed a greater burden on minority residents to effectively participate in the electoral process. The effects of Georgia's long history of discrimination against Black residents remains present. Black Georgians have poverty rates more than double those of White residents. There are also substantial disparities between Black and White Georgians in access to health care and health outcomes, in involuntary residential mobility, and in employment. And Black Georgians face unequal access to education and discrimination in housing and lending. Due to these and related factors, Black Georgians participate in elections at lower rates than White residents. For example, even after an historic increase in Black voter registration in the 2020 election, the levels of Black electoral participation still remain lower than for White residents.

80. The Latinx community in Georgia faces similar socioeconomic burdens that limit their ability to effectively participate in the electoral process. Poverty rates

for Latinx Georgians are almost double the rates for White Georgians. Latinx Georgians also are less likely to graduate from high school or receive a graduate degree than White Georgians. And Latinx Georgians have lower median income than their White counterparts, and also are more likely to lack health insurance than their White counterparts. In addition, access to in-language voter assistance in Georgia is significantly limited. For example, the Georgia Secretary of State does not include bilingual information on its website, including no bilingual or multilingual voter registration information, absentee ballots or other election-related materials. This substantially hampers the ability for Latinx Georgians who lack English proficiency to participate in the electoral process. For all these and related reasons, Latinx Georgians participate in elections at lower rates than White residents.

81. And the AAPI community faces socioeconomic burdens that limit their ability to effectively participate in the electoral process as well. About 10% of AAPI Georgians lack health insurance, and about 10% live in poverty. The AAPI population also faced extreme violence in March 2021, when a gunman murdered 6 people in Atlanta, including 6 AAPI women. Also, similar to the Latinx population in Georgia, the AAPI population that lacks English proficiency is substantially hampered from participating in the electoral process due to the Georgia Secretary of

State's failure to include bilingual information on its website, and other barriers to in-language access. For all of these and related reasons, AAPI Georgians participate in elections at lower rates than White residents.

II. Racial and Ethnic Demographics of Voting in Georgia

82. The Secretary of State of Georgia maintains detailed records as to the racial demographics of voters because Georgia's voter registration forms ask applicants to identify their race or ethnicity to comply with the Voting Rights Act. *See* Georgia Voter Registration Form, https://sos.ga.gov/admin/files/GA_VR_APP_2019.pdf. The form also does not ask voters to identify their political party preference. As a result, the Controlling Party legislators and its elected officials are well aware of the implications of making decisions as to voting on racial and ethnic minorities.

83. In every presidential election since 2004, the share of registered voters who are White has decreased in Georgia from 68% in 2004, to 63% in 2008, to 59% in 2012, to 56% in 2016, to 53% in 2020. During that same period, the cumulative share of registered Black, Latinx, and AAPI voters and other voters of color has increased.

84. The percentage of the vote that the Republican Presidential candidate has received in Georgia has decreased in every election since 2004 with the

exception of 2012.

85. The 2018 statewide election in Georgia demonstrated how fragile the Republican party's hold on the State was. While Republican candidates won the races for Governor, Lieutenant Governor, Secretary of State, and Attorney General, all of the winners received less than 52% of the vote and the Secretary of State election went to a run-off.

86. In 2020, a Democratic presidential candidate won Georgia's electoral college votes for the first time in Georgia since 1992, and two senatorial races were sent to run-offs, with both Democratic candidates winning in January 2021. This was the first time a Democrat had won a United States Senate race in Georgia since 2000.

87. Between 2016 and 2020, the share of registered voters who are White decreased from 56% to 53% and the percentage of voters who turned out who were White decreased from 61% to 58%. These percentages stayed the same for the January 2021 run-off elections. The 3% drop was determinative in who won the 2020 and 2021 elections.

88. Election analysis demonstrates that Black, Latinx, and AAPI voters of color overwhelmingly provide strong support to Democratic candidates. Members of the Georgia General Assembly are aware of this fact.

89. In fact, during the 2021 regular legislative session, the Controlling

Party in the Georgia General Assembly passed SB 202, an omnibus voter suppression bill, which took aim at the voting methods increasingly being used by voters of color—including absentee and mail-in voting, early voting, out of precinct voting, and the use of ballot drop boxes. The Controlling Party did so in an effort to stem the tide of Black, Latinx, and AAPI voters electing candidates of choice in statewide and local elections. Passage of SB 202 was largely premised upon a false narrative of alleged voter fraud in majority-Black Fulton County following President Joe Biden's win in Georgia.

90. Apparently unsatisfied that making it harder for Black voters and other voters of color to cast ballots in Georgia's elections would guarantee their electoral success notwithstanding their dwindling share of the vote, the Controlling Party rammed through State legislative and Congressional redistricting maps to racially gerrymander districts which dilute the voting strength of Black, Latinx, and AAPI voters to deny them an equal opportunity to elect candidates of choice.

91. Manipulating voting districts in an effort to retain its dwindling vote share is nothing new for the Controlling Party.

III. Demographic Changes in Georgia between 2010 and 2020

92. There have been pronounced demographic shifts in Georgia since the 2010 Census. In fact, the 2020 Census found that the percentage of people of color

residing in Georgia grew dramatically since 2010, with Black residents growing by 12.5%, Latinx by 31.6%, AAPI residents by 52.3%, while the White population of Georgia decreased by 4%.

93. Moreover, while the percentage of Georgia's White voters has steadily decreased since 2004, the percentage of the voters of color has steadily increased. From 2004 to 2020, registered voters of color increased in Georgia from 29.8% to 38.3%. White voter registration decreased from 68.7% in 2006, to 52.7% in 2020. In the 2021 Georgia senate runoff election, 228,000 new voters cast ballots who did not participate in the November 2020 general election. These voters tended to be more racially diverse and younger than in past elections.

94. Of Georgia's 250 Congressional and statewide legislative districts prior to the enactment of the new redistricting maps, 74 State House, 20 State Senate and 5 Congressional districts had a voting age population of people of color of more than 50%.

95. Packing minority voters into as few districts as possible—while maximizing the number of districts where White voters comprise 55% or more of the electorate—has long been a strategy to maintain political dominance for White voters in Georgia. This strategy is present in the new redistricting plans passed by the General Assembly and which were signed into law by Governor Kemp.

IV. The Georgia 2021 Redistricting Process and Proceedings

A. Town Halls Convened by the Joint House and Senate Committees on Redistricting and the Public Comment Portal

96. The Georgia General Assembly's Joint House and Senate Redistricting Committee held a series of Town Halls in various locations around the State where they solicited public comment about the redistricting process prior to the introduction of any redistricting plans by the General Assembly and before the 2020 Census data were published.

97. As a result, the public was unable to comment on any maps or plans proposed by legislators, nor did they have the 2020 Census data yet to inform map drawing considerations.

98. Instead, a considerable focus of the oral public comment at the Town Halls, as well as in hundreds of public comments submitted to the committees via a public portal on the General Assembly's website (including by Plaintiffs), was on demands for a transparent, fair and equitable process, rather than a focus upon specific mapping proposals by the legislature or Census results.

99. During these Town Halls, legislators did not respond to numerous questions posed to them by the public (including by Plaintiffs) about how the redistricting process would be conducted; when and how redistricting plans and background about the plans would be shared with the public; and whether the

legislature would consider maps, data and alternatives plans submitted by the public. The legislators also did not respond to written public comments submitted to the committees' public comment portal.

100. While there were many members of the public who expressed concerns about the fact the Town Halls did not provide accommodations for persons with limited English proficiency, who were vision or hearing impaired, or were otherwise physically disabled, no action was taken by the Joint Committee Chairs, Representative Bonnie Rich and Senator John Kennedy, to make the Town Halls accessible for Georgians who needed such accommodations. Once the special redistricting session began on November 3, 2021, the Chairs of the Committees also failed to make such accommodations available for Georgians who needed them.

101. The pleas for transparency and a fair and equitable process made by members of the public at the Town Halls and on the public comment portal were virtually ignored by the Controlling Party.

102. Instead, the Controlling Party rammed through all three maps during the special session, providing little to no information about the rationale for drawing the districts and refusing to share information with the public about the role consultants played in the drawing of the Controlling Party's maps, what voter data the map-makers relied on to draw the maps (and in particular, whether that included

race-based data), and what advice they were given by the consultants about how the maps should be drawn and why.

103. When members of the public complained about the lack of transparency in the process during committee hearings and the absence of any real opportunity to examine and analyze the proposed maps before and after the commencement of the special session on November 3, 2021, these complaints were frequently met with Controlling Party legislators pointing to the Town Halls as evidence that the process was transparent – even though they all took place before a single map was proposed by legislators, none of the legislators responded in substance to any of the comments or questions made by the public during the Town Halls or on the public portal, and Georgia's final Census data was not released until after the final Town Hall was held on August 11, 2021.

B. Events Prior to the Commencement of the Special Session on November 3, 2021

104. On September 23, 2021, Governor Kemp signed a proclamation ordering the commencement of a special session of the Georgia General Assembly on November 3, 2021, for the purpose of drawing new redistricting maps for Georgia's House, Senate and Congressional districts, among other things. *See* https://gov.georgia.gov/executive-action/proclamations.

105. On September 27, 2021, before the special session began, the General

Assembly's Legislative and Congressional Reapportionment Office posted a proposed Congressional redistricting plan submitted by Senator John Kennedy, Chair of the Georgia Senate Redistricting Committee, on its website: https://www.legis.ga.gov/api/document/docs/default-source/reapportionment-document-library/cong-s18-p1-packet.pdf?sfvrsn=dd7b16e7_2. This plan included total population and voting age population data for the racial and ethnic composition of each proposed district.

106. The Reapportionment Office is a joint office of the Georgia House and Senate responsible for providing the General Assembly with redistricting services. According to the General Assembly's website, the "office uses data provided to the State of Georgia by the U.S. Census Bureau for the purpose of redistricting. In addition to providing the technical assistance to redistrict, the website states that the office provides an array of maps and up to date data reports which include information on demographics, precincts, and local redistricting." *See* GEORGIA GENERAL ASSEMBLY: LEGISLATIVE AND CONGRESSIONAL REAPPORTIONMENT OFFICE (2021), https://www.legis.ga.gov/joint-office/reapportionment.

107. While the Reapportionment Office is supposed to be nonpartisan and open to all members of the General Assembly from any party, and its employees are paid by the taxpayers of Georgia, the House and Senate redistricting committees

passed guidelines ("Committee Guidelines") for the 2021 redistricting special session which provided, among other things, that:

> [R]edistricting plans and other records related to the provision of [Reapportionment Office] staff services to individual members of the General Assembly will not be subject to public disclosure. Only the author of a particular map may waive the confidentiality of his or her own work product. This confidentiality provision will not apply with respect to records related to the provision of staff services to any committee or subcommittee as a whole or to any records which are or have been previously disclosed by or pursuant to the direction of an individual member of the General Assembly.

See Georgia Senate redistricting committee's guidelines, https://www.legis.ga.gov/api/document/docs/default-source/reapportionment-document-library/2021-senate-redistricting-committee-guidelines.pdf?sfvrsn=a9bbb991_2; House redistricting committee's guidelines here: https://www.legis.ga.gov/api/document/docs/default-source/reapportionment-document-library/2021-senate-redistricting-committee-guidelines.pdf?sfvrsn=a9bbb991_2.

108. Additionally, communications between legislators and Reapportionment Office staff and the nature of the services provided by the Reapportionment Office to legislators are exempt from Georgia's Open Records Act, meaning that the public has no access to this information absent obtaining it in discovery during litigation.

109. Thus, the Reapportionment Office and Controlling Party members

engaged in a secretive process which excluded the public and minority party members, preventing them from obtaining critical information about how and why the redistricting plans were drawn the way they were. In particular, the public and minority party members were denied information regarding whether the Reapportionment Office and the Controlling Party's members relied on race as a predominant factor to draw the maps, whether the Reapportionment Office and Controlling Party members complied with the VRA to draw the maps, and whether the Reapportionment Office and the Controlling Party intentionally drew the maps to discriminate against Georgians on the basis of race or ethnicity.

110. Aside from the map, data, and shapefiles posted on the Reapportionment Office website, the initial version of the Congressional district plan sponsored by Senator Kennedy was not accompanied by information explaining any rationale about how or why the plan was drawn as it was. No legislative hearings were ever held on this Congressional plan.

111. On October 21, 2021, the Reapportionment Office posted a Congressional district plan submitted by the Georgia House and Senate Democratic Caucuses identified as HB 5EX.

112. On October 28, 2021, the Reapportionment Office posted a State Senate

plan submitted by the Georgia Democratic Senate Caucus identified as SB 4EX.

113. On October 29, 2021, the Reapportionment Office posted a State House plan submitted by the Georgia House Democratic Caucus identified as HB 4EX.

114. On November 2, 2021, the day before the special session was scheduled to begin on November 3, 2021, the Reapportionment Office posted a House district plan identified as HB 1EX submitted by the House committee's Controlling Party's Chair and a Senate district plan identified as SB 1EX submitted by the Senate committee's Controlling Party's Chair.

C. The Georgia Senate Redistricting Plan and Proceedings

115. The 2021 Georgia redistricting process was designed by the Controlling Party to be anything but transparent. Line drawing was done by design in secret by Controlling Party's members with the assistance of the supposedly non-partisan Reapportionment Office; multiple committee meeting agendas were issued with the only information provided as, "TBD," i.e., "To be Determined;" redistricting plans and substitute bills were sometimes disclosed within hours of their introduction or even after committee meetings discussing them had already begun.

116. The lack of transparency and the intentionally rushed process virtually guaranteed that the Controlling Party's redistricting plans would not be reflective of the interests and concerns of Georgia's voters—particularly those of Georgia's fast-

growing communities of color demanding that the plans comply with the Voting Rights Act, United States Constitution and respect their communities of interest, during the redistricting proceedings.

117. On November 2, 2021, the Senate Reapportionment and Redistricting Committee Chair, Senator John Kennedy, issued a notice that the committee would meet on November 3, 2021, at 1:00 p.m. The agenda for the meeting stated it was "TBD." A skeletal bill, SB 1EX LC 47 1159, was also submitted to the Senate Hopper on November 2, 2011, which contained no specific information about the Controlling Party's Senate redistricting plan.

118. The November 3, 2021, Senate committee meeting was relatively short and generally included a brief discussion of the aforementioned Senate redistricting committee guidelines by Chair Kennedy, the committee's process going forward, and an announcement that there would be another meeting the following day on November 4, 2021, where public comment would be allowed.

119. Chairman Kennedy also indicated that he expected to pass a Senate districting redistricting plan out of committee as early as on November 5, 2021 – just two days after the start of the special session and before any substantive discussion of the bills by the committee.

120. On November 4, 2021, Chairman Kennedy introduced a Senate substitute bill, SB 1EX LC 47 1165S, also known as, "User: S018 Plan Name: Senate-prop1-2021 Plan Type: Senate." It is available at: https://www.legis.ga.gov/api/legislation/document/2021EX/202757. This Senate plan included total population and voting age population data regarding of the racial and ethnic composition of each proposed district, but no other information was made available concerning how or why the plan was drawn as it was.

121. Chairman Kennedy also announced that he planned to permit the minority leader, Senator Gloria Butler, to introduce the Democratic Caucus' Senate plan (SB 4EX LC 47 1154), but leader Butler objected because the minority party had not been informed that the Chair planned to take up the Democratic caucus' bill at this meeting. As a result, the hearing on the minority party's map was deferred to the following day's meeting on November 5, 2021.

122. The Senate Reapportionment and Redistricting Committee met next on November 5, 2021. The Agenda included a reference to public comment and that the committee would be conducting a hearing on SB 4 (Sen. Butler) and consideration of SB 1 (Sen. Kennedy). (These bills were introduced as SB 4EX LC 1154 and SB 1EX 1165S, respectively).

123. During this hearing, Chairman Kennedy stated that the 2021 Committee

Guidelines included prioritizing keeping counties whole, yet the Senate plan splits 29 of Georgia's 159 counties, including counties where communities of color account for the significant growth in population reported in the 2020 Census.

124. The committee considered the Controlling Party's Senate Plan, SB 1EX 1165S, as well as the minority party's plan, SB 4EX LC 47 1154. Public comment on the bills was received, with the majority of the public comments opposed to the passage of the Controlling Party's plan.

125. Members of the public and the minority party objected to the Controlling Party's lack of transparency and the rushed process which failed to give the public any reasonable opportunity to analyze the bill. Members of the public also objected to the plan because of racially gerrymandered districts and minority vote dilution present in the Controlling Party's plan.

126. Nevertheless, the Controlling Party's Senate plan was voted out of committee at this meeting after only three days of hearings.

127. This plan was passed by the General Assembly on November 15, 2021, following a Senate floor vote along party lines of 34-21 on November 9, 2021, and a House floor vote along party lines of 96-70 on November 15, 2021.

128. Governor Kemp signed the Senate plan, which is a racial gerrymander

and violates Section 2 of the Voting Rights Act, into law.

D. The Georgia House Redistricting Plan and Proceedings

129. On Friday, November 5, 2021, Representative Bonnie Rich, the Chair of the House Legislative and Congressional Reapportionment Committee, convened the first meeting of the committee to discuss HB 1EX, the Controlling Party's House redistricting bill, and HB 4EX, the Democratic Caucus' House redistricting bill. The agenda provided no information about whether the committee would entertain public comment. During this meeting, the Chair and members of the committee generally discussed the committee's redistricting guidelines and the process for the hearings on the proposed House plans.

130. On the following Monday, November 8, 2021, the Reapportionment Office posted a substitute House district plan, HB 1EX LC 47 1163S, submitted by Chair Rich, replacing the previous skeletal redistricting bill proposed by the Controlling Party. This bill was subsequently introduced the same day at the House committee meeting convened by Chair Rich, giving the public and minority party lawmakers little time to review changes made to the Controlling Party's House redistricting bill. The substitute bill was also not mentioned in the agenda circulated prior to the meeting.

131. On the following day, November 9, 2021, Chair Rich convened another

hearing on HB 1EX LC 47 1163S and received public comment, most of which was negative, with members of the public complaining about the lack of transparency and the failure of the Controlling Party to provide the public with information about the rationale for the way districts were drawn in the plan. Members of the public, as well as minority members of the committee, also provided negative comments about the racial gerrymanders and minority vote dilution present in the plan.

132. Nevertheless, the Controlling Party's House substitute redistricting bill was voted out of committee on November 9, 2021, after only three days of public hearings, and was later passed by a House floor vote along party lines of 99-79 the following day on November 10, 2021. It was subsequently passed by a Senate floor vote two days later on November 12, 2021, on a vote of 32-21 along party lines.

133. Governor Kemp chose not to veto the Controlling Party's unconstitutional and unlawful House redistricting plan and allowed it to become law.

E. The Georgia Congressional Redistricting Plan and Proceedings

134. A skeletal Congressional redistricting bill was filed as SB 2EX LC 47 1158 in the Senate Hopper on November 2, 2021, and was read and referred to the Senate Reapportionment and Redistricting Committee on November 3, 2021. This bill contained no details about the map or plan and did not reference the Congressional plan posted by the Reapportionment Office that had been submitted

by Chairman Kennedy on September 27, 2021.

135. On November 17, 2021, just hours before the Senate Reapportionment and Redistricting Committee was scheduled to convene that day, the Reapportionment Office posted a Congressional district plan jointly sponsored by the House and Senate Controlling Party's redistricting committee chairs, giving neither the public nor the minority party's legislators any reasonable opportunity to review or analyze the plan before the hearing began. *See* https://www.legis.ga.gov/api/document/docs/default-source/reapportionment-document-library/congress-prop1-2021-packet.pdf?sfvrsn=104b7388_2. This plan was introduced in the Georgia Senate and considered by the House redistricting committee as SB 2EX LC 47 1166S and in ("Joint Congressional Plan"). This plan included data on the race and ethnicity of the total population and voting age population (VAP) in each proposed district.

136. Hearings on the joint Congressional plan began on November 17, 2021, in both the Senate and House redistricting committees.

137. The very next day, on November 18, 2021, the Senate Reapportionment and Redistricting Committee voted the joint Congressional plan out of committee and it was passed on the Senate floor the following day, November 19, 2021, by a vote of 32-21, along party lines—only two days after the plan was first made

available to the public and the hearings on the bill were commenced in the Senate redistricting committee.

138. The House committee also held a hearing on November 18, 2021, on the joint Congressional plan, SB 2EX LC 47 1166S, and on the Democratic Caucus' Congressional plan, HB 5EX LC 47 1149. The House committee scheduled another hearing on the joint Congressional plan on Saturday, November 20, 2021, at 9:00 a.m. where the Congressional plan was passed out of committee.

139. A House floor vote was held on Monday, November 22, 2021, and SB 2 EX LC 47 1166S was passed by a vote of 96-68 along party lines. A copy of the final bill as passed by the Georgia General Assembly is entitled "SB 2EX/AP and is available on the Georgia General Assembly's website at: https://www.legis.ga.gov/api/legislation/document/2021EX/203133.

140. The joint Congressional plan is a racial gerrymander and violates Section 2 of the Voting Rights Act because race predominated in the drawing of the plan and the plan dilutes the voting strength of voters of color.

141. Nevertheless, Governor Kemp signed the Controlling Party's unconstitutional and unlawful Joint Congressional district plan and as well as the

Controlling Party's House and Senate plans into law.

V. The Congressional Map

A. The Metro Atlanta Congressional Plan (SB 2 EX/AP) (Allegations supporting constitutional and Section 2 of VRA claims)

142. The Controlling Party and their map drawers created a textbook example of how redistricting lines can be manipulated to dilute the voting strength of people of color by refusing to draw a majority-Black Congressional district and using gerrymandering of adjacent districts to maintain a White majority advantage in an area of Georgia in which the population of people of color has exploded since the 2010 Census.

143. The growth in the State's population of Black, Latinx and AAPI residents has in large part taken place in the Atlanta Metro area.

144. The percentage of total population that are people of color in the Atlanta metropolitan ("Atlanta Metro") area grew dramatically since the last Census, from 49.22% in 2010 to 56.29% in 2020, a net increase of just over 7 percentage points.

145. In the same period, the percentage of population that is White in the Atlanta Metro area decreased from 50.78% in 2010 to 43.71% in 2020, a net drop of just over 7 percentage points.

146. Similar changes are seen in the percentage of the voting age population in the Metro Atlanta with an approximately 7.4 percentage point increase in the

voting age population of voters of color from 2010 to 2020. The opposite was true for White voters, where the percentage of the White voting age population decreased by about 7.4 percentage points from 53.72% in 2010 and 46.34% in 2020.

147. And in this area of Georgia, voting is racially polarized, with Black voters cohesively for candidates of their choice, and the White majority generally voting as a bloc for different candidates so as to prevent the election of the candidates of choice of Black voters. Thus, unless Black voters comprise a majority of a district or close to it, the White majority votes as a bloc for its preferred candidates, usually preventing the election of Black preferred candidates.

148. Before the enactment of SB 2 EX/AP in 2021, the existing 2011 14-seat Congressional plan, had four (4) seats that were majority-Black by total population based upon the 2020 Census: CD-2, CD-4, CD-5, and CD-13. Three (3) of those seats were in the Metro Atlanta area: CD-4, CD-5 and CD-13. One (1) Metro Atlanta seat, CD-7, was a majority coalition district based upon the population of people of color collectively (61.95%) and voting age population (58.84%); but was not a majority coalition district by CVAP (45.13%) or registered voters (48.75%), but getting closer to a majority coalition district on those metrics as well.

149. Due to the population changes in this area of the State where racially polarized voting is present, the Controlling Party and its map drawers could have

and should have drawn at least one new compact majority-Black Congressional district in the western Atlanta Metro area to comply with the Section 2 Voting Rights Act. This would have increased the total number of majority-Black Congressional districts in the Metro Atlanta area from 3 to 4 and given Black voters and other voters of color an opportunity to elect candidates of their choice.

150. Instead, the Controlling Party and their map drawers intentionally chose to systematically racially gerrymander Atlanta Metro Congressional districts to avoid drawing the new majority-Black Congressional district and to dilute the voting strength of Black, Latinx and AAPI voters in this region. This not only violated Section 2 of the Voting Rights Act, but also violated the Fourteenth and Fifteenth Amendments to the U.S. Constitution.

151. Some of the most egregious instances of racial gerrymanders and minority vote dilution in the new Congressional plan (SB 2 EX/AP) are present in the Metro Atlanta area districts, particularly in Congressional Districts 3, 4, 6, 7, 9, 10, 11 13, and 14 where communities of color were cracked or packed to dilute their voting strength.

152. CD-6 in the new plan is a prime example where the Controlling Party and its map drawers manipulated the district lines to dilute the voting strength of people of color and where race predominated over traditional districting principles.

153. Until recently, CD-6 had elected candidates preferred by the White majority. However, in 2018, the growing Black population helped elect CD-6's first Black female Congresswoman, Lucy McBath, as their candidate of choice.

154. CD-6 was only 657 persons away from the ideal district size of 765,736 for equal apportionment based upon the 2020 Census. Nevertheless, the Controlling Party and its map drawers retained only 404,452 people from the prior plan or about 52.8% of the former plan's population in the new CD-6 plan.

155. This group is 61.5% White by population, 63.9% White by VAP and 61.7% White by voter registration. About 361,351 people, or approximately 47.2% of CD-6's population, was swapped out of the district by the Controlling Party's mappers.

156. Of that population—which was removed from Cobb, Fulton, and DeKalb County portions of the district—184,254 or 51% of the population were people of color. 134,972 of 279,240 or 49% of the removed population were people of color by VAP, and 82,606 of 222,271 or 37.2% were registered voters of color.

157. Of the added population—which was drawn from Forsyth, Dawson, Cherokee, Gwinnett, and Cobb Counties—121,810 of 360,684 or 33.8% of the population were people of color; 79,828 of 264,430 or 30% were people of color by VAP; and, 50,808 of 240,187 or 21.15% were registered voters of color.

158. The new CD-6 plan drastically changed the geography of the district as well as its demographics. The net result was that the new CD-6 plan had 62,482 fewer persons of color than under the previous plan and 61,670 more White persons.

159. The percentage of White registered voters in CD-6 under the new plan increased from 58.39% to 65.60%, while the percentage of registered voters who are people of color decreased from 32.19% to 25.38%, a loss of 6.81 percentage points. The White voting age population of the district also increased from 58.13% to 66.63%, while the voting age population of people of color decreased from 41.88% to 33.37%, a loss of 8.51 percentage points. The total White population of the district also increased – growing from 55.58% to 63.70%, while the total population of people of color decreased from 44.42% to 36.30%, under the new plan, a loss of 8.12 percentage points.

160. Under every metric, the changes made by the Controlling Party and its map drawers to CD-6 made it a safe district for White voters by diluting the voting strength of persons of color in order to prevent them and cross-over voters from having a meaningful opportunity to elect candidates of choice.

161. Because CD-6 was only 657 persons away from ideal population size for apportionment, there was no legitimate or compelling reason for the Controlling Party and its map drawers to surgically remove 62,482 people of color from CD-6

and replace them with 61,670 more White people except to dilute the voting strength of voters of color.

162. The Controlling Party and its map drawers sorted voters by race into and out of CD-6 to dilute the voting strength of voters of color and to deny voters of color an equal opportunity to participate in the political process in CD-6.

163. CD-13 is another example of the Controlling Party and their map drawers' choosing to increase the packing of people of color in CD-13 to dilute their voting strength and to deny them an equal opportunity to participate in the political process, despite the fact that CD-13 was an already packed district and population could have been shifted out of CD-13 to create the new majority-Black district in the Metro Atlanta area.

164. The total population of people of color in CD-13 in the new plan is a whopping 83.65%, with 64.26% of the packed district comprised of persons identifying as Black alone in the 2020 Census. This is an overall increase in the total population of people of color in the already overpacked CD-13 of 4.41 percentage points. The people of color VAP in the new CD-13 plan is 81.18%, an increase of 4.76 percentage points, and the Black VAP is 63.75%, an increase of 4.03 percentage points. The percentage of registered voters of color in the new CD-13 plan is 79.32%, an increase of 4.98 percentage points, and the Black registered voter percentage is

70.75%, an increase of 4.66 percentage points.

165. The Controlling Party and its map drawers offered no evidence during the hearings on the Congressional plan demonstrating that the packing of CD-13 to such an extraordinary degree was necessary to provide voters of color or Black voters an equal opportunity to elect candidates of their choice or was required to comply with Section 2, traditional districting principles or for any other legitimate reason.

166. Although the Controlling Party and its map drawers could have unpacked CD-13 to relieve the overpacking in order to facilitate the creation of the new majority-minority Congressional district in the Metro Atlanta area, they chose not to do so and, instead, created a Congressional plan which dilutes the voting strength of people of color and Black voters in CD-13 and denies voters of color and Black voters an equal opportunity to participate in the political process.

167. The new Congressional plan also continues to pack people of color in CD-4, which was already a majority-minority district in the previous Congressional plan.

168. In the new CD-4 plan, people of color comprise 74.18% of the total population in the new plan, with 52.19% of the population identifying Black alone in the 2020 Census. This represents a small reduction of the packing of this district,

but is still well above the percentage of population necessary for voters of color to have a meaningful opportunity to elect candidates of their choice. As a result, the new plan dilutes the voting strength of people of color in the Atlanta area by continuing to pack them into CD-4 without a legitimate or compelling reason.

169. Although the Controlling Party and its map drawers could have created another majority-minority Congressional district in the Metro Atlanta by unpacking CD-13 and CD-4 and by moving voters of color from other adjacent districts to give the growing population of people of color a meaningful opportunity to elect candidates of choice, they chose not to do so and did not provide any rationale for continuing to overpack CD-4 during the legislative hearings on the new Congressional plan.

170. Voters of color in Henry, Fayette, and Newton counties also remain cracked between the packed CD-13 and the majority-White CD-3 and CD-10, diluting their voting strength. The plan also cracks communities of color in Douglas County, which was not split in the 2011 plan. The new plan moves a total of 42,970 people into the majority-White CD-3. 19,532 or 45.5% of the persons moved into CD-3 are people of color.

171. Approximately 283,464 people, 85% of whom were in CD-7 in Gwinnett County in the prior plan, and approximately 54% of whom are people of

color, were moved to the majority-White CD-9. Had these voters of color been retained in CD-7, they could have been used to facilitate the drawing of the new fourth majority-Black Congressional district in the Metro Atlanta area, giving these voters of color a meaningful opportunity to elect candidates of choice.

172. The new Congressional plan also dilutes the voting strength of voters of color in Cobb County, including those residing in the majority-minority cities of Marietta, Smyrna, Powder Springs, Austell, and in areas adjacent to I-75.

173. The center of Cobb County and numerous cities along I-75 are paired with majority-White Cherokee, Bartow, and Pickens counties to make CD-11, a majority-White district, which preserves the cracking of growing communities of color in these areas in the previous map, diluting their voting strength.

174. In the southern part of Cobb County, voters of color continue to be packed into CD-13 at unnecessarily high levels—far above what is needed for them to have a meaningful opportunity to elect candidates of their choice.

175. In the new Congressional plan, the Controlling Party and its map drawers moved 77,813 people out of Cobb County to majority-White CD-14. This included persons residing in southwestern Cobb County in the majority-minority cities of Powder Springs and Austell - the majority of whom are people of color,

176. 60,003 or 77% of the persons moved into CD-14 were previously in

majority-Black CD-13, the rest were from majority-White CD-11. The majority of the persons moved into CD-14 from CD-13 and CD-11 were people of color.

177. 44,429 or 74% of the 60,003 people moved into CD-14 from CD-13 were people of color by total population; 70% of persons of voting age (VAP) who were moved were people of color; 63.6% of citizens of voting age (CVAP) who were moved were people of color, and 68.3% of registered voters who were moved were people of color. 31,611 or 52.7% of the persons from CD-13 who were moved into CD-14 are Black and 51% of those persons were of voting age.

178. 17,810 persons moved into majority-White CD-14 from majority-White CD-11 were 34% people of color by total population and 30.5% by voting age population.

179. Rather than diluting the voting strength of voters of color who were moved into CD-14 from packed majority-Black CD-13, the Controlling Party's lawmakers and map drawers should have drawn population from adjacent areas of CD-9 and/or additional population from CD-11 to equalize the population of CD-14 and used the over-packed population of CD-13 to create the new majority-Black Congressional seat in the western Atlanta Metro Area.

180. Instead, the Controlling Party's lawmakers ignored pleas from community members of color affected by these changes during legislative committee

hearings who expressed concerns the changes would dilute their voting strength and move them into a district with which they have little or no shared common interests.

181. There was no reason to draw the map in this way other than to dilute the voting strength of voters of color in one of the fastest growing regions for Black communities in the United States in violation of Section 2 of the Voting Rights Act and the U.S. Constitution without a compelling justification.

182. These changes are textbook examples of cracking and packing, and they were made with the objective to create a Congressional map that has at least one-less majority-Black Congressional district than should be present.

183. Accordingly, race predominated in the Controlling Party's decision not to create a new majority-Black Congressional district in the Metro Atlanta area and in cracking and packing the adjacent Metro Atlanta Congressional districts to dilute the voting strength of Black voters and other voters of color in order to avoid drawing the new majority-Black Congressional district. Traditional districting principles, including drawing compact districts, keeping communities of interest intact, and avoiding cross county splits were all subordinated to the predominance of racial considerations in the drawing of the 2021 Congressional plan.

VI. The State Senate Map

A. Central Georgia Senate Districts (Allegations supporting constitutional and Section 2 of VRA claims)

184. The Black population in Georgia has grown in the last decade, while the White population has fallen. These trends are across the State, including in central Georgia, where counties such as Newton, Rockdale, Henry, Spalding are located.

185. However, the Controlling Party and its map drawers drew Senate districts in central Georgia that have the effect of diluting the political power of Black Georgians in violation of Section 2 of the Voting Rights Act. The State Senate districts in central Georgia were also drawn with the intent to dilute the political power of Black Georgians and constitute racial gerrymanders.

186. Specifically, SD-10 and SD-43 were packed with Black voters. Both districts have a Black voting population that is greater than 60%. And this packing was accomplished by creating districts that do not comport with traditional districting principles, have irregular shapes, pull in Black populations from disparate communities without a compelling justification, and dilute the voting strength of Black voters.

187. In addition, SD-17 and SD-25 were drawn to crack populations of Black voters to dilute Black voting strength, with neither district having a Black

voting population over 33%. Due to racially polarized voting, Black voters are usually unable to elect candidates of choice in these cracked districts because the White majority tends to vote as a bloc to prevent Black voters from electing candidates of their choice.

188. Only Senate District 10 and SD-43 give voters of color a meaningful opportunity to elect a candidate of choice. Senate Districts 17 and 25 crack the population of people of color to prevent them from having a meaningful opportunity to elect candidates of choice.

189. In the new Senate plan, the Controlling Party and its map drawers reduced the voting age population of people of color in the new SD-17 plan from 50.93% to 40.58%, a 10.35% drop. This plan was drawn after Phyllis Hatcher, a Black Democrat, was in a competitive election against a White Republican candidate, Brian Strickland, and lost by a margin of approximately 5 percentage points in 2018. The Controlling Party's map drawers also reduced the population of registered voters of color in the new plan from 48.73% to 37.88%, a 10.86 percentage point drop. The Black voter registration population was also reduced from 42.23% to 31.84%, a drop of 10.39 percentage points in the new plan. Race

predominated over traditional districting principles in the drawing of SD-17 by the Controlling Party and its map drawers in the new Senate plan.

190. In SD-25, the percentage of the population of people of color was increased slightly from 37.24% in the old plan to 42.55% in the new plan, but the increase is not likely enough to give people of color a meaningful opportunity to elect candidates of their choice in the new SD-25 plan.

191. The Controlling Party and its map drawers could have alleviated the overpacking of SD-10 and the cracking of people of color in SD-17 and SD-25 by increasing the percentage of people of color in SD-17 and SD-25, but chose not to, diluting the voting strength of people of color in the new plan.

Without violating—and indeed, while better preserving—traditional redistricting principles, Black voters should be moved out of SD-10 and SD-43 and moved into SD-17 and SD-25 to provide the Black voters in central Georgia an opportunity to elect candidates of their choice.

B. Senate Districts in and around the Area of Clayton, Spalding & Fayette Counties (Allegations supporting constitutional and Section 2 of VRA claims)

192. Clayton, Spalding, and Fayette counties are part of the Atlanta Metro area and have seen material population growth since the 2010 Census. In all three counties as well—and also in surrounding counties—the population growth can be

attributed primarily to the increase in Black population whose voters vote cohesively.

193. Accordingly, this region of the State can support the drawing of at least three compact majority-Black State Senate districts where Black voters, who vote cohesively, have the opportunity to elect candidates of their choice.

194. However, the Controlling Party and its map drawers drew the lines in and around this region—specifically, the lines for SD-44, SD-34, SD-16, and SD-18, to ensure that this region would have only two districts where Black voters can elect candidates of their choice.

195. Specifically, SD-34 and SD-44 are substantially packed, with both having a Black voting population of over 65%. But the Controlling Party's map drawers drew SD-16 and SD-18 to severely crack populations of Black voters, with both districts containing a Black voter population of less than 30%.

196. These line drawing decisions were made intentionally and surgically to diminish Black voting strength. For example, SD-16 was drawn to intentionally not reach into Clayton County and SD-18 was drawn to reach far down into Crawford and Peach counties, so as to push SD-16 down and away from the highly dense Black populations in and around Clayton, Fayette, and Spalding counties and towards counties with higher populations of White residents where racially polarized voting

usually prevents Black voters who vote cohesively from being able to elect candidates of choice due to White bloc voting.

197. These choices have caused the Black voters to have one less district where they have an opportunity to elect candidates of their choice. And these decisions were made intentionally by the Controlling Party and its map drawers.

C. Senate Districts in the Area of Fulton & Douglas Counties (Allegations supporting Section 2 of VRA claims)

198. Senate District 35 is located solely in Fulton and Douglas counties. Dense Black communities are located in these counties. Approximately 90% of Atlanta sits in Fulton County, while Douglas County to the west has witnessed an almost 10% increase in its Black population since the 2010 Census.

199. Prior to the 2021 redistricting of Senate District 35, the district had a 68.3% Black voting age population.

200. Given this fact, it is no surprise that SD-35 is a majority-Black district with a Black voting age population of almost 70%.

201. However, this level of packing is not necessary for Black voters to elect candidates of their choice. In fact, if such packing did not take place, then at least one additional compact majority-Black senate district could be drawn in the area of Fulton and Douglas counties that provides Black voters in this region with an opportunity to elect candidates of their choice.

202. The drawing of another majority-Black senate district in this area is possible by reducing the packing of SD-35 and drawing in additional Black voting age population from Senate districts to the immediate west of SD-35, which include SD-30, SD-31, and SD-28.

203. None of these districts have even a 20% Black voter population, and each of these districts could reach further into Douglas and Fulton counties without violating traditional redistricting principles. In fact, the compositions of at least SD-28 and SD-30 would better protect traditional redistricting principles if these changes were made given that the map drawn by the Controlling Party and its mappers was not compact.

D. Senate Districts in Cobb County Area (Allegations supporting constitutional and Section 2 of VRA claims)

204. Cobb County is one of the largest counties in the Atlanta Metro area, with over 760,000 total residents after the most recent Census. The county is majority people of color. The largest city in Cobb County, Marietta, has a population of people of color that nearly reaches 60%. The Cobb County population of people of color is primarily comprised of large percentages of Black and Latinx residents.

205. Also, Cobb County is surrounded by other counties with large populations of people of color, such as Fulton and Douglas counties.

206. Both historically and in the most recent Georgia elections, the large and growing populations of Black and Latinx voters in Cobb County usually vote cohesively, individually and collectively as a group, voting for the same candidates. The White majority votes cohesively as a bloc for different candidates and, due to racially polarized voting, White bloc voting usually prevents voters of color from electing candidates of their choice.

207. In 2020, there were five districts with significant pieces of Cobb: SD-38, which is a majority-Black district split between Fulton and Cobb counties (61.31% BVAP); SD-33, is a majority-people of color coalition district (with a people of color VAP of 63.65%, CVAP 55.18% and registered voters 57.97%), which is nested within Cobb County; SD-6, which is a majority-White district (White VAP of 53.74%), which includes part of Fulton and Cobb counties; SD-32, a majority-White district (White VAP of 68.88%), which includes part of Cobb and Fulton counties; and SD-37, which is a majority-White district (62.54% White VAP), which is entirely in Cobb County. There was also one senate district, SD-14, which included a smaller portion of Cobb County.

208. The new senate map continues to cut Cobb County into six separate districts—SD-6, SD-32, SD-33, SD-37, SD-38, and SD-56—which results in the

packing of Black and Latinx voters into SD-33 and SD-38, but does not provide this coalition with another opportunity to elect candidates of their choice.

209. These six senate districts in the new plan cut Cobb County to a greater extent than the previous senate plan. Each district includes at least 89,000 Cobb County residents and is paired with adjacent parts of neighboring counties.

210. This was an intentional and deliberate choice on the part of the Controlling Party and its map drawers to dilute the voting strength of Black and Latinx voters by packing them into two senate districts instead of giving them more opportunities to elect candidates of choice in at least three additional compact, majority people of color districts.

211. By doing so, race predominated over traditional districting principles, including the Controlling Party's own redistricting guidelines which stated cross county cuts, like these in the Cobb County senate districts, should be avoided.

212. In making these changes, the Controlling Party and its mappers also intentionally increased the percentage in SD-6 of White VAP from 53.8% in the previous plan to 57.8% to prevent people of color from having a meaningful opportunity to elect candidates of their choice in this district.

213. Without violating traditional districting principles—and in fact, by drawing the districts to better preserve Cobb County and to better respect traditional

redistricting principles—a third majority persons of color senate district could be drawn in this region by shifting voters into SD-6 and primarily out of SD-38 and SD-33. This would reduce the number of senate districts that enter Cobb County to five instead of the six in the new plan.

214. Alternatively, a map could be drawn to reduce the number of senate districts with portions of Cobb County to four instead of five. 765,136 people are needed for four state senate districts based on statewide figures. Cobb County's total population is 766,149 people. This is only 1,013 people, or 0.13% greater than the total population required for four seats, well within the acceptable 5% population deviation for state senate districts. Four districts could be nested within Cobb County, better satisfying traditional districting principles. The voting strength of Black voters in SD-38 will continue to make this district perform as a majority Black district – even if it no longer included precincts from Cobb County.

215. Notably, the Controlling Party's legislative delegation passed a Cobb County Board of Commission map that includes only four single member districts and an at-large chair. That plan has two coalition districts and is entirely nested in Cobb County. There is no compelling or reason for six senate seats to enter Cobb County, except to dilute the voting strength of the burgeoning population of people of color in Cobb County and adjacent areas.

216. As a result, the six-senate district plan drawn by the Controlling Party and its map drawers violates Section 2 of the Voting Rights Act and also constitutes an unconstitutional racial gerrymander.

E. Senate Districts in and around Gwinnett, North Fulton & Forsyth Counties (Allegations supporting constitutional claims)

217. In 2020, Michelle Au was elected to the Georgia State Senate to represent SD-48. This was an historic election, as Senator Au is the first AAPI individual elected to the Georgia State Senate.

218. Her victory was due in part to the growing diversity of Gwinnett, Fulton, and a small portion of Forsyth counties, where there is not only a growth in the population of Black communities, but also of Latinx and AAPI communities as well.

219. In a clear effort to put a roadblock in the way of the increasingly diverse multi-racial and ethnic voting bloc in SD-48, the Controlling Party and its mappers intentionally manipulated the redistricting plan for SD-48 to dilute the voting strength of this coalition and to prevent the re-election of a candidate of their choice, such as Senate Au, in the future.

220. In the new plan, SD-48 was drawn as a majority-White district, with a Black and Latinx voting age population at less than 10% each, an AAPI voting age

population at less than 30% and a combined CVAP percentage of people of color of only about 32%.

221. The map drawers achieved this result by reaching out of the existing SD-48 lines into a region of Forsyth County that has a high density of White voters. These percentages virtually guarantee that the coalition of Black, Latinx and APPI voters will be unable to elect candidates of their choice in upcoming election cycles, despite the substantial surge of the population of people of color in this area.

222. Racial considerations predominated the Controlling Party's redistricting plan for SD-48. It would have been very easy for the Controlling Party and its map drawers to have maintained this performing coalition opportunity district as it was, but they chose not to do that and, instead, deliberately moved White population from Forsyth County into the district to purposely dilute the voting strength of Black, Latinx and AAPI voters in the district.

223. The Controlling Party and their mappers could have also unpacked SD-7, which has voting age population of people of color that is over 73%, and SD-5, which has a voting age population of people of color of 84.31% and a registered voting population and CVAP of people of color that is over 70%, to increase the voting strength of the burgeoning population of voters of color in this area but chose

not to that either. In short, this was a racial gerrymander of a performing coalition opportunity district.

224. The mappers could have a drawn a reasonably compact district with a combined majority of Black, Latinx, and Asian voters. Moreover. the Black, Latinx, and Asian voters in this region vote cohesively and usually as a bloc for the same political candidates. The White majority votes cohesively as a bloc for different candidates of choice and, due to racially polarized voting, the White majority bloc prevents candidates from being elected in the current SD-48.

F. Senate Districts in the East Black Belt (Allegations supporting Section 2 of VRA claims)

225. The East Black Belt has a large Black population with historical ties to the region. The Black voters in this region vote cohesively and usually as a bloc for the same political candidates. The White majority votes cohesively as a bloc for different candidates of choice and, due to racially polarized voting, the White majority bloc prevents Black candidates from being elected.

226. Given the demographics of this region, at least one additional compact majority-Black senate district could be drawn which provides the Black community with an opportunity to elect candidates of their choice.

227. But this did not occur. Instead, the Controlling Party and its map drawers drew SD-23 to crack the Black voter population, by drawing the lines for

SD-23 south all the way down to the bottom of majority-White Emanuel County, where the Black voter population is not even 34%.

228. In contrast, SD-26 was packed with a Black voting age population that is over 55%. The district achieves this result by having tendrils that reach into the center of Bibb County, while also climbing up into Hancock County to include Black voting age population to aid in the packing of this district.

Another compact majority-Black district could be drawn by moving some of the Black voting age population from packed SD-26 into the cracked SD-23 and out of the adjacent SD-22 in Richmond County into SD-23 to give Black voters an opportunity to elect candidates of their choice. Moreover, these changes would ensure that the State Senate map better preserves and respects traditional redistricting principles, including compactness, than the map that the Controlling Party and its map drawers created.

G. State Senate Districts in Chatham County area (Allegations supporting constitutional claims)

229. In yet another departure from its redistricting guidelines which advised that the Controlling Party and its mappers should avoid splitting counties, the Controlling Party and its map drawers also split Chatham County among three Senate districts (Districts 01, 02, and 04), a significant change from its two-way split in the previous Senate plan.

230. SD-02 is a packed majority people of color district in and around the City of Savannah. It is majority people of color by total population (63.60%), by people of color VAP (59.79%), and by people of color voter registration (61.11%). The total population of people of color in SD-02 is almost unchanged from the prior Senate plan and there was no apparent attempt by the Controlling Party and its map drawers to unpack this district in the new plan.

231. SD-01 and SD-04, on the other hand, were drawn as majority-White districts. SD-01 includes coastal areas south of Savannah and adjacent interior areas to the west. SD-04 includes areas to the north and west of Savannah.

232. The new three-way split of the Senate plan in this region is made more egregious because of the pairing of the population of people of color in Liberty County with the heavily White populated areas in Chatham and Bryan Counties in SD-01 in order to dilute their voting strength.

233. By adding SD-04 into the cracking of Chatham County, the Controlling Party and its map drawers sought to prevent the district from becoming more diverse and competitive for voters of color, thereby predominating racial considerations in

the drawing of these districts without a compelling justification, such as compliance with the Voting Rights Act or traditional districting principles.

234. In fact, SD-1, SD-2, and SD-4 the Controlling Party and its map drawers did not comply with traditional redistricting principles. They include jagged and uneven lines and the districting plan rips apart communities of interest.

235. All three districts enter into Chatham County. And the diverse city of Pooler in Chatham County is brought into SD-4, which includes all of Bulloch and Candler counties, but is ripped away from other Chatham County cities that have been placed instead in SD-2.

236. The Controlling Party's predominant purpose was to make these line-drawing decisions to preserve the White majority in SD-1. If traditional redistricting principles were followed, then the lines would not be drawn this way.

237. For aforementioned reasons, SD-1, SD-2, and SD-4 are unconstitutional racial gerrymanders.

VII. The State House Map

A. House Districts in Douglas and Fulton Counties (Allegations supporting constitutional and Section 2 of VRA claims)

238. Douglas County is majority-people of color, with a White population that is less than 35% of the total. This is a dramatic change from the 2010 Census, when Douglas County was majority-White. Much of the demographic change can

be attributed to an almost 10 percentage point increase in the Douglas County Black population.

239. Fulton County is also majority-people of color, with a White population that is less than 40% and a Black population that is over 40% of the total. Also, 90% of Atlanta, which has a large Black population, is located in Fulton County.

240. Historically and also in recent elections, the Black population in and around Douglas and Fulton Counties has usually voted cohesively for the same candidates and White voters have usually voted as a bloc to prevent the election of candidates preferred by Black voters.

241. At least one more reasonably compact House District can be drawn in and around Douglas and Fulton counties that provides the Black voters in this region an opportunity to elect the candidates of their choice.

242. Instead, the Controlling Party and its map drawers drew the House Districts in this area of the State with the intent and effect of diluting the political power of Black voters. HD-61 is packed with over 70% Black voters by starting in Douglas and slithering down into Fulton County. HD-65, with a Black voting age population that reaches almost 60%, is packed by starting in Douglas County and reaching down into Fulton and Coweta counties.

243. The packing of Black voters in HD-61 and HD-64 results in the dilution of the Black vote in HD-64. HD-64 has a Black voting population of less than 30%, and while it is located primarily in Douglas County, it reaches north into Paulding County and does not enter into Fulton County.

244. The districts in this region could have instead been drawn to pull Black voters out of HD-61 and HD-65 and place them into HD-64. Doing this could allow the House Districts in this region to cut across fewer counties and be drawn with greater contiguity—better preserving traditional redistricting principles than the existing House map.

B. House Districts in South Atlanta Exurbs (Allegations supporting constitutional and Section 2 of VRA claims)

245. House District 74, located in Clayton County, which is part of the South Atlanta Exurbs, has a Black voting age population that is under 25%. House Districts 75-79, also located in and around Clayton County, each have a Black voter population that is greater than 64%. HD-69 in the same region of the State also has a Black voter population that is over 60%.

246. Black voters in and around Clayton County consistently vote cohesively for candidates of their choice and White voters usually vote as a bloc to prevent Black voters from electing candidates of their choice.

247. HD-74 (previously HD-73) had been reliable seat for candidates preferred by the White majority. , with the White-preferred candidate winning election unanimously in 2018. But the district became more competitive in 2020, when the White-preferred candidate won reelection over a candidate preferred by voters of color by 54.12% to 44.03%.

248. A reasonably compact district of majority Black voters could have been created in Clayton County, in the area around HD-74, by unpacking the Black voters concentrated in the surrounding areas. Instead of creating this Black majority district in the South Atlanta Exurbs, the Controlling Party intentionally created the surrounding packed districts, thereby diluting the voting power of Black voters in HD-74.

249. Race was the predominant motive behind the drawing of these districts. The drawing of the districts in the South Atlanta Exurbs violated traditional districting principles, in particular by drawing HD-78 as a long and skinny district that reaches at its bottom to HD-74 and at its top to HD-76, and by drawing HD-74 to avoid Black voter population from Clayton County by hooking around to include portions of less diverse areas of Spalding, Henry, and Fayette.

250. None of the decisions by the Controlling Party and its map drawers to allow race to predominate the redistricting plans in these districts were justified by

compelling reasons, such as compliance with the Voting Rights Act. This was an unconstitutional racial gerrymander.

C. House Districts in Henry County (Allegations supporting constitutional and Section 2 of VRA claims)

251. Henry County, also in the Atlanta Metro area, is a majority-minority county that has a White population at around 35% and a near-majority Black population. This is a stark change from the 2010 Census, when Henry County contained a White majority. Black voters in Henry County consistently vote cohesively for candidates of their choice and White voters usually vote as a bloc so as to prevent Black voters from electing candidates of their choice.

252. Because of the growth of the Black population, at least one additional reasonably compact majority-Black House district could be drawn in Henry County.

253. Instead, the Controlling Party and its map drawers cut into Henry County with seven different House districts—HD-74, HD-78, HD-91, HD-115, HD-116, HD-117, and HD-118, cracking and packing populations of Black voters with the intent and effect of diluting the voting power of Black voters in Henry County.

254. Specifically, HD-78 and HD-91 are packed with Black Georgians, and HD-117 is cracked of Black voters, with a Black voter population at less than 35%.

255. Race was the predominant motive behind the drawing of these districts. HD-117 (previously HD-110) had been a reliable seat for the election of White-

preferred candidates, with one such candidate winning election with 100% of the vote in 2018. Another such candidate won election in 2020 with only 55.80% of the vote in 2020 to a candidate preferred by Black voters, and who is himself Black and who garnered 44.20% of the vote.

256. The existing map in this region, which cuts Henry County into seven separate House Districts, does not respect traditional redistricting principles. For example, HD-117, has the appearance of two orbs that sit on top of one another, connected by a thin line in the middle.

257. None of the decisions by the Controlling Party and its map drawers to allow race to predominate the redistricting plans in these districts were justified by compelling reasons, such as compliance with the Voting Rights Act. This was an unconstitutional racial gerrymander.

D. House Districts in Newton and Rockdale Counties (Allegations supporting Section 2 of VRA claims)

258. House Districts 91, 92, 93, and 95 cover all of Rockdale County. Each is packed with at least a Black voting population of at least 62%. HD- 113 covers a large portion of Newton County. It has a Black voting age population of over 56%.

259. The only remaining district to touch Newton County (in addition to HD-113 and HD-93) is HD-114. HD-114 dilutes the Black vote. It has a Black voter population of less than 24%, which is achieved by drawing the district to run far east

and cover all of majority-White Morgan County. The packing and cracking of the Black voting population in these districts were done by the Controlling Party with the intent and have the effect of diluting the voting power of Black voters.

260. While Black voters in this region usually vote cohesively for the same candidates of choice, due to racially polarized voting, the White majority usually votes cohesively as a bloc to prevent Black voters from electing candidates of their choice.

261. By moving voters out of the packed districts that encompass Rockdale County, the map could be redrawn to permit the Black community in this region to elect candidates of their choice in a new HD-114. And doing so could ensure that the new districts do not break apart communities of interest in and around Rockdale, Newton and Henry counties.

E. House Districts in Houston, Peach, and Bibb Counties (Allegations supporting constitutional and Section 2 of VRA claims)

262. Black voters in the Houston, Peach, and Bibb counties region vote cohesively for candidates of their choice and the White majority in this area usually votes for different candidates as a bloc, preventing Black voters from electing candidates of their choice.

263. Bibb County sits directly north of both Peach and Houston counties. Under the map drawn by the Controlling Party and its map drawers, Bibb is divided between four separate districts, HD-142, HD-143, HD-144, and HD-145. Both HD-142 and HD-143 have packed Black voting populations. House District 145, however, has a Black voting population of only 34%.

264. The Controlling Party and its map drawers could have created another reasonably compact majority Black district in and around Houston, Peach, and Bibb Instead, by packing HD-142 and HD-143, and cracking the Black voting population in HD-145, the Controlling Party and its map drawers drew districts in this area so as to dilute the voting power of Black voters.

265. The packing and cracking of the Black voting population in these districts were done by the Controlling Party with the intent and have the effect of diluting the voting power of Black voters.

266. Election contests in the area have become increasingly competitive. For example, in HD-147, the margin of victory for the White-preferred candidate over the candidate preferred by Black voters narrowed from about 8 percentage points in 2018 to about 5 percentage points in 2020.

267. Race was the predominant motive behind the drawing of these districts. The Controlling Party and its map drawers achieved this result by ignoring

traditional districting principles, drawing HD-145 to cross five county lines. It starts at the southern end of Monroe County, covers all of Crawford and a small portion of Bibb, and includes the northern-half of Peach County and a small sliver of population at the north of Houston County.

268. The highly irregular shape of HD-145 has also allowed the Controlling Party to crack HD-147. This district looks like a cul de sac with HD-145 surrounding it on three sides. And while it is surrounded by Black populations in this region of Georgia, it has under the existing map a Black voting population at less than 30%.

269. None of the decisions by the Controlling Party and its map drawers to allow race to predominate the redistricting plans in these districts were justified by compelling reasons, such as compliance with the Voting Rights Act. This was an unconstitutional racial gerrymander.

F. House Districts in Baldwin County (Allegations supporting constitutional and Section 2 of VRA claims)

270. Baldwin County shares historical and demographic ties with the East Black Belt region of Georgia. The East Black Belt has a large Black community which has consistently voted as a cohesive bloc for candidates of their choice.

271. To the immediate west of Baldwin County, however, there are counties in Georgia that do not share the historical and geographic ties to the East Black Belt. These counties have large White majority populations which usually vote cohesively

as a bloc for different preferred candidates than Black voters do and, as a result, White majority racial bloc voting usually prevents Black voters from electing candidates of their choice.

272. The Controlling Party and its map drawers divided Baldwin County between HD-133 in the west and HD-128 in the east. HD-128 is a highly competitive district for the Black community, but HD-133 provides the Black community with no opportunity to elect candidates of their choice. The Black voting population in HD-133 is less than 36% of the total. The drawing of these districts was done by the Controlling Party with the intent and has the effect of diluting the voting power of Black voters.

273. An additional majority-Black district could be drawn where HD-133 is presently located. The new district could take voters from HD-128 in Baldwin County, from portions of Hancock and Washington counties or from packed districts to the east in Augusta-Richmond County which would not weaken Black voting strength there, as HD-128 could be extended further eastward.

G. House Districts in Dougherty County (Allegations supporting constitutional and Section 2 of VRA claims)

274. In southwest Georgia, Dougherty County is divided between four separate districts—HD-151, HD-152, HD-153, and HD-154. The largest city in

Dougherty county is Albany, which has a Black population that makes up nearly 75% of all residents. All four of the districts in Dougherty County enter Albany.

275. Black voters in this region cohesively for the same candidates. Due to racially polarized voting, the White majority usually votes as a bloc to prevent Black voters from electing candidates of choice.

276. At least one additional majority-Black house district in Dougherty County could be drawn to provide the Black voters with an opportunity to elect candidates of their choice. Under the existing map, HD-153 is packed with over 66% Black voters. And while HD-151 has a competitive Black voting population, the percentages of Black voters are diluted because the map has this district reach up all the way into less diverse areas of Chattahoochee and Marion counties. These districts were drawn by the Controlling Party with the intent and have the effect of diluting the voting power of Black voters.

277. By moving Black voters out of HD-153 and redistributing the voters in HD-151 and the remaining Dougherty County districts, at least one additional majority-Black district could be drawn in this region of the State.

278. Race was the predominant motive behind the drawing of these districts. The map drawers violated traditional redistricting principles by dividing a single city into four separate House Districts. None of the decisions by the Controlling Party

and its map drawers to allow race to predominate the redistricting plans for the Dougherty County districts were justified by compelling reasons, such as compliance with the Voting Rights Act. This was an unconstitutional racial gerrymander.

H. House Districts in Hall County (Allegations supporting constitutional and Section 2 of VRA claims)

279. Hall County has gained approximately 24,000 residents since the 2010 Census, and Gainesville within Hall County has gained approximately 8,000 residents. A significant portion of the county and city's new residents are Latinx.

280. Black and Latinx voter populations in Hall County and in Gainesville individually and collectively, usually vote cohesively for the same preferred candidates, while the White majority usually votes as a bloc for different candidates. Due to racially polarized voting, White majority bloc voting usually prevents Black and Latinx voters in this region from electing candidates of their choice.

281. Hall County forms a major part of three State House Districts, one of which has to be anchored by Gainesville and its concentrated community of people of color. The previous State House District 29 just barely became majority non-White by VAP after the 2020 Census, but it was 62.8% White by CVAP and 57.6% White by registered voters.

282. Changes were made by the Controlling Party's mappers to House District 29 to make it appear more diverse at first glance by general population and voting age population, but it maintains a 58.5% White CVAP percentage and 51.5% White registered voter (RV) advantage.

283. The Controlling Party and its map drawers also intentionally cracked the Latinx and Black population in HD-30 and HD-31. The CVAP and registered voter metrics for people of color in HD-30 are 19.91% and 23.02%, respectively; and the CVAP and registered voter metrics for HD-31 are 22.29% and 22.7%, respectively.

284. The result is that every House District in this area is majority-White by CVAP and registered voters, despite the fact the Controlling Party's map drawers could have drawn a district in this region that is a compact majority-coalition district comprised of Latinx and Black voters by registered voters or CVAP to give Latinx and Black voters a meaningful opportunity to elect candidates of their choice.

285. While preserving traditional redistricting principles, areas with concentrations of Latinx and Black voters in HD 30 or 31 could be moved into HD-29 to draw a compact majority-Latinx and Black coalition district to give Latinx and Black voters a meaningful opportunity to elect candidates of their choice.

I. House Districts in Gwinnett County (Allegations supporting constitutional claims)

286. Based on the 2020 Census, Gwinnett County is one of the most diverse counties in Georgia. It has a White population around 30%, Black and Latinx populations around 25%, and an AAPI population that is steadily growing and already at around 15%. Even in the most distant parts of Gwinnett County, the electorate is diverse

287. To combat the emerging diversity in the Gwinnett County House Districts and to prevent people of color from gaining voting strength that would empower them to elect candidates of their choice, the Controlling Party and its map drawers intentionally cracked the populations of people of color in northern Gwinnett County House Districts.

288. In fact, every northern Gwinnett House District – 100, 103, 104, as well as the neighboring House Districts 111 and 30 (which grabs a single precinct) – crosses the county line in violation of the districting principles adopted by the Controlling Party, and go into the much less diverse and majority-White neighboring areas to dilute the voting strength of voters of color.

289. The changes made by the Controlling Party and its mappers were intended to limit the emerging voting strength in Gwinnett County's communities of people of color. For example, former Gwinnett-only House District 98 was 52.5%

White by VAP and 53% White by registered voters (RV) in the prior plan. Its successor, District 100 in the 2020 House plan, which includes less diverse Hall and Forsyth County precincts, increased by almost six and one half (6.5) percentage points to 59.1% White by VAP.

290. These demographic changes have led to increasingly competitive elections in the area. For example, in HD-104, the margin of victory of the White-preferred candidate over the candidate preferred by voters of color narrowed from over 6 percentage points in 2018 to a little over 2 percentage points in 2020. Additionally, the more competitive losing candidate in 2020 was a Black woman.

291. HD-104, which was 46.6% White by VAP, is now 63% White by VAP in the new plan due largely by the decision of the Controlling Party and its mappers to add less diverse Barrow County precincts in the HD-104 redistricting plan to prevent voters of color from having an opportunity to elect candidates of their choice.

292. HD-111 is mainly a majority-White Walton County District but its arm into Gwinnett reduces and pulls out diverse precincts. The old HD-114 plan had some areas of Rockdale County that were dropped in favor of the Gwinnett County cracking of populations of voters of color.

293. The Controlling Party and its map drawers used race as the predominate consideration without a compelling justification in cracking communities of voters of color in the new plan for HD-103, which retreats somewhat into Gwinnett County but still crosses the Hall County border.

294. None of the decisions by the Controlling Party and its map drawers to allow race to predominate the redistricting plans for in the cracking and packing of Gwinnett County House districts were justified by compelling reasons, such as compliance with the Voting Rights Act. Instead, race predominated in the decisions to intentionally limit the voting strength of voters in these districts and to prevent the drawing of additional compact majority-coalition districts. This was an unconstitutional racial gerrymander.

J. House Districts in North Fulton County (Allegations supporting constitutional claims)

295. The northern portion of Fulton County, outside of the Atlanta municipal lines, is represented by nine districts, HD-25 and HD-47 through HD-54. Even though this region does not include the diverse city of Atlanta, it is still a highly diverse area of Georgia. There is a large AAPI population in the eastern portion near Forsyth County. And the remainder of North Fulton has large Latinx and Black populations.

296. Given this demographic makeup, the Controlling Party and its map

drawers could have complied with traditional redistricting principles and created several districts that provide either the Black population with an opportunity to elect candidates of their choice, or coalitions of Black/Latinx and Black/Latinx/AAPI populations the opportunities to elect the candidates of their choices.

297. But the nine districts that split apart north Fulton County do not create a single majority-Black district, and only HD-50 provides a coalition of minority voters the opportunity to elect candidates of their choice.

298. This dilution of minority political power was accomplished by the intentional and surgical splitting of minority populations in this region of the State. The choice to split apart racial minorities in north Fulton County predominated the line-drawing choices and were specifically emphasized over compliance with traditional redistricting principles such as contiguity and preserving communities of interest.

299. For example, HD-48 and HD-49 have jagged edges and tentacles that stretch away from the body of each district. And HD-53 has a long and thin line that squiggles along the border of Cobb County, and which has the result of diluting the minority vote in Sandy Springs.

300. These lines fail to comply with traditional redistricting principles, and the State lacked a compelling justification, such as compliance with the Voting

Rights Act, to draw the House map in north Fulton County in this matter. This was an unconstitutional racial gerrymander.

K. House Districts in Savannah (Allegations supporting constitutional claims)

301. The House Districts in Savannah and its suburbs run from HD-161 through HD-166. Savannah's population increased by approximately 10% since the 2010 Census, and it is now a clear majority-people of color city. The White population is around 36%, the Black population is around 40%, and the Latinx population is around 6%. The suburbs of Savannah have a similar demographic distribution.

302. However, the Controlling Party and its map drawers drew lines in this region to specifically protect the White voting population's political power in HD-164. This district has a White voting population that is greater than 60% because it stretches west from the Savannah suburbs out onto the far edge of Bryan County and to the border of Evans County.

303. House District 164 also has a large hole at its eastern end where HD-162 is located. While HD-162 is heavily concentrated and has a minority population at around 60%, HD-164 is not nearly as densely populated and, as stated above, has a White voting population at nearly 60%.

304. The districts in Savannah and its suburbs, and also in the surrounding

region of Southeast Georgia, were drawn with the predominant purpose of protecting the White majority's power in HD-164. Elections in this area have become highly competitive. As recently as 2016, the White-preferred candidate ran unopposed, but in the last two elections a mere 5 percentage point has separated him from the losing candidates, in each case a Black candidate.

305. This district does not comply with traditional redistricting principles because it crosses county lines in violation of the Controlling Party's redistricting principles in order to maintain it as a majority-White district by including less diverse parts of Chatham County, majority-White areas of suburban Bryan County and portions of the largely non-voting military base areas of Liberty County. There was no compelling justification to draw the district as majority-White, such as compliance with the Voting Rights Act. The other districts in this area were drawn in order to facilitate this result.

306. As a result, the districts in Savannah and its suburbs and in the wider Southeast region of Georgia are unconstitutional racial gerrymanders. In particular, HD-164 was drawn for the predominant purpose of protecting the White majority's political power. This was an unconstitutional racial gerrymander.

L. House Districts in LaGrange (Allegations supporting constitutional claims)

307. LaGrange, which sits in Troup County and is near the western border

of Georgia, has a majority-Black population, and has a White population that is around only 35%.

308. HD-136 (previously HD-132) had traditionally been a competitive district. The last two elections were decided by three to four percentage points.

309. The new maps cut-up the city across four House Districts, HD-72, HD-136, HD-137, and HD-138. Prior to the new maps, HD-136 (then HD-132) was 48.79% WVAP. The new maps increased it to 63.9% WVAP. Prior to the new maps, HD-136 was 40.89% BVAP. The new maps decreased it to 27.8% BVAP.

310. Breaking apart the seat of Troup County into four districts violates traditional redistricting principles. And the composition of these districts is also highly irregular: HD-137 appears like a waxing crescent moon, with its northern and southern edges stretch far to the west away from its heart in Talbot County; HD-136 has a protrusion into Troup County and otherwise covers most of Meriwether County; and both HD-72 and HD-138 have protrusions that lack contiguity with the remainder of the districts as well.

311. The result of these line-drawing decisions was to create only one majority-Black district in the LaGrange area, HD-137, while the remainder of the districts are not majority-Black and do not provide the Black community in LaGrange with a reasonable opportunity to elect candidates of their choice.

312. The predominant purpose for drawing the lines that intersect LaGrange in this manner was to ensure that Black voters would have a reasonable opportunity to elect candidates of their choice in only HD-137, and not in the other House Districts in LaGrange, including HD-136. The Controlling Party and its map drawers were not required to make these map drawing decisions in order to comply with the Voting Rights Act, and there is no other compelling justification for breaking apart the LaGrange Black voting community. This was an unconstitutional racial gerrymander.

COUNT I

42 U.S.C. § 1983
Racial gerrymandering in violation of the Fourteenth and Fifteenth Amendments to the United States Constitution

(Alleged Against Defendants Governor Kemp and Secretary Raffensperger)

313. Plaintiffs repeat and re-allege each and every allegation contained in the paragraphs above, as if fully set forth here.

314. As detailed above in this Amended Complaint, race predominated over traditional redistricting principles and other lawful considerations with respect to the drawing of specific districts in the new Georgia House, Senate, and Congressional plans (SB 2EX/AP, SB 1EX/AP, and HB 1EX LC 47 1163S/AP) without a compelling state interest.

315. As such, the new Georgia House, Senate and Congressional plans are racial gerrymanders because of the drawing of the districts described heretofore. In each of these plans, the Controlling Party and its map drawers made the conscious choice of manipulating and sorting populations by race in the districts described heretofore.

316. Racial considerations predominated and traditional redistricting principles were subordinated as to the drawing of the districts described heretofore.

317. Because racial considerations predominated the map drawing of these districts, Defendants' justifications for the maps are subject to strict scrutiny.

318. The redistricting plans challenged in this Complaint cannot survive strict scrutiny.

319. By engaging in the acts and omissions alleged herein, Defendants acted and continue to act under color of law to deny the Plaintiffs rights guaranteed to them by the Fourteenth and Fifteenth Amendments to the U.S. Constitution, and will continue to violate those rights absent relief granted by this Court.

WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

COUNT II

52 U.S.C. § 10301

Vote dilution in violation of Section 2 of the Voting Rights Act

(Alleged Against All Defendants)

320. Plaintiffs repeat and re-allege each and every allegation contained in the paragraphs above, as if fully set forth herein.

321. Section 2 of the Voting Rights Act, 52 U.S.C. § 10301(a), prohibits any "standard, practice, or procedure" that "results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color[.]" A violation of Section 2 is established if it is shown that "the political processes leading to nomination or election" in the jurisdiction "are not equally open to participation by [minority voters] in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice." 52 U.S.C. § 10301(b).

322. Section 2 of the Voting Rights Act prohibits the dilution of minority voting strength. The dilution of minority voting strength may be caused by, among other things, the dispersal of the minority population into districts where they constitute an ineffective minority—known as "cracking"—and the concentration of minority voters into districts where they constitute an excessive majority—known as "packing." *Thornburg v. Gingles*, 478 U.S. 30, 46 n.11 (1986).

323. The Controlling Party's lawmakers and their map drawers diluted the voting strength of Black, Latinx, and AAPI voters in specific regions described above in this Amended Complaint, particularly in areas that witnessed significant

growth of communities of color in the past decade, by the packing or cracking of communities of color in the districts described heretofore.

324. The districts where reasonably compact majority-minority districts, either by one race/ethnicity or a combination of racial/ethnic groups of color, could have been drawn, including, but not limited to the unpacking of districts with unnecessary large populations of people of color or by correcting the cracking of communities of color which prevent them from having an equal opportunity to elect candidates of choice as alleged heretofore in this Amended Complaint.

325. In the districts alleged heretofore in this Amended Complaint, voters of color are politically cohesive, the White majority usually vote as a bloc to defeat the preferred candidates of voters of color. In short, voting is racially polarized in these districts.

326. The totality of the circumstances, including the retrogressive effect of the plans, interact with historical and socio-economic factors to deny voters of color, including Black, Latinx and AAPI voters, the opportunity to elect preferred candidates of choice in Georgia as a whole and in these districts.

327. Georgia has a long history of official voting-related discrimination conducted by the White majority political party in power (previously Democrats, now Republicans). Georgia's long history of official voting-related discrimination

continues to impact the Congressional, State Senate and State House districts which the Controlling Party and its map drawers drew to dilute the voting strength of voters of color in order to prevent voters of color from electing candidates of their choice and to have a meaningful ability to participate in the state's elections.

328. Even today, official voting-related discrimination continues, including in the districts alleged in this Amended Complaint which violate Section 2 of the Voting Rights Act. Elections are racially polarized in Georgia; the State has used voting practices and procedures, even as recently as 2021, that tend to enhance the opportunity for discrimination against voters of color and the Controlling Party is continuing to advance bills during the 2022 legislative session which may inhibit or prevent people of color from being able to cast ballots that will count as votes if they are enacted.

329. Additionally, people of color in Georgia generally, and specifically in the districts alleged heretofore in this Amended Complaint, bear the effects of discrimination in areas such as education, employment, and health and people of color participate at lower rates than White people in elections.

330. Numerous candidates who have run for political campaigns in Georgia have used and continue to use overt and subtle racial appeals in political campaigns; and every decade, including this one, Georgia has drawn maps that have an overall

retrogressive effect in that they decrease the number of majority-minority and minority opportunity districts in the State.

331. Candidates of color rarely win elections in Georgia, and in the particular districts at issue in this case unless they constitute a majority or near majority of the voting age population.

332. The policies underlying the diluting and minimizing the voting rights of voters of color as described in this complaint are tenuous.

333. The totality of the circumstances establishes that the manner in which said districts were drawn and passed has the effect of denying voters of color an equal opportunity to participate in the political process and to elect candidates of their choice, in violation of Section 2 of the Voting Rights Act, 52 U.S.C. § 10301.

334. By engaging in the acts and omissions as alleged in this Amended Complaint, Defendants acted and continue to act under color of law to deny Plaintiffs the rights guaranteed to them by Section 2 of the Voting Rights Act, and will continue to violate those rights absent relief granted by this Court.

WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

COUNT III

52 U.S.C. § 10301 and 42 U.S.C. § 1983

Discriminatory purpose in violation of the Fourteenth Amendment to the United States Constitution and Section 2 of the Voting Rights Act

(Alleged Against All Defendants on the Section 2 Claim; Alleged Against Defendants Governor Kemp and Secretary Raffensperger on the Fourteenth Amendment Claim)

335. Plaintiffs repeat and re-allege each and every allegation contained in the paragraphs above, as if fully set forth here.

336. 42 U.S.C. § 1983 authorizes suits for the deprivation of a right secured by the Constitution or the laws of the United States caused by a person acting under the color of state law.

337. Article 1 of the Fourteenth Amendment to the United States Constitution provides:

> No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

338. Section 2 of the Voting Rights Act of 1965 prohibits the imposition of any voting standard, practice, or procedure enacted with a discriminatory purpose. 52 U.S.C. § 10301(a).

339. The new Congressional, State House and State Senate plans (SB 2EX/AP, SB 1EX/AP, and HB 1EX LC 47 1163S/AP, respectively) were adopted, at least in part, for the purpose of disadvantaging voters of color, and in particular, Black, Latinx, and AAPI voters relative to White voters across the State.

340. From the outset, the map drawers intended to reduce or limit the number

of State House, Senate, and Congressional districts in which voters of color could elect candidates of choice, thereby weakening the voting strength of voters of color over the next decade.

341. Several of the indicia of discriminatory purpose are present in this case. There is evidence of substantial disparate impact, a history of discriminatory official actions, procedural and substantive departures from the norms generally followed by the decision-maker, and the legislative and administrative history of the decision, including contemporaneous statements by decision makers.

342. The Controlling Party's legislators provided virtually no notice of the proposed changes, sought to minimize or eliminate public comment, and expedited the legislative process in ways intended to reduce input from anyone other than its main proponents. From last-minute announcements of public hearings to the complicated procedural rules that made it more difficult for members of the public to submit alternative maps or documents to legislators, to amendments introduced and adopted without any or little public notice, to the failure of legislators to even consider plans submitted by groups representing the interests of voters of color, to legislators' awareness, based on testimony from numerous civil rights groups, including Plaintiffs' organization, about the dilutive effect of these Plans —the Controlling Party's legislators moved the goal posts to make certain districts in all

three plans noncompetitive.

343. Defendants will be unable to prove that the maps would have been enacted without the discriminatory intent described above.

344. By engaging in the acts and omissions alleged herein, Defendants acted and continue to act under color of law to deny the Plaintiff the rights guaranteed to them by the Fourteenth Amendment to the U.S. Constitution and Section 2 of the Voting Rights Act, and will continue to violate those rights absent relief granted by this Court.

WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs respectfully request that this Court:

1) Convene a court of three judges pursuant to 28 U.S.C. § 2284(a);

2) Declare that the drawing of specific districts in Congressional, State Senate and State House redistricting plans (SB 2EX/AP, SB 1EX/AP, and HB 1EX LC 47 1163S/AP, respectively) as alleged heretofore in this Amended Complaint constitute racial gerrymanders in violation of the Fourteenth and Fifteenth Amendments to the United States Constitution;

3) Declare that the voting strength of voters of color was diluted with respect to specific districts drawn in the new Congressional, State Senate and State

House redistricting plans (SB 2EX/AP, SB 1EX/AP, and HB 1EX LC 47 1163S/AP, respectively) as alleged heretofore in this Amended Complaint, resulting in a denial or abridgement of the rights of Black, Latinx, and AAPI voters to vote on account of their race or color in violation of Section 2's effects test of the Voting Rights Act;

4) Declare that the Congressional, State House, and State Senate plans, in their entirety (SB 2EX/AP, SB 1EX/AP, and HB 1EX LC 47 1163S/AP, respectively) as alleged heretofore in this Amended Complaint, were enacted with an impermissible discriminatory purpose on the basis of race in violation of Article I of the Fourteenth Amendment to the United States Constitution and the intent prong of Section 2 of the Voting Rights Act;

5) Issue a permanent injunction enjoining Defendants from enforcing or giving effect to the boundaries of the violative districts, including an injunction barring Defendants from conducting any elections in the violative districts;

6) Hold hearings, consider briefing and evidence, and otherwise take actions necessary to determine and order valid plans for the Georgia House, Senate, and U.S. Congress, which include majority-minority coalition districts and minority opportunity districts, that give voters of color the ability to elect candidates of choice;

7) Make an order requiring Georgia to preclear voting changes during the

following ten-year period pursuant to 52 U.S.C. § 10302.

8) Make all further orders as are just, necessary, and proper to ensure complete relief consistent with this Court's orders; and

9) Grant such other or further relief as the Court deems to be appropriate, including but not limited to an award of Plaintiff's attorneys' fees, expenses, and reasonable costs, as authorized by 42 U.S.C. § 1988 and 52 U.S.C. § 10310(e).

Dated: March 30, 2022

Respectfully submitted,

By: */s/ Kurt Kastorf*

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

GEORGIA STATE CONFERENCE OF THE NAACP, et al. *Plaintiffs*, v. STATE OF GEORGIA, et al. *Defendants.*	Case No. 1:21-CV-5338-ELB-SCJ-SDG
COMMON CAUSE, et al., *Plaintiffs*, v. BRAD RAFFENSPERGER *Defendant*.	Case No. 1:22-CV-00090-ELB-SCJ-SDG

GEORGIA STATE CONFERENCE OF THE NAACP'S FIRST SUPPLEMENTAL OBJECTIONS AND RESPONSES TO DEFENDANTS' FIRST SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION OF DOCUMENTS, AND REQUESTS FOR ADMISSION

Pursuant to Rules 33, 34, and 36 of the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Northern District of Georgia, Plaintiff, Georgia State Conference of the NAACP, ("GA NAACP") as an organization ("Plaintiff") responds and objects to the First Sets of Interrogatories, Requests for Production of Documents, and Requests for Admission dated August

EXHIBIT 3

5, 2022 ("Requests"), propounded by the State of Georgia; Brian Kemp, in his official capacity as the Governor of the State of Georgia; and Brad Raffensperger, in his official capacity as Georgia Secretary of State ("Defendants").

PRELIMINARY STATEMENT

1. Discovery is ongoing, and Plaintiff has not completed its investigation. These responses are based on the information and documents currently available to Plaintiff, and Plaintiff reserves the right to alter, supplement, amend, or otherwise modify these responses in light of additional facts revealed through subsequent inquiry and as appropriate under the rules. Plaintiff reserves the right to continue any investigation and discovery of the facts, and to rely at trial or in other proceedings on documents and information in addition to the information provided herein, regardless of whether such information is newly discovered or newly in existence.

2. These responses and objections are based on Plaintiff's understanding of each individual Request and not an admission or agreement with the Defendants' use or interpretation of terms. To the extent Defendants assert an interpretation of any Request that is inconsistent with Plaintiff's understanding, Plaintiff reserves the right to supplement its responses and objections.

3. In responding to the Requests, whenever Plaintiff agrees to produce documents, such agreement does not constitute a representation or concession that such documents exist or are relevant or admissible as evidence. Further, Plaintiff's

responses to the Requests shall not be construed in any way as an admission that any definition provided by Defendants is either factually correct or legally binding.

4. Plaintiff expressly reserves and does not waive any objections as to the admissibility of any document, including but not limited to privilege, immunity, relevance, authenticity or admissibility of any information or document referenced herein. Likewise, all objections related to the relevance, authenticity, or admissibility of any document provided in any production related to these Responses are expressly reserved.

5. The Requests propounded by State Defendants are phrased in a way to suggest that Plaintiff GA NAACP is required to respond not only on its own behalf to the Requests, but on behalf of other Plaintiffs in this action, which is not required under the Federal Rules of Civil Procedure or Local Rules. Thus, Plaintiff GA NAACP responds and objects to these Requests on its own behalf and not on behalf of any other party, person, or entity.

OBJECTIONS TO INSTRUCTIONS AND DEFINITIONS

Plaintiff objects to the general date range covered by the Requests of January 1, 2020 through the present, and in some instances from 2001 to the present, to the extent that such Requests seek information not relevant to any party's claims or defenses in this action, are unduly burdensome, and are disproportionate to the needs of this case.

Plaintiff objects to Instruction No. 2 as overbroad, unduly burdensome, and not proportional to the needs of this action. Plaintiff further objects to the extent that it attempts to restrict the manner in which Plaintiff may produce documents, data or information and to the extent it seeks to impose obligations on Plaintiff beyond those authorized under the Federal Rules of Civil Procedure, the Local Rules, or orders of the Court, including the implied obligation to search and produce material not within Plaintiff's possession, custody, or control.

Plaintiff objects to Instruction Nos. 4-7 to the extent the instructions seek or require Plaintiff to produce a privilege log for documents falling within the attorney-client privilege or attorney work-product doctrine because doing so will impose undue burden. Plaintiff further objects to this to the extent that they attempt to restrict the manner in which Plaintiff may produce documents, data or information and to the extent it seeks to impose obligations on Plaintiff beyond those authorized under the Federal Rules of Civil Procedure, the Local Rules, or orders of the Court, including the implied obligation to search and produce material not within Plaintiff's possession, custody, or control.

Plaintiff objects to Instruction Nos. 8-10 as overbroad, unduly burdensome, and not proportional to the needs of this action. Plaintiff further objects to the extent that it attempts to restrict the manner in which Plaintiff may produce documents, data or information and to the extent it seeks to impose obligations on Plaintiff

beyond those authorized under the Federal Rules of Civil Procedure, the Local Rules, or orders of the Court, including the implied obligation to search and produce material not within Plaintiff's possession, custody, or control.

Plaintiff objects to the definition of "Communications" as used in these Requests to the extent it seeks emails, electronic communications such as text messages, and private social media postings from individuals as unduly burdensome, wherein the burden of such collection would greatly outweigh any potential evidentiary value. Plaintiff further objects to the definition to the extent that it imposes obligations that exceed those imposed by the Federal Rules of Civil Procedure and Local Rules in that the definition includes phrases such as "electronic utterance" and "statement of any nature whatsoever" which are not part of the definition of "document" pursuant to Fed. R. Civ. Pro. 34(a)(1)(A).

Plaintiff objects to the definition of "Congressional Plan" as used in these Requests as vague, ambiguous, and overbroad.

Plaintiff objects to the definition of "Redistricting Plans" as used in these Requests as vague, ambiguous, and overbroad.

Plaintiff objects to the definition of "Senate Plan" as used in these Requests as vague, ambiguous, and overbroad.

Plaintiff objects to the definition of "Solicitation" as used in these Requests as vague, ambiguous, and overbroad.

Plaintiff objects to the definition of "Person" as used in these Requests as overbroad, vague, compound, and unduly burdensome. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Plaintiff objects to the definition of "Document" as used in these Requests as overbroad, vague, compound, and unduly burdensome. Plaintiff further objects to the definition to the extent that it imposes obligations that exceed those imposed by the Federal Rules of Civil Procedure and Local Rules in that the definition includes phrases such as "electronic utterance" and "statement of any nature whatsoever" which are not part of the definition of "document" pursuant to Fed. R. Civ. Pro. 34(a)(1)(A).

Plaintiff objects to the definition of "Relating to" or "related to" as used in these Requests as overbroad, vague, compound, and unduly burdensome. Plaintiff further objects to the definition to the extent that it imposes obligations that exceed those

imposed by the Federal Rules of Civil Procedure and Local Rules in that the definition includes phrases such as "electronic utterance" and "statement of any nature whatsoever" which are not part of the definition of "document" pursuant to Fed. R. Civ. Pro. 34(a)(1)(A).

Plaintiff objects to the definitions of "Identify," or "Identity" as used in these Requests as overbroad, vague, compound, and unduly burdensome. Plaintiff further objects to the definition to the extent that it imposes obligations that exceed those imposed by the Federal Rules of Civil Procedure and Local Rules in that the definition includes phrases such as "electronic utterance" and "statement of any nature whatsoever" which are not part of the definition of "document" pursuant to Fed. R. Civ. Pro. 34(a)(1)(A).

RESPONSES TO INTERROGATORIES

INTERROGATORY NO. 1:

Identify the nature of each Organizational Plaintiff's election-related organizational resources, efforts, outreach, and activities implemented *prior to* the adoption of the Redistricting Plans. The response to this Interrogatory should explain how those resources, efforts, outreach, and activities compare as a percentage of each Organizational Plaintiff's overall resources, efforts, outreach, and other activities.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 1:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff objects to this Request on the grounds that the terms "nature," "election-related organizational resources," "efforts," "outreach," and "activities" are vague and ambiguous as used in the Interrogatory. Plaintiff further objects to this Interrogatory on the grounds that it asks Plaintiff to calculate a "percentage of each Organizational Plaintiff's overall resources, efforts, outreach, and other activities," for its "election-related organizational resources, efforts, outreach, and activities," when Plaintiff has not made such a calculation heretofore and does not specifically track or categorize its resources, activities, and efforts in a manner that would permit Plaintiff to accurately calculate such a percentage and make the comparison requested in this Interrogatory. Plaintiff also objects to this Interrogatory on the grounds that the Plaintiff is not seeking monetary relief and, as a result, such a calculation is not relevant to any party's claim or defense. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privileges. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68

(1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Plaintiff further objects that this Interrogatory is overbroad, unduly burdensome, and not proportionate to the needs of the case. Plaintiff further objects that this Interrogatory is improperly compound.

Subject to the Objections to Instructions and Definitions and the specific objections to this Interrogatory set forth above, Plaintiff responds as follows:

Prior to the adoption of Redistricting Plans, the GA NAACP's support of voting rights was central to its mission. The GA NAACP has sought to prevent efforts to suppress or disenfranchise African-American voters and has been involved in voting rights litigation in Georgia to vindicate their rights.

The GA NAACP committed resources to protecting voting rights through legislative advocacy, communication, and outreach, including work to promote voter registration, voter education, GOTV efforts, election protection, census participation, fair redistricting maps, and impact litigation involving voting rights issues prior to the adoption of the subject Redistricting Plans. Some of the examples of the nonpartisan work of the GA NAACP prior to the enactment of the adoption of Redistricting Plans

included without limitation:

•Voter outreach efforts, including voter education on voting in-person during Advance voting, voting by mail and voting in-person on election day; information about the availability of absentee ballot drop boxes during the 2020 election cycle and 2021 Senate runoffs; and information about curing provisional ballot issues.

• GOTV campaigns;

• Text and phone banking programs, including reaching out to voters in Georgia to encourage voter participation and to educate voters and prospective voters about the voting process, including about voting by mail;

• Participating in line-relief activities, including by providing food and/or drinks to voters who request such while waiting in long lines to vote and to other persons in the area outside of polling locations during voting;

• Assisting voters who need transportation to the polls for voters on election day;

• Participating in public education, advocacy regarding redistricting; and

• Other programmatic work in support of voting rights in Georgia.

Plaintiff also participated in a website, Georgia Unity Maps, to promote fair redistricting maps http://georgiaunitymaps.org/wp-content/uploads/2021/10/Georgia-Congress-Statewide.pdf.

Plaintiff also submitted written testimony to the Joint House and Senate

Redistricting Committee and also presented testimony during the 2021 special legislative session prior to the adoption of the subject Redistricting Plans urging the adoption of fair redistricting plans.

INTERROGATORY NO. 2:

Identify the nature of each Organizational Plaintiff's election-related organizational resources, efforts, outreach, and activities implemented *after* the adoption of the Redistricting Plans. The response to this Interrogatory should explain how those resources, efforts, outreach, and activities compare as a percentage of each Organizational Plaintiff's overall resources, efforts, outreach, and other activities.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 2:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff objects to this Interrogatory on the grounds that the terms "election-related organizational resources," "efforts," "outreach," and "activities" are vague and ambiguous as used in the Interrogatory. Plaintiff further objects to this Interrogatory on the grounds that it asks Plaintiff to calculate a "percentage of each Organizational Plaintiff's overall resources, efforts, outreach, and other activities," for its "election-related organizational resources, efforts, outreach, and activities," when Plaintiff has not made such a calculation heretofore and does specifically track its resources,

activities, and efforts in a manner that would permit. Plaintiff to accurately calculate such a percentage and make the comparison requested in this Interrogatory. Plaintiff also objects to this Interrogatory on the grounds that the Plaintiff is not seeking monetary relief and, as a result, such a calculation is not relevant to any party's claim or defense. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff further objects that this interrogatory is overbroad, unduly burdensome, and not proportionate to the needs of the case. Plaintiff further objects that this Interrogatory is improperly compound.

Subject to the Objections to Instructions and Definitions and the specific objections to this Interrogatory set forth above, Plaintiff responds as follows:

Following the adoption of the Redistricting Plans, the GA NAACP's support

of voting rights continues to be central to its mission and the GA NAACP continues to commit resources to protecting voting rights through legislative advocacy, communication, and outreach, including work to promote voter registration, voter education, GOTV efforts, election protection, fair redistricting maps, and impact litigation involving voting rights issues.

However, the adoption of the Redistricting Plans has made it more difficult for the GA NAACP to carry out its mission to promote and protect voting rights because the Redistricting Plans were designed to dilute the voting strength of Black voters and other voters of color in order to undermine their ability to elect candidates of their choice. As a result, Plaintiff has been forced, and will continue to be forced, to divert resources to educate Black voters and other voters of color about the impact of the Redistricting Plans and encourage them to participate in elections despite the significant uphill battle they face in electing candidates of their choice. The dilution of the voting strength of Black voters and other voters of color to elect candidates of their choice requires Plaintiff to expend more resources on public information about the unfair maps, strategies to encourage civic participation in the face of the unfair maps, and on GOTV efforts compared to the resources that would need to be expended under redistricting maps that are consistent with the law. This has required, and will likely continue to require, Plaintiff to make significant changes to its civic engagement and voter education programs, including creating voter

education materials; grassroots mobilization efforts; volunteer recruitment, training, and assignments; and its GOTV and advocacy efforts, to combat the confusion and chaos the Redistricting Plans have caused in challenged districts where Black voters, other voters of color and voters in underserved communities reside.

Since the negative impacts and consequences of the adoption of the Redistricting Plans are continuing to emerge with each election cycle, Plaintiff reserves the right to supplement this response as these impacts become known or as circumstances continue to change.

INTERROGATORY NO. 3:

Identify each vendor with whom each Organizational Plaintiff has contracted since January 1, 2019, for advertisements, Solicitations, electronic communications, or physical mailings related to redistricting or the Redistricting Plans.

OBJECTIONS TO INTERROGATORY NO. 3:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff objects to this Interrogatory on the grounds that the terms "advertisements," "Solicitations," "electronic communications," and "related to" are vague and ambiguous as used in the Interrogatory. Plaintiff further objects to this Interrogatory on the grounds that it seeks to compel the disclosure of information that would unduly burden Plaintiff's associational rights protected by the First Amendment and the rights of its members

and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Plaintiff further objects to this Interrogatory on the grounds that seeks information about any "vendor" with whom Plaintiff has contracted with since January 1, 2019 which is not relevant to any party's claim or defense nor is it proportionate to the needs of this case. Plaintiff also objects to this Interrogatory on the grounds that the Interrogatory is overbroad and unduly burdensome.

FIRST SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 3 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Pursuant to meet and confer communications, the State has withdrawn this request.

INTERROGATORY NO. 4:

Explain in detail the basis for the claim that each Organizational Plaintiff has been and will be required to divert resources because of the Redistricting Plans. *See, e.g.*, Common Cause Complaint, ¶¶ 16, 21; Ga. NAACP Complaint, ¶¶ 41, 51, 58. In responding to this Interrogatory, please include a list of each activity from which each Organizational Plaintiff has diverted resources or will divert resources from because of the Redistricting Plans and how its organizational mission will be frustrated by the Redistricting Plans. *See, e.g.*, Common Cause Complaint, ¶¶ 14, 18; Ga. NAACP Complaint, ¶¶ 33, 45, 52.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 4:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff further objects to this Interrogatory on the grounds that it is overbroad and unduly burdensome. Plaintiff further objects to this Interrogatory on the grounds that the terms "in detail," "divert(ed)," "resources," "required," and "each activity or effort" are vague and ambiguous. Plaintiff also objects to this Interrogatory because it is compound, contains multiple subparts, and purports to impose an obligation on the Plaintiff to prepare a "list" which does not already exist and which is greater or more burdensome than the requirements of the Federal Rules of Civil Procedure and the

Local Rules. Plaintiff also objects to this Interrogatory as duplicative of the information sought by propounding party in Interrogatories Numbers 1 and. 2, above. As such, Plaintiff incorporates by reference its response to Interrogatories Numbers 1 and 2 above, as though fully set forth herein. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Plaintiff objects to this Interrogatory as premature as discovery is ongoing and the negative consequences and impacts from the Redistricting Plans are continuing to emerge. As such, Plaintiff reserves the right to supplement this response.

Subject to the Objections to Instructions and Definitions and the specific objections to this Interrogatory set forth above, Plaintiff responds as follows: Please see the allegations of the GA NAACP Complaint referred to in Interrogatory No. 4

and Plaintiff's response to Interrogatory No. 2, above, which are incorporated herein by reference as though fully set forth herein. Additionally, Plaintiff has been forced to divert resources to work undertaken in response to the Redistricting Plans. Plaintiff has also diverted resources to updating and creating voter education materials to educate voters on the impact of redistricting to Black voters, other voters of color and voters in underserved communities reside and to increase its GOTV efforts. Since the negative impacts from the Redistricting Plans are ongoing, Plaintiff anticipates that it will continue to be forced to divert resources in response to the Redistricting Plans in the future.

INTERROGATORY NO. 5:

Identify each and every election-related activity that each Organizational Plaintiff has discontinued since the adoption of the Redistricting Plans, including an explanation of why the Organizational Plaintiff can no longer continue that activity, the costs associated with continuing that activity, and all alternatives that each Organizational Plaintiff considered in order to continue that election-related activity.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 5:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff objects to this Interrogatory on the grounds that it is compound and overbroad, consists of multiple subparts and as calling for speculation as to future events that have not yet occurred. Plaintiff

objects to this Request on the grounds that this request is vague and ambiguous, including with respect to the meaning of the terms "election-related activity," "continu(e)(ing)" "costs associated," "alternatives," and "discontinued." Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Subject to the Objections to Instructions and Definitions and the specific objections to this Interrogatory set forth above, Plaintiff responds as follows: As of the date of this response, Plaintiff has altered its "election-related" activities due to the adoption of the Redistricting Plans, but the vagueness and ambiguity of "discontinued" and "election-related" activities prevent Plaintiff from providing an affirmative or negative response. Because the negative impacts and consequences of the Redistricting Plans are ongoing, Plaintiff reserves the right to supplement this

response.

INTERROGATORY NO. 6:

Identify all "members" of the Organizational Plaintiffs that Organizational Plaintiffs plan to rely on for purposes of establishing associational standing.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 6:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff further objects to this Interrogatory on the grounds that it is overbroad and unduly burdensome. Plaintiff objects to this Request on the grounds that this request is vague and ambiguous, including with respect to the meaning of the terms "Identify," and "establishing." Plaintiff further objects to this Request because it is premature and discovery is ongoing. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy.*

for Krishna Consciousness, Inc. v. Lee, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Without waiving any of these objections, Plaintiff expects to offer evidence that it has members residing in certain of the challenged districts at issue in this litigation.

<u>*BEGIN HIGHLY CONFIDENTIAL — ATTORNEYS' EYES ONLY DESIGNATION *</u>

[redacted]

***END HIGHLY CONFIDENTIAL — ATTORNEYS' EYES ONLY DESIGNATION ***

<u>INTERROGATORY NO. 7:</u>

Explain how individuals or organizations, if any, become members of the Organizational Plaintiffs and list all requirements of membership for each.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 7:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff further objects to this Interrogatory on the grounds that it is overbroad and unduly burdensome. Plaintiff further objects to this Interrogatory on the grounds that the term "requirements" is vague and ambiguous. Plaintiff also objects to this Interrogatory because it purports to impose an obligation on the Plaintiff to prepare a "list" which does not already exist and which is greater or more burdensome than the requirements of the Federal Rules of Civil Procedure and the Local Rules. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Subject to the Objections to Instructions and Definitions and the specific

objections to this Interrogatory set forth above, Plaintiff responds as follows: An individual who supports Plaintiff's mission may sign up to become a member. Plaintiff's members may choose to make financial or make other contributions of their time and talents in support of Plaintiff's mission.

INTERROGATORY NO. 8:

Identify the responsibilities or obligations entailed in being a"member" of the Organizational Plaintiffs and any benefits conferred by such membership.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 8:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff further objects to this Interrogatory on the grounds that it is overbroad and unduly burdensome. Plaintiff further objects to this Interrogatory on the grounds that the terms "identify," "responsibilities," "obligations," and "benefits" are vague and ambiguous. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175

(D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Subject to the Objections to Instructions and Definitions and the specific objections to this Interrogatory set forth above, Plaintiff responds as follows: Members are eligible to participate in GA NAACP's community activities, vote for GA NAACP leadership, and attend some events at reduced rates.

INTERROGATORY NO. 9:

Explain in detail the legislative process that Plaintiffs contend should have governed the consideration and passage of the Redistricting Plans and all evidence supporting each Plaintiff's contention that such legislative process is more typical than the legislative process that applied to the Redistricting Plans. *See* Common Cause Complaint, ¶¶ 52–53, 56–79; Ga. NAACP Complaint, ¶¶ 24, 84–91, 103–129.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 9:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff further objects to this Interrogatory on the grounds that it is overbroad and unduly burdensome. Plaintiff objects to this Request on the grounds that this request is vague and ambiguous,

including with respect to the meaning of the terms "legislative process," "detail" "explain," "governed," "consideration," "passage" and "all evidence." Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects to this Interrogatory on the grounds that it is a premature contention interrogatory which seeks a comprehensive statement of facts before the close of discovery and when discovery is ongoing. *See*, Fed. R. Civ. P. 33(a)(2); *see also In re Domestic Air Transp. Antitrust Litig.*, MASTER FILE No. 1:90-CV-2485-MHS & MDL No. 861, 1992 U.S. Dist. LEXIS 14557, at *4 (N.D. Ga. Apr. 8, 1992).

INTERROGATORY NO. 10:

Explain all instances of requests from Democratic and minority legislators being ignored by the Republican-controlled General Assembly.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 10:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff further objects to this Interrogatory on the grounds that it is overbroad and unduly burdensome. Plaintiff further objects to this Interrogatory on the grounds that the term "ignored" is vague

and ambiguous. Plaintiff further objects to this Interrogatory on the grounds that the term "minority" is vague and ambiguous. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Interrogatory because it is unintelligible. Plaintiff also objects to this Request because it is outside the scope of Plaintiff's knowledge. Interrogatory seeks information within the control of Defendants, third parties and/or is public record.

INTERROGATORY NO. 11:

Identify all instances of racial discrimination in election practices that you contend occurred between 2002 and 2022.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 11:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff further objects to this Interrogatory on the grounds that it is overbroad and unduly burdensome, including with respect to the 20-year time period and the lack of geographic constraints. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects to this Interrogatory

on the grounds that it is a premature contention interrogatory which seeks a comprehensive statement of facts before the close of discovery and when discovery is ongoing. *See*, Fed. R. Civ. P. 33(a)(2).

Subject to the Objections to Instructions and Definitions and the specific objections to this Interrogatory set forth above, Plaintiff responds as follows: Georgia has a long and well-documented history of voting discrimination against voters of color. *See Fair Fight Action, Inc. v. Brad Raffensperger*, Order, 1:18-cv-05391-SCJ, Document 636 at 41 (11/15/21) (taking judicial notice of Georgia's "long sad history of racist policies in a number of areas including voting"); *Wright v. Sumter Cnty. Bd. of Elections & Registration*, 301 F. Supp. 3d 1297, 1310 (M.D. Ga. 2018), *aff'd*, 979 F.3d 1282 (11th Cir. 2020) ("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."); *Georgia State Conference of the NAACP v. Fayette County Bd. of Comm'rs*, 950 F. Supp. 2d 1294, 1314-16 (N.D. Ga. 2013) (citing *Brooks v. State Bd. of Elections*, 848 F. Supp. 1548, 1560–61, 1571 (S.D. Ga. 1994) (Georgia's "segregation practice and laws at all levels has been rehashed so many times that the Court can all but take judicial notice thereof"), *vacated and remanded on other grounds*, 775 F.3d 1336 (11th Cir. 2015); and *Johnson v. Miller*, 864 F. Supp. 1354, 1379-80 (S.D. Ga. 1994), *aff'd and remanded*, 515 U.S. 900 (1995) ("we have given formal judicial notice of the State's

past discrimination in voting, and have acknowledged it in the recent cases").

INTERROGATORY NO. 12:

Identify all racial appeals in congressional, state Senate, and state House races that you contend occurred from 2011 to the present.

OBJECTIONS AND RESPONSE TO INTERROGATORY NO. 12:

Plaintiff incorporates herein by reference its Objections to Instructions and Definitions above as though fully set forth herein. Plaintiff further objects to this Interrogatory on the grounds that it is overbroad and unduly burdensome, including with respect to the more than 10-year time period and the lack of geographic constraints. Plaintiff also objects that this Request calls for information protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff objects to this Interrogatory because it seeks information that is within State Defendants' possession and is equally (if not more) accessible to State Defendants. Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff further objects to this Interrogatory on the grounds that the term "racial appeals" is vague and ambiguous. Plaintiff also objects to this Interrogatory on the grounds that it is a premature contention interrogatory which seeks a comprehensive statement of facts before the close of discovery and when discovery is ongoing. *See*, Fed. R. Civ.

P. 33(a)(2).

RESPONSES AND OBJECTIONS TO REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

All documents referenced in the responses to the foregoing interrogatories.

OBJECTIONS AND RESPONSE TO RFP NO. 1

Plaintiff objects to this Request on the grounds that the term "referenced" is vague, ambiguous, and potentially overbroad. Plaintiff also incorporates its objections to the Interrogatories. Plaintiff will construe the request to seek those documents specifically identified in Plaintiff's responses to the foregoing interrogatories to the extent that they are in the possession, custody, or control of Plaintiff, with the exception of documents which are hyperlinked in the Responses and therefore available to the propounding party, and Plaintiff will produce such documents to the extent they exist within Plaintiff's control after a reasonable search.

REQUEST FOR PRODUCTION NO. 2:

All documents reflecting each Organizational Plaintiff's corporateby-laws.

OBJECTIONS AND RESPONSE TO RFP NO. 2:

Plaintiff objects to this Request on the grounds that the time frame for the request, which precedes the events leading to and following the Redistricting Plans, seeks documents which are not relevant to any of the claims or defenses of the parties

in this action. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents reflecting" Plaintiff's corporate by-laws. Plaintiff also objects to this Request on the grounds that the phrase, "reflecting Plaintiffs' corporate by-laws" is vague and ambiguous. Plaintiff will interpret the request to seek only documents about its own corporate by-laws and not the corporate by-laws of other Plaintiffs.

The following is a link to corporate by-laws in effect as of the date of these responses: https://naacp.org/resources/bylaws-units. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections.

REQUEST FOR PRODUCTION NO. 3:

All documents reflecting each Organizational Plaintiff's articles of incorporation.

OBJECTIONS AND RESPONSE TO RFP NO. 3:

Plaintiff objects to this Request on the grounds that the phrase, "reflecting each Organizational Plaintiff's articles of incorporation," is vague and ambiguous. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents reflecting" Plaintiff's articles of incorporation. Plaintiff also objects to this Request on the grounds that the time frame for the request, which precedes the events leading to and

following the Redistricting Plans, seeks documents which are not relevant to any of the claims or defenses of the parties in this action.

Plaintiff will produce a copy of its articles of incorporation in effect as of the date of these responses. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections.

REQUEST FOR PRODUCTION NO. 4:

All documents that reflect corporate resolutions approved by each Organizational Plaintiff's board of directors or similar authorizing entity, that relate in any way to this litigation or to determining how each Organizational Plaintiff will allocate its resources for activities related to the Redistricting Plans.

OBJECTIONS AND RESPONSE TO RFP NO. 4:

Plaintiff objects to the terms "relate in any way to this litigation," "allocate," "resources," and "activities related to the Redistricting Plans" because it is vague and ambiguous. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents . . . that relate in any way." Plaintiff also objects to this Request on the ground that by seeking documents that "relate in any way to . . . this litigation" the Request seeks documents not relevant to any party' s claim or defense. Plaintiff also objects that this Request calls for the production of documents protected by attorney-

client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought.

Plaintiff will produce final corporate resolutions that show any diversion of resources as a result of the Redistricting Plan, if any exist. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections, to the extent any such documents exist within Plaintiff's control after a reasonable search.

REQUEST FOR PRODUCTION NO. 5:

All documents that reflect minutes of each Organizational Plaintiff's corporate meetings and meetings of each Organizational Plaintiff's board of

directors or similar authorizing entity that relate in any way to this litigation or to determining how each Organizational Plaintiff will allocate its resources for activities related to the Redistricting Plans.

OBJECTIONS AND RESPONSE TO RFP NO. 5:

Plaintiff objects to the terms "relate in any way to this litigation," "minutes," "authorizing entity" " "relate in any way to this litigation," "allocate," "resources," and "activities related to the Redistricting Plans" because they are vague and ambiguous. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents . . . that reflect." Plaintiff also objects to this Request on the ground that by seeking documents that "relate in any way to . . . this litigation" the Request seeks documents not relevant to any party's claim or defense. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and*

vacated as moot, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent any such documents exist within Plaintiff's control after a reasonable search.

REQUEST FOR PRODUCTION NO. 6:

All documents that describe the roles of each corporate officer position of each Organizational Plaintiff (e.g., chairman, president).

OBJECTIONS AND RESPONSE TO RFP NO. 6:

Plaintiff objects to this Request on the grounds that the phrase "all documents that describe the roles" is vague and ambiguous. Plaintiff also objects to this Request on the grounds that the time frame for the request, which precedes the events leading to and following the Redistricting Plans, seeks documents which are not relevant to any of the claims or defenses of the parties in this action. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents." Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir.

2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

The following is a link to corporate by-laws in effect as of the date of these responses: https://naacp.org/resources/bylaws-units. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections, to the extent any such documents exist within Plaintiff's control after a reasonable search.

REQUEST FOR PRODUCTION NO. 7:

All documents that reflect each Organizational Plaintiff's Form 990 tax returns for every year from 2018 to the present.

OBJECTIONS AND RESPONSE TO RFP NO. 7:

Plaintiff objects to this Request on the grounds that the time frame for the Request (from 2018 to the present), precedes the events leading to and following the Redistricting Plans and seeks documents which are not relevant to any of the claims or defenses of the parties in this action. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents that reflect Plaintiff's Form 990 tax returns."

Plaintiff will produce publicly available IRS Form 990's for the tax years of

2018 through 2021 to the extent that they have been filed by responding party and are not subject to a filing extension. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections, to the extent any such documents exist within Plaintiff's control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 7 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Pursuant to meet and confer communications, the State has withdrawn this request.

REQUEST FOR PRODUCTION NO. 8:

All documents reflecting the amount of each Organizational Plaintiff's annual budget or expenditures that supports each Organizational Plaintiff's election-related initiatives in Georgia for every year from 2018 to the present.

OBJECTIONS AND RESPONSE TO RFP NO. 8:

Plaintiff objects to this Request because the terms "all documents reflecting the amount," and "annual budget and expenditures that supports each Organizational Plaintiff's election-related initiatives" are vague and ambiguous. Plaintiff also

objects to this Request on the grounds that the timeframe for the Request (2018 to the present) is overbroad, unduly burdensome and seeks documents not relevant to the claims or defenses of the parties in this action. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents." Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent any such documents exist within Plaintiff's control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 8 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific

Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Pursuant to meet and confer communications, the State has withdrawn this request.

REQUEST FOR PRODUCTION NO. 9:

All documents that demonstrate the amount and types of resources each Organizational Plaintiff has been diverting or will be required to divert because of the enactment of the Redistricting Plans.

OBJECTIONS AND RESPONSE TO RFP NO. 9:

Plaintiff objects to the terms "demonstrate the amount and types of resources" and "divert(ing)" because they are vague and ambiguous. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents." Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 &

fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Plaintiff will produce documents that show how the Redistricting Plans have burdened and will continue to burden Plaintiff's work, initiatives, and programs identified after a reasonable search and inquiry, to the extent any such documents exist within Plaintiff's control. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 9 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Pursuant to meet and confer communications, the State has withdrawn this request.

REQUEST FOR PRODUCTION NO. 10:

All documents that reflect the amount of money each Organizational Plaintiff

raised for each of the three years before December 30, 2021.

OBJECTIONS AND RESPONSE TO RFP NO. 10:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff objects to the terms "money" and "raised" because they are vague and ambiguous. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought.

Plaintiff will produce publicly available IRS Form 990's for the tax years of 2018 through 2021 to the extent that they have been filed by responding party and

are not subject to a filing extension. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections, to the extent any such documents exist within Plaintiff's control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 10 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Pursuant to meet and confer communications, the State has withdrawn this request.

REQUEST FOR PRODUCTION NO. 11:

All documents that reflect the amount of money each Organizational Plaintiff raised since December 30, 2021.

OBJECTIONS AND RESPONSE TO RFP NO. 11:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff objects to the terms "money" "since" and "raised" because they are vague and ambiguous. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege.

Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent any such documents exist within Plaintiff's control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 11 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Pursuant to meet and confer communications, the State has withdrawn this request.

REQUEST FOR PRODUCTION NO. 12:

All documents that reflect fundraising Solicitations that Organizational Plaintiffs have sent, which mention or refer to this litigation and or the Redistricting Plans.

OBJECTIONS AND RESPONSE TO RFP NO. 12:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff objects to the terms "fundraising Solicitations," "mention," and "refer" because they are vague and ambiguous. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Based upon the foregoing objections, Plaintiff will not be producing any

documents responsive to this Request, to the extent any such documents exist within Plaintiff's control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 12 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Pursuant to meet and confer communications, the State has withdrawn this request.

REQUEST FOR PRODUCTION NO. 13:

All documents that reflect each Organizational Plaintiff's expenditures made on Solicitations for the two years prior to December 30, 2021.

OBJECTIONS AND RESPONSE TO RFP NO. 13:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff objects to the terms "expenditures" and "Solicitations" because they are vague and ambiguous. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and

donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents exist within Plaintiff's control after a reasonable search.

REQUEST FOR PRODUCTION NO. 14:

All documents that reflect each Organizational Plaintiff's expenditures made on Solicitations from December 30, 2021, through the present.

OBJECTIONS AND RESPONSE TO RFP NO. 14:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff objects to the terms "expenditures" and "Solicitations" because they are vague and ambiguous. Plaintiff also objects that this Request calls for the production of documents protected by

attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C.Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C.Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent any such documents exist within Plaintiff's control after a reasonable search.

REQUEST FOR PRODUCTION NO. 15:

All documents that reflect each Organizational Plaintiff's income derived from selling or renting a contact list, whether that list included e-mail addresses, phone numbers, addresses, or any other methods of contacting individuals.

OBJECTIONS AND RESPONSE TO RFP NO. 15:

Plaintiff objects to this Request on the grounds that the terms "selling," "renting," and contact list" are vague and ambiguous. Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C.Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C.Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent any such documents exist within Plaintiff's control after a reasonable search.

REQUEST FOR PRODUCTION NO. 16:

For any Solicitation that referred to the Redistricting Plans in anyway, all documents that reflect the amount of money each Organizational Plaintiff received through such Solicitations.

OBJECTIONS AND RESPONSE TO RFP NO. 16:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff objects to the terms "anyway" and "Solicitation" because they are vague and ambiguous. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all

documents that reflect" the amount of money.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent any such documents exist within Plaintiff's control after a reasonable search.

REQUEST FOR PRODUCTION NO. 17:

All documents supporting the statement in Paragraph 2 of the Common Cause Complaint that "the goal and effect of these unlawful tactics isto maintain the voting power of white voters" and Paragraph 17 of the Ga. NAACP Complaint that "the legislature and map drawers' actions were intentional."

OBJECTIONS AND RESPONSE TO RFP NO. 17:

Plaintiff objects to this Request to the extent the Request seeks documents based on allegations in the Common Cause Complaint because it is outside the scope of Plaintiff's knowledge. Plaintiff also objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and

ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 17 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 17 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 18:

All documents supporting the statement in Paragraph 83 of the Common Cause Complaint that "Race was the predominant factor in drawingCongressional District 6" and in Paragraph 152 of the Ga. NAACP Complaint that "race predominated over traditional districting principles" regarding CD-6.

OBJECTIONS AND RESPONSE TO RFP NO. 18:

Plaintiff objects to this Request to the extent the Request seeks documents

based on allegations in the Common Cause Complaint because it is outside the scope of Plaintiff's knowledge. Plaintiff also objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 18 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 152 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion

to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 19:

All documents supporting the statement in Paragraph 98 of the Common Cause Complaint that "Race was the predominant factor in drawingCongressional District 13."

OBJECTIONS AND RESPONSE TO RFP NO. 19:

Plaintiff objects to this Request because it is outside the scope of Plaintiff's knowledge as it relates to the Common Cause Complaint. Therefore, Plaintiff will not be producing any documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 20:

All documents supporting the statement in Paragraph 109 of the Common Cause Complaint that "Race was the predominant factor in drawing Congressional District 14."

OBJECTIONS AND RESPONSE TO RFP NO. 20:

Plaintiff objects to this Request because it is outside the scope of Plaintiff's knowledge as it relates to the Common Cause Complaint. Therefore, Plaintiff will not be producing any documents responsive to this Request.

REQUEST FOR PRODUCTION NO. 21:

All documents supporting the statement in Paragraph 26 of the Ga. NAACP

Complaint that legislators in the majority had "only one motive" that was "the desire to limit the voting strength of voters of color statewide."

OBJECTIONS AND RESPONSE TO RFP NO. 21:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 21 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 26 of the Ga. NAACP

Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 22:

All documents supporting the statement in Paragraph 150 of the Ga. NAACP Complaint that individuals "intentionally chose to systematically racially gerrymander Atlanta Metro Congressional districts to avoid drawing the new majority-Black Congressional district and to dilute the voting strength of Black, Latinx and AAPI voters in this region."

OBJECTIONS AND RESPONSE TO RFP NO. 22:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located

within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 22 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 150 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 23:

All documents supporting the statement in Paragraph 183 of the Ga. NAACP Complaint that "race predominated in the Controlling Party's decision not to create a new majority-Black Congressional district in the MetroAtlanta area and in cracking and packing the adjacent Metro Atlanta Congressional districts to dilute the voting strength of Black voters and other voters of color in order to avoid drawing the new majority-Black Congressional district."

OBJECTIONS AND RESPONSE TO RFP NO. 23:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert

witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 23 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 183 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 24:

All documents supporting the statement in Paragraph 191 of the Ga. NAACP

Complaint that "The Controlling Party and its map drawers could have alleviated the overpacking of SD-10 and the cracking of people of color in SD-17 and SD-25 by increasing the percentage of people of color in SD-17 and SD-25."

OBJECTIONS AND RESPONSE TO RFP NO. 24:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 24 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Plaintiff will produce responsive documents consistent with the scheduling order on expert discovery.

REQUEST FOR PRODUCTION NO. 25:

All documents supporting the statement in Paragraph 196 of the Ga. NAACP Complaint that "These line drawing decisions were made intentionally and surgically to diminish Black voting strength."

OBJECTIONS AND RESPONSE TO RFP NO. 25:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 25 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific

Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 196 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 26:

All documents supporting the statement in Paragraph 210 of the Ga. NAACP Complaint that "This was an intentional and deliberate choice on the part of the Controlling Party and its map drawers to dilute the voting strength of Black and Latinx voters by packing them into two senate districts."

OBJECTIONS AND RESPONSE TO RFP NO. 26:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term

"supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 26 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 210 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 27:

All documents supporting the statement in Paragraph 215 of the Ga. NAACP Complaint that "There is no compelling or reason for six senate seats to enter Cobb County, except to dilute the voting strength of the burgeoning population of people of color in Cobb County and adjacent areas."

OBJECTIONS AND RESPONSE TO RFP NO. 27:

Plaintiff objects to this Interrogatory on the grounds that it is a premature

request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 27 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 215 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 28:

All documents supporting the statement in Paragraph 222 of the Ga. NAACP Complaint that "Racial considerations predominated the Controlling Party's redistricting plan for SD-48."

OBJECTIONS AND RESPONSE TO RFP NO. 28:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 28 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as

follows:

Documents supporting the statement in Paragraph 222 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 29:

All documents supporting the statement in Paragraph 234 of the Ga. NAACP Complaint that "the districting plan rips apart communities of interest."

OBJECTIONS AND RESPONSE TO RFP NO. 29:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 29 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Plaintiff will produce responsive documents consistent with the scheduling order on expert discovery.

REQUEST FOR PRODUCTION NO. 30:

All documents supporting the statement in Paragraph 236 of the Ga. NAACP Complaint that "The Controlling Party's predominant purpose was to make these line-drawing decisions to preserve the White majority in SD-1."

OBJECTIONS AND RESPONSE TO RFP NO. 30:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 30 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 236 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 31:

All documents supporting the statement in Paragraph 242 of the Ga. NAACP Complaint that "the Controlling Party and its map drawers drew the House Districts in this area of the State with the intent and effect of diluting the political power of Black voters."

OBJECTIONS AND RESPONSE TO RFP NO. 31:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert

witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 31 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 242 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 32:

All documents supporting the statement in Paragraph 249 of the Ga. NAACP

Complaint that "Race was the predominant motive behind the drawing of these districts."

OBJECTIONS AND RESPONSE TO RFP NO. 32:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 32 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 249 of the Ga. NAACP

Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 33:

All documents supporting the statement in Paragraph 255 of the Ga. NAACP Complaint that "Race was the predominant motive behind the drawing of these districts."

OBJECTIONS AND RESPONSE TO RFP NO. 33:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 33 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 255 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 34:

All documents supporting the statement in Paragraph 267 of the Ga. NAACP Complaint that "Race was the predominant motive behind the drawing of these districts."

OBJECTIONS AND RESPONSE TO RFP NO. 34:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of

Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 34 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 267 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 35:

All documents supporting the statement in Paragraph 272 of the Ga. NAACP Complaint that "The drawing of these districts was done by the Controlling Party with the intent and has the effect of diluting the voting power of Black voters."

OBJECTIONS AND RESPONSE TO RFP NO. 35:

Plaintiff objects to this Interrogatory on the grounds that it is a premature

request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 35 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 272 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 36:

All documents supporting the statement in Paragraph 278 of the Ga. NAACP Complaint that "Race was the predominant motive behind the drawing of these districts."

OBJECTIONS AND RESPONSE TO RFP NO. 36:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 36 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as

follows:

Documents supporting the statement in Paragraph 278 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 37:

All documents supporting the statement in Paragraph 289 of the Ga. NAACP Complaint that "The changes made by the Controlling Party andits mappers were intended to limit the emerging voting strength in Gwinnett County's communities of people of color."

OBJECTIONS AND RESPONSE TO RFP NO. 37:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any

documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 37 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 289 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 38:

All documents supporting the statement in Paragraph 298 of the Ga. NAACP Complaint that "The choice to split apart racial minorities in north Fulton County predominated the line-drawing choices and were specifically emphasized over compliance with traditional redistricting principles such as contiguity and preserving communities of interest."

OBJECTIONS AND RESPONSE TO RFP NO. 38:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert

witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 38 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 298 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 39:

All documents supporting the statement in Paragraph 302 of the Ga. NAACP

Complaint that "the Controlling Party and its map drawers drew lines in this region to specifically protect the White voting population's political power in HD-164."

OBJECTIONS AND RESPONSE TO RFP NO. 39:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 39 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 302 of the Ga. NAACP

Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 40:

All documents supporting the statement in Paragraph 312 of the Ga. NAACP Complaint that "The predominant purpose for drawing the lines that intersect LaGrange in this manner was to ensure that Black voters wouldhave a reasonable opportunity to elect candidates of their choice in only HD- 137, and not in the other House Districts in LaGrange, including HD-136."

OBJECTIONS AND RESPONSE TO RFP NO. 40:

Plaintiff objects to this Interrogatory on the grounds that it is a premature request for expert witness information prior to the date set for the disclosure of expert witness reports and expert discovery by the Court. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record. Plaintiff objects to the term "supporting the statement" because it is vague and ambiguous.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located

within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 40 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Documents supporting the statement in Paragraph 312 of the Ga. NAACP Complaint are within the control of third-parties and are subject to a pending motion to compel. To the extent Plaintiff receives responsive documents from third-parties, Plaintiff will produce them.

REQUEST FOR PRODUCTION NO. 41:

All public statements made by each Plaintiff, or any Plaintiff's representative, concerning the Redistricting Plans. In responding to this request, such statements should include public testimony, e-mail messages, text messages, social media posts, speeches, or other similar statements.

OBJECTIONS AND RESPONSE TO RFP NO. 41:

Plaintiff objects that the terms "each Plaintiff," "any Plaintiff's representative" and "similar statements" as used in this Request are vague, ambiguous, and overbroad. Plaintiff also objects to this Request on the grounds that it seeks public information. Plaintiff also objects to this Request on the ground that

it is overbroad and not proportionate to the needs of the case in that it seeks "all documents."

Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record.

Plaintiff will produce press releases, public testimony, and public social media posts from designated organization accounts about the Redistricting Plans that are identified after a reasonable search. Plaintiff will also provide access to a database where its web content and social media posts are archived. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections, to the extent such documents could be located within its custody and control after a reasonable search.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 41 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Access to a database where Plaintiff's web content and social media posts are archived is located at https://social.pagefreezer.com/openrecords/121CV5338.

REQUEST FOR PRODUCTION NO. 42:

All public statements made by each Plaintiff, or any Plaintiff's representative,

since January 1, 2020, regarding the redistricting process in the State of Georgia. For this request, responsive records should include any statements proposing principles or changes to proposed redistricting plans in Georgia. In responding to this request, such statements should include publictestimony, e-mail messages, text messages, social media posts, speeches, or other similar statements.

OBJECTIONS AND RESPONSE TO RFP NO. 42:

Plaintiff objects that the phrases "the election laws in the State of Georgia," "principles," "changes" "each Plaintiff" and "any Plaintiffs representative" as used in this Request, are vague, ambiguous, and overbroad. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks "all documents." Plaintiff also objects to this Request on the grounds that it seeks information within the control of Defendants, third parties and/or is public record.

Plaintiff will produce public statements from designated organization accounts about the redistricting process that are identified after a reasonable search. Plaintiff will also provide access to a database where its web content and social media posts are archived. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents, to the extent such documents exist within its custody and control, on the basis of its objections.

FIRST SUPPLEMENTAL RESPONSE TO REQUEST FOR PRODUCTION NO. 42 (NOVEMBER 23, 2022):

Plaintiff incorporates by reference the above-stated General and Specific Objections, September 6, 2022 response as it fully set forth herein. Subject to, as limited by, and without waiver of the foregoing objections, Plaintiff responds as follows:

Access to a database where Plaintiff's web content and social media posts are archived is located at https://social.pagefreezer.com/openrecords/121CV5338.

REQUEST FOR PRODUCTION NO. 43:

All documents that reflect communications since November 1, 2020, between any Plaintiff in this action and any Plaintiff in any other civil action challenging the Redistricting Plans.

OBJECTIONS AND RESPONSE TO RFP NO. 43:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff objects to the term "any Plaintiff in any other civil action challenging the Redistricting Plans" because it is vague and ambiguous. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*,

357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request to the extent such documents could be located within its custody and control after a reasonable search.

REQUEST FOR PRODUCTION NO. 44:

All documents since November 1, 2020, that reflect communications between any Plaintiff in this action and any campaign for individuals running for elected office.

OBJECTIONS AND RESPONSE TO RFP NO. 44:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff objects to the term "any campaign for individuals running for elected office" because it is vague and ambiguous. Plaintiff also objects that this Request calls for the production of

documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

REQUEST FOR PRODUCTION NO. 45:

All documents since November 1, 2020, that reflect communications between any Plaintiff in this action and the United States Department of Justice relating to the Redistricting Plans.

OBJECTIONS AND RESPONSE TO RFP NO. 45:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff objects to the term "related to" because it is vague and ambiguous. Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request to the extent such documents could be located within its custody and control after a reasonable search.

REQUEST FOR PRODUCTION NO. 46:

All documents that reflect any agreements entered into with any Plaintiff in any of the other civil actions challenging the Redistricting Plans.

OBJECTIONS AND RESPONSE TO RFP NO. 46:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all documents reflecting the information sought.

Based upon the foregoing objections, Plaintiff will not be producing any

documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

REQUEST FOR PRODUCTION NO. 47:

All documents that reflect any agreements entered into by any Plaintiff and Fair Fight Action, Inc. or Fair Fight, Inc.

OBJECTIONS AND RESPONSE TO RFP NO. 47:

Plaintiff objects to this Request on the ground that the Request seeks documents not relevant to any party's claim or defense. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118 (1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985). Plaintiff also objects to this Request on the ground that it is overbroad and not proportionate to the needs of the case in that it seeks all

documents reflecting the information sought.

Based upon the foregoing objections, Plaintiff will not be producing any documents responsive to this Request, to the extent such documents could be located within its custody and control after a reasonable search.

REQUEST FOR PRODUCTION NO. 48:

All documents that support any denial by Plaintiffs to any of Defendants' requests for admission.

OBJECTIONS AND RESPONSE TO RFP NO. 48:

Plaintiff objects to this Request because it is overbroad, unduly burdensome, is improperly compound and contains multiple subparts in that it requests documents supporting each of the State Defendants' requests for admissions that Plaintiff denied. Plaintiff also objects that this Request calls for the production of documents protected by attorney-client privilege, attorney work product doctrine and/or other applicable privilege. Plaintiff also objects to this Request on the ground that it unduly burdens its associational rights under the First Amendment and the rights of its members and donors. *See, e.g.*, *NAACP v. Alabama*, 357 U.S. 449, 462 (1958); *NAACP v. Button*, 371 U.S. 415, 429 (1963); *Buckley v. Valeo*, 424 U.S. 1, 64–68 (1976); *Perry v. Schwarzenegger*, 591 F.3d 1126, 1142 & fn. 9 (9th Cir. 2009); *AFL-CIO v. FEC*, 333 F.3d 168, 175 (D.C. Cir. 2003); *Black Panther Party v. Smith*, 661 F.2d 1243, 1264 (D.C. Cir. 1981), *cert. granted and vacated as moot*, 458 U.S. 1118

(1982); *Intl. Socy. for Krishna Consciousness, Inc. v. Lee*, 75 CIV. 5388 (MJL), 1985 WL 315, at *8 (S.D.N.Y. Feb. 28, 1985).

Plaintiff will produce documents to the extent that they exist after a reasonable search and inquiry responsive to Plaintiff's Request for Admission No. 3. Pursuant to Federal Rule of Civil Procedure 34(b)(2)(C), Plaintiff states that it is not producing other arguably responsive documents on the basis of its objections.

REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION NO. 1:

Admit that before the Redistricting Plans were enacted, each Organizational Plaintiff expended resources on election-related activities.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 1:

Plaintiff objects to this Request on the grounds that it is vague and ambiguous, including with respect to the meaning of the terms "expended resources," and "election-related activities" as used in this Request. Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff in this action.

Subject to and without waiving these objections, Plaintiff responds as follows: Admit as to Plaintiff GA NAACP only.

REQUEST FOR ADMISSION NO. 2:

Admit that after the Redistricting Plans were enacted, each Organizational

Plaintiff expended resources on election-related activities.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 2:

Plaintiff objects to this Request on the grounds that it is vague and ambiguous, including with respect to the meaning of the terms "expended resources," and "election-related activities" as used in this Request. Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff in this action.

Subject to and without waiving these objections, Plaintiff responds as follows: Admit as to Plaintiff GA NAACP only.

REQUEST FOR ADMISSION NO. 3:

Admit that no Organizational Plaintiff has discontinued any previous election-related activities since the Redistricting Plans were enacted.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 3:

Plaintiff objects to this Request on the grounds that this request is vague and ambiguous, including with respect to the meaning of the terms "discontinued" and "previous election-related activities." Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff in this action.

Subject to and without waiving these objections, Plaintiff can neither confirm nor deny. Plaintiff directs Defendant to Interrogatory responses Nos 1, 2, 4 and 5.

REQUEST FOR ADMISSION NO. 4:

Admit that Democratic and minority legislators were invited to meet with the chair of the committee with jurisdiction over redistricting in their respective chambers.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 4:

Plaintiff objects to this Request on the grounds that this request is vague and ambiguous, including with respect to the meaning of the terms "invited" and "meet." Plaintiff objects to this Request on the grounds that this request calls for speculation. Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff in this action.

REQUEST FOR ADMISSION NO. 5:

Admit that all legislators were invited to meet with the chair of the committee with jurisdiction over redistricting in their respective chambers.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 5:

Plaintiff objects to this Request on the grounds that this request is vague and ambiguous, including with respect to the meaning of the terms "invited" and "meet." Plaintiff objects to this Request on the grounds that this request calls for speculation. Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff

in this action.

REQUEST FOR ADMISSION NO. 6:

Admit that in the second 2001 special session, the 2001 Congressional plan (SB 1EX2) was introduced on August 22, 2001; voted on the Senate floor on September 7, 2001; voted on the House floor on September11, 2001; and sent to the Governor on October 1, 2001.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 6:

Plaintiff objects to this Request on the grounds that this request calls for speculation. Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff in this action. Plaintiff also objects to this Request because it seeks information that is within State Defendants' possession and is equally (if not more) accessible to State Defendants.

REQUEST FOR ADMISSION NO. 7:

Admit that in the 2011 special session, the 2011 Congressional plan, HB 20EX was introduced on August 22, 2011; voted on the House floor on August 25, 2011; voted on the Senate floor on August 31, 2011; and sent to the Governor on September 1, 2011.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 7:

Plaintiff objects to this Request on the grounds that this request calls for

speculation. Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff in this action. Plaintiff also objects to this Request because it seeks information that is within State Defendants' possession and is equally (if not more) accessible to State Defendants.

REQUEST FOR ADMISSION NO. 8:

Admit that the redistricting plans that were invalidated for voting rights violations as referred to in Paragraphs 43–47 of the Common Cause Complaint were drawn by Democratic-controlled General Assemblies.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 8:

Plaintiff objects to this Request on the grounds that this request calls for speculation. Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request as it relates to the Common Cause Complaint.

REQUEST FOR ADMISSION NO. 9:

Admit that Joe Mack Wilson was a Democrat during his time in the Georgia General Assembly.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 9:

Plaintiff objects to this Request on the grounds that this request calls for speculation. Plaintiff further objects to this Request on the grounds that the Plaintiff

lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff in this action. Plaintiff also objects to this Request because it seeks information that is within State Defendants' possession and is equally (if not more) accessible to State Defendants.

REQUEST FOR ADMISSION NO. 10:

Admit that no court invalidated any portion of the 2011 congressional redistricting plan referred to in Paragraph 48 of the Common Cause Complaint.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 10:

Plaintiff objects to this Request on the grounds that this request calls for speculation. Plaintiff further objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request as it relates to the Common Cause Complaint.

REQUEST FOR ADMISSION NO. 11:

Admit that in 2018 and 2020, Congressional District 6 was not a majority-Black district.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 11:

Plaintiff admits that in 2018 and 2020, Congressional District 6 was not a majority-Black district.

REQUEST FOR ADMISSION NO. 12:

Admit that the alternative maps referenced in Paragraph 27 of the Ga. NAACP

Complaint were never introduced as legislation (either as a bill or by amendment) by a member of the General Assembly during the 2021 special session.

OBJECTIONS AND RESPONSE TO REQUEST FOR ADMISSION NO. 12:

Plaintiff objects to this Request on the grounds that the Plaintiff lacks sufficient information to admit or deny this Request on behalf of any other Plaintiff in this action.

Subject to and without waiving these objections, Plaintiff responds as follows: Admit as to Plaintiff GA NAACP only.

Respectfully submitted this 23rd day of November, 2022

/s/ Toni Jackson
Toni Michelle Jackson*
Astor H.L. Heaven*
Keith Harrison*
CROWELL & MORING LLP
1001 Pennsylvania Avenue NW
Washington, D.C. 20004
Telephone: (202) 624-2500

Jon Greenbaum*
Ezra D. Rosenberg*
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LAWYERS' COMMITTEE FOR CIVIL RIGHTS UNDER LAW
1500 K Street NW, Suite 900
Washington, D.C. 20005
Telephone: (202) 662-8600
Facsimile: (202) 783-0857

**Admitted pro hac vice*

CERTIFICATE OF SERVICE

I certify that on November 23, 2022, the foregoing GEORGIA STATE CONFERENCE OF THE NAACP'S FIRST SUPPLEMENTAL OBJECTIONS AND RESPONSES TO DEFENDANTS' FIRST SET OF INTERROGATORIES, REQUESTS FOR PRODUCTION OF DOCUMENTS, AND REQUESTS FOR ADMISSION was sent by email to all counsel of record.

/s/ Toni Jackson
Toni Michelle Jackson*

Counsel for Plaintiffs
GEORGIA STATE CONFERENCE
OF THE NAACP, et al.

**Admitted pro hac vice*

VERIFICATION OF FIRST SUPPLEMENTAL RESPONSES TO INTERROGATORIES

I, Gerald Griggs, am over the age of 18 years and am competent to execute this verification on behalf of the George State Conference of the NAACP, an organization, as its President.

I believe, based on reasonable inquiry, that the foregoing supplemental responses to the Interrogatories are true and correct to the best of my knowledge, information, and belief. I verify as such under penalty of perjury under 28 U.S.C. § 1746.

Gerald Griggs, President
Georgia State Conference of the NAACP

Dated this 19th day of December, 2022

EXHIBIT

4

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NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE AND AFFILIATES

CONSOLIDATED FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR'S REPORT YEAR ENDED DECEMBER 31, 2019

(With Comparative Totals for 2018)

BERT SMITH & CO.
Certified Public Accountants and Management Consultants
1090 Vermont Avenue, N.W., Ste 250
Washington, D.C. 20005
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EXHIBIT
5
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BERT SMITH & CO.
CERTIFIED PUBLIC ACCOUNTANTS
& MANAGEMENT CONSULTANTS

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE AND AFFILIATES
CONSOLIDATED FINANCIAL STATEMENTS AND INDEPENDENT AUDITOR'S REPORT

YEAR ENDED DECEMBER 31, 2019
(With Comparative Totals for 2018)

BSC
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& MANAGEMENT CONSULTANTS

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE AND AFFILIATES
CONSOLIDATED FINANCIAL STATEMENTS AND
INDEPENDENT AUDITOR'S REPORT

YEAR ENDED DECEMBER 31, 2019
(With Comparative Totals for 2018)

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BSC
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INDEPENDENT AUDITOR'S REPORT

Board of Directors
National Association for the
Advancement of Colored People

Report on Financial Statements

We have audited the accompanying consolidated financial statements of the National Association for the Advancement of Colored People and Affiliates (NAACP) which comprise the consolidated statement of financial position as of December 31, 2019, and the related consolidated statement of activities, functional expenses and cash flows for the year then ended, and the related notes to the consolidated financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of the consolidated financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these consolidated financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the consolidated financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the consolidated financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the consolidated financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the consolidated financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the consolidated financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the consolidated financial statements referred to above present fairly, in all material respects, the financial position of NAACP as of December 31, 2019, and the changes in its net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

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AN INDEPENDENT MEMBER OF BDO ALLIANCE USA

Other Matters

Report on Summarized Comparative Information

We have previously audited NAACP's 2018 consolidated financial statements, and we expressed an unmodified audit opinion on these audited consolidated financial statements in our report dated, August 15, 2019. In our opinion, the summarized comparative information presented herein, as of and for the year ended December 31, 2018 is consistent in all material respects, with the audited consolidated financial statements from which it was derived.

Best Smith & Co.

Washington, D.C.
May 20, 2021

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE AND AFFILIATES
CONSOLIDATED STATEMENT OF FINANCIAL POSITION
DECEMBER 31, 2019
(With Comparative Totals for 2018)

	2019	2018
ASSETS		
Current Assets		
Cash and Cash Equivalents	$ 4,067,098	$ 3,425,096
Pledges and Accounts Receivable, net	1,385,374	3,934,769
Other Current Assets	343,067	37,084
Investments	6,283,279	5,872,482
Total Current Assets	12,078,818	13,269,431
Non-current Assets		
Other Assets	48,802	48,802
Pledges and Accounts Receivable, net	2,586,299	1,343,406
Fixed Assets, net	2,065,642	1,031,473
Total Non-current Assets	4,700,743	2,423,681
TOTAL ASSETS	$ 16,779,561	$ 15,693,112
LIABILITIES AND NET ASSETS		
LIABILITIES		
Current Liabilities		
Accounts Payable and Accrued Expenses	$ 5,711,460	$ 3,024,451
Line of Credit	1,762,718	1,742,743
Deferred Rent	209,486	212,645
Deferred Revenues	1,612,202	632,438
Total Current Liabilities	9,295,866	5,612,277
Pension Benefits Liability	7,466,829	6,798,462
TOTAL LIABILITIES	16,762,695	12,410,739
NET ASSETS		
Without Donor Restrictions:		
Undesignated	(14,230,823)	(7,852,122)
Designated by the Board	5,066,964	4,327,435
Total without donor restrictions	(9,163,859)	(3,524,687)
With Donor Restrictions:		
Purpose restrictions	9,180,725	6,807,060
Total Net Assets	16,866	3,282,373
TOTAL LIABILITIES AND NET ASSETS	$ 16,779,561	$ 15,693,112

The accompanying notes are an integral part of these consolidated financial statements.

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE AND AFFILIATES
CONSOLIDATED STATEMENT OF ACTIVITIES
YEAR ENDED DECEMBER 31, 2019
(With Comparative Totals for 2018)

	Without Donor Restrictions	With Donor Restrictions	Totals 2019	Totals 2018
SUPPORT AND REVENUE				
Membership	$ 1,990,538	$ -	$ 1,990,538	$ 2,749,408
Corporations	3,258,677	4,374,261	7,632,938	6,050,086
Trusts and Foundations	3,329,721	3,815,204	7,144,925	10,532,239
Government	-	-	-	98
Individuals	4,246,031	327,585	4,573,616	6,439,915
Convention	2,825,710	-	2,825,710	2,630,992
Image Awards	2,939,096	-	2,939,096	3,004,921
Regional Conferences	3,825	-	3,825	68,436
Organizations	144,083	23,750	167,833	190,351
Freedom Funds	1,324,840	-	1,324,840	1,458,838
Planned Giving/Bequests	215,612	-	215,612	-
Combined Federal Campaign	148,585	-	148,585	199,297
In-Kind Contributions	405,089	-	405,089	1,003,800
Interest and Dividend Income	167,306	72,401	239,707	275,722
Return on Investment	616,089	248,580	864,669	-
Subscriptions	6,211	-	6,211	13,824
Advertising	344	-	344	701
Other	493,050	4,310	497,360	435,191
Net Assets Released from Restrictions	6,492,426	(6,492,426)	-	-
TOTAL SUPPORT AND REVENUE	$ 28,607,233	$ 2,373,665	$30,980,898	$35,053,819

The accompanying notes are an integral part of these consolidated financial statements.

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE AND AFFILIATES
CONSOLIDATED STATEMENT OF ACTIVITIES *(Continued)*
YEAR ENDED DECEMBER 31, 2019
(With Comparative Totals for 2018)

	Without Donor Restrictions	With Donor Restrictions	2019	2018
EXPENSES				
Program Services:				
Membership Services	$ 1,680,089	$ -	$1,680,089	$ 1,843,095
Field Operations	5,385,959	-	5,385,959	5,558,290
Convention	4,444,298	-	4,444,298	3,330,970
Image Awards	3,046,061	-	3,046,061	2,195,934
Leadership 500 Summit	185,264	-	185,264	15,000
Next Generation	127,606	-	127,606	-
ACT-SO	808,661	-	808,661	1,256,836
Civic Engagement	2,165,602	-	2,165,602	4,116,801
Program Operations	1,359,028	-	1,359,028	1,961,695
Research and Policy	1,034,415	-	1,034,415	1,108,128
Education	329,997	-	329,997	440,307
Health	372,486	-	372,486	433,786
Economic Development	1,715,952	-	1,715,952	2,142,074
Climate Justice	1,344,828	-	1,344,828	1,005,420
Criminal Justice	264,780	-	264,780	160,079
Total Program Services	24,265,026	-	24,265,026	25,568,415
Support Services:				
Fundraising	1,903,239	-	1,903,239	2,428,969
Management and General	6,393,368	-	6,393,368	4,672,934
Cost of Sales and Selling Expense	728,761	-	728,761	855,604
Total Support Services	9,025,368	-	9,025,368	7,957,507
Net Loss on Investments	-	-	-	518,677
TOTAL EXPENSES	33,290,394	-	33,290,394	34,044,599
Revenue and Support Over Expenses Before Pension-related Changes	(4,683,161)	2,373,665	(2,309,496)	1,009,220
Pension-Related Changes Other Than Net Periodic Pension Cost	(956,010)	-	(956,010)	683,098
Change in Net Assets/Accumulated Deficit	(5,639,171)	2,373,665	(3,265,506)	1,692,318
Net Assets (Deficit) Beginning of Year	(3,524,688)	6,807,060	3,282,372	1,590,055
Net Assets/(Deficit), End of Year	$ (9,163,859)	$ 9,180,725	$ 16,866	$ 3,282,373

The accompanying notes are an integral part of these consolidated financial statements.

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE AND AFFILIATES

CONSOLIDATED STATEMENT OF FUNCTIONAL EXPENSES

YEAR ENDED DECEMBER 31, 2019

(With Comparative Totals for 2018)

	DECEMBER 31, 2019 EXPENSE CLASSIFICATIONS:									
	Personnel	Administrative and Office Expenses	Facility Expenses	Travel	Special Events	Consulting Fees	Professional Fees	Subtotal	Indirect Cost Allocation	Total
Program Services:										
Membership	$ 624,060	$ 223,049	$ 13,250	$ 29,466	$ 115,090	$ 393,175	$ -	$ 1,398,090	$ 281,999	$ 1,680,089
Field Operations	1,914,435	321,709	148,735	365,042	683,763	1,162,515	-	4,596,199	789,760	5,385,959
Convention	-	14,308	-	85,435	3,353,690	250,149	-	3,703,582	740,716	4,444,298
Image Awards	460,009	120,922	129,054	143,472	1,322,517	362,411	-	2,538,385	507,676	3,046,061
Leadership 500 Summit	-	-	-	4,010	150,377	-	-	154,387	30,877	185,264
Next Generation	-	6,340	-	41,416	58,582	-	-	106,338	21,268	127,606
Civic Engagement	499,945	478,584	4,747	151,314	259,231	410,847	-	1,804,668	360,934	2,165,602
Programs Operations	495,365	361,529	8,736	18,056	12,181	108,764	127,892	1,132,523	226,505	1,359,028
Research and Policy	471,670	96,284	247,204	24,385	727	88,475	-	928,745	105,670	1,034,415
Education	122,514	25,570	1,929	2,785	116,449	5,751	-	274,998	54,999	329,997
Health	240,751	13,147	1,254	28,814	26,439	-	-	310,405	62,081	372,486
Economic Development	728,045	63,278	58,351	158,583	305,546	116,157	-	1,429,960	285,992	1,715,952
Climate Justice	631,235	58,590	3,502	158,574	149,091	119,698	-	1,120,690	224,138	1,344,828
Criminal Justice	14,615	100,569	3,596	1,548	1,657	98,665	-	220,650	44,130	264,780
ACT-SO	150,598	16,008	-	71,411	428,354	8,063	-	647,434	134,227	808,661
Total Program Services	6,353,242	1,899,887	620,358	1,284,311	6,983,694	3,124,670	127,892	20,394,054	3,870,972	24,265,026
Support Services:										
Fundraising	651,245	344,836	206,516	67,027	2,226	314,447	-	1,586,297	316,942	1,903,239
Management and General	4,223,703	1,371,850	1,637,864	669,886	710,342	1,390,358	577,279	10,581,282	(4,187,914)	6,393,368
Cost of Sales	374,035	189,968	-	-	-	-	67,314	631,317	-	631,317
Selling Expenses	-	97,444	-	-	-	-	-	97,444	-	97,444
Total Support Services	5,248,983	2,004,098	1,844,380	736,913	712,568	1,704,805	644,593	12,896,340	(3,870,972)	9,025,368
Total Expenses 2019	$11,602,224	$ 3,903,985	$ 2,464,738	$2,021,224	$7,696,261	$ 4,829,475	$ 772,485	$33,290,394	$ -	$33,290,394
Total Expenses 2018	$10,873,706	$ 4,845,301	$ 1,989,596	$2,232,029	$6,960,314	$ 5,638,585	$ 1,505,068	$34,044,599	$ -	$34,044,599

See accompanying notes to the consolidated financial statements.

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE AND AFFILIATES
CONSOLIDATED STATEMENT OF CASH FLOWS
YEAR ENDED DECEMBER 31, 2019
(With Comparative Totals for 2018)

	2019	2018
CASH FLOWS FROM OPERATING ACTIVITIES		
Changes in Net Assets	$ (3,626,406)	$ 1,692,318
Adjustments to Reconcile Changes in Net Assets to Net Cash Provided by Operating Activities:		
Bad Debt	12,158	12,210
Depreciation	180,761	159,507
Realized and Unrealized Loss (Gain) on Investments, net	(864,668)	518,677
(Increase) Decrease in Assets:		
Pledges and Accounts Receivable	1,306,502	(2,324,460)
Other Current Assets	305,983	185,002
Increase (Decrease) in Liabilities:		
Accounts Payable and Accrued Expenses	2,687,009	1,607,775
Pension Benefits	668,367	(919,777)
Deferred Rent	-	988
Deferred Revenue	976,605	22,438
Net Cash Provided by Operating Activities	1,646,311	954,688
CASH FLOWS FROM INVESTING ACTIVITIES		
Purchase of Investments	(2,939,576)	(686,066)
Sale of Investments	3,439,831	743,477
Reinvestment of Interest and Dividends	(239,707)	(121,961)
Purchase of Property and Equipment	(1,214,929)	(207,444)
Net Cash Used In Investing Activities	(954,381)	(271,994)
CASH FLOWS FROM FINANCING ACTIVITIES		
Payments on Loan Management Account	(49,928)	(27,237)
Net Cash Used in Financing Activities	(49,928)	(27,237)
Net Increase (Decrease) in Cash and Cash Equivalents	642,002	655,457
Cash and Cash Equivalents – Beginning of Year	3,425,096	2,769,639
Cash and Cash Equivalents – End of Year	$ 4,067,098	$ 3,425,096
Supplemental Data		
Cash Paid for Interest	$ 80,161	$ 8,534

The accompanying notes are an integral part of these consolidated financial statements.

NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE AND AFFILIATES
NOTES TO CONSOLIDATED FINANCIAL STATEMENTS
YEAR ENDED DECEMBER 31, 2019

NOTE 1 ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

- ***Organization***
  The National Association for the Advancement of Colored People ("NAACP") is a national, multiracial, not-for-profit organization founded in February 1909 and incorporated in 1911. NAACP was organized to ensure the political, educational, social, and economic equality and rights of all persons and to eliminate racial hatred and racial discrimination.

  On March 6, 2019, the legal and tax status of the Corporation was changed from a 501(c)(3) to a 501(c)(4). In addition, certain program activities were designated specifically for the 501(c)(4) entity. Remaining program activities were designated to a new 501(c)(3) entity called NAACP Empowerment Programs, Inc. NAACP's principal objectives continue to include to improve the political, educational, social and economic status of minority groups; eliminate racial prejudices; keep the public aware of the adverse effects of racial discrimination; and to take all lawful actions to eliminate such discrimination. NAACP performs its objectives nationwide through a network that includes seven (7) regions, representing over 2,000 branches (units), including approximately 400 youth council chapters. The consolidated financial statements of NAACP do not include the operations of the units and youth council chapters which maintain their own separate accounts.

  NAACP receives funding from grants, contributions, memberships and vendor fees.

- ***Program and Supporting Services***
  NAACP operations consist of the following program and supporting services:

  - ***Membership Services***
    The National Membership Department is responsible for the growth in the number of NAACP members through the planning, structuring and directing of campaigns through NAACP Units, churches, donors and other organizations. The Membership Department's staff processes all new and renewed membership dues and provides direct service to individual members as well as to local adult units of NAACP.

  - ***Field Operations***
    NAACP regional and field offices are responsible for assuring that NAACP units are viable and capable of carrying out the NAACP's mission at the local level. This effort requires providing the necessary training and information to adult volunteers, serving and strengthening stakeholder relations, and cultivating youth and college members. Youth program objectives are to inspire, motivate, and create interest in civic activities; provide young people with an understanding of pertinent issues; develop organizational skills for implementation of community-related activities; and encourage active participation in these activities.

  - ***Convention***
    NAACP constitution mandates an annual convention of its members, board and officers to share information and accomplishments and to establish policies and programs for the coming year.

  - ***Image Awards***
    The NAACP Image Awards (the Awards) honor projects and individuals of all races who help promote positive images of people of color. The Awards take place annually and usually air live on network television.

- ***Leadership 500 Summit***
  The NAACP's Leadership 500 Summit (the Summit) serves as a training ground for leadership development of mid-level professionals between the ages of 30-50 years old. The Summit helps participants gain awareness, focus, and hone their skills as they advance professionally.

- ***Afro-American, Culture, Technological and Scientific Olympics (ACT-SO)***
  The objective of ACT-SO is to prepare, recognize and reward African American youth who exemplify scholastic and artistic excellence. NAACP units conduct annual competitions for students in grades 9-12 throughout the country. The top winners from local competitions then compete at the national ACT-SO finals held during NAACP's annual convention.

- ***Program Operations***
  Program operations include NAACP national costs for the legal programs and direct issue education further explained below, internship programs and program support.

  - ***Legal Programs and Fellows***
    The NAACP's Legal Department includes a number of programs of national interest and engages in litigation directly and indirectly through the utilization of outside counsel. The department also has an ongoing Continuing Legal Education Program and an annual resident fellows program.

  - ***Direct Issue Education***
    NAACP utilizes its direct mail and communications capacity to regularly inform and educate its constituents, stakeholders, and supporters about its programs and other strategic initiatives.

- ***Research and Policy***
  This division was created late in 2005 to provide research and develop NAACP policy on public policy issues affecting people of color in the United States.

- ***Education***
  The fundamental goal of NAACP's Education Program advocacy agenda is to provide all students access to quality education. The NAACP Education Department's resources are strategically focused on three major objectives:

  - Preventing racial discrimination in educational programs and services
  - Advancing educational excellence
  - Promoting an equal opportunity education agenda

  The education program also includes administration of educational scholarships.

- ***Health***
  The NAACP Health Program promotes equality in health care for African Americans and seeks to address the disparities between the quality of care received by African Americans and other groups. The National Health Director works with the National Health Committee to create and implement projects; evaluates and drafts policy statements; and represents NAACP at conferences, workshops, and on advisory boards.

- ***Economic Development***
  The NAACP Economic Program recognizes the importance of the economy and economic issues in advancing an equal opportunity society and aims to address the challenging economic realities facing our country (e.g., disproportionate high unemployment, poverty and foreclosures, etc.). The Financial Freedom Center was launched in 2010 to enhance the capacity of African Americans, and other undeserved groups, by financially educating individuals to effectively manage their personal finances and credit; promoting diversity and inclusion in business hiring, career advancement and procurement; monitoring financial banking practices; and promoting community economic development.

- ***Climate Justice***
  This program seeks to reduce racial disparities among communities affected by national disasters, environmental pollution, and other characteristics of global warming.

- ***Criminal Justice***
  The Criminal Justice program addresses promoting alliances, legislation and racial disparities within the criminal justice system by initiatives that positively impact inmate recidivism, ex-felon re-enfranchisement and re-employment. The program also assists with the formation of the NAACP Prison membership units.

- ***Human Rights***
  The Human Rights project seeks to apply a human rights norm and utilize international forums to raise issues of concern to NAACP, such as the disenfranchisement of persons with felony convictions, and the impact of global warming and environmental degradation on communities of color.

- ***Voting Rights***
  The Voting Rights initiative seeks to raise public awareness on the detrimental impact of new restrictions on voter registration and voter ID requirements occurring at the state level. NAACP is analyzing these new restrictions and determining when legal action should be taken to protect the right to vote, and in other instances educating potential voters about the new requirements to ensure their right to vote is protected.

- ***Next Generation Program***
  The NAACP Next Generation Program (NextGen) is a leadership development training program for young adults between the ages of 21 and 40 to receive comprehensive leadership and advocacy training to develop leadership competencies to become effective civil rights leaders. The NextGen program features a series of trainings, including leadership development, legislative action, unit administration, advocacy and program planning consistent with the six NAACP Game Changer areas, which include economic sustainability, education, health, criminal justice, political action, and youth engagement.

- ***Fundraising***
  Fundraising represents all costs that are necessary to raise funds for NAACP, including the purchase of mailing lists, postage and direct mail campaigns.

- ***Management and General***
  Management and general expenses include activities on a national level that are necessary to maintain and support NAACP, CRISIS and the NAACP Foundation in a legal and financially responsible manner. This included executive services, finance and budget, administration and purchasing, human resources, information technology and legal counsel.

- ***Cost of Sales and Selling Expense - CRISIS***
  These costs for CRISIS magazine include printing, advertising, postage, writers, photographers and production staff.

- ***Principles of Consolidation***
  The accompanying consolidated financial statements present the consolidated financial position and changes in net assets and cash flows of the National Association for the Advancement of Colored People and Affiliates *(hereafter referred to as the "NAACP").* The accompanying consolidated statements consist of the National Association for the Advancement of Colored People, the NAACP Empowerment Programs, Inc., the NAACP Foundation (the "Foundation") and Crisis Publishing Company, Inc. (CRISIS). See Note 2 for further description of the affiliates. All intercompany transactions and balances have been eliminated in the consolidation.

- ***Basis of Accounting***
  The accompanying consolidated financial statements have been prepared on the accrual basis of accounting in conformity with accounting principles generally accepted in the United States of America.

- ***Basis of Presentation***
  The net assets of NAACP and related changes are classified as follows:

  … *Net Assets Without Donor Restrictions* – unrestricted resources available to support operations that can be utilized at the discretion of the Board of Directors and management and also includes donor restricted resources which become available for use by NAACP in accordance with intention of donors.

  … *Net Assets With Donor Restrictions* – net assets that are subject to donor-imposed stipulations. Donor imposed restrictions will be met either by actions of NAACP and/or the passage of time.

  The accompanying consolidated financial statements include the accounts of all wholly-owned and controlled subsidiaries and affiliates (See Note 2).

- ***Cash and Cash Equivalents***
  NAACP considers all funds in the bank and on hand, along with highly liquid investments purchased with a maturity of three months or less to be cash and cash equivalents. The carrying value of cash and cash equivalents approximates fair value because of the short maturities of those financial instruments. Cash and cash equivalents are maintained at various financial institutions. Total deposits maintained at these institutions, at times, exceed the amount insured by federal agencies, although through December 31, 2019, no loss of funds had been experienced.

- ***Investments***
  Investments are reported at fair value in the consolidated statement of financial position. Investment income includes interest and dividend income, realized and unrealized gains and losses, and are recognized as revenue and reported in the consolidated statement of activities and changes in net assets. The investment accounts consist of donor restricted funds and Board designated funds.

- ***Fair Value Measurements***
  NAACP follows FASB ASC 820, *Fair Value Measurements and Disclosures* for fair value measurements of investments that are recognized in the financial statements. FASB ASC 820 provides a framework for measuring fair value under accounting principles generally accepted in the United States of America, and applies to all financial instruments that are being measured and reported on a fair value basis. FASB ASC 820 sets out a fair value hierarchy and defines fair value as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. The fair value hierarchy is defined as follows:

  Level 1: Quoted market prices in active markets for identical assets or liabilities.

  Level 2: Quoted prices for similar assets or liabilities in active markets; quoted prices for identical or similar instruments in markets that are not active; or other than quoted prices in which significant inputs and significant value drivers are observable in active markets either directly or indirectly.

  Level 3: Unobservable inputs for the asset or liability and that include situations where there is little, if any, market activity for the asset or liability. The inputs into the determination of fair value are based upon the best information in the circumstances and may require significant management judgment or estimates.

NAACP assesses the levels of the investments at each measurement date, and transfers between levels are recognized on the actual date of the event or change in circumstances that caused the transfer. There were no transfers among Levels 1, 2 and 3 during the fiscal year. FASB ASC 820 requires the use of observable market data if such data is available without undue cost and effort.

- ***Fixed Assets***
  Land, property and equipment are recorded at cost or if donated, at the fair market value of the donated assets. NAACP capitalizes property and equipment over $5,000 and depreciates them on a straight-line basis over their estimated useful lives.

  The estimated useful lives used in computing depreciation are as follows:

Buildings and Improvement	15-30 Years
Computer Equipment	3-5 Years
Furniture and Equipment	5-7 Years
Software	3 Years

- ***Impairment of Long-Lived Assets***
  NAACP reviews long-lived assets, including property and equipment and intangible assets, for impairment whenever events or changes in business circumstances indicate that the carrying amount of an asset may not be fully recoverable. An impairment loss would recognize when the estimated future cash flows from the use of the asset are less than the carrying amount of the asset. To date, there have been no such losses.

- ***Donated Property***
  Gifts of land, buildings, and equipment are reported as support without donor restrictions unless restricted by the donor. Assets donated with explicit restriction as to use and cash contributions that must be used to acquire property and equipment are reported as contributions with donor restrictions. NAACP reports expirations of donor stipulations when the donated or acquired assets are placed in service, by reclassifying net assets with donor restrictions to net assets without donor restrictions.

- ***Convention and Other Events Revenues and Expenses***
  Revenue and expenses for the National Convention and other events are recognized when the respective event takes place. Event fees and underwriting revenue received in advance are recorded as deferred revenue. Expenses paid in advance are recorded as prepaid expenses.

- ***Revenue Recognition***
  Contributions and grants, including promises to give, are considered revenue when earned or support when promised.

  All donor contributions are reported as an increase in donor net assets, with or without restrictions depending on the presence of restrictions. When a restriction expires (that is, when a stipulated time restriction ends or purpose restriction is accomplished) net assets with donor restrictions are reclassified to net assets without donor restrictions and are reported in the consolidated statement of activities as net assets released from restrictions.

  Membership fees are recognized as revenue for the applicable membership period.

  Promises to give are carried at fair value, and are written off when deemed uncollectible based on NAACP's experience with the donors and their ability to pay.

  Grant funds received but unexpended are reflected as either deferred revenue or temporarily restricted depending on the specific terms of the grant.

- ***Risk and Uncertainties***
  Investments securities are exposed to various risks, such as interest rate, credit and overall market volatility. Due to the level of risk associated with certain investment securities, it is reasonably possible that changes in risks and values of investment securities will occur in the near term and that such changes could materially affect the amounts reported in the statements of financial position.

- ***Income Tax Status***
  NAACP and the Foundation are qualifying nonprofit organizations as defined in §501(c)(3) sections of the Internal Revenue Code, and therefore are exempt for federal and state income taxes. Crisis Publishing Company, Inc. (CRISIS), NAACP's for-profit subsidiary, has net operating loss carryforwards to offset current and future taxable income that NAACP does not believe will be utilized considering the planned dissolution of the CRISIS entity (See Note 18). Thus, no provisions have been made for taxes in the consolidated financial statements.

  ASC 740, *Income Taxes*, requires that a tax position be recognized or derecognized based on a "more-likely-than-not" threshold. This applies to position as taken or expected to be taken in a tax return. As of December 31, 2019, management has assessed its various tax positions and it believes there are no liabilities for uncertain tax positions.

- ***Contributed Services***
  Contributions of donated goods and services are recorded at their fair value if they create or enhance non-financial assets or that require specialized skills and would typically need to be purchased if not provided by donation. The fair value of donated legal services during 2019 has been estimated to be $360,089, and are included in professional fees in the statement of functional expenses. In addition, donated services received for Image Awards has been estimated to be $45,000, and are included in special events.

  In addition, volunteers, including the members of the Board of Directors, have made significant contributions of time to NAACP's policy-making, program and support functions. These contributed services do not meet the above criteria for recognition of contributed services and, accordingly, are not included in the accompanying consolidated financial statements.

- ***Use of Estimates***
  The preparation of consolidated financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosures at the date of the consolidated financial statements and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates.

- ***Comparative Financial Data***
  The consolidated financial statements include certain prior-year summarized comparative information in total but not by net asset class. The 2018 fiscal year amounts are not intended to present all information necessary for fair presentation in accordance with accounting principles generally accepted in the United States of America. Accordingly, such information should be read in conjunction with NAACP's consolidated financial statements for the year ended December 31, 2019, from which the summarized information was derived.

- ***Reclassifications***
  Certain accounts and amounts reported in the 2018 consolidated financial statements have been reclassified to conform to the 2019 consolidated financial statement presentation. The reclassification had no effect on the change in the net assets for 2018.

- ***Adoption of Accounting Pronouncement***

  In May 2014, the FASB issued ASU No. 2014-09, *Revenue from Contracts with Customers*. This standard implements a single comprehensive framework to use in accounting for revenue arising from contracts with customers. This framework ensures that entities appropriately reflect the consideration to which they expect to be entitled in exchange for goods and services by allocating transaction price to identified performance obligations and recognizing revenue as performance obligations are satisfied. The guidance, as amended by ASU-2015-14, *Revenue from Contracts with Customers (Topic 606)*, is effective for NAACP Empowerment. The standard is effective for fiscal years beginning after December 15, 2017 for mainly public entities. All other entities should apply guidance to annual reporting periods beginning after December 15, 2018. Early adoption is not permitted. NAACP adopted ASU No. 2014-09, with no effect on net assets.

  In January 2016, the FASB issued ASU 2016-01, *Financial Instruments - Overall (Subtopic 825-10)*: Recognition and Measurement of Financial Assets and Financial Liabilities. This standard, states that entities which are not public business entities and do not carry financial instruments at fair value in the statement of financial position to no longer be required to apply the fair value of financial instruments disclosure guidance in the General Subsection of Section 825-10-50. The standard is effective for fiscal years beginning after December 15, 2017 for mainly public entities. All other entities, including not-for-profits, should apply guidance to annual reporting periods beginning after December 15, 2018. NAACP adopted ASU No. 2016-01, with no effect on net assets.

  In April 2016, the FASB issued Accounting Standards Update No. 2016-10, *Revenue from Contracts with Customers (Topic 606): Identifying Performance Obligations and Licensing*. The amendment clarifies the following: (a) identifying performance obligations; and (b) the licensing implementation guidance. The amendment does not change the core principle of the guidance in Topic 606, *Revenue from Contracts with Customers (Topic 606)*. In May 2016, the FASB issued Accounting Standards Update No. 2016-12, *Revenue from Contracts with Customers (Topic 606): Narrow-Scope Improvements and Practical Expedients.* The amendment does not change the main revenue recognition principle in Topic 606. The amendment provides clarification of certain narrow areas and adds some practical expedients. The effective dates of these amendments are the same as the effective date of ASU 2014-09, *Revenue from Contracts with Customers (Topic 606)*. NAACP is evaluating the impact these amendments will have on the financial statements beginning in fiscal year 2019. NAACP adopted ASU No. 2014-09, with no effect on net assets.

  In August 2016, the FASB issued ASU No. 2016-15, *Statement of Cash Flows (Topic 230): Classification of Certain Cash Receipts and Cash Payments.* The objective of the update is to provide guidance on eight cash flow classification issues. The amendments in the update are effective for NAACP for fiscal years beginning after December 15, 2018. NAACP Empowerment adopted ASU No. 2016-15, with no effect on financial statements.

  In November 2016, the FASB issued ASU 2016-18, *Statement of Cash Flows (Topic 230): Restricted Cash.* The update requires that a statement of cash flows explain the change during the period in the total of cash, cash equivalents, and amounts generally described as restricted cash or restricted cash equivalents. The amendments in the update are effective for public entities for fiscal years beginning after December 15, 2017, and for all other entities (including nonprofits), for fiscal years beginning after December 15, 2018. Early adoption is permitted. These amendments in this update should be applied retrospectively. NAACP Empowerment adopted ASU No. 2016-18, with no effect on net assets.

  In June 2018, the FASB issued a new accounting standard, ASU 2018-08, *Not-for-Profit Entities (Topic 958*), to clarify and improve the scope and the accounting guidance for contributions received and contributions made. The standard will take effect for annual financial statements issued for fiscal years beginning after December 15, 2018. Early adoption is permitted. NAACP adopted ASU No. 2018-08, with no effect on net assets.

- ***Issued Accounting Pronouncements***
  In February 2016, the FASB issued ASU No. 2016-02, *Leases (Topic 842)*. Based on this guidance, lessees are required to recognize the following for all leases with terms longer than 12 months: (a) lease liabilities measured on a discounted basis; and (b) lease assets, which represent the lessee's right to use, or control the use of, a specified asset for the lease term. The new guidance requires a modified retrospective transition approach for capital and operating leases existing at, or entered into after, the beginning of the earliest comparative period presented in the financial statements, with certain practical expedients available. This new standard was amended to be effective for fiscal years beginning after December 15, 2021 (fiscal year 2022 for NAACP), with early application permitted. NAACP is evaluating the impact that this standard will have on the financial statements.

NOTE 2 AFFILIATES

NAACP Empowerment Program, Inc. (the "NAACP EPI")
The NAACP EPI shares common management and Board of Directors with NAACP. The NAACP EPI is a not-for-profit organization as described in Section 501(c)(3) of the Internal Revenue Code and is exempt from Federal income taxes. The NAACP EPI engages in transactions with the NAACP, resulting in intercompany receivables and payables. The financial statements of the NAACP EPI are reflected in the accompanying consolidated financial statements.

NAACP Foundation (the "Foundation")
The Foundation shares common management, under the direction of the Board of Directors of NAACP. The Foundation is a not-for-profit organization as described in Section 501(c)(3) of the Internal Revenue Code and is exempt from Federal income taxes. The Foundation engages in transactions with the NAACP, resulting in intercompany receivables and payables. The financial statements of the Foundation are reflected in the accompanying consolidated financial statements.

Crisis Publishing Company, Inc. (CRISIS)
Crisis Publishing Company, Inc. (CRISIS), which publishes *The Crisis*, a quarterly magazine is a for-profit corporation, which is wholly-owned by NAACP. The financial statements of Crisis Publishing Company, Inc. are reflected in the accompanying consolidated financial statements.

NAACP Voter Fund (Voter Fund)
NAACP Voter Fund is a not-for-profit organization as described in Section 501(c)(4) of the Internal Revenue Code and is exempt from Federal income taxes. The Voter Fund is affiliated with NAACP through its Board of Directors, but NAACP does not exercise majority voting power or control. The Voter Fund does not engage in any transactions with NAACP. The financial statements of the Voter Fund are not reflected in the accompanying consolidated financial statements.

NOTE 3 CONCENTRATION OF CREDIT RISK

Financial instruments that potentially subject NAACP to concentrations of credit risk consist of cash and cash equivalents, and investments held at a creditworthy financial institution.

At December 31, 2019, NAACP had deposits in bank accounts which are insured up to the FDIC limit of $250,000. There was a total of $3,100,601 in uninsured balances at December 31, 2019. However, NAACP has not experienced any losses in such accounts.

NOTE 4 INVESTMENTS - UNRESTRICTED

Investments are stated at fair value and consist of the following at December 31, 2019:

Corporate Bonds	793,658
Mutual Funds	5,101,353
Equity	388,268
Total	$6,283,279

The following schedule summarizes NAACP's investment return for the year ended December 31, 2019.

Net Realized and Unrealized Gains	$ 864,669
Interest and Dividends	239,707
Total	$ 1,104,376

NOTE 5 FAIR VALUE MEASUREMENTS

At December 31, 2019, NAACP financial instruments included cash and cash equivalents, receivables, accounts payable, accrued expenses and other liabilities. The carrying amounts reported in the accompanying consolidated statement of financial position for these financial instruments approximate their fair values.

The following table sets forth by level, with the fair value hierarchy, NAACP's investments at fair value as of December 31, 2019.

	Quoted Prices in Active Markets for Identifiable Assets (Level 1)	Significant Other Observable Inputs (Level 2)	Significant Unobservable Inputs (Level 3)	Total
Equity	388,268	-	-	388,268
Corporate Bonds	793,658	-	-	793,658
Mutual Funds	5,101,353	-	-	5,101,353
Total investments	$ 6,283,279	$ -	$ -	$6,283,279

The following table represents a reconciliation of financial instruments measured at fair value on a recurring basis using significant unobservable inputs for Level 3 investments for the year ended December 31, 2019:

	Total
Beginning balances at December 31, 2018	$ 12,158
Purchases	-
Net Realized and Unrealized Gains (Losses) included in Change in Net Assets	(12,158)
Ending balances at December 31, 2019	$ -

Fair values for corporate bonds, government securities and equities are determined by reference to quoted market prices and other relevant information generated by market transactions and are classified as Level 1.

Mutual funds are pools of assets commingled together to benefit from professional management and through economies of scale. Mutual funds are valued at net asset value (NAV), determined primarily from quoted prices in the market in which they are traded.

NOTE 6 OTHER ASSETS

In October 2016, NAACP was required to obtain a certain letter of credit in the amount of $48,802 from a bank on behalf of 50 Broadway Realty Corporation as security related to the rental of space. During 2019, the letter of credit was extended. NAACP had the applicable funds invested in a certificate of deposit.

NOTE 7 PLEDGES AND ACCOUNTS RECEIVABLE

Pledges and accounts receivable represent amounts due from donors, employees and sponsors, and promises to give as of December 31, 2019:

	Total
Foundations	$3,465,198
Corporations	462,000
Other	73,125
Total Pledges and Accounts Receivable	4,000,323
Less: Allowance for Doubtful Accounts	(28,650)
Net Pledges and Accounts Receivable	$3,971,673

There were no material discounts to record on pledges and accounts receivable in excess of one year.

NOTE 8 FIXED ASSETS

Fixed assets consisted of the following at December 31, 2019:

	Total
Land	$ 315,659
Building and Improvements	2,697,148
Furniture and Equipment	4,509,172
Software	2,573,898
Leasehold Improvement	424,013
	10,519,890
Less: Accumulated Depreciation	(8,454,248)
Fixed Assets, net	$ 2,065,642
Depreciation Expense for the Year	$ 180,761

NOTE 9 DONATED PROPERTY

NAACP has acquired real estate over the years through gifts and bequests. However, a number of these donations have not been recorded in the consolidated financial statements of NAACP due to inadequate conveyance support and the lack of reliable assessment or market value documentation at time of donation. As of December 31, 2019, donated land and buildings for which current assessed values have been identified but which have not been recorded totaled $958,586.

NOTE 10 LINE OF CREDIT

On November 18, 2011, NAACP entered into a loan management account (line of credit) agreement with Bank of America to provide working capital for the organization. The maximum available credit is determined by Bank of America from time to time based on the value of the securities pledged as collateral for the line of credit. NAACP has pledged as collateral, securities accounts established at Merrill Lynch. Finance charges are accrued daily based on a variable rate. At year-end, the outstanding balance totaled $1,762,718.

NOTE 11 EMPLOYEE BENEFIT PLANS

Defined Benefit Plan

NAACP has a defined benefit pension plan (the Plan) that covers substantially all employees of NAACP and its Affiliates. The benefits paid to retirees are based on years of service and employees' annual earnings, averaged over the highest three consecutive years. The Plan was frozen effective July 31, 2017. Consequently, beginning August 1, 2017, no new or rehired participants will be allowed to enter the Plan, and benefit accruals ceased for existing participants. The NAACP entirely funds the Plan through contributions to a separately maintained trust.

FASB ASC 958-715, *Not-for-Profit Entities - Compensation-Retirement Benefits*, requires the funding status to be recognized as an asset or liability in the statement of financial position and the measurement date to be as of the statement of financial position date. The funding status is the difference between the Plan's projected future benefit obligation and the fair value of Plan assets.

The fair value of the Plan's assets is the anticipated value of the Plan's invested funds during that same period. The majority of the Plan's assets are invested in annuity contracts and pooled separate accounts of the Plan Custodian's General Account.

The valuation, which is based on various actuary assumptions, had a measurement date as of December 31, 2018. Based on the valuation, the projected benefit obligation of $22,723,629 exceeded the fair value of the Plan's assets of $15,256,800, resulting in an underfunded status (pension liability) of $7,466,829, which is an increase of $668,367 from the prior fiscal year.

The following table presents the changes in benefit obligations, changes in Plan assets fair value, and the composition of accrued benefit costs in the consolidated statement of financial position for the year ended December 31, 2019:

	2019
Change in Benefit Obligations	
Benefit obligations at beginning of year	$19,732,763
Interest cost	791,299
PBO Experience	(420,970)
Actuarial loss	3,192,842
Benefits paid	(572,305)
Projected benefit obligations at end of year	$22,723,629
Change in Plan Assets	
Fair value of plan assets at beginning of year	$12,934,301
Actual return on plan assets	2,599,535
Employer contributions	295,269
Benefits paid	(572,305)
Fair value of plan assets at end of year	$15,256,800

Funded status at beginning of year	$ (6,798,462)
Change in funded status	(668,367)
Funded status at end of year	$ (7,466,829)

The amounts unrecognized in net assets without donor restrictions are as follows:

Net gain	$ (668,367)

Accumulated benefit obligation as of December 31, 2019 was $22,723,629.

The Pension Plan's accumulated benefit obligations compared with the projected benefit obligations and plan assets are as follows:

Projected benefit obligations	$22,723,629
Accumulated benefit obligations	$22,723,629
Fair value of plan assets	$15,256,800

Component of Net Periodic Pension Cost and Other Amounts Recognized in Change in Unrestricted Net Assets:

Components of Net Periodic Pension Expense:

Interest cost	$ 791,299
Expected return on plan assets	(886,308)
Amortization of loss	102,635
Net periodic pension cost	$ 7,626

Changes in Plan Assets and Benefit Obligations Recognized in Other Comprehensive Income:

Net loss	$ 1,058,645
Reclassification adjustment of net gain recognized in net periodic pension cost	(102,635)
Total	$ 956,010

Total Recognized in Net Periodic Pension Cost and Changes in Plan Assets and Benefit Obligation:

Total	$ 963,636

Actuary Assumptions

Weighted average assumptions used to determine benefit obligations at December 31, 2019:

Discount rate	3.10%
Rate of compensation increases	3.00%

Weighted average assumptions used to determine net periodic benefit cost as of December 31, 2019:

Discount rate	3.10%
Expected long-term rate of investment return	7.00%
Rate of compensation increases	3.00%

Plan Asset Allocations

The NAACP pension plan asset weighted-average allocations at December 31, 2019, by asset category are as follows:

Equity securities	2%
Mutual funds	98%
	100%

A description of the fair value hierarchy is presented in Note 1. The following table represents the pension plan assets that are measured at fair value on a recurring basis at December 31, 2019.

Fair Value Measurement at Reporting Date Using:

	(Level 1)	(Level 2)	Total
Common Stock – Financial Sector	$ 330,693	$ -	$ 330,693
Total Common Stock			330,693
Investments measured at Net Asset Value			
Pooled Separate Accounts - NAV			14,926,107
			$ 15,256,800

The Plan invests in various investments. The objective is to provide sufficient assets to fund retirement benefits with the least negative financial impact to participants. The investments underlying exposure is interest rates, market, foreign exchange rate, and credit risks. Due to the level of risk associated with certain investments, it is at least reasonably possible that changes in the values of the underlying investments will occur in the near term and that those changes could materially affect the amounts reported in the Plan's statements of net assets available for benefits.

Following is a description of the valuation methodologies used for assets measured at fair value.

Common Stock – The value is based on the closing price reported on the active market on which the individual security is traded, and classified as Level 1 investments.

Mutual Funds: Mutual funds are pools of assets commingled together to benefit from professional management and through economies of scale. Mutual funds are valued at NAV, a practical expedient, and have been determined as an appropriate estimate of fair value determined primarily from quoted prices in the market in which they are traded, and classified as Level 2.

Contributions

The NAACP contributed $295,269 in 2019 and expects to contribute $500,000 to its pension plan in 2020.

Estimated Future Benefit Payments

The following benefit payments, which reflect expected future service, as appropriate, are expected to be paid:

Year	Amount
2020	$ 576,402
2021	$ 828,293
2022	$ 858,876
2023	$ 899,749
2024	$ 942,422
2025 – 2029	$ 5,208,183

Defined Contribution Pension Plan

NAACP has a defined contribution plan which meets the requirements of Section 401(k) of the U.S. Internal Revenue Code. Each active participant may enter into a salary deferral agreement with the employer in an amount equal to not less than 1% or more than 20% of his or her compensation for the contribution period, with a maximum of $19,000 and $18,500 for 2019 and 2018, respectively. The employer matches each participant's pre-tax contributions up to 50% on the dollar of the first 6% of the employee's compensation contributed to the plan. Employer contributions to employee accounts vest 0% up to two years of employment and 100% after two years. Employees may also borrow up to 50% against their vested account balance up to a maximum of $50,000. NAACP contributed $112,005 to the Plan during the year ended December 31, 2019.

NOTE 12 COMMITMENTS AND CONTINGENCIES

Operating Leases

During 2019, NAACP has commitments under seven operating leases for office space expiring from 2019 to 2027. Rent expense for these leases in 2019 totaled $621,383.48.

One of the operating lease agreements for the rental of an office in Washington, D.C. with a term of eleven (11) years, which expires February 28, 2026, provided NAACP with rent abatement for the premises totaling $201,221. Rental expense is recognized on a straight-line basis, calculated by dividing the total rent to be paid during the term of the lease by the lease term. As a result, deferred rent includes or is adjusted by amounts applicable to the difference between the rent expense under GAAP and the rent actually due under the terms of the lease.

Minimum lease payments under non-cancelable operating leases are as follows:

Year	Amount
2020	$ 904,701
2021	1,204,453
2022	1,251,027
2023	1,283,720
2024	1,317,375
Thereafter	3,347,123
Total	$ 9,308,399

Contingencies

The NAACP is involved in legal actions arising in the ordinary course of its business. In the opinion of management, after consultation with internal and external legal counsel, the NAACP has adequate legal defense with respect to any of these actions and if the outcomes are unfavorable, management does not believe that they will materially affect the NAACP's results of operations or financial position.

NOTE 13 BOARD DESIGNATED FUNDS

The Board of Directors of the NAACP has designated investment funds to be used to maintain the financial stability of the Association.

Investment Policies

The NAACP has adopted investment policies for the investments that attempt to provide predictable annual earnings while seeking to maximize returns of investments over the long-term.

Board Restricted Investments at December 31, 2019:

Board-designated	$ 5,066,964

Changes in Board Restricted Investments for the Year Ended December 31, 2019

Investments, Beginning of the Year	$ 4,327,435
Contributions	-
Investment Return:	
Investment Income	95,178
Net Depreciation (realized and unrealized)	689,292
Total Investment Return	784,470
Appropriation of Board Designated Assets for Expenditures	(44,941)
Investments, End of Year	$ 5,066,964

NOTE 14 NET ASSETS WITH DONOR RESTRICTIONS

As of December 31, 2019, net assets with donor restrictions consisted of various donations restricted for the following specified programs or activities:

As of December 31, 2019, donor restricted net assets consisted of funds for the following:

Restricted by Purpose:	
Scholarships	$ 1,421,831
Educational Programs	2,434,703
Economic Development	1,817,804
Civic Engagement	649,356
Health Programs	1,009,499
Voting Rights/Human Rights	81,302
Criminal Justice	162,249
Climate Justice	74,318
Building Feasibility	123,860
Legal Programs	403,412
Field Operations (Youth & College)	591,701
Research & Policy	89,606
Next Generation	253,288
Disaster Relief	20,813
Other	46,983
Total	$ 9,180,725

Net assets were released from donor restrictions by incurring expenses satisfying the specified purposes by the donors totaling $6,492,426, for the year ended December 31, 2019.

NOTE 15 FUNCTIONAL EXPENSES

The costs of providing the various programs and other activities have been summarized on a functional basis in the statement of activities. Expenses which can be identified with a specific program and support service are directly allocated according to the natural expenditure classification. Indirect expenses are allocated based on various criteria, such as time and effort, percentage of costs and square footage.

NOTE 16 JOINT COSTS

In 2019, the NAACP National Office incurred joint costs totaling $522,694 for informational materials and activities that included fundraising appeals as part of the NAACP National Office's direct mail. Only those activities that are allocated among programmatic, fundraising and administrative components are included below, the amounts do not include all expenses presented in the statement of functional expenses. For the year ended December 31, 2019, the allocation of the joint costs is summarized as follows:

Program Operations	$ 28,824
Fundraising	441,601
Administrative	52,269
	$ 522,694

NOTE 17 LIQUIDITY AND FUNDS AVAILABLE

During 2019, NAACP's cash outflows significantly exceeded its cash inflows, which contributed to a net assets deficit of approximately $3,265,506. However, NAACP had an increase in net assets with donor restrictions totaling approximately $2,373,665 at December 31, 2019.

The Association regularly monitors liquidity required to meet its operating needs and other contractual commitments, while also striving to maximize the investment of its available funds.

In addition to financial assets available, which includes cash and cash equivalents, investments and receivables to meet general expenditures over the next 12 months, the Association operates within a balanced budget and anticipates collecting sufficient revenue to cover general expenditures not covered by donor-restricted resources. Further, management is continuously engaged in development activities that it expects to generate additional sources of support and revenue. NAACP also has $1,132,371 available under a line of credit at December 31, 2019 at its disposal to meet cash flow needs, if necessary. Lastly, after the events that occurred in Minneapolis, Minnesota, there was a huge influx of new donors to NAACP that were not solicited, which resulted in a significant increase in funds in 2020.

Financial assets available for general expenditures within one year of the financial position date consisted of the following:

Total financial assets at year-end:	
Cash and cash equivalents	$4,067,098
Investments at fair value	6,283,279
Pledges and accounts receivable	1,385,374
Total financial assets at year-end	11,735,751
Less amounts not available to be used within one year:	
Donor contributions restricted for specific purpose	(9,180,725)
Total amounts not available to be used within one year	(9,180,725)
Financial assets available to meet cash needs for general expenditures within one year	$ 2,555,026

Financial assets are considered unavailable when not liquid or convertible to cash within one year and contractual or donor-imposed restrictions limiting their use.

NOTE 18 SUBSEQUENT EVENTS

Subsequent events have been evaluated through May 20, 2021, which is the date the financial statements were available to be issued. As a result of the coronavirus (COVID-19) outbreak in the United States, economic uncertainties have arisen which may negatively impact our operating results in the upcoming year. At this point in time, the related duration and financial impact cannot be reasonably estimated. In addition, the governing board of the pension plan (the Plan) approved the liquidation of the Plan effective December 22, 2020.

This review and evaluation revealed no other material events or transaction which require additional adjustment to or disclosure in the accompanying financial statements.

Form **990** (Rev. January 2020) Department of the Treasury Internal Revenue Service

Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

▶ Do not enter social security numbers on this form as it may be made public.

▶ Go to www.irs.gov/Form990 for instructions and the latest information.

OMB No. 1545-0047

2019

Open to Public Inspection

A For the 2019 calendar year, or tax year beginning , 2019, and ending , 20

B Check if applicable:
- ☐ Address change
- ☐ Name change
- ☒ Initial return
- ☐ Final return/terminated
- ☐ Amended return
- ☐ Application pending

C Name of organization National Association for the Advancement of Colored People

Doing business as NAACP Group

Number and street (or P.O. box if mail is not delivered to street address): 4805 Mount Hope Drive | Room/suite

City or town, state or province, country, and ZIP or foreign postal code: Baltimore, MD 21215

D Employer identification number: 23-7028846

E Telephone number: (410)580-5777

G Gross receipts $23,036,846.

F Name and address of principal officer: Derrick Johnson, CEO, 7 St. Paul, Ste 12, Baltimore, MD 21212

H(a) Is this a group return for subordinates? ☒ Yes ☐ No

H(b) Are all subordinates included? ☒ Yes ☐ No

If "No," attach a list. (see instructions)

I Tax-exempt status: ☐ 501(c)(3) ☒ 501(c) (4) ◀ (insert no.) ☐ 4947(a)(1) or ☐ 527

J Website: ▶ www.naacp.org

H(c) Group exemption number ▶ 1531

K Form of organization: ☒ Corporation ☐ Trust ☐ Association ☐ Other ▶

L Year of formation: 1909

M State of legal domicile: MD

Part I Summary

Activities & Governance

1 Briefly describe the organization's mission or most significant activities: To ensure the political, educational social, and economic equality of rights for all persons to eliminate racial hatred and racial discrimination

2 Check this box ▶ ☐ if the organization discontinued its operations or disposed of more than 25% of its net assets.

3	Number of voting members of the governing body (Part VI, line 1a)	3	64
4	Number of independent voting members of the governing body (Part VI, line 1b)	4	64
5	Total number of individuals employed in calendar year 2019 (Part V, line 2a)	5	6
6	Total number of volunteers (estimate if necessary)	6	4,200
7a	Total unrelated business revenue from Part VIII, column (C), line 12	7a	0.
b	Net unrelated business taxable income from Form 990-T, line 39	7b	0.

			Prior Year	Current Year
Revenue	8	Contributions and grants (Part VIII, line 1h)	19,711,997.	16,463,961.
	9	Program service revenue (Part VIII, line 2g)	7,718,095.	6,416,521.
	10	Investment income (Part VIII, column (A), lines 3, 4, and 7d)	94,338.	156,364.
	11	Other revenue (Part VIII, column (A), lines 5, 6d, 8c, 9c, 10c, and 11e)		
	12	Total revenue—add lines 8 through 11 (must equal Part VIII, column (A), line 12)	27,524,430.	23,036,846.
Expenses	13	Grants and similar amounts paid (Part IX, column (A), lines 1–3)	2,775,873.	4,400,028.
	14	Benefits paid to or for members (Part IX, column (A), line 4)		
	15	Salaries, other compensation, employee benefits (Part IX, column (A), lines 5–10)	1,618,542.	1,125,308.
	16a	Professional fundraising fees (Part IX, column (A), line 11e)		
	b	Total fundraising expenses (Part IX, column (D), line 25) ▶ 12,170,649.		
	17	Other expenses (Part IX, column (A), lines 11a–11d, 11f–24e)	22,286,401.	28,175,096.
	18	Total expenses. Add lines 13–17 (must equal Part IX, column (A), line 25)	26,680,816.	33,700,432.
	19	Revenue less expenses. Subtract line 18 from line 12	843,614.	-10,663,586.
			Beginning of Current Year	**End of Year**
Net Assets or Fund Balances	20	Total assets (Part X, line 16)	4,775,683.	5,291,799.
	21	Total liabilities (Part X, line 26)		
	22	Net assets or fund balances. Subtract line 21 from line 20	4,775,683.	5,291,799.

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here

▶ Signature of officer — Date: 11/12/2020

▶ Junko Kobayashi, Interim Chief Financial Officer
Type or print name and title

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
Self Prepared	Self Prepared			P12345678

Firm's name ▶ NS Tax Service | Firm's EIN ▶

Firm's address ▶ 1010 Richnor Ave, Baltimore, MD 21215 | Phone no.

May the IRS discuss this return with the preparer shown above? (see instructions) ☐ Yes ☒ No

EXHIBIT 6

Form **990** (Rev. January 2020) Department of the Treasury Internal Revenue Service

Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except private foundations)

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OMB No. 1545-0047

2019

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C Name of organization National Association for the Advancement of Colored People

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Number and street (or P.O. box if mail is not delivered to street address) 4805 Mount Hope Drive | Room/suite

City or town, state or province, country, and ZIP or foreign postal code Baltimore, MD 21215

D Employer identification number 23-7028846

E Telephone number (410)580-5777

G Gross receipts $23,036,846.

F Name and address of principal officer: Derrick Johnson, CEO, 7 St. Paul, Ste 12, Baltimore, MD 21212

H(a) Is this a group return for subordinates? ☒ Yes ☐ No

H(b) Are all subordinates included? ☒ Yes ☐ No

If "No," attach a list. (see instructions)

I Tax-exempt status: ☐ 501(c)(3) ☒ 501(c) (4) ◀ (insert no.) ☐ 4947(a)(1) or ☐ 527

J Website: ▶ www.naacp.org

H(c) Group exemption number ▶ 1531

K Form of organization: ☒ Corporation ☐ Trust ☐ Association ☐ Other ▶

L Year of formation: 1909 **M** State of legal domicile: MD

Part I Summary

Activities & Governance

1 Briefly describe the organization's mission or most significant activities: To ensure the political, educational social, and economic equality of rights for all persons to eliminate racial hatred and racial discrimination

2 Check this box ▶ ☐ if the organization discontinued its operations or disposed of more than 25% of its net assets.

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Expenses	13	Grants and similar amounts paid (Part IX, column (A), lines 1–3)	2,775,873.	4,400,028.
	14	Benefits paid to or for members (Part IX, column (A), line 4)		
	15	Salaries, other compensation, employee benefits (Part IX, column (A), lines 5–10)	1,618,542.	1,125,308.
	16a	Professional fundraising fees (Part IX, column (A), line 11e)		
	b	Total fundraising expenses (Part IX, column (D), line 25) ▶ 12,170,649.		
	17	Other expenses (Part IX, column (A), lines 11a–11d, 11f–24e)	22,286,401.	28,175,096.
	18	Total expenses. Add lines 13–17 (must equal Part IX, column (A), line 25)	26,680,816.	33,700,432.
	19	Revenue less expenses. Subtract line 18 from line 12	843,614.	-10,663,586.
			Beginning of Current Year	**End of Year**
Net Assets or Fund Balances	20	Total assets (Part X, line 16)	4,775,683.	5,291,799.
	21	Total liabilities (Part X, line 26)		
	22	Net assets or fund balances. Subtract line 21 from line 20	4,775,683.	5,291,799.

Part II Signature Block

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here

▶ Signature of officer — Date 11/12/2020

▶ Junko Kobayashi, Interim Chief Financial Officer
Type or print name and title

Paid Preparer Use Only

Print/Type preparer's name	Preparer's signature	Date	Check ☐ if self-employed	PTIN
Self Prepared	Self Prepared			P12345678

Firm's name ▶ NS Tax Service | Firm's EIN ▶

Firm's address ▶ 1010 Richnor Ave, Baltimore, MD 21215 | Phone no.

May the IRS discuss this return with the preparer shown above? (see instructions) ☐ Yes ☒ No

Part III **Statement of Program Service Accomplishments**

Check if Schedule O contains a response or note to any line in this Part III . . . . . ☐

1 Briefly describe the organization's mission:

To ensure the political, educational social, and economic equality of rights for all persons to eliminate racial hatred and racial discrimination

2 Did the organization undertake any significant program services during the year which were not listed on the prior Form 990 or 990-EZ? . . . . . ☐ **Yes** ☒ **No**

If "Yes," describe these new services on Schedule O.

3 Did the organization cease conducting, or make significant changes in how it conducts, any program services? . . . . . ☐ **Yes** ☒ **No**

If "Yes," describe these changes on Schedule O.

4 Describe the organization's program service accomplishments for each of its three largest program services, as measured by expenses. Section 501(c)(3) and 501(c)(4) organizations are required to report the amount of grants and allocations to others, the total expenses, and revenue, if any, for each program service reported.

4a (Code:) (Expenses $ 17,247,345. including grants of $ 0.) (Revenue $ 6,416,521.)

The NAACP continues to focus on protecting the civil rights of all persons who suffer discrimination and exclusion. Another area of focus nationwide is an emphasis on youth services with programs such as Back to School, Stay in School and ACT-SO. These two programs promote academic excellence and achievement in America's youth, particularly minority students whose truancy and dropout rates are excessively high, The programs avail community mentors and role models, provide tutorial services and foster competition in arts and sciences for a participant. Additionally, the Association through its network of units, continues to direct America's attention toward the incessant discord in race relations.

See Part III, Ln 4a statement

4b (Code:) (Expenses $ including grants of $) (Revenue $)

4c (Code:) (Expenses $ including grants of $) (Revenue $)

4d Other program services (Describe on Schedule O.)

(Expenses $ including grants of $) (Revenue $)

4e Total program service expenses ▶ 17,247,345.

Part IV Checklist of Required Schedules

			Yes	No
1	Is the organization described in section 501(c)(3) or 4947(a)(1) (other than a private foundation)? *If "Yes," complete Schedule A*	1		×
2	Is the organization required to complete *Schedule B, Schedule of Contributors* (see instructions)?	2	×	
3	Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? *If "Yes," complete Schedule C, Part I*	3		×
4	**Section 501(c)(3) organizations.** Did the organization engage in lobbying activities, or have a section 501(h) election in effect during the tax year? *If "Yes," complete Schedule C, Part II*	4		
5	Is the organization a section 501(c)(4), 501(c)(5), or 501(c)(6) organization that receives membership dues, assessments, or similar amounts as defined in Revenue Procedure 98-19? *If "Yes," complete Schedule C, Part III*	5	×	
6	Did the organization maintain any donor advised funds or any similar funds or accounts for which donors have the right to provide advice on the distribution or investment of amounts in such funds or accounts? *If "Yes," complete Schedule D, Part I*	6		×
7	Did the organization receive or hold a conservation easement, including easements to preserve open space, the environment, historic land areas, or historic structures? *If "Yes," complete Schedule D, Part II*	7		×
8	Did the organization maintain collections of works of art, historical treasures, or other similar assets? *If "Yes," complete Schedule D, Part III*	8		×
9	Did the organization report an amount in Part X, line 21, for escrow or custodial account liability, serve as a custodian for amounts not listed in Part X; or provide credit counseling, debt management, credit repair, or debt negotiation services? *If "Yes," complete Schedule D, Part IV*	9		×
10	Did the organization, directly or through a related organization, hold assets in donor-restricted endowments or in quasi endowments? *If "Yes," complete Schedule D, Part V*	10		×
11	If the organization's answer to any of the following questions is "Yes," then complete Schedule D, Parts VI, VII, VIII, IX, or X as applicable.			
a	Did the organization report an amount for land, buildings, and equipment in Part X, line 10? *If "Yes," complete Schedule D, Part VI*	11a		×
b	Did the organization report an amount for investments—other securities in Part X, line 12, that is 5% or more of its total assets reported in Part X, line 16? *If "Yes," complete Schedule D, Part VII*	11b		×
c	Did the organization report an amount for investments—program related in Part X, line 13, that is 5% or more of its total assets reported in Part X, line 16? *If "Yes," complete Schedule D, Part VIII*	11c		×
d	Did the organization report an amount for other assets in Part X, line 15, that is 5% or more of its total assets reported in Part X, line 16? *If "Yes," complete Schedule D, Part IX*	11d		×
e	Did the organization report an amount for other liabilities in Part X, line 25? *If "Yes," complete Schedule D, Part X*	11e		×
f	Did the organization's separate or consolidated financial statements for the tax year include a footnote that addresses the organization's liability for uncertain tax positions under FIN 48 (ASC 740)? *If "Yes," complete Schedule D, Part X*	11f		×
12a	Did the organization obtain separate, independent audited financial statements for the tax year? *If "Yes," complete Schedule D, Parts XI and XII*	12a		×
b	Was the organization included in consolidated, independent audited financial statements for the tax year? *If "Yes," and if the organization answered "No" to line 12a, then completing Schedule D, Parts XI and XII is optional*	12b		×
13	Is the organization a school described in section 170(b)(1)(A)(ii)? *If "Yes," complete Schedule E*	13		×
14a	Did the organization maintain an office, employees, or agents outside of the United States?	14a		×
b	Did the organization have aggregate revenues or expenses of more than $10,000 from grantmaking, fundraising, business, investment, and program service activities outside the United States, or aggregate foreign investments valued at $100,000 or more? *If "Yes," complete Schedule F, Parts I and IV*	14b		×
15	Did the organization report on Part IX, column (A), line 3, more than $5,000 of grants or other assistance to or for any foreign organization? *If "Yes," complete Schedule F, Parts II and IV*	15		×
16	Did the organization report on Part IX, column (A), line 3, more than $5,000 of aggregate grants or other assistance to or for foreign individuals? *If "Yes," complete Schedule F, Parts III and IV*	16		×
17	Did the organization report a total of more than $15,000 of expenses for professional fundraising services on Part IX, column (A), lines 6 and 11e? *If "Yes," complete Schedule G, Part I* (see instructions)	17		×
18	Did the organization report more than $15,000 total of fundraising event gross income and contributions on Part VIII, lines 1c and 8a? *If "Yes," complete Schedule G, Part II*	18	×	
19	Did the organization report more than $15,000 of gross income from gaming activities on Part VIII, line 9a? *If "Yes," complete Schedule G, Part III*	19		×
20a	Did the organization operate one or more hospital facilities? *If "Yes," complete Schedule H*	20a		×
b	If "Yes" to line 20a, did the organization attach a copy of its audited financial statements to this return?	20b		
21	Did the organization report more than $5,000 of grants or other assistance to any domestic organization or domestic government on Part IX, column (A), line 1? *If "Yes," complete Schedule I, Parts I and II*	21		×

Part IV Checklist of Required Schedules *(continued)*

			Yes	No
22	Did the organization report more than $5,000 of grants or other assistance to or for domestic individuals on Part IX, column (A), line 2? *If "Yes," complete Schedule I, Parts I and III*	22	×	
23	Did the organization answer "Yes" to Part VII, Section A, line 3, 4, or 5 about compensation of the organization's current and former officers, directors, trustees, key employees, and highest compensated employees? *If "Yes," complete Schedule J*	23		×
24a	Did the organization have a tax-exempt bond issue with an outstanding principal amount of more than $100,000 as of the last day of the year, that was issued after December 31, 2002? *If "Yes," answer lines 24b through 24d and complete Schedule K. If "No," go to line 25a*	24a		×
b	Did the organization invest any proceeds of tax-exempt bonds beyond a temporary period exception?	24b		
c	Did the organization maintain an escrow account other than a refunding escrow at any time during the year to defease any tax-exempt bonds?	24c		
d	Did the organization act as an "on behalf of" issuer for bonds outstanding at any time during the year?	24d		
25a	**Section 501(c)(3), 501(c)(4), and 501(c)(29) organizations.** Did the organization engage in an excess benefit transaction with a disqualified person during the year? *If "Yes," complete Schedule L, Part I*	25a		×
b	Is the organization aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? *If "Yes," complete Schedule L, Part I*	25b		×
26	Did the organization report any amount on Part X, line 5 or 22, for receivables from or payables to any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or family member of any of these persons? *If "Yes," complete Schedule L, Part II*	26		×
27	Did the organization provide a grant or other assistance to any current or former officer, director, trustee, key employee, creator or founder, substantial contributor or employee thereof, a grant selection committee member, or to a 35% controlled entity (including an employee thereof) or family member of any of these persons? *If "Yes," complete Schedule L, Part III*	27		×
28	Was the organization a party to a business transaction with one of the following parties (see Schedule L, Part IV instructions, for applicable filing thresholds, conditions, and exceptions):			
a	A current or former officer, director, trustee, key employee, creator or founder, or substantial contributor? *If "Yes," complete Schedule L, Part IV*	28a		×
b	A family member of any individual described in line 28a? *If "Yes," complete Schedule L, Part IV*	28b		×
c	A 35% controlled entity of one or more individuals and/or organizations described in lines 28a or 28b? *If "Yes," complete Schedule L, Part IV*	28c		×
29	Did the organization receive more than $25,000 in non-cash contributions? *If "Yes," complete Schedule M*	29		×
30	Did the organization receive contributions of art, historical treasures, or other similar assets, or qualified conservation contributions? *If "Yes," complete Schedule M*	30		×
31	Did the organization liquidate, terminate, or dissolve and cease operations? *If "Yes," complete Schedule N, Part I*	31		×
32	Did the organization sell, exchange, dispose of, or transfer more than 25% of its net assets? *If "Yes," complete Schedule N, Part II*	32		×
33	Did the organization own 100% of an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? *If "Yes," complete Schedule R, Part I*	33		×
34	Was the organization related to any tax-exempt or taxable entity? *If "Yes," complete Schedule R, Part II, III, or IV, and Part V, line 1*	34	×	
35a	Did the organization have a controlled entity within the meaning of section 512(b)(13)?	35a		×
b	If "Yes" to line 35a, did the organization receive any payment from or engage in any transaction with a controlled entity within the meaning of section 512(b)(13)? *If "Yes," complete Schedule R, Part V, line 2*	35b		
36	**Section 501(c)(3) organizations.** Did the organization make any transfers to an exempt non-charitable related organization? *If "Yes," complete Schedule R, Part V, line 2*	36		
37	Did the organization conduct more than 5% of its activities through an entity that is not a related organization and that is treated as a partnership for federal income tax purposes? *If "Yes," complete Schedule R, Part VI*	37		×
38	Did the organization complete Schedule O and provide explanations in Schedule O for Part VI, lines 11b and 19? **Note:** All Form 990 filers are required to complete Schedule O.	38	×	

Part V Statements Regarding Other IRS Filings and Tax Compliance

Check if Schedule O contains a response or note to any line in this Part V ☐

				Yes	No
1a	Enter the number reported in Box 3 of Form 1096. Enter -0- if not applicable	1a	0		
b	Enter the number of Forms W-2G included in line 1a. Enter -0- if not applicable	1b	0		
c	Did the organization comply with backup withholding rules for reportable payments to vendors and reportable gaming (gambling) winnings to prize winners?	1c			

Part V Statements Regarding Other IRS Filings and Tax Compliance *(continued)*

				Yes	No
2a	Enter the number of employees reported on Form W-3, Transmittal of Wage and Tax Statements, filed for the calendar year ending with or within the year covered by this return	2a 6			
b	If at least one is reported on line 2a, did the organization file all required federal employment tax returns?		2b	×	
	Note: If the sum of lines 1a and 2a is greater than 250, you may be required to *e-file* (see instructions)				
3a	Did the organization have unrelated business gross income of $1,000 or more during the year?		3a		×
b	If "Yes," has it filed a Form 990-T for this year? *If "No" to line 3b, provide an explanation on Schedule O*		3b		
4a	At any time during the calendar year, did the organization have an interest in, or a signature or other authority over, a financial account in a foreign country (such as a bank account, securities account, or other financial account)?		4a		×
b	If "Yes," enter the name of the foreign country ▶ ---------- See instructions for filing requirements for FinCEN Form 114, Report of Foreign Bank and Financial Accounts (FBAR).				
5a	Was the organization a party to a prohibited tax shelter transaction at any time during the tax year?		5a		×
b	Did any taxable party notify the organization that it was or is a party to a prohibited tax shelter transaction?		5b		×
c	If "Yes" to line 5a or 5b, did the organization file Form 8886-T?		5c		
6a	Does the organization have annual gross receipts that are normally greater than $100,000, and did the organization solicit any contributions that were not tax deductible as charitable contributions?		6a	×	
b	If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?		6b	×	
7	**Organizations that may receive deductible contributions under section 170(c).**				
a	Did the organization receive a payment in excess of $75 made partly as a contribution and partly for goods and services provided to the payor?		7a		
b	If "Yes," did the organization notify the donor of the value of the goods or services provided?		7b		
c	Did the organization sell, exchange, or otherwise dispose of tangible personal property for which it was required to file Form 8282?		7c		
d	If "Yes," indicate the number of Forms 8282 filed during the year	7d			
e	Did the organization receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?		7e		
f	Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract?		7f		
g	If the organization received a contribution of qualified intellectual property, did the organization file Form 8899 as required?		7g		
h	If the organization received a contribution of cars, boats, airplanes, or other vehicles, did the organization file a Form 1098-C?		7h		
8	**Sponsoring organizations maintaining donor advised funds.** Did a donor advised fund maintained by the sponsoring organization have excess business holdings at any time during the year?		8		
9	**Sponsoring organizations maintaining donor advised funds.**				
a	Did the sponsoring organization make any taxable distributions under section 4966?		9a		
b	Did the sponsoring organization make a distribution to a donor, donor advisor, or related person?		9b		
10	**Section 501(c)(7) organizations.** Enter:				
a	Initiation fees and capital contributions included on Part VIII, line 12	10a			
b	Gross receipts, included on Form 990, Part VIII, line 12, for public use of club facilities	10b			
11	**Section 501(c)(12) organizations.** Enter:				
a	Gross income from members or shareholders	11a			
b	Gross income from other sources (Do not net amounts due or paid to other sources against amounts due or received from them.)	11b			
12a	**Section 4947(a)(1) non-exempt charitable trusts.** Is the organization filing Form 990 in lieu of Form 1041?		12a		
b	If "Yes," enter the amount of tax-exempt interest received or accrued during the year	12b			
13	**Section 501(c)(29) qualified nonprofit health insurance issuers.**				
a	Is the organization licensed to issue qualified health plans in more than one state?		13a		
	Note: See the instructions for additional information the organization must report on Schedule O.				
b	Enter the amount of reserves the organization is required to maintain by the states in which the organization is licensed to issue qualified health plans	13b			
c	Enter the amount of reserves on hand	13c			
14a	Did the organization receive any payments for indoor tanning services during the tax year?		14a		×
b	If "Yes," has it filed a Form 720 to report these payments? *If "No," provide an explanation on Schedule O*		14b		
15	Is the organization subject to the section 4960 tax on payment(s) of more than $1,000,000 in remuneration or excess parachute payment(s) during the year? If "Yes," see instructions and file Form 4720, Schedule N.		15		
16	Is the organization an educational institution subject to the section 4968 excise tax on net investment income? If "Yes," complete Form 4720, Schedule O.		16		

Part VI **Governance, Management, and Disclosure** *For each "Yes" response to lines 2 through 7b below, and for a "No" response to line 8a, 8b, or 10b below, describe the circumstances, processes, or changes on Schedule O. See instructions.*

Check if Schedule O contains a response or note to any line in this Part VI . . . . . ☒

Section A. Governing Body and Management

				Yes	No
1a	Enter the number of voting members of the governing body at the end of the tax year . .	1a	64		
	If there are material differences in voting rights among members of the governing body, or if the governing body delegated broad authority to an executive committee or similar committee, explain on Schedule O.				
b	Enter the number of voting members included on line 1a, above, who are independent .	1b	64		
2	Did any officer, director, trustee, or key employee have a family relationship or a business relationship with any other officer, director, trustee, or key employee?	2			×
3	Did the organization delegate control over management duties customarily performed by or under the direct supervision of officers, directors, trustees, or key employees to a management company or other person? .	3			×
4	Did the organization make any significant changes to its governing documents since the prior Form 990 was filed?	4			×
5	Did the organization become aware during the year of a significant diversion of the organization's assets? .	5			×
6	Did the organization have members or stockholders?	6		×	
7a	Did the organization have members, stockholders, or other persons who had the power to elect or appoint one or more members of the governing body?	7a		×	
b	Are any governance decisions of the organization reserved to (or subject to approval by) members, stockholders, or persons other than the governing body?	7b			×
8	Did the organization contemporaneously document the meetings held or written actions undertaken during the year by the following:				
a	The governing body?	8a		×	
b	Each committee with authority to act on behalf of the governing body?	8b		×	
9	Is there any officer, director, trustee, or key employee listed in Part VII, Section A, who cannot be reached at the organization's mailing address? *If "Yes," provide the names and addresses on Schedule O*	9			×

Section B. Policies *(This Section B requests information about policies not required by the Internal Revenue Code.)*

			Yes	No
10a	Did the organization have local chapters, branches, or affiliates?	10a	×	
b	If "Yes," did the organization have written policies and procedures governing the activities of such chapters, affiliates, and branches to ensure their operations are consistent with the organization's exempt purposes?	10b	×	
11a	Has the organization provided a complete copy of this Form 990 to all members of its governing body before filing the form?	11a		×
b	Describe in Schedule O the process, if any, used by the organization to review this Form 990.			
12a	Did the organization have a written conflict of interest policy? *If "No," go to line 13*	12a	×	
b	Were officers, directors, or trustees, and key employees required to disclose annually interests that could give rise to conflicts?	12b	×	
c	Did the organization regularly and consistently monitor and enforce compliance with the policy? *If "Yes," describe in Schedule O how this was done*	12c	×	
13	Did the organization have a written whistleblower policy?	13	×	
14	Did the organization have a written document retention and destruction policy?	14	×	
15	Did the process for determining compensation of the following persons include a review and approval by independent persons, comparability data, and contemporaneous substantiation of the deliberation and decision?			
a	The organization's CEO, Executive Director, or top management official	15a		×
b	Other officers or key employees of the organization	15b		×
	If "Yes" to line 15a or 15b, describe the process in Schedule O (see instructions).			
16a	Did the organization invest in, contribute assets to, or participate in a joint venture or similar arrangement with a taxable entity during the year?	16a		×
b	If "Yes," did the organization follow a written policy or procedure requiring the organization to evaluate its participation in joint venture arrangements under applicable federal tax law, and take steps to safeguard the organization's exempt status with respect to such arrangements?	16b		

Section C. Disclosure

17 List the states with which a copy of this Form 990 is required to be filed ▶

18 Section 6104 requires an organization to make its Forms 1023 (1024 or 1024-A, if applicable), 990, and 990-T (Section 501(c)(3)s only) available for public inspection. Indicate how you made these available. Check all that apply.

☐ Own website ☐ Another's website ☒ Upon request ☐ Other *(explain on Schedule O)*

19 Describe on Schedule O whether (and if so, how) the organization made its governing documents, conflict of interest policy, and financial statements available to the public during the tax year.

20 State the name, address, and telephone number of the person who possesses the organization's books and records ▶
Robert C. Billups, Sr, 4805 Mount Hope Drive, Baltimore, MD 21215 (410)580-5777

Part VII **Compensation of Officers, Directors, Trustees, Key Employees, Highest Compensated Employees, and Independent Contractors**

Check if Schedule O contains a response or note to any line in this Part VII . . . . . ☐

Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees

1a Complete this table for all persons required to be listed. Report compensation for the calendar year ending with or within the organization's tax year.

- List all of the organization's **current** officers, directors, trustees (whether individuals or organizations), regardless of amount of compensation. Enter -0- in columns (D), (E), and (F) if no compensation was paid.
- List all of the organization's **current** key employees, if any. See instructions for definition of "key employee."
- List the organization's five **current** highest compensated employees (other than an officer, director, trustee, or key employee) who received reportable compensation (Box 5 of Form W-2 and/or Box 7 of Form 1099-MISC) of more than $100,000 from the organization and any related organizations.
- List all of the organization's **former** officers, key employees, and highest compensated employees who received more than $100,000 of reportable compensation from the organization and any related organizations.
- List all of the organization's **former directors or trustees** that received, in the capacity as a former director or trustee of the organization, more than $10,000 of reportable compensation from the organization and any related organizations.

See instructions for the order in which to list the persons above.

☐ Check this box if neither the organization nor any related organization compensated any current officer, director, or trustee.

(A) Name and title	(B) Average hours per week (list any hours for related organizations below dotted line)	(C) Position (do not check more than one box, unless person is both an officer and a director/trustee): Individual trustee or director	Institutional trustee	Officer	Key employee	Highest compensated employee	Former	(D) Reportable compensation from the organization (W-2/1099-MISC)	(E) Reportable compensation from related organizations (W-2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations
(1) Akosua Ali Board member	1.00	X						0.	0.	0.
(2) Dr. Wendell Anthony Board member	1.00	X						0.	0.	0.
(3) Wandra Ashley-Williams Board member	1.00	X						0.	0.	0.
(4) Ophelia Averitt Board member	1.00	X						0.	0.	0.
(5) Fred Banks, Jr. Board member	1.00	X						0.	0.	0.
(6) Dr. William Barber, II Board member	1.00	X						0.	0.	0.
(7) Gary Bledsoe Board members	1.00	X						0.	0.	0.
(8) Barbara Bolling-Williams Board member	1.00	X						0.	0.	0.
(9) Karen Boykin-Towns Vice Chairman	1.00	X						0.	0.	0.
(10) Alphonso Braggs Board member	1.00	X						0.	0.	0.
(11) Roslyn M. Brock Chair Emeritus	1.00	X						0.	0.	0.
(12) Dr. Amos Brown Board member	1.00	X						0.	0.	0.
(13) Debra Brown Board member	1.00	X						0.	0.	0.
(14) Ericka Cain Board Member	1.00	X						0.	0.	0.

Part VII Section A. Officers, Directors, Trustees, Key Employees, and Highest Compensated Employees *(continued)*

(A) Name and title	(B) Average hours per week (list any hours for related organizations below dotted line)	(C) Position (do not check more than one box, unless person is both an officer and a director/trustee): Individual trustee or director	Institutional trustee	Officer	Key employee	Highest compensated employee	Former	(D) Reportable compensation from the organization (W-2/1099-MISC)	(E) Reportable compensation from related organizations (W-2/1099-MISC)	(F) Estimated amount of other compensation from the organization and related organizations
(15) Juan Cofied Board member	1.00	X						0.	0.	0.
(16) Carolyn Q. Coleman Board member	1.00	X						0.	0.	0.
(17) James W. Crowell III Board member	1.00	X						0.	0.	0.
(18) Raoul Cunningham Board member	1.00	X						0.	0.	0.
(19) Michael A. Curry Board member	1.00	X						0.	0.	0.
(20) Ray Curry Board member	1.00	X						0.	0.	0.
(21) Rev. Theresa A. Dear Board member	1.00	X						0.	0.	0.
(22) Dedric L. Doolin Board member	1.00	X						0.	0.	0.
(23) Minister Edward DuBose Board member	1.00	X						0.	0.	0.
(24) Dr. Hazel N. Dukes Board member	1.00	X						0.	0.	0.
(25) Katherine T. Egland Board member	1.00	X						0.	0.	0.
1b Subtotal ▶								0.	0.	0.
c Total from continuation sheets to Part VII, Section A ▶								278,488.	0.	0.
d Total (add lines 1b and 1c) ▶								278,488.	0.	0.

2 Total number of individuals (including but not limited to those listed above) who received more than $100,000 of reportable compensation from the organization ▶

			Yes	No
3	Did the organization list any **former** officer, director, trustee, key employee, or highest compensated employee on line 1a? *If "Yes," complete Schedule J for such individual*	3		X
4	For any individual listed on line 1a, is the sum of reportable compensation and other compensation from the organization and related organizations greater than $150,000? *If "Yes," complete Schedule J for such individual*	4		X
5	Did any person listed on line 1a receive or accrue compensation from any unrelated organization or individual for services rendered to the organization? *If "Yes," complete Schedule J for such person*	5		X

Section B. Independent Contractors

1 Complete this table for your five highest compensated independent contractors that received more than $100,000 of compensation from the organization. Report compensation for the calendar year ending with or within the organization's tax year.

(A) Name and business address	(B) Description of services	(C) Compensation

2 Total number of independent contractors (including but not limited to those listed above) who received more than $100,000 of compensation from the organization ▶

Part VIII Statement of Revenue

Check if Schedule O contains a response or note to any line in this Part VIII . . . . . ☐

					(A) Total revenue	(B) Related or exempt function revenue	(C) Unrelated business revenue	(D) Revenue excluded from tax under sections 512–514
Contributions, Gifts, Grants and Other Similar Amounts	1a	Federated campaigns	1a					
	b	Membership dues	1b	2,209,875.				
	c	Fundraising events	1c	14,254,086.				
	d	Related organizations	1d					
	e	Government grants (contributions)	1e					
	f	All other contributions, gifts, grants, and similar amounts not included above	1f					
	g	Noncash contributions included in lines 1a–1f	1g	$				
	h	**Total.** Add lines 1a–1f ▶			16,463,961.			
Program Service Revenue				Business Code				
	2a	Scholarships		900099	4,631,360.	4,631,360.	0.	0.
	b	Grants		900099	1,785,161.	1,785,161.	0.	0.
	c							
	d							
	e							
	f	All other program service revenue						
	g	**Total.** Add lines 2a–2f ▶			6,416,521.			
Other Revenue	3	Investment income (including dividends, interest, and other similar amounts) ▶			156,364.	156,364.	0.	0.
	4	Income from investment of tax-exempt bond proceeds ▶						
	5	Royalties ▶						
				(i) Real / (ii) Personal				
	6a	Gross rents	6a					
	b	Less: rental expenses	6b					
	c	Rental income or (loss)	6c					
	d	Net rental income or (loss) ▶						
				(i) Securities / (ii) Other				
	7a	Gross amount from sales of assets other than inventory	7a					
	b	Less: cost or other basis and sales expenses	7b					
	c	Gain or (loss)	7c					
	d	Net gain or (loss) ▶						
	8a	Gross income from fundraising events (not including $ 14,254,086. of contributions reported on line 1c). See Part IV, line 18	8a					
	b	Less: direct expenses	8b					
	c	Net income or (loss) from fundraising events ▶						
	9a	Gross income from gaming activities. See Part IV, line 19	9a					
	b	Less: direct expenses	9b					
	c	Net income or (loss) from gaming activities ▶						
	10a	Gross sales of inventory, less returns and allowances	10a					
	b	Less: cost of goods sold	10b					
	c	Net income or (loss) from sales of inventory ▶						
Miscellaneous Revenue				Business Code				
	11a							
	b							
	c							
	d	All other revenue						
	e	**Total.** Add lines 11a–11d ▶						
	12	**Total revenue.** See instructions ▶			23,036,846.	6,572,885.	0.	0.

Part IX Statement of Functional Expenses

Section 501(c)(3) and 501(c)(4) organizations must complete all columns. All other organizations must complete column (A).

Check if Schedule O contains a response or note to any line in this Part IX . . . . . ☐

Do not include amounts reported on lines 6b, 7b, 8b, 9b, and 10b of Part VIII.	(A) Total expenses	(B) Program service expenses	(C) Management and general expenses	(D) Fundraising expenses
1 Grants and other assistance to domestic organizations and domestic governments. See Part IV, line 21				
2 Grants and other assistance to domestic individuals. See Part IV, line 22	4,400,028.	4,400,028.		
3 Grants and other assistance to foreign organizations, foreign governments, and foreign individuals. See Part IV, lines 15 and 16				
4 Benefits paid to or for members				
5 Compensation of current officers, directors, trustees, and key employees	694,267.	520,700.	173,567.	0.
6 Compensation not included above to disqualified persons (as defined under section 4958(f)(1)) and persons described in section 4958(c)(3)(B)				
7 Other salaries and wages	338,429.	253,822.	84,607.	0.
8 Pension plan accruals and contributions (include section 401(k) and 403(b) employer contributions)				
9 Other employee benefits				
10 Payroll taxes	92,612.	69,459.	23,153.	0.
11 Fees for services (nonemployees):				
a Management	2,988,384.	2,241,288.	747,096.	0.
b Legal				
c Accounting				
d Lobbying				
e Professional fundraising services. See Part IV, line 17				
f Investment management fees				
g Other. (If line 11g amount exceeds 10% of line 25, column (A) amount, list line 11g expenses on Schedule O.)	1,447,000.	1,085,250.	361,750.	0.
12 Advertising and promotion	351,295.	263,471.	87,824.	0.
13 Office expenses	1,258,244.	943,683.	314,561.	0.
14 Information technology				
15 Royalties				
16 Occupancy	2,748,101.	2,061,076.	687,025.	0.
17 Travel	477,312.	357,984.	119,328.	0.
18 Payments of travel or entertainment expenses for any federal, state, or local public officials				
19 Conferences, conventions, and meetings	4,101,352.	3,076,014.	1,025,338.	0.
20 Interest				
21 Payments to affiliates				
22 Depreciation, depletion, and amortization				
23 Insurance				
24 Other expenses. Itemize expenses not covered above (List miscellaneous expenses on line 24e. If line 24e amount exceeds 10% of line 25, column (A) amount, list line 24e expenses on Schedule O.)				
a Misc. other	1,351,361.	1,013,521.	337,840.	0.
b Fundraising	12,170,649.	0.	0.	12,170,649.
c Membership Drive	67,501.	50,626.	16,875.	0.
d Community Service	1,213,897.	910,423.	303,474.	0.
e All other expenses				
25 **Total functional expenses.** Add lines 1 through 24e	33,700,432.	17,247,345.	4,282,438.	12,170,649.
26 **Joint costs.** Complete this line only if the organization reported in column (B) joint costs from a combined educational campaign and fundraising solicitation. Check here ▶ ☐ if following SOP 98-2 (ASC 958-720)				

Part X Balance Sheet

Check if Schedule O contains a response or note to any line in this Part X . . . . . ☐

			(A) Beginning of year		(B) End of year
Assets	1	Cash—non-interest-bearing	4,775,683.	1	5,291,799.
	2	Savings and temporary cash investments		2	
	3	Pledges and grants receivable, net		3	
	4	Accounts receivable, net		4	
	5	Loans and other receivables from any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or family member of any of these persons		5	
	6	Loans and other receivables from other disqualified persons (as defined under section 4958(f)(1)), and persons described in section 4958(c)(3)(B)		6	
	7	Notes and loans receivable, net		7	
	8	Inventories for sale or use		8	
	9	Prepaid expenses and deferred charges		9	
	10a	Land, buildings, and equipment: cost or other basis. Complete Part VI of Schedule D — 10a			
	b	Less: accumulated depreciation — 10b		10c	
	11	Investments—publicly traded securities		11	
	12	Investments—other securities. See Part IV, line 11		12	
	13	Investments—program-related. See Part IV, line 11		13	
	14	Intangible assets		14	
	15	Other assets. See Part IV, line 11		15	
	16	**Total assets.** Add lines 1 through 15 (must equal line 33)	4,775,683.	16	5,291,799.
Liabilities	17	Accounts payable and accrued expenses		17	
	18	Grants payable		18	
	19	Deferred revenue		19	
	20	Tax-exempt bond liabilities		20	
	21	Escrow or custodial account liability. Complete Part IV of Schedule D		21	
	22	Loans and other payables to any current or former officer, director, trustee, key employee, creator or founder, substantial contributor, or 35% controlled entity or family member of any of these persons		22	
	23	Secured mortgages and notes payable to unrelated third parties		23	
	24	Unsecured notes and loans payable to unrelated third parties		24	
	25	Other liabilities (including federal income tax, payables to related third parties, and other liabilities not included on lines 17–24). Complete Part X of Schedule D		25	
	26	**Total liabilities.** Add lines 17 through 25		26	
Net Assets or Fund Balances		**Organizations that follow FASB ASC 958, check here ▶ ☒ and complete lines 27, 28, 32, and 33.**			
	27	Net assets without donor restrictions	4,775,683.	27	5,291,799.
	28	Net assets with donor restrictions		28	
		Organizations that do not follow FASB ASC 958, check here ▶ ☐ and complete lines 29 through 33.			
	29	Capital stock or trust principal, or current funds		29	
	30	Paid-in or capital surplus, or land, building, or equipment fund		30	
	31	Retained earnings, endowment, accumulated income, or other funds		31	
	32	Total net assets or fund balances	4,775,683.	32	5,291,799.
	33	Total liabilities and net assets/fund balances	4,775,683.	33	5,291,799.

Part XI Reconciliation of Net Assets

Check if Schedule O contains a response or note to any line in this Part XI . . . . . ☐

1	Total revenue (must equal Part VIII, column (A), line 12)	1	23,036,846.
2	Total expenses (must equal Part IX, column (A), line 25)	2	33,700,432.
3	Revenue less expenses. Subtract line 2 from line 1	3	-10,663,586.
4	Net assets or fund balances at beginning of year (must equal Part X, line 32, column (A))	4	4,775,683.
5	Net unrealized gains (losses) on investments	5	
6	Donated services and use of facilities	6	
7	Investment expenses	7	
8	Prior period adjustments	8	
9	Other changes in net assets or fund balances (explain on Schedule O)	9	
10	Net assets or fund balances at end of year. Combine lines 3 through 9 (must equal Part X, line 32, column (B))	10	-5,887,903.

Part XII Financial Statements and Reporting

Check if Schedule O contains a response or note to any line in this Part XII . . . . . ☐

			Yes	No
1	Accounting method used to prepare the Form 990: ☒ Cash ☐ Accrual ☐ Other _____ If the organization changed its method of accounting from a prior year or checked "Other," explain in Schedule O.			
2a	Were the organization's financial statements compiled or reviewed by an independent accountant?	2a		X
	If "Yes," check a box below to indicate whether the financial statements for the year were compiled or reviewed on a separate basis, consolidated basis, or both: ☐ Separate basis ☐ Consolidated basis ☐ Both consolidated and separate basis			
b	Were the organization's financial statements audited by an independent accountant?	2b		X
	If "Yes," check a box below to indicate whether the financial statements for the year were audited on a separate basis, consolidated basis, or both: ☐ Separate basis ☐ Consolidated basis ☐ Both consolidated and separate basis			
c	If "Yes" to line 2a or 2b, does the organization have a committee that assumes responsibility for oversight of the audit, review, or compilation of its financial statements and selection of an independent accountant?	2c		
	If the organization changed either its oversight process or selection process during the tax year, explain on Schedule O.			
3a	As a result of a federal award, was the organization required to undergo an audit or audits as set forth in the Single Audit Act and OMB Circular A-133?	3a		X
b	If "Yes," did the organization undergo the required audit or audits? If the organization did not undergo the required audit or audits, explain why on Schedule O and describe any steps taken to undergo such audits	3b		

National Association for the Advancement of Colored People 23-7028846

Form 990: Return of Organization Exempt from Income Tax

Part VII: Section A (continued) Continuation Statement

Name and title	Average hours per week (list any hours for related organizations on the right)		Position C1 - Individual trustee or director C2 - Institutional trustee C3 - Officer C4 - Key employee C5 - Highest compensated employee C6 - Former						Reportable compensation from the organization (W-2/1099-MISC)	Reportable compensation from related organizations (W-2/1099-MISC)	Estimated amount of other compensation from the organization and related organizations
			C1	C2	C3	C4	C5	C6			
Tevin I. Ellis Board member	1.00		X						0.	0.	0.
Scot X. Esdaile Board member	1.00		X						0.	0.	0.
John Gaskins III Board member	1.00		X						0.	0.	0.
James Gallman Board member	1.00		X						0.	0.	0.
Jacquelyn Grant Board member	1.00		X						0.	0.	0.
George Gresham Board member	1.00		X						0.	0.	0.
Wendell J. Harris Board member	1.00		X						0.	0.	0.
Ron Hasson Board member	1.00		X						0.	0.	0.
Morandon Henry Board member	1.00		X						0.	0.	0.
Aubrey C. Hooper Board member	1.00		X						0.	0.	0.
Alice Huffman Board member	1.00		X						0.	0.	0.
Leonard James III Board member	1.00		X						0.	0.	0.
Howard Jefferson Board member	1.00		X						0.	0.	0.
Thomas L. Kalahar Board member	1.00		X						0.	0.	0.

National Association for the Advancement of Colored People 23-7028846

Form 990: Return of Organization Exempt from Income Tax

Part VII: Section A (continued) Continuation Statement

Name and title	Average hours per week (list any hours for related organizations on the right)		Position C1 - Individual trustee or director C2 - Institutional trustee C3 - Officer C4 - Key employee C5 - Highest compensated employee C6 - Former						Reportable compensation from the organization (W-2/1099-MISC)	Reportable compensation from related organizations (W-2/1099-MISC)	Estimated amount of other compensation from the organization and related organizations
			C1	C2	C3	C4	C5	C6			
Alan B. Lazowski Board member	1.00		X						0.	0.	0.
William Lucy Board member	1.00		X						0.	0.	0.
Bob Lydia Board member	1.00		X						0.	0.	0.
DeJoiry McKensie-Simmons Board member	1.00		X						0.	0.	0.
Gwen Moore Board member	1.00		X						0.	0.	0.
Helen Myers Board member	1.00		X						0.	0.	0.
Adora Obi Nweze Board member	1.00		X						0.	0.	0.
Dominique Penny Board member	1.00		X						0.	0.	0.
Rev. Dr. James C. Perkins Board member	1.00		X						0.	0.	0.
Rabbi Jonah Pesner Board member	1.00		X						0.	0.	0.
Bishop Dennis V. Proctor Board member	1.00		X						0.	0.	0.
Steven Ricard Board member	1.00		X						0.	0.	0.
Madie Robinson Board member	1.00		X						0.	0.	0.
Kyra Mitchell Ex Officio Board member	1.00		X						0.	0.	0.

National Association for the Advancement of Colored People 23-7028846

Form 990: Return of Organization Exempt from Income Tax

Part VII: Section A (continued) Continuation Statement

Name and title	Average hours per week (list any hours for related organizations on the right)		Position C1 - Individual trustee or director C2 - Institutional trustee C3 - Officer C4 - Key employee C5 - Highest compensated employee C6 - Former						Reportable compensation from the organization (W-2/1099-MISC)	Reportable compensation from related organizations (W-2/1099-MISC)	Estimated amount of other compensation from the organization and related organizations
			C1	C2	C3	C4	C5	C6			
Peter Rose Board member	1.00		X						0.	0.	0.
Anita L. Russell Board member	1.00		X						0.	0.	0.
Leon W. Russell Chairman	1.00		X						0.	0.	0.
Bernard Simelton Board member	1.00		X						0.	0.	0.
Richard Smith Board member	1.00		X						0.	0.	0.
Rev. Dr. Gina Stewart Board member	1.00		X						0.	0.	0.
Gloria Sweet-Love Board member	1.00		X						0.	0.	0.
Jesse H. Turner, Jr Treasurer	1.00		X						0.	0.	0.
Michael T. Turner Board member	1.00		X						0.	0.	0.
Ra'Vynn Water Board member	1.00		X						0.	0.	0.
Yvonne White Board member	1.00		X						0.	0.	0.
Robin Williams Board member	1.00		X						0.	0.	0.
Bishop Marvin F. Thomas, Sr. Board member	1.00		X						0.	0.	0.
Jermaine Peguese Executive Assistance	50.00		X						20,558.	0.	0.

National Association for the Advancement of Colored People 23-7028846

Form 990: Return of Organization Exempt from Income Tax

Part VII: Section A (continued) Continuation Statement

Name and title	Average hours per week (list any hours for related organizations on the right)		Position C1 - Individual trustee or director C2 - Institutional trustee C3 - Officer C4 - Key employee C5 - Highest compensated employee C6 - Former						Reportable compensation from the organization (W-2/1099-MISC)	Reportable compensation from related organizations (W-2/1099-MISC)	Estimated amount of other compensation from the organization and related organizations
			C1	C2	C3	C4	C5	C6			
Kamilia Landrum Detroit Deputy Director	50.00					X			90,000.	0.	0.
Darwin Beacham Detroit Finance Director	50.00					X			80,000.	0.	0.
Sherry Boyce Memphis Office Manager	40.00					X			17,494.	0.	0.
Ivy Morris Memphis Membership Coordinator	24.00					X			20,436.	0.	0.
Vickie Terry Memphis Executive Director	40.00					X			50,000.	0.	0.
									278,488.	**0.**	**0.**

Additional information from your Form 990: Return of Organization Exempt from Income Tax

Form 990: Return of Organization Exempt from Income Tax

Form 990, Page 2, Part III, Line 4a (continued) **Continuation Statement**

Description
The units and state conferences carry the measure and programs to America
with emphasis on discrimination in the school systems, job and housing
markets, lack of equal accesss to economic opportunities, police
brutality and other civil right violaters.

Schedule B
(Form 990, 990-EZ, or 990-PF)
Department of the Treasury
Internal Revenue Service

Schedule of Contributors

▶ **Attach to Form 990, Form 990-EZ, or Form 990-PF.**
▶ **Go to *www.irs.gov/Form990* for the latest information.**

OMB No. 1545-0047

2019

Name of the organization	**Employer identification number**
National Association for the Advancement of Colored People	23-7028846

Organization type (check one):

Filers of:	**Section:**
Form 990 or 990-EZ	☒ 501(c)(4) (enter number) organization
	☐ 4947(a)(1) nonexempt charitable trust **not** treated as a private foundation
	☐ 527 political organization
Form 990-PF	☐ 501(c)(3) exempt private foundation
	☐ 4947(a)(1) nonexempt charitable trust treated as a private foundation
	☐ 501(c)(3) taxable private foundation

Check if your organization is covered by the **General Rule** or a **Special Rule.**

Note: Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule. See instructions.

General Rule

☒ For an organization filing Form 990, 990-EZ, or 990-PF that received, during the year, contributions totaling $5,000 or more (in money or property) from any one contributor. Complete Parts I and II. See instructions for determining a contributor's total contributions.

Special Rules

☐ For an organization described in section 501(c)(3) filing Form 990 or 990-EZ that met the 33 1/3% support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi), that checked Schedule A (Form 990 or 990-EZ), Part II, line 13, 16a, or 16b, and that received from any one contributor, during the year, total contributions of the greater of **(1)** $5,000; or **(2)** 2% of the amount on (i) Form 990, Part VIII, line 1h; or (ii) Form 990-EZ, line 1. Complete Parts I and II.

☐ For an organization described in section 501(c)(7), (8), or (10) filing Form 990 or 990-EZ that received from any one contributor, during the year, total contributions of more than $1,000 *exclusively* for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals. Complete Parts I, II, and III.

☐ For an organization described in section 501(c)(7), (8), or (10) filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions *exclusively* for religious, charitable, etc., purposes, but no such contributions totaled more than $1,000. If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc., purpose. Don't complete any of the parts unless the **General Rule** applies to this organization because it received *nonexclusively* religious, charitable, etc., contributions totaling $5,000 or more during the year . . . . . ▶ $ _____

Caution: An organization that isn't covered by the General Rule and/or the Special Rules doesn't file Schedule B (Form 990, 990-EZ, or 990-PF), but it **must** answer "No" on Part IV, line 2, of its Form 990; or check the box on line H of its Form 990-EZ or on its Form 990-PF, Part I, line 2, to certify that it doesn't meet the filing requirements of Schedule B (Form 990, 990-EZ, or 990-PF).

Name of organization: National Association for the Advancement of Colored People

Employer identification number: 23-7028846

Part I **Contributors** (see instructions). Use duplicate copies of Part I if additional space is needed.

(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
1	NRG Corporation 1201 Fannin St., 5th flor Houston TX 77002	$ 5,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
2	Pfizer Inc 1201 K St., te 1010 Sacramento CA 95814	$ 5,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
3	JPMorgan Chase 1301 2nd Ave Seattle WA 98101	$ 5,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
4	Boston Red Sox 4 Jersey Street Boston MA 02215	$ 25,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
5	Eastern Bank Executive Plaza 2, 11350 McCormick Rd Ste 200 Hunt Valley MD 21031	$ 10,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
6	AAA Michigan 1 Auto Club Dr Detroit MI 48216	$ 17,500.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)

Name of organization: National Association for the Advancement of Colored People

Employer identification number: 23-7028846

Part I **Contributors** (see instructions). Use duplicate copies of Part I if additional space is needed.

(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
7	Ally Financial 500 Woodward Ave. #10 Detroit MI 48226	$ 35,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
8	Ascension 18000 W. Nine Mile Road Southfield MI 48075	$ 17,500.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
9	Stifel Foundation 391 N. Broadway Saint Louis MO 63102	$ 25,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
10	BJC 1 Barnes Jewish Hospital Plaza Saint Louis MO 63110	$ 5,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
11	Dowd Bennett 7733 Forsyth Blvd Catawissa MO 63015	$ 5,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
12	Georgia Pacific 133 Peachtree St. NE Atlanta GA 30348	$ 5,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)

Name of organization: National Association for the Advancement of Colored People

Employer identification number: 23-7028846

Part I **Contributors** (see instructions). Use duplicate copies of Part I if additional space is needed.

(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
13	Community Foundation for Greater Atlanta 191 Peachtree St Atlanta GA 30303	$ 25,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
14	Tides Foundation PO Box 29198 San Francisco CA 94129	$ 5,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
15	Cracker Barrel 307 Hartman Drive Lebon TN 27087	$ 5,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
16	One Voice/Rooms To Go 925 Revolution Mill Drive, Studio 1, Ste. 5 Rural Hall NC 27045	$ 5,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
17	Coca Cola 14185 Dallas Parkway Dallas TX 75254	$ 10,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
18	Atmos PO Box 80205 Dallas TX 75265	$ 5,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)

Name of organization: National Association for the Advancement of Colored People

Employer identification number: 23-7028846

Part I **Contributors** (see instructions). Use duplicate copies of Part I if additional space is needed.

(a) No.	(b) Name, address, and ZIP + 4	(c) Total contributions	(d) Type of contribution
19	Dominion Energy 120 Tredegar St Richmond VA 23219	$ 50,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
20	Walmart 700 SW 8th ST Bentonville AR 72712	$ 25,000.	Person ☒ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
		$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
		$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
		$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)
		$	Person ☐ Payroll ☐ Noncash ☐ (Complete Part II for noncash contributions.)

Name of organization: National Association for the Advancement of Colored People

Employer identification number: 23-7028846

Part II **Noncash Property** (see instructions). Use duplicate copies of Part II if additional space is needed.

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions.)	(d) Date received
		$	

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions.)	(d) Date received
		$	

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions.)	(d) Date received
		$	

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions.)	(d) Date received
		$	

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions.)	(d) Date received
		$	

(a) No. from Part I	(b) Description of noncash property given	(c) FMV (or estimate) (See instructions.)	(d) Date received
		$	

Name of organization: National Association for the Advancement of Colored People

Employer identification number: 23-7028846

Part III ***Exclusively*** **religious, charitable, etc., contributions to organizations described in section 501(c)(7), (8), or (10) that total more than $1,000 for the year from any one contributor.** Complete columns **(a)** through **(e) and** the following line entry. For organizations completing Part III, enter the total of *exclusively* religious, charitable, etc., contributions of **$1,000 or less** for the year. (Enter this information once. See instructions.) ▶ $

Use duplicate copies of Part III if additional space is needed.

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held

(e) Transfer of gift

Transferee's name, address, and ZIP + 4	Relationship of transferor to transferee

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held

(e) Transfer of gift

Transferee's name, address, and ZIP + 4	Relationship of transferor to transferee

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held

(e) Transfer of gift

Transferee's name, address, and ZIP + 4	Relationship of transferor to transferee

(a) No. from Part I	(b) Purpose of gift	(c) Use of gift	(d) Description of how gift is held

(e) Transfer of gift

Transferee's name, address, and ZIP + 4	Relationship of transferor to transferee

SCHEDULE C
(Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Political Campaign and Lobbying Activities

For Organizations Exempt From Income Tax Under section 501(c) and section 527

▶ **Complete if the organization is described below.** ▶ **Attach to Form 990 or Form 990-EZ.**
▶ **Go to *www.irs.gov/Form990* for instructions and the latest information.**

OMB No. 1545-0047

2019

Open to Public Inspection

If the organization answered "Yes," on Form 990, Part IV, line 3, or Form 990-EZ, Part V, line 46 (Political Campaign Activities), then

- Section 501(c)(3) organizations: Complete Parts I-A and B. Do not complete Part I-C.
- Section 501(c) (other than section 501(c)(3)) organizations: Complete Parts I-A and C below. Do not complete Part I-B.
- Section 527 organizations: Complete Part I-A only.

If the organization answered "Yes," on Form 990, Part IV, line 4, or Form 990-EZ, Part VI, line 47 (Lobbying Activities), then

- Section 501(c)(3) organizations that have filed Form 5768 (election under section 501(h)): Complete Part II-A. Do not complete Part II-B.
- Section 501(c)(3) organizations that have NOT filed Form 5768 (election under section 501(h)): Complete Part II-B. Do not complete Part II-A.

If the organization answered "Yes," on Form 990, Part IV, line 5 (Proxy Tax) (see separate instructions) or Form 990-EZ, Part V, line 35c (Proxy Tax) (see separate instructions), then

- Section 501(c)(4), (5), or (6) organizations: Complete Part III.

Name of organization	**Employer identification number**
National Association for the Advancement of Colored People	23-7028846

Part I-A Complete if the organization is exempt under section 501(c) or is a section 527 organization.

1 Provide a description of the organization's direct and indirect political campaign activities in Part IV. (see instructions for definition of "political campaign activities")

2 Political campaign activity expenditures (see instructions) . . . . . ▶ $

3 Volunteer hours for political campaign activities (see instructions) . . . . . .

Part I-B Complete if the organization is exempt under section 501(c)(3).

1 Enter the amount of any excise tax incurred by the organization under section 4955 . . . . ▶ $

2 Enter the amount of any excise tax incurred by organization managers under section 4955 . . ▶ $

3 If the organization incurred a section 4955 tax, did it file Form 4720 for this year? . . . . . ☐ **Yes** ☐ **No**

4a Was a correction made? . . . . . ☐ **Yes** ☐ **No**

b If "Yes," describe in Part IV.

Part I-C Complete if the organization is exempt under section 501(c), except section 501(c)(3).

1 Enter the amount directly expended by the filing organization for section 527 exempt function activities . . . . . ▶ $

2 Enter the amount of the filing organization's funds contributed to other organizations for section 527 exempt function activities . . . . . ▶ $

3 Total exempt function expenditures. Add lines 1 and 2. Enter here and on Form 1120-POL, line 17b . . . . . ▶ $

4 Did the filing organization file **Form 1120-POL** for this year? . . . . . ☐ **Yes** ☐ **No**

5 Enter the names, addresses and employer identification number (EIN) of all section 527 political organizations to which the filing organization made payments. For each organization listed, enter the amount paid from the filing organization's funds. Also enter the amount of political contributions received that were promptly and directly delivered to a separate political organization, such as a separate segregated fund or a political action committee (PAC). If additional space is needed, provide information in Part IV.

	(a) Name	**(b)** Address	**(c)** EIN	**(d)** Amount paid from filing organization's funds. If none, enter -0-.	**(e)** Amount of political contributions received and promptly and directly delivered to a separate political organization. If none, enter -0-.
(1)					
(2)					
(3)					
(4)					
(5)					
(6)					

For Paperwork Reduction Act Notice, see the Instructions for Form 990 or 990-EZ.

Part II-A **Complete if the organization is exempt under section 501(c)(3) and filed Form 5768 (election under section 501(h)).**

A Check ▶ ☐ if the filing organization belongs to an affiliated group (and list in Part IV each affiliated group member's name, address, EIN, expenses, and share of excess lobbying expenditures).

B Check ▶ ☐ if the filing organization checked box A and "limited control" provisions apply.

Limits on Lobbying Expenditures (The term "expenditures" means amounts paid or incurred.)	**(a)** Filing organization's totals	**(b)** Affiliated group totals
1a Total lobbying expenditures to influence public opinion (grassroots lobbying)		
b Total lobbying expenditures to influence a legislative body (direct lobbying)		
c Total lobbying expenditures (add lines 1a and 1b)		
d Other exempt purpose expenditures		
e Total exempt purpose expenditures (add lines 1c and 1d)		
f Lobbying nontaxable amount. Enter the amount from the following table in both columns.		
g Grassroots nontaxable amount (enter 25% of line 1f)		
h Subtract line 1g from line 1a. If zero or less, enter -0-		
i Subtract line 1f from line 1c. If zero or less, enter -0-		

If the amount on line 1e, column (a) or (b) is:	**The lobbying nontaxable amount is:**
Not over $500,000	20% of the amount on line 1e.
Over $500,000 but not over $1,000,000	$100,000 plus 15% of the excess over $500,000.
Over $1,000,000 but not over $1,500,000	$175,000 plus 10% of the excess over $1,000,000.
Over $1,500,000 but not over $17,000,000	$225,000 plus 5% of the excess over $1,500,000.
Over $17,000,000	$1,000,000.

j If there is an amount other than zero on either line 1h or line 1i, did the organization file Form 4720 reporting section 4911 tax for this year? ☐ **Yes** ☐ **No**

4-Year Averaging Period Under Section 501(h)
(Some organizations that made a section 501(h) election do not have to complete all of the five columns below. See the separate instructions for lines 2a through 2f.)

Lobbying Expenditures During 4-Year Averaging Period

Calendar year (or fiscal year beginning in)	**(a)** 2016	**(b)** 2017	**(c)** 2018	**(d)** 2019	**(e)** Total
2a Lobbying nontaxable amount					
b Lobbying ceiling amount (150% of line 2a, column (e))					
c Total lobbying expenditures					
d Grassroots nontaxable amount					
e Grassroots ceiling amount (150% of line 2d, column (e))					
f Grassroots lobbying expenditures					

Part II-B **Complete if the organization is exempt under section 501(c)(3) and has NOT filed Form 5768 (election under section 501(h)).**

For each "Yes" response on lines 1a through 1i below, provide in Part IV a detailed description of the lobbying activity.		(a) Yes	(a) No	(b) Amount
1	During the year, did the filing organization attempt to influence foreign, national, state, or local legislation, including any attempt to influence public opinion on a legislative matter or referendum, through the use of:			
a	Volunteers?			
b	Paid staff or management (include compensation in expenses reported on lines 1c through 1i)?			
c	Media advertisements?			
d	Mailings to members, legislators, or the public?			
e	Publications, or published or broadcast statements?			
f	Grants to other organizations for lobbying purposes?			
g	Direct contact with legislators, their staffs, government officials, or a legislative body?			
h	Rallies, demonstrations, seminars, conventions, speeches, lectures, or any similar means?			
i	Other activities?			
j	Total. Add lines 1c through 1i			
2a	Did the activities in line 1 cause the organization to be not described in section 501(c)(3)?			
b	If "Yes," enter the amount of any tax incurred under section 4912			
c	If "Yes," enter the amount of any tax incurred by organization managers under section 4912			
d	If the filing organization incurred a section 4912 tax, did it file Form 4720 for this year?			

Part III-A **Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6).**

			Yes	No
1	Were substantially all (90% or more) dues received nondeductible by members?	1	X	
2	Did the organization make only in-house lobbying expenditures of $2,000 or less?	2		X
3	Did the organization agree to carry over lobbying and political campaign activity expenditures from the prior year?	3		X

Part III-B **Complete if the organization is exempt under section 501(c)(4), section 501(c)(5), or section 501(c)(6) and if either (a) BOTH Part III-A, lines 1 and 2, are answered "No" OR (b) Part III-A, line 3, is answered "Yes."**

1	Dues, assessments and similar amounts from members	1	
2	Section 162(e) nondeductible lobbying and political expenditures **(do not include amounts of political expenses for which the section 527(f) tax was paid).**		
a	Current year	2a	
b	Carryover from last year	2b	
c	Total	2c	
3	Aggregate amount reported in section 6033(e)(1)(A) notices of nondeductible section 162(e) dues	3	
4	If notices were sent and the amount on line 2c exceeds the amount on line 3, what portion of the excess does the organization agree to carryover to the reasonable estimate of nondeductible lobbying and political expenditure next year?	4	
5	Taxable amount of lobbying and political expenditures (see instructions)	5	

Part IV **Supplemental Information**

Provide the descriptions required for Part I-A, line 1; Part I-B, line 4; Part I-C, line 5; Part II-A (affiliated group list); Part II-A, lines 1 and 2 (see instructions); and Part II-B, line 1. Also, complete this part for any additional information.

Part IV **Supplemental Information** *(continued)*

SCHEDULE G (Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Supplemental Information Regarding Fundraising or Gaming Activities

Complete if the organization answered "Yes" on Form 990, Part IV, line 17, 18, or 19, or if the organization entered more than $15,000 on Form 990-EZ, line 6a.

▶ Attach to Form 990 or Form 990-EZ.

▶ Go to *www.irs.gov/Form990* for instructions and the latest information.

OMB No. 1545-0047

2019

Open to Public Inspection

Name of the organization: National Association for the Advancement of Colored People

Employer identification number: 23-7028846

Part I **Fundraising Activities.** Complete if the organization answered "Yes" on Form 990, Part IV, line 17. Form 990-EZ filers are not required to complete this part.

1 Indicate whether the organization raised funds through any of the following activities. Check all that apply.

- **a** ☐ Mail solicitations
- **b** ☐ Internet and email solicitations
- **c** ☐ Phone solicitations
- **d** ☐ In-person solicitations
- **e** ☐ Solicitation of non-government grants
- **f** ☐ Solicitation of government grants
- **g** ☐ Special fundraising events

2a Did the organization have a written or oral agreement with any individual (including officers, directors, trustees, or key employees listed in Form 990, Part VII) or entity in connection with professional fundraising services? ☐ **Yes** ☐ **No**

b If "Yes," list the 10 highest paid individuals or entities (fundraisers) pursuant to agreements under which the fundraiser is to be compensated at least $5,000 by the organization.

	(i) Name and address of individual or entity (fundraiser)	**(ii)** Activity	**(iii)** Did fundraiser have custody or control of contributions?		**(iv)** Gross receipts from activity	**(v)** Amount paid to (or retained by) fundraiser listed in col. **(i)**	**(vi)** Amount paid to (or retained by) organization
			Yes	**No**			
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
Total . . . . . ▶							

3 List all states in which the organization is registered or licensed to solicit contributions or has been notified it is exempt from registration or licensing.

Part II **Fundraising Events.** Complete if the organization answered "Yes" on Form 990, Part IV, line 18, or reported more than $15,000 of fundraising event contributions and gross income on Form 990-EZ, lines 1 and 6b. List events with gross receipts greater than $5,000.

		(a) Event #1 Freedom Fund (event type)	(b) Event #2 (event type)	(c) Other events NONE (total number)	(d) Total events (add col. (a) through col. (c))
Revenue	1 Gross receipts	14,254,086.			14,254,086.
	2 Less: Contributions				
	3 Gross income (line 1 minus line 2)	14,254,086.			14,254,086.
Direct Expenses	4 Cash prizes				
	5 Noncash prizes				
	6 Rent/facility costs				
	7 Food and beverages				
	8 Entertainment				
	9 Other direct expenses	12,170,649.			12,170,649.
	10 Direct expense summary. Add lines 4 through 9 in column (d) ▶				12,170,649.
	11 Net income summary. Subtract line 10 from line 3, column (d) ▶				2,083,437.

Part III **Gaming.** Complete if the organization answered "Yes" on Form 990, Part IV, line 19, or reported more than $15,000 on Form 990-EZ, line 6a.

		(a) Bingo	(b) Pull tabs/instant bingo/progressive bingo	(c) Other gaming	(d) Total gaming (add col. (a) through col. (c))
Revenue	1 Gross revenue				
Direct Expenses	2 Cash prizes				
	3 Noncash prizes				
	4 Rent/facility costs				
	5 Other direct expenses				
	6 Volunteer labor	☐ Yes ☐ No %	☐ Yes ☐ No %	☐ Yes ☐ No %	
	7 Direct expense summary. Add lines 2 through 5 in column (d) ▶				
	8 Net gaming income summary. Subtract line 7 from line 1, column (d) ▶				

9 Enter the state(s) in which the organization conducts gaming activities: _____

a Is the organization licensed to conduct gaming activities in each of these states? ☐ Yes ☐ No

b If "No," explain: _____

10a Were any of the organization's gaming licenses revoked, suspended, or terminated during the tax year? ☐ Yes ☐ No

b If "Yes," explain: _____

11 Does the organization conduct gaming activities with nonmembers? . . . . . ☐ **Yes** ☐ **No**

12 Is the organization a grantor, beneficiary or trustee of a trust, or a member of a partnership or other entity formed to administer charitable gaming? . . . . . ☐ **Yes** ☐ **No**

13 Indicate the percentage of gaming activity conducted in:

a	The organization's facility	**13a**	%
b	An outside facility	**13b**	%

14 Enter the name and address of the person who prepares the organization's gaming/special events books and records:

Name ▶ _____

Address ▶ _____

15a Does the organization have a contract with a third party from whom the organization receives gaming revenue? . . . . . ☐ **Yes** ☐ **No**

b If "Yes," enter the amount of gaming revenue received by the organization ▶ $ _____ and the amount of gaming revenue retained by the third party ▶ $ _____

c If "Yes," enter name and address of the third party:

Name ▶ _____

Address ▶ _____

16 Gaming manager information:

Name ▶ _____

Gaming manager compensation ▶ $ _____

Description of services provided ▶ _____

☐ Director/officer ☐ Employee ☐ Independent contractor

17 Mandatory distributions:

a Is the organization required under state law to make charitable distributions from the gaming proceeds to retain the state gaming license? . . . . . ☐ **Yes** ☐ **No**

b Enter the amount of distributions required under state law to be distributed to other exempt organizations or spent in the organization's own exempt activities during the tax year ▶ $

Part IV **Supplemental Information.** Provide the explanations required by Part I, line 2b, columns (iii) and (v); and Part III, lines 9, 9b, 10b, 15b, 15c, 16, and 17b, as applicable. Also provide any additional information. See instructions.

SCHEDULE I (Form 990)

Department of the Treasury
Internal Revenue Service

Grants and Other Assistance to Organizations, Governments, and Individuals in the United States

Complete if the organization answered "Yes" on Form 990, Part IV, line 21 or 22.

▶ **Attach to Form 990.**

▶ **Go to *www.irs.gov/Form990* for the latest information.**

OMB No. 1545-0047

2019

Open to Public Inspection

Name of the organization: National Association for the Advancement of Colored People

Employer identification number: 23-7028846

Part I General Information on Grants and Assistance

1 Does the organization maintain records to substantiate the amount of the grants or assistance, the grantees' eligibility for the grants or assistance, and the selection criteria used to award the grants or assistance? . . . . . ☒ **Yes** ☐ **No**

2 Describe in Part IV the organization's procedures for monitoring the use of grant funds in the United States.

Part II Grants and Other Assistance to Domestic Organizations and Domestic Governments.

Complete if the organization answered "Yes" on Form 990, Part IV, line 21, for any recipient that received more than $5,000. Part II can be duplicated if additional space is needed.

1 **(a)** Name and address of organization or government	**(b)** EIN	**(c)** IRC section (if applicable)	**(d)** Amount of cash grant	**(e)** Amount of non-cash assistance	**(f)** Method of valuation (book, FMV, appraisal, other)	**(g)** Description of noncash assistance	**(h)** Purpose of grant or assistance
(1)							
(2)							
(3)							
(4)							
(5)							
(6)							
(7)							
(8)							
(9)							
(10)							
(11)							
(12)							

2 Enter total number of section 501(c)(3) and government organizations listed in the line 1 table . . . . . ▶

3 Enter total number of other organizations listed in the line 1 table . . . . . ▶

For Paperwork Reduction Act Notice, see the Instructions for Form 990.

Part III **Grants and Other Assistance to Domestic Individuals.** Complete if the organization answered "Yes" on Form 990, Part IV, line 22. Part III can be duplicated if additional space is needed.

(a) Type of grant or assistance	(b) Number of recipients	(c) Amount of cash grant	(d) Amount of noncash assistance	(e) Method of valuation (book, FMV, appraisal, other)	(f) Description of noncash assistance
1 Scholarships for education	2,200	4,400,028.			
2					
3					
4					
5					
6					
7					

Part IV **Supplemental Information.** Provide the information required in Part I, line 2; Part III, column (b); and any other additional information.

Pt III, col (b): This amount is an estimated number based on the amount of NAACP units that have active ACT-SO programs.

Pt I Line 2: All NAACP units that have active ACT-SO programs are required to have ACT-SO committees. Those committees are charged with monitoring the use of the ACT-SO grants that they give out.

SCHEDULE O (Form 990 or 990-EZ)

Department of the Treasury
Internal Revenue Service

Supplemental Information to Form 990 or 990-EZ

Complete to provide information for responses to specific questions on Form 990 or 990-EZ or to provide any additional information.

▶ **Attach to Form 990 or 990-EZ.**
▶ **Go to *www.irs.gov/Form990* for the latest information.**

OMB No. 1545-0047

2019

Open to Public Inspection

Name of the organization	Employer identification number
National Association for the Advancement of Colored People	23-7028846

Pt VI, Line 11b: The Annual Group return is presented to the Audit Committee prior to being filed with the IRS

Pt VI, Line 12c: For the 2019 Group filing all units were required to submit an Annual Financial Report by March 1, 2020. Failure to submit a report resulted in the suspension of the unit's elected officers, all of whom are required to be certified for having attended mandatory training. The mandatory training incorporates NAACP's established guidelines, rules, and regulations, including financial policies and procedures. All units are required to conduct self audits on the annual basis and the National NAACP conducts audits of selected NAACP units to ensure that all units are operating within the guidelines established by the National office,

Pt VI, Line 19: All governing documents, conflicts of interest policy, and financial statements are made available upon request.

Pt VI, Line 6: All units are comprised of members.

Pt VI, Line 7a: All unit's members vote, every two (2) years, for the officers of their respective units.

Pt VI, Line 7b: All governance is provided to the units via the National office bylaws and the NAACP uniform bookkeeping guide.

SCHEDULE R (Form 990)

Department of the Treasury
Internal Revenue Service

Related Organizations and Unrelated Partnerships

▶ Complete if the organization answered "Yes" on Form 990, Part IV, line 33, 34, 35b, 36, or 37.
▶ Attach to Form 990.
▶ Go to *www.irs.gov/Form990* for instructions and the latest information.

OMB No. 1545-0047

2019

Open to Public Inspection

Name of the organization: National Association for the Advancement of Colored People

Employer identification number: 23-7028846

Part I **Identification of Disregarded Entities.** Complete if the organization answered "Yes" on Form 990, Part IV, line 33.

(a) Name, address, and EIN (if applicable) of disregarded entity	(b) Primary activity	(c) Legal domicile (state or foreign country)	(d) Total income	(e) End-of-year assets	(f) Direct controlling entity
(1)					
(2)					
(3)					
(4)					
(5)					
(6)					

Part II **Identification of Related Tax-Exempt Organizations.** Complete if the organization answered "Yes" on Form 990, Part IV, line 34, because it had one or more related tax-exempt organizations during the tax year.

(a) Name, address, and EIN of related organization	(b) Primary activity	(c) Legal domicile (state or foreign country)	(d) Exempt Code section	(e) Public charity status (if section 501(c)(3))	(f) Direct controlling entity	(g) Section 512(b)(13) controlled entity? Yes	No
(1) National Assocaiton for the Advancement of Colored People 13-1084135 4805 Mount Hope Drive Baltimore MD 21215	Civil rights	MD	501 c 3	170(b)(1)(a)(vi)	na		X
(2)							
(3)							
(4)							
(5)							
(6)							
(7)							

Part III **Identification of Related Organizations Taxable as a Partnership.** Complete if the organization answered "Yes" on Form 990, Part IV, line 34, because it had one or more related organizations treated as a partnership during the tax year.

(a) Name, address, and EIN of related organization	(b) Primary activity	(c) Legal domicile (state or foreign country)	(d) Direct controlling entity	(e) Predominant income (related, unrelated, excluded from tax under sections 512—514)	(f) Share of total income	(g) Share of end-of-year assets	(h) Disproportionate allocations?		(i) Code V—UBI amount in box 20 of Schedule K-1 (Form 1065)	(j) General or managing partner?		(k) Percentage ownership
							Yes	No		Yes	No	
(1)												
(2)												
(3)												
(4)												
(5)												
(6)												
(7)												

Part IV **Identification of Related Organizations Taxable as a Corporation or Trust.** Complete if the organization answered "Yes" on Form 990, Part IV, line 34, because it had one or more related organizations treated as a corporation or trust during the tax year.

(a) Name, address, and EIN of related organization	(b) Primary activity	(c) Legal domicile (state or foreign country)	(d) Direct controlling entity	(e) Type of entity (C corp, S corp, or trust)	(f) Share of total income	(g) Share of end-of-year assets	(h) Percentage ownership	(i) Section 512(b)(13) controlled entity?	
								Yes	No
(1)									
(2)									
(3)									
(4)									
(5)									
(6)									
(7)									

Part V **Transactions With Related Organizations.** Complete if the organization answered "Yes" on Form 990, Part IV, line 34, 35b, or 36.

Note: Complete line 1 if any entity is listed in Parts II, III, or IV of this schedule.

			Yes	No
1	During the tax year, did the organization engage in any of the following transactions with one or more related organizations listed in Parts II–IV?			
a	Receipt of **(i)** interest, **(ii)** annuities, **(iii)** royalties, or **(iv)** rent from a controlled entity	**1a**		×
b	Gift, grant, or capital contribution to related organization(s)	**1b**		×
c	Gift, grant, or capital contribution from related organization(s)	**1c**		×
d	Loans or loan guarantees to or for related organization(s)	**1d**		×
e	Loans or loan guarantees by related organization(s)	**1e**		×
f	Dividends from related organization(s)	**1f**		×
g	Sale of assets to related organization(s)	**1g**		×
h	Purchase of assets from related organization(s)	**1h**		×
i	Exchange of assets with related organization(s)	**1i**		×
j	Lease of facilities, equipment, or other assets to related organization(s)	**1j**		×
k	Lease of facilities, equipment, or other assets from related organization(s)	**1k**		×
l	Performance of services or membership or fundraising solicitations for related organization(s)	**1l**		×
m	Performance of services or membership or fundraising solicitations by related organization(s)	**1m**		×
n	Sharing of facilities, equipment, mailing lists, or other assets with related organization(s)	**1n**		×
o	Sharing of paid employees with related organization(s)	**1o**		×
p	Reimbursement paid to related organization(s) for expenses	**1p**		×
q	Reimbursement paid by related organization(s) for expenses	**1q**		×
r	Other transfer of cash or property to related organization(s)	**1r**		×
s	Other transfer of cash or property from related organization(s)	**1s**		×

2 If the answer to any of the above is "Yes," see the instructions for information on who must complete this line, including covered relationships and transaction thresholds.

	(a) Name of related organization	**(b)** Transaction type (a—s)	**(c)** Amount involved	**(d)** Method of determining amount involved
(1)				
(2)				
(3)				
(4)				
(5)				
(6)				

Part VI **Unrelated Organizations Taxable as a Partnership.** Complete if the organization answered "Yes" on Form 990, Part IV, line 37.

Provide the following information for each entity taxed as a partnership through which the organization conducted more than five percent of its activities (measured by total assets or gross revenue) that was not a related organization. See instructions regarding exclusion for certain investment partnerships.

(a) Name, address, and EIN of entity	(b) Primary activity	(c) Legal domicile (state or foreign country)	(d) Predominant income (related, unrelated, excluded from tax under sections 512—514)	(e) Are all partners section 501(c)(3) organizations?		(f) Share of total income	(g) Share of end-of-year assets	(h) Disproportionate allocations?		(i) Code V—UBI amount in box 20 of Schedule K-1 (Form 1065)	(j) General or managing partner?		(k) Percentage ownership
				Yes	No			Yes	No		Yes	No	
(1)													
(2)													
(3)													
(4)													
(5)													
(6)													
(7)													
(8)													
(9)													
(10)													
(11)													
(12)													
(13)													
(14)													
(15)													
(16)													

Part VII **Supplemental Information**

Provide additional information for responses to questions on Schedule R. See instructions.

Form **8879-EO**

Department of the Treasury
Internal Revenue Service

IRS *e-file* Signature Authorization for an Exempt Organization

For calendar year 2019, or fiscal year beginning _____, 2019, and ending _____, 20____

▶ **Do not send to the IRS. Keep for your records.**
▶ **Go to *www.irs.gov/Form8879EO* for the latest information.**

OMB No. 1545-1878

2019

Name of exempt organization: National Association for the Advancement of Colored People

Employer identification number: 23-7028846

Name and title of officer: Junko Kobayashi, Interim Chief Financial Officer

Part I Type of Return and Return Information (Whole Dollars Only)

Check the box for the return for which you are using this Form 8879-EO and enter the applicable amount, if any, from the return. If you check the box on line **1a, 2a, 3a, 4a,** or **5a,** below, and the amount on that line for the return being filed with this form was blank, then leave line **1b, 2b, 3b, 4b,** or **5b,** whichever is applicable, blank (do not enter -0-). But, if you entered -0- on the return, then enter -0- on the applicable line below. **Do not** complete more than one line in Part I.

1a Form 990 check here ▶ ☒	**b Total revenue,** if any (Form 990, Part VIII, column (A), line 12)	**1b**	23,036,846.
2a Form 990-EZ check here ▶ ☐	**b Total revenue,** if any (Form 990-EZ, line 9)	**2b**	
3a Form 1120-POL check here ▶ ☐	**b Total tax** (Form 1120-POL, line 22)	**3b**	
4a Form 990-PF check here ▶ ☐	**b Tax based on investment income** (Form 990-PF, Part VI, line 5)	**4b**	
5a Form 8868 check here ▶ ☐	**b Balance Due** (Form 8868, line 3c)	**5b**	

Part II Declaration and Signature Authorization of Officer

Under penalties of perjury, I declare that I am an officer of the above organization and that I have examined a copy of the organization's 2019 electronic return and accompanying schedules and statements and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that the amount in Part I above is the amount shown on the copy of the organization's electronic return. I consent to allow my intermediate service provider, transmitter, or electronic return originator (ERO) to send the organization's return to the IRS and to receive from the IRS **(a)** an acknowledgement of receipt or reason for rejection of the transmission, **(b)** the reason for any delay in processing the return or refund, and **(c)** the date of any refund. If applicable, I authorize the U.S. Treasury and its designated Financial Agent to initiate an electronic funds withdrawal (direct debit) entry to the financial institution account indicated in the tax preparation software for payment of the organization's federal taxes owed on this return, and the financial institution to debit the entry to this account. To revoke a payment, I must contact the U.S. Treasury Financial Agent at 1-888-353-4537 no later than 2 business days prior to the payment (settlement) date. I also authorize the financial institutions involved in the processing of the electronic payment of taxes to receive confidential information necessary to answer inquiries and resolve issues related to the payment. I have selected a personal identification number (PIN) as my signature for the organization's electronic return and, if applicable, the organization's consent to electronic funds withdrawal.

Officer's PIN: check one box only

☐ I authorize _____ to enter my PIN ☐☐☐☐☐ as my signature
ERO firm name — **Enter five numbers, but do not enter all zeros**

on the organization's tax year 2019 electronically filed return. If I have indicated within this return that a copy of the return is being filed with a state agency(ies) regulating charities as part of the IRS Fed/State program, I also authorize the aforementioned ERO to enter my PIN on the return's disclosure consent screen.

☒ As an officer of the organization, I will enter my PIN as my signature on the organization's tax year 2019 electronically filed return. If I have indicated within this return that a copy of the return is being filed with a state agency(ies) regulating charities as part of the IRS Fed/State program, I will enter my PIN on the return's disclosure consent screen.

Officer's signature ▶ Date ▶ 11/12/2020

Part III Certification and Authentication

ERO's EFIN/PIN. Enter your six-digit electronic filing identification number (EFIN) followed by your five-digit self-selected PIN.

5	2	3	2	0	9	2	3	7	0	2

Do not enter all zeros

I certify that the above numeric entry is my PIN, which is my signature on the 2019 electronically filed return for the organization indicated above. I confirm that I am submitting this return in accordance with the requirements of **Pub. 4163,** Modernized e-File (MeF) Information for Authorized IRS *e-file* Providers for Business Returns.

ERO's signature ▶ _____ Date ▶ _____

ERO Must Retain This Form — See Instructions
Do Not Submit This Form to the IRS Unless Requested To Do So

For Paperwork Reduction Act Notice, see back of form. BAA REV 10/27/20 PRO Form **8879-EO** (2019)

EXHIBIT

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[NAACP]

The Association was incorporated under the laws of the State of New York on May 25, 1911.

The following are the articles of incorporation:

THE ARTICLES OF INCORPORATION

We, the undersigned, being of full age and desirous of associating ourselves together for the purpose herein below specified, pursuant to and in conformity with the Acts of the Legislature of the State of New York relating to membership corporations, do hereby certify and declare that we are of full age and two-thirds of us citizens and residents of the United States and residents of the State of New York, and further as follows:

That the principal objects for which the corporation is formed are voluntarily to promote equality of rights and eradicate caste or race prejudice among the citizens of the United States; to advance the interests of colored citizens; to secure for them impartial suffrage; and to increase their opportunities for securing justice in the courts, education for their children, employment according to their ability, and complete equality before the law.

To ascertain and publish all facts bearing upon these subjects and to take any lawful action thereon; together with any and all things which may lawfully be done by a membership corporation organized under the laws of the State of New York for the further advancement of these objects.

To take, receive, hold, convey, mortgage or assign all such real estate and personal property as may be necessary for the purposes of the corporation.

The corporate name by which the corporation shall be known is NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE.

The territory in which the operations of the corporation are principally to be conducted shall be the United States of America.

The principal office of the corporation and the center of its operations shall be in the City, County and State of New York, but the directors may establish branch or auxiliary offices elsewhere in the United States for the purpose of carrying on the work of the corporation, each to be managed by its local organization under such powers as lawfully may be prescribed in the by-laws of the corporation.

The principal office of the corporation shall be in the Borough of Manhattan, in the City, County and State of New York.

The number of directors of the corporation shall be thirty.

The names of the persons to be directors of the corporation until its first annual meeting are as follows:

Mr. Moorfield Storey, Mr. John E. Milholland, Bishop Alexander Walters, Mr. Oswald Garrison Villard, Mr. Walter E. Sachs, Dr. William E. B. DuBois, Miss Mary White Ovington, Rev. William H. Brooks, Dr. John Lovejoy Elliott, Mr. Thomas Ewing, Jr., Rev. John Haynes Holmes, Mrs. Florence Kelley, Mr. P. Kennaday, Mrs. Frances R. Keyser, Mrs. Mary D. Maclean, Rev. A. Clayton Powell, Mr. Charles Edward Russell, Prof. Joel E. Spingarn, Miss Lillian D. Wald, Mr. William English Walling, Dr. Owen M. Waller, Mr. W. I. Bulkley, Mr. Albert E. Pillsbury, Miss Jane Addams, Mrs. Ida Wells Barnett, Dr. Charles E. Bentley, Dr. Noah F. Mossell, Dr. William A. Sinclair, Mrs. Mary Church Terrell, Rev. J. Milton Waldron.

The annual meeting of the corporation shall be held on the first Monday of January in each year.

In Testimony Whereof, we have made and signed this certificate in duplicate and have hereunto set our hands and affixed our respective seals this 25th day of May, 1911.

W. E. B. DuBois
John Haynes Holmes
Oswald Garrison Villard
Walter E. Sachs
Mary White Ovington

47-1-47

Control Number : 19082609

STATE OF GEORGIA

Secretary of State

Corporations Division
313 West Tower
2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

CERTIFICATE OF AUTHORITY

I, **Brad Raffensperger**, the Secretary of State and the Corporation Commissioner of the State of Georgia, hereby certify under the seal of my office that

National Association for the Advancement of Colored People Inc.
a **Foreign Nonprofit Corporation**

has been duly formed under the laws of **Delaware** and has filed an application meeting the requirements of Georgia law to transact business as a **Foreign Nonprofit Corporation** in this state.

WHEREFORE, by the authority vested in me as Secretary of State, the above **Foreign Nonprofit Corporation** is hereby granted, on **06/12/2019**, a certificate of authority to transact business in the State of Georgia as provided by Title 14 of the Official Code of Georgia Annotated. Attached hereto is a true and correct copy of said application.

WITNESS my hand and official seal in the City of Atlanta and the State of Georgia on **06/17/2019**.

Brad Raffensperger
Secretary of State

EXHIBIT
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Secretary of State

OFFICE OF SECRETARY OF STATE
CORPORATIONS DIVISION
2 Martin Luther King Jr. Dr. SE
Suite 313 West Tower
Atlanta, Georgia 30334
(404) 656-2817
sos.georgia.gov/corporations

2019 JUN 17 PM 3:01
SECRETARY OF STATE
CORPORATIONS DIVISION

APPLICATION FOR CERTIFICATE OF AUTHORITY FOR FOREIGN PROFIT OR NONPROFIT CORPORATION

IMPORTANT: Please provide the entity's primary email address when completing this form.
Primary Email Address: lross@naacpnet.org

NOTICE TO APPLICANT: PRINT PLAINLY OR TYPE REMAINDER OF THIS FORM

1. National Association for the Advancement of Colored People Inc.
Name of Corporation — Name Reservation Number (Optional)

Date business commenced (or proposed to commence) in Georgia: upon filing
(NOTE: (1) Profit Corporations: If the date provided here is more than 30 days prior to the effective date of this application, a $500 penalty must be paid. Penalty is statutory and cannot be waived by Secretary of State. (2) Nonprofit Corporations: There is no late filing penalty.)

2. Lanita Ross
Name of Filing Person
4805 Mt. Hope Drive — Baltimore — MD — 21215
Address — City — State — Zip Code
lross@naacpnet.org — 410-580-5795
Filer's Email Address — Telephone Number

3. 4805 Mt. Hope Drive Baltimore, Maryland 21215
Principal Office Mailing Address (may be P.O. Box) — City — State — Zip Code

4. Cogency Global Inc. — orders@axisresearch.com
Name of Registered Agent in Georgia — Registered Agent's Email Address
900 Old Roswell Lakes Parkway Suite 310
Registered Office Street Address in Georgia (post office box or mail drop not acceptable for registered office address)
Roswell — Fulton — GA — 30076
City — County — State — Zip Code

5. National Association for the Advancement of Colored People
Corporation's Name in State or Country of Incorporation (Must match name on certificate of existence)

Check ONE: ☐ PROFIT ☑ NONPROFIT | Jurisdiction (Home State or Country): Delaware | Date of Incorporation in Home Jurisdiction: 03/06/2019

6.

Derrick Johnson	4805 Mt. Hope Drive	Baltimore	MD	21215
Officer / CEO	Address	City	State	Zip Code
Robert Billups	4805 Mt. Hope Drive	Baltimore	MD	21215
Officer / CFO	Address	City	State	Zip Code
Bradford M. Berry	4805 Mt. Hope Drive	Baltimore	MD	21215
Officer / Secretary	Address	City	State	Zip Code

7. Effective Date: (Choose one) ☑ Upon filing ☐ Delayed effective date and/or time: _____
(A delayed effective date must be within 90 days of the filing date.)

8. NOTICE: Mail the following items to the Secretary of State at the above address.
(1) This application;
(2) An ORIGINAL certificate of existence or good standing, not more than 90 days old, certified by the home state or country. (Certificate from home state may not be more than 90 days old; copy of articles of incorporation from home state should NOT be submitted.); and
(3) Filing fee of $225.00 payable to Secretary of State.* Filing fees are non-refundable.
(4) If applicable, copy of resolution of the board of directors, certified by corporation's secretary, adopting a fictitious or trade name.

Signature of Authorized Person — Date: 06/05/2019
Bradford M. Berry — Print name
Secretary — Title

FORM 236
(Rev. 10/2018)

Delaware

The First State

I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE" IS DULY INCORPORATED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL CORPORATE EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE SIXTH DAY OF JUNE, A.D. 2019.

AND I DO HEREBY FURTHER CERTIFY THAT THE AFORESAID CORPORATION IS AN EXEMPT CORPORATION.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE" WAS INCORPORATED ON THE SIXTH DAY OF MARCH, A.D. 2019.

Jeffrey W. Bullock, Secretary of State

7311269 8300C

SR# 20195287555

Authentication: 202974093

Date: 06-06-19

You may verify this certificate online at corp.delaware.gov/authver.shtml

GEORGIA CORPORATIONS DIVISION

GEORGIA SECRETARY OF STATE
BRAD RAFFENSPERGER

HOME (/)

BUSINESS SEARCH

BUSINESS INFORMATION

Business Name:	**National Association for the Advancement of Colored People Inc.**	Control Number:	**19082609**
Business Type:	**Foreign Nonprofit Corporation**	Business Status:	**Active/Owes Current Year AR**
NAICS Code:	**Any legal purpose**	NAICS Sub Code:	
Principal Office Address:	**4805 Mt. Hope Drive, Baltimore, MD, 21215, USA**	Date of Formation / Registration Date:	**6/12/2019**
Jurisdiction:	**Delaware**	Last Annual Registration Year:	**2022**

REGISTERED AGENT INFORMATION

Registered Agent Name: **COGENCY GLOBAL INC.**

Physical Address: **900 Old Roswell Lakes Parkway, Suite 310, Roswell, GA, 30076, USA**

County: **Fulton**

OFFICER INFORMATION

Name	Title	Business Address
Derrick Johnson	CEO	4805 Mt. Hope Drive, Baltimore, MD, 21215, USA
Janette McCarthy-Wallace	Secretary	4805 Mt. Hope Drive, Baltimore, MD, 21215, USA
Junko Kobayashi	CFO	4805 Mt. Hope Drive, Baltimore, MD, 21215, USA

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Filing History Name History

Return to Business Search

EXHIBIT
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Report a Problem?

BYLAWS FOR UNITS
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE

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BYLAWS FOR UNITS

These Bylaws for Units pertain to all Units of the National Association for the Advancement of Colored People and should be read in conjunction with the Constitution of the National Association for the Advancement of Colored People.

ARTICLE I
NAME AND JURISDICTION

1. ***(Name of Units)***

a. *State/State-Area Conference.* The name of this organization shall be the _____ State or _____ State-Area Conference of the National Association for the Advancement of Colored People. Each State/State-Area Conference shall have a Youth and College Division.

b. *Branch.* The name of this organization shall be the _____ Branch of the National Association for the Advancement of Colored People.

c. *Prison Branch.* The name of this organization shall be the _____ Prison Branch of the National Association for the Advancement of Colored People.

d. *College Chapter.* The name of this organization shall be the _____ College Chapter of the National Association for the Advancement of Colored People.

e. *Youth Council.* The name of this organization shall be the _____ Youth Council of the National Association for the Advancement of Colored People.

f. *Junior Youth Council.* The name of this organization shall be the _____ Junior Youth Council of the National Association for the Advancement of Colored People.

g. *High School Chapter.* The name of this organization shall be the _____ High School Chapter of the National Association for the Advancement of Colored People.

h. *Authorized Committee.* The name of this organization shall be the _____ Authorized Committee of the National Association for the Advancement of Colored People.

2. *(Jurisdiction)*

a. The State/State-Area Conference, Branch, Prison Branch, College Chapter, High School Chapter, Youth Council, Junior Youth Council and Authorized Committee shall be a constituent and subordinate unit of the Association subject to the general authority and jurisdiction of the Board of Directors.

b. *Coordination of College Chapters*. Whenever a College Chapter is located in a city or county containing another unit of the NAACP, the off-campus activity of the College Chapter shall be by mutual exchange of information.

c. *Relationship Between Youth Units and Branches*. Youth Units and Branches have coordinate status within the Association's framework. While each affiliate has an independent status from the other, it is expected that their programs will be coordinated and the Youth Units and Branch in the same area will work in full cooperation to accomplish the aims and objectives of the Association subject to the general authority of the Board of Directors.

d. All NAACP Units located within the geographic boundaries of a State/State-Area Conference shall be a member of the State/State-Area Conference and are subject to the State/State-Area Conference's efforts to coordinate NAACP activities and policies within its jurisdiction.

ARTICLE II
OBJECTIVES

1 (Purpose of Units)

a. *Units*. The purpose of the Units shall be to support the policies of the Association as described in Article II of the Constitution and to support the National Office by, among other means, sharing fundraising dollars and providing financial support.

b. *Objectives of State/State-Area Conferences*. The purpose and aims of State/State-Area Conferences of the National Association for the Advancement of Colored People shall be to improve the political, educational, social, and economic status of African-Americans and other racial and ethnic minorities; to eliminate racial prejudice; to keep the public aware of the adverse effects of discrimination; to take lawful action to secure the elimination of racial discrimination; to seek legislation and policies at the state level, or at other levels if requested by the National Office, which advance the programs and policies of the Association; and to oppose legislation and policies which are adverse to the programs and policies of the Association consistent with the efforts of the national organization and in conformity with the Articles of Incorporation of the Association, its Constitution and Bylaws, and as directed by the Board of Directors.

In addition, its objectives shall be to: stimulate the Branches, Prison Branches, Youth Councils, High School Chapters, College Chapters, Authorized Committees and any and all Units of the Association in its jurisdiction to greater activity in the fight for freedom; to revive dormant Units in the State/State-Area Conference; to organize new Units; to assist the Association in the conduct of the work of the NAACP by increasing support for the Association by the various Units; to coordinate the activities and secure the cooperation of Units within the State/State-Area Conference; to eliminate discrimination and injustice against minority people in the area; to seek the enactment of laws in the state legislature which will advance the programs and policies of the Association. With respect of the Youth Units, these objectives should be carried out through the Youth and College Division of the State/State-Area Conference.

c. *Objectives of Branches*. The purpose and aims of Branches of the National Association for the Advancement of Colored People shall be to improve the political, educational, social, and economic status of African-Americans and other racial and ethnic minorities; to eliminate racial prejudice; to keep the public aware of the adverse effects of discrimination; and to take lawful action to secure the elimination of racial discrimination, to seek legislation and policies at the local level, or at other levels if requested by the State/State-Area Conference or National Office, which advance the programs and policies of the Association; and to oppose legislation and policies which are adverse to the programs and policies of the Association consistent with the efforts of the national organization and in conformity with the Articles of Incorporation of the Association, its Constitution and Bylaws, and as directed by the Board of Directors.

d. *Objectives of Prison Branches*. The purpose and aims of Prison Branches of the National Association for the Advancement of Colored People shall be to improve the political, educational, social, and economic status of African-Americans and other racial and ethnic minorities; to eliminate racial prejudice; to keep the public aware of the adverse effects of discrimination; and to take lawful action to secure the elimination of racial discrimination; to seek legislation and policies at the local level, or at other levels if requested by the State/State-Area Conference or National Office, which advance the programs and policies of the Association; and to oppose legislation and policies which are adverse to the programs and policies of the Association consistent with the efforts of the national organization and in conformity with the Articles of Incorporation of the Association, its Constitution and Bylaws, and as directed by the Board of Directors.

In addition Prison Branches shall work to improve the educational status of incarcerated persons and to provide constructive rehabilitative leadership training programs that would enable released prisoners to return to society as assets rather than liabilities. Such training and experiences shall come from active participation in committees and general unit work.

Additional objectives of the Prison Branch shall be to disseminate comprehensive knowledge of the goals and objectives of the Association as they pertain to people of all races, colors and creeds; to inform prisoners of the problems affecting African-Americans and other ethnic minority groups; to acquire knowledge concerning community pride, civic awareness, responsibility, and brotherhood; to develop a more honorably rehabilitated citizen who is able to identify and help solve the problems of our society and world; and to advance the educational and social status of African-American prisoners and other racial and ethnic minorities.

e. *Objectives of College Chapters*. The purpose and aims of College Chapters of the National Association for the Advancement of Colored People shall be to improve the political, educational, social, and economic status of African-Americans and other racial and ethnic minorities; to eliminate racial prejudice; to keep the public aware of the adverse effects of discrimination; to take lawful action to secure the elimination of racial discrimination; and, to seek legislation and policies at the local level or at other levels if requested by the State/State-Area Conference or National Office, which advance the programs and policies of the Association; and to oppose legislation and policies which are adverse to the programs and policies of the Association consistent with the efforts of the national organization and in conformity with the

Articles of Incorporation of the Association, its Constitution and Bylaws, and as directed by the Board of Directors.

In addition, its objectives shall be to inform students of the problems affecting African-Americans and other racial and ethnic minorities; to advance the economic, education, social and political status of African-Americans and other racial and ethnic minorities and their harmonious cooperation with other peoples; to stimulate an appreciation of the African Diaspora and other people of color's contribution to civilization; and to develop an intelligent, militant, effective leadership. These objectives shall be pursued in accordance with the policies of the Association within the framework of university regulations.

f. *Objectives of Youth Councils*. The purpose and aims of Youth Councils of the National Association for the Advancement of Colored People shall be to improve the political, educational, social, and economic status of African-Americans and other racial and ethnic minorities; to eliminate racial prejudice; to keep the public aware of the adverse effects of discrimination; to take lawful action to secure the elimination of racial discrimination; and, to seek legislation and policies at the local level or at other levels if requested by the State/State-Area Conference or national organization, which advance the programs and policies of the Association; and to oppose legislation and policies which are adverse to the programs and policies of the Association consistent with the efforts of the national organization and in conformity with the Articles of Incorporation of the Association, its Constitution and Bylaws, and as directed by the Board of Directors.

In addition, the purposes of the Youth Council shall be to inform youth of the problems affecting African-Americans and other racial and ethnic minorities, to advance the economic, educational, social and political status of African-Americans and other racial and ethnic minorities and their harmonious cooperation with other peoples, to stimulate an appreciation of the African Diaspora and other people of color's contribution to civilization; and to develop an intelligent and militant youth leadership. These objectives shall be pursued in accordance with the policies of the Association.

g. *Objectives of High School Chapters*. The purpose and aims of High School Chapters of the National Association for the Advancement of Colored People shall be to improve the political, educational, social, and economic status of African-Americans and other racial and ethnic minorities; to eliminate racial prejudice; to keep the public aware of the

adverse effects of discrimination; and to take lawful action to secure the elimination of racial discrimination; and, to seek legislation and policies at the local level, or at other levels if requested by the State/State-Area Conference or National Office, which advance the programs and policies of the Association; and to oppose legislation and policies which are adverse to the programs and policies of the Association consistent with the efforts of the national organization and in conformity with the Articles of Incorporation of the Association, its Constitution and Bylaws, and as directed by the Board of Directors.

In addition, the purposes of the High School Chapter shall be to inform youth of the problems affecting African-Americans and other racial and ethnic minorities, to advance the economic, educational, social and political status of African-Americans and other racial and ethnic minorities and their harmonious cooperation with other peoples; to stimulate an appreciation of the African-American Diaspora and other people of color's contribution to civilization; and to develop an intelligent and militant youth leadership by devising, working out and pursuing local programs. These objectives shall be pursued in accordance with the policies of the Association within the framework of high school regulations.

h. *Objectives of Junior Youth Councils*. The purpose and aims of Junior Youth Councils of the National Association for the Advancement of Colored People shall be to improve the political, educational, social, and economic status of African-Americans and other racial and ethnic minorities; to eliminate racial prejudice; to keep the public aware of the adverse effects of discrimination; and to take lawful action to secure the elimination of racial discrimination; to seek legislation and policies at the local level, or at other levels if requested by the State/State-Area Conference or National Office, which advance the programs and policies of the Association; and to oppose legislation and policies which are adverse to the programs and policies of the Association consistent with the efforts of the national organization and in conformity with the Articles of Incorporation of the Association, its Constitution and Bylaws, and as directed by the Board of Directors.

In addition, the purposes of the Junior Youth Council shall be to inform youth of the problems affecting African-Americans and other racial and ethnic minorities, to advance the economic, educational, social and political status of African-Americans and other racial and ethnic minorities and their harmonious cooperation with other peoples, to stimulate an appreciation of the African Diaspora and other people of

color's contribution to civilization; and to develop an intelligent and militant youth leadership. These objectives shall be pursued in accordance with the policies of the Association.

i. *Objectives of Authorized Committees*. The purpose and aims of Authorized Committees of the National Association for the Advancement of Colored People shall be to improve the political, educational, social, and economic status of African-Americans and other racial and ethnic minorities; to eliminate racial prejudice; to keep the public aware of the adverse effects of discrimination; and to take lawful action to secure the elimination of racial discrimination; to seek legislation and policies at the local level or at other levels if requested by the State/State-Area Conference or National Office which advance the programs and policies of the Association; and to oppose legislation and policies which are adverse to the programs and policies of the Association consistent with the efforts of the national organization and in conformity with the Articles of Incorporation of the Association, its Constitution and Bylaws, and as directed by the Board of Directors.

2. (Methods)

The methods used to obtain the Association's objectives shall be direct action, litigation, legislation and political action.

a. *Direct Action*

Examples. Direct action includes agitation, demonstrations, marches, picketing, boycotts, economic sanctions and other appropriate action.

Authority. In accepting the mantle of leadership bestowed by virtue of their charter which requires the aggressive pursuit of the Association's mission, Units are encouraged to follow an independent course of action set out by the Unit's membership as long as it is consistent with the Association's policies and objectives. However, no Unit shall initiate, endorse or participate in direct action on behalf of the Association, or any Unit of the Association, without the express written authorization of the President and CEO and General Counsel.

Direct Action Approval Procedure. Any Unit of the Association seeking to initiate, endorse or participate in direct action as described above shall seek prior, timely authorization in writing from the President and CEO and General Counsel. Units must submit requests for approval within 10 business days before the date of proposed action. The subject line of the e-

mail sent by the unit seeking authorization should read "Direct Action." The President and CEO shall respond in a timely manner after receipt of said request. The President and CEO and General Counsel, at their discretion and in accordance with the objectives of the Association, shall communicate approval, or disapproval of said proposed direct action in writing to the Unit. If the 10 business days make the direct action irrelevant due to the pressure to respond immediately, the unit shall receive approval by email to ensure that the response to the unit is timely.

b. Litigation

Litigation Authority. No Unit of the Association shall have authority to initiate, endorse or participate in legal action, including, but not limited to, pre-suit discussions, negotiations, court litigation, or post-suit matters on behalf of or in the name of the Association, or any Unit of the Association, without the express written authorization of the President and CEO and General Counsel.

Litigation Approval Procedure. Any Unit of the Association seeking to initiate, endorse or participate in legal action as described above shall seek prior, timely authorization in writing from the President and CEO and General Counsel. After reasonable opportunity to evaluate said proposed legal action, the President and CEO and General Counsel, at his or her discretion and in accordance with the objectives of the Association, shall communicate their approval, or disapproval of said proposed legal action in writing to the Unit.

c. Legislation

No Unit of the Association shall support any legislation or policy that is contrary to the official position of the Association adopted by the Board of Directors.

Authority. No Unit of the Association shall initiate, endorse or participate in the passage of federal legislation, including, but not limited to, bills, statutes, regulations or resolutions on behalf of the Association, or any Unit of the Association, without the express written authorization of the President and CEO.

Legislation Approval Procedure. Any Unit of the Association seeking to initiate, endorse or participate in the passage of federal legislation as described above shall seek prior, timely authorization in writing from the President and CEO. After reasonable opportunity to evaluate said

proposed federal legislation, the President and CEO, at his or her discretion and in accordance with the objectives of the Association, shall communicate their approval, or disapproval of said proposed federal legislation in writing to the Unit.

d. *Political Action*

All Units of the Association at the appropriate jurisdictional level are expected to: increase registration and voting; work for the enactment of municipal (local units), state (state conference) and federal (national office) legislation designed to improve the educational, political and economic status of minority groups; work to repeal racially discriminatory legislation; improve the administration of justice; secure equal enforcement of the law; and keep the National Office and the Branch informed of all proposed legislation which affects minority groups. All political action shall be non-partisan and shall not endorse candidates for public office. Statewide ballot measures proposed by a unit must first obtain the approval of the National legal staff before filing with the local balloting authority.

3. (Coalition/Affiliation with other Organizations)

a. *Authority*. Units of the NAACP may affiliate and cooperate with other groups, organizations or coalitions when there is an incentive and purpose of affiliation and/or cooperation on specific issues, which are in accord with the program and policies of the Association. Prior written permission for such affiliation and/or cooperation by Units must be granted by the President and CEO.

b. *Approval Procedure for Joining Coalitions*. Any Unit of the Association seeking to join a coalition shall seek prior, timely authorization in writing from the President and CEO. Units must submit requests for approval within 15 business days before joining the proposed coalition. The President and CEO shall respond within 10 business days after receipt of said request. The President and CEO, at his or her discretion and in accordance with the objectives of the Association, shall communicate approval or disapproval of said proposed coalition in writing to the Unit.

ARTICLE III
ORGANIZATIONAL STRUCTURE

1. *(Unit Status)*

a. All Units shall be 501(c)(4) entities. No Units shall be authorized to create or form any 501(c)(3) entity unless expressly approved in writing by the Board of Directors.

b. No Unit shall be authorized to incorporate itself or to organize itself in the form of a corporation under state law unless expressly approved to do so, in writing, by the President and CEO and the General Counsel upon a showing of legal or business necessity.

2. *(Units of the Association)*

The Units of the Association are those Units described in Article I, Section 1 of these Bylaws.

3. ***(Charter)***

Charter Authority. The Board of Directors shall establish Units, including State/State-Area Conferences, Branches, Prison Branches, - College Chapters, Youth Councils, High School Chapters, Junior Youth Councils, Authorized Committees, and such other subsidiaries of the Association in such places and under such conditions as it sees fit. Each of the above shall be administered under a charter granted to it by the Board of Directors and in accordance with the Constitution and Bylaws for Units authorized by said Board of Directors.

a. *Charter Eligibility Criteria for State/State-Area Conferences*. In any area where there exist Branches, Prison Branches, College Chapters, Youth Councils, High School Chapters, Junior Youth Councils and Authorized Committees, but where there is no existing State/State-Area Conference, application shall be made to the National Office for a State/State-Area Conference Charter in conjunction with procedures established by the Board of Directors.

1. *Maintaining a State/State-Area Conference Charter*. State/State-Area Conferences must be comprised of no less than six (6) branches and six (6) Youth Units in good standing; pay all annual assessments; and, file all annual year-end reports as required by the Association.

b. *Charter Eligibility Criteria for Branches*. In any jurisdiction where there is no existing Branch, application shall be made to the National Office for a Branch charter in conjunction with procedures established by the Board of Directors. Prospective Branches must be comprised of no fewer than one hundred (100) adult members. The jurisdictional boundaries of a prospective Branch shall not conflict with the boundaries of any existing Branch.

1. *Maintaining a Branch Charter*. A Branch shall maintain no fewer than 50 adult members; shall pay all annual assessments; and, shall file all year-end reports as required by the Constitution and Bylaws of the Association in order to maintain its charter.

2. A Branch must also maintain good standing with its State/State-Area Conference by filing annual year-end reports and paying all State/State-Area Conference assessments.

c. *Charter Eligibility Criteria for Prison Branches*. In any prison/correctional facility where there is no existing Prison Branch, application shall be made to the National Office for Prison Branch charter in conjunction with procedures established by the Board of Directors. Prospective Prison Branches must be comprised of no fewer than 25 members.

1. *Maintaining a Prison Branch Charter*. A Prison Branch shall maintain no fewer than 25 members; shall pay all annual assessments; and, shall file all annual year-end reports as required by the Association.

2. A Prison Branch must also maintain good standing with its State/State-Area Conference by filing annual year-end reports and paying all State/State-Area Conference assessments.

d. *Charter Eligibility Criteria for College Chapters*. College Chapters shall contain at least 25 members under age 25 and/or be currently enrolled as a student in a college or university.

1. *Maintaining a College Chapter Charter*. College Chapters shall maintain no fewer than 25 student memberships for two consecutive years; shall pay all annual assessments; and, shall file all annual year-end reports as required by the Association.

2. A College Chapter must also maintain good standing with its State/State-Area Conference by filing annual year-end reports and paying all State/State-Area Conference assessments.

e. *Charter Eligibility Criteria for Youth Councils*. Youth Councils shall contain at least 25 members who must be under 25 years of age. In the absence of a Young Adult Council in the jurisdiction, the Youth Council membership may include members between the ages of 19-25.

1. *Maintaining a Youth Council Charter*. Youth Councils shall have 25 members, pay all annual assessments; and, file all annual year-end reports as required by the Association.

2. A Youth Council must also maintain good standing with its State/State-Area Conference by filing annual year-end reports and paying all State/State-Area Conference assessments.

f. *Chapter Eligibility Criteria for High School Chapters*. High School Chapters shall contain at least 25 members who are currently enrolled in a high school or comparable secondary school.

1. *Maintaining a High School Chapter Charter*. High School Chapters shall have 25 members enrolled in the high school; pay all annual assessments; and, file all annual year-end reports as required by the Association.

2. A High School Chapter must also maintain good standing with its State/State-Area Conference by filing annual year-end reports and paying all State/State-Area Conference assessments.

g. *Chapter Eligibility Criteria for Junior Youth Councils*. Junior Youth Councils may be organized separately from Youth Councils where there are at least 25 youth members under 13 years of age.

1. Maintaining a Junior Youth Council. Junior Youth Councils shall contain 25 members, pay all annual assessments; and, file all annual year-end reports as required by the Association.

2. A Junior Youth Council must also maintain good standing with its State/State-Area Conference by filing annual year-end reports and paying all State/State-Area Conference assessments.

h. *Charter Eligibility Criteria for Authorized Committees*. Authorized Committees may be organized in areas where there are an insufficient

number of members to maintain a Branch. Authorized Committees must contain at least seven (7) members and shall report to the State/State-Area Conference in their jurisdiction, subject to such rules and regulations as the Board of Directors may enact. It shall receive a Certificate of Authority from the National Office.

1. *Maintaining an Authorized Committee Charter*. Authorized Committees shall have seven (7) members, pay all annual assessments; and, shall file all annual year-end reports as required by the Association.

2. An Authorized Committee must also maintain good standing with its State/State-Area Conference by filing annual year-end reports and paying all State/State-Area Conference assessments.

4. (Assessments)

a. National Assessments

1. Unit Freedom Fund and other assessments for the support of the Association, as established by the Board of Directors, shall be paid to the National Office within 90 calendar days before the Annual National Convention. The above-mentioned assessments refer to the previous calendar year's assessments and must be paid in order for Unit delegates to be eligible to vote at the National Convention.

2. *Fundraising Assessments*. The net proceeds of each contribution, entertainment or fundraising effort by a Unit, excluding ACT-SO and Back-To-School/Stay-In-School and other approved programs, except for College Chapters subject to college and/or university fundraising requirements, shall be divided as follows: 25% to the National Office, 75% to the Unit; unless, in any case, written permission is obtained from the National Office for some different division, provided that the entire net proceeds of any fundraising effort for exclusively national purposes shall be transmitted to the National Office.

   Notwithstanding the foregoing obligation, a Unit shall be exempt from disbursing 25% of its net proceeds of each contribution, fundraising or entertainment effort to the National Office if, and when, it increases its membership, as recorded by the National Office, by 35% from the previous calendar year. When the Branch increases its membership level by 35% from January 1 of a year to

December 31 of that same year, the Unit shall be required to submit only 15% of its net proceeds of each fundraising or entertainment effort for the succeeding year to the National Office. The assessment reduction is earned on a year to year basis, based on the membership increase of the previous year.

3. A financial report of all such entertainment, contributions and fundraising activities shall be rendered to the Unit, the National Office and the public. The Unit must submit the report to the National Office, with the National Office's share within 45 days following the date of the event.

b. *State/State-Area Conference Assessments*. Whenever the Unit comes within the jurisdiction of a State/State-Area Conference, the Unit assessment for support of the State/State-Area Conference shall be paid into the treasury of the State/State-Area Conference within sixty (60) calendar days of the annual State/State-Area Conference Convention. The amount of said assessment shall be determined by the State/State-Area Conference with the approval of the Board of Directors. Youth Unit assessments shall be paid into the State/State-Area Conference Youth and College Division Treasury.

5. (Per Capita Assessment for State/State-Area Conferences)

The National Office will provide a per capita membership match for State/State-Area Conferences at the rate of 25¢ per member of each Unit thereof.

6. (Real Property)

Units may not own real property. No unit, entity or affiliate may own or maintain or acquire any equitable interest in real property. Notwithstanding the foregoing, the NAACP, Inc., may, at the discretion of the Board of Directors and in accordance with the principles, aims and purposes of the Association, hold and/or own real property for the use and benefit of a particular unit. Any real property shall be owned in the name of NAACP, Inc., and in appropriate instances be held under circumstances approved by the Board of Directors.

7. (Intellectual Property; NAACP Trademarks)

a. *NAACP Trademarks*. Personal use of the NAACP Trademark is prohibited. No Unit or member may use the NAACP name or any of its trademarks in conjunction with any person or entity on any product, without the express written authorization of the President and CEO.

b. *NAACP Logo and Letterhead*. Personal use of the NAACP logo and letterhead is prohibited. No member shall use the NAACP logo or letterhead in conjunction with any entity; on any product, without express written authorization of the President and CEO.

ARTICLE IV
MEMBERSHIP

1. (Membership Prerequisites)

Any person who is in accordance with the principles and policies of the Association may become a member of this Association with consent of the Board of Directors, by accepting the terms of the Constitution of the National Association for the Advancement of Colored People and the Bylaws for Units, and by paying annually in advance the requisite membership fees as prescribed by the Board of Directors. Membership in the Units shall include membership in the National Association. Members of NAACP Units are encouraged to support the Association and cooperate to conserve resources in pursuit of the NAACP's mission and goals.

2. (Effective Date of Membership in the Branches, Youth Units and Authorized Committees)

a. The effective date of Membership in a Branch, Youth Unit or Authorized Committee is the date membership payment is received by the aforementioned Unit either at a meeting of the General Membership or of the Executive Committee of the Unit; by the Unit Secretary; or by the Unit office, if there is one. In the event the National Office receives a membership fee from an individual who has indicated a desire to affiliate with a specific Unit, the National Office will notify said Unit that the membership fee has been received and, at the same time, transmit the Unit's share of the membership fee to the Unit. In such a case, such membership shall be effective upon receipt by the Unit of its share of the membership fee from the National Office.

b. The minimum voting age for any member in good standing in Branch Elections shall be seventeen (17) years of age. Said member may vote in

the Branch Election if he/she has paid the Regular Adult membership fee to the Branch

3. (Membership in the State/State-Area Conference)

a. All Units in the State/State-Area Conference's jurisdiction are automatically members of the State/State-Area Conference, and are required to pay annually the prescribed assessment fee established by the Legislative Session of the State/State-Area Conference and approved by the Board of Directors. In order to be a Unit in good standing of the State/State-Area Conference, a Unit shall have paid its yearly assessment fee to the State/State-Area Conference and the per capita tax on each membership sent to the Association, and shall have at least fifty adult (50) adult members in good standing of a Branch; at least twenty-five (25) members of a Prison Branch; and at least twenty-five (25) of a College Chapter, Youth Council, High School Chapter, Junior Youth Council; and at least seven members of an Authorized Committee, at least sixty (60) days prior to any meeting of said Conference. All Units must be in good standing; pay all annual assessments; and, file all annual year-end reports as required by the Association to participate in meetings of the Conference. Only members of Units in good standing as defined above are members of the State/State-Area Conference.

b. *Youth Units*. There shall be a Youth and College Division of the State/State-Area Conference. It shall be comprised of the Youth Units and they shall be governed by the Constitution and these bylaws.

4. (Membership in the Branch)

a. Any person who is a permanent resident or who works within a Branch's jurisdiction may become a member of said Branch, providing they have paid the annual requisite Regular Adult Membership fee.

b. Members of the Association in good standing where Branches are being formed, or who establish permanent residence within the jurisdiction of an existing branch, or who work within the jurisdiction of an existing Branch, may affiliate with the local Branch and be entitled to vote upon presenting satisfactory evidence of their membership. They shall not be assessed annual membership fees by the Branch until the expiration of the annual membership for which they have paid.

c. Members of the Association shall affiliate and vote with only one Unit at a time.

5. (Membership in the Prison Branch)

a. Any person incarcerated in a prison or correctional facility who is in accordance with the principles and policies of the Association, may become a member of Prison Branch, with consent of the Board of Directors, by accepting the terms of the Constitution of the National Association for the Advancement of Colored People, and by paying an annual membership fee in accordance with Article IV, Section 12 d, of these bylaws.

b. Members of the Association in good standing, where Prison Branches are being formed, or who are incarcerated in a prison and/or correctional facility where a Prison Branch is in existence, may affiliate with the local Prison Branch and be entitled to vote in the Prison Branch election, upon presenting satisfactory evidence of their membership. They shall not be assessed annual membership fees by the Prison Branch until the expiration of the annual membership for which they have paid.

c. Members of a Prison Branch shall affiliate and vote with only one Unit at a time.

6. (College Chapter Membership)

a. Any person under the age of twenty-five (25) and/or currently enrolled as a student at a college or university who is in accordance with the principles and policies of the Association, may become a member of a College Chapter, with consent of the Board of Directors, by accepting the terms of the Constitution of the National Association for the Advancement of Colored People, and by paying an annual membership fee in accordance with Article IV, Section 12, a through c of these Bylaws.

b. Members of the Association in good standing, who are qualified for membership in the College Chapter, may affiliate with the new College Chapter, where the same is being formed in the locality, and be entitled to vote upon presenting satisfactory evidence of Association membership. They shall not be assessed annual membership fees by the College Chapter until the expiration of the annual membership for which they have paid.

c. Members of a College Chapter shall affiliate and vote with only one Unit at a time.

7. (Youth Council Membership)

a. Any person under age twenty-five (25) who is in accordance with the principles and policies of the Association, may become a member of a Youth Council, with the consent of the Board of Directors, by accepting the terms of the Constitution of the National Association for the Advancement of Colored People, and by paying annually the requisite fee. By his/her 25th birthday, the Youth Council member must transfer his/her membership to the Branch or College Chapter if currently enrolled as a student at said college or university.

b. Members of the Association in good standing, where Youth Councils are being formed, or who establish residence in a community where a Youth Council is in existence may affiliate with the local Youth Council and be entitled to vote upon presenting satisfactory evidence of their membership. They shall not be assessed annual membership fees by the Youth Council until the expiration of the annual membership for which they have paid.

c. Members of a Youth Council shall affiliate and vote with only one Unit at a time.

8. (High School Chapters)

a. Any person who is enrolled as a student in a high school or comparable secondary school who is in accordance with the principles and policies of the Association, may become a member of a High School Chapter, with the consent of the Board of Directors, by accepting the terms of the Constitution of the National Association for the Advancement of Colored People, and by paying annually the requisite fee. On his/her 21st birthday, the High School Chapter member must transfer his/her membership to the Young Adult Council.

b. Members of the Association in good standing, where High School Chapters are being formed, or who establish residence in a community where a High School Chapter is in existence, may affiliate with the local High School Chapter and be entitled to vote upon presenting satisfactory evidence of their membership. They shall not be assessed annual membership fees by the High School Chapter until the expiration of the annual membership for which they have paid.

c. Members of a High School Chapter shall affiliate and vote with only one Unit at a time.

9. (Junior Youth Councils)

a. Any person under age 13, who is in accordance with the principles and policies of the Association, may become a member of a Junior Youth Council, with the consent of the Board of Directors, by accepting the terms of the Constitution of the National Association for the Advancement of Colored People, and by paying annually the requisite fee. On his/her 13th birthday, the Junior Youth Council member must transfer his/her membership to the Youth Council.

b. Members of the Association in good standing, where Junior Youth Councils are being formed, or who establish residence in a community where a Junior Youth Council is in existence, may affiliate with the local Junior Youth Council and be entitled to vote upon presenting satisfactory evidence of their membership. They shall not be assessed annual membership fees by the Junior Youth Council until the expiration of the annual membership for which they have paid.

c. Members of a Junior Youth Council shall affiliate and vote with only one Unit at a time.

10. (Dues)

The National Office and Units of the Association shall share in all membership dues as hereinafter provided.

11. (Division of Regular Membership Dues)

The Unit shall remit to the treasury of the National Association, the National Office's share of all membership fees within 15 calendar days of their receipt, in the following proportions, and may retain the balance in its treasury for local purposes:

a. REGULAR ADULT MEMBERSHIP. For persons twenty-one (21) years of age and over - thirty dollars ($30.00): to NAACP National Office eighteen dollars and ten cents ($18.10) (includes State/State-Area Conference tax); and to local treasury eleven dollars and ninety cents ($11.90).

b. YOUTH MEMBERSHIP WITH *CRISIS*. For persons twenty (20) years of age and under - fifteen dollars ($15.00): to National Office ten dollars and twenty cents ($10.20) (includes State/State-Area Conference tax); and to local treasury four dollars and eighty cents ($4.80).

c. YOUTH MEMBERSHIP WITHOUT *CRISIS* - For persons seventeen (17) years of age and under - ten dollars ($10.00): to National Office seven dollars ($7.00) (includes State/State-Area Conference tax); and to local treasury three dollars ($3.00).

d. PRISON MEMBERSHIP WITH *CRISIS* - For persons who are incarcerated - twelve dollars ($12.00): to National Office seven dollars and twenty cents ($7.20) (includes State/State-Area Conference tax); and to local treasury four dollars and eighty cents ($4.80).

e. WOMEN IN THE NAACP (WIN) - For women who are paid members of the NAACP - ten dollars ($10.00): to National Office five dollars ($5.00) (includes State/State-Area Conference tax); and to local treasury five dollars ($5.00).

12. (Annual Corporate Membership)

Annual Corporate Memberships of $5,000.00 shall be divided as follows: three-fifths (3/5) or ($3,000.00) to the National Office; two-fifths (2/5) or ($2,000.00) to the State/State Area Conference, Branch or other Unit, provided the Annual Corporate Membership is solicited through the State/State Area Conference, Branch or other Unit. This membership level would not have voting privileges in State/State Area Conference and other units.

13. (Division of Life Membership Dues)

a. *Junior Life Membership* – one hundred dollars ($100.00), for children thirteen (13) years of age and under, shall be divided as follows: three-fifths (3/5) or ($60.00) to the National Office; two-fifths (2/5) or ($40.00) to the Branch, provided the Junior Life Membership is solicited through the Branch or other Unit.

b. *Bronze Life Membership* – four hundred dollars ($400.00), for youth fourteen (14) to twenty (20) years of ages shall be divided as follows: three-fifths (3/5) or ($240.00) to the National Office, two-fifths (2/5) or ($160.00) to the Branch, provided the Bronze Life Membership is solicited through the Branch or other Unit.

c. *Silver Life Membership* – seven hundred fifty dollars ($750.00) shall be divided as follows: three-fifths (3/5) or $450 to the National Office, two-fifths (2/5) or $300 to the Branch provided the Silver Life Membership is solicited through the Branch or other Unit.

d. *Gold Life Membership* - one thousand-five hundred dollars ($1,500.00) shall be divided as follows: three-fifths (3/5) or ($900.00) to the National Office; two-fifths (2/5) or ($600.00) to the Branch, provided the Gold Life Membership is solicited through the Branch or other Unit. Gold Life Membership shall be available only to holders of fully paid Silver Life Memberships of the NAACP.

e. *Diamond Life Membership* – two thousand-five hundred dollars ($2,500.00) shall be divided as follows: three-fifths (3/5) or ($1,500.00) to the National Office; two-fifths ($1,000) to the Branch, provided the Diamond Life Membership is solicited through the Branch or other Unit. Diamond Life Membership shall be available only to holders of fully paid Gold Life Memberships of the NAACP.

f. *Subscribing Life Membership* – shall be divided by the three-fifths/two-fifths formula stated above. Annual minimum payments shall be 10% over a period of ten years.

ARTICLE V
GOVERNANCE

1. (Meetings of Units)

Regular Meetings. Regular membership meetings of Branches and Youth Units shall be held at least once a month, and there may be such other public or special meetings as may be required. Regular meetings shall be held on a fixed day or date of each month.

2. (Meetings of the State/State-Area Conference)

a. Regular meetings of the State/State-Area Conference shall be held on a fixed day or date of each year;

b. *Executive Committee of the State/State-Area Conference*. The Executive Committee shall meet at least once every quarter or as established in the approved Bylaws of the State/State-Area Conference. ***Special Committee meetings may be called by the President, Secretary or by three members of the Committee on three days written notice.*** The notice must state the purpose for which the meeting is called.

3. *(Annual Meeting of Units)*

a. *State/State-Area Conferences.* Each State/State-Area Conference shall have an Annual Convention at a time and place selected by delegates at the previous Annual Convention. At the Convention, the Conference is to act upon Annual reports from the Officers and Standing Committees. Each Conference shall conduct biennial elections pursuant to Article IX, Section b of these Bylaws.

b. *Branches.* Each Branch shall hold an Annual Meeting in the month of December to receive and act upon Annual reports from the Officers/Chairpersons of Standing Committees and to vote for members of the Board of Directors and may install those Officers and Executive Committee Members elected at the Biennial Election.

c. *Prison Branches.* Each Prison Branch shall hold an Annual Meeting in the month of December, or as soon thereafter as correctional facility regulations allow, to receive and act upon Annual reports from the Officers/Chairpersons of Standing Committees; to vote for members of the Board of Directors; and, may install those Officers and Executive Committee Members, including the Prison Branch Coordinator/Prison Director elected at the Biennial Election.

d. *College Chapters.* Each College Chapter shall hold an Annual Meeting for the election of officers between March 1 and April 15 of each year, unless the date(s) of the meeting is changed with the written approval of the National Office.

e. *Youth Councils.* Each Youth Council shall hold an Annual Election Meeting which may coincide with the regular meeting of the Youth Council and shall be held between March 1 and April 15, unless the date of the meeting is changed with the written approval of the National Office.

f. *High School Chapters.* Each High School Chapter shall hold an Annual Election Meeting which may coincide with the regular meeting of the High School Chapter and shall be held between March 1 and April 15, unless the date of the meeting is changed with the written approval of the National Office.

g. *Junior Youth Councils.* Each Junior Youth Council shall hold an Annual Election Meeting which may coincide with the regular meeting of the Junior Youth Council and shall be held between March 1 and April 15,

unless the date of the meeting is changed with the written approval of the National Office.

h. *Authorized Committees.* Each Authorized Committee shall hold an Annual Meeting in the month of December to receive and act upon Annual reports from the Officers/Chairmen of Standing Committees and to vote for members of the Board of Directors and may install those Officers and Executive Committee Members elected at the Biennial Election.

4. (Notice of Annual Meeting)

a. *State/State-Area Conferences.* Written notice shall be provided a minimum of 30 days prior to the time and place of the Annual State/State-Area Conference Convention to each member Unit in good standing.

b. *Branches, Youth Councils, High School Chapters, Junior Youth Councils and Authorized Committees.* Written notice shall be provided a minimum of 30 days prior to the time and place of the Annual Meeting to each member in good standing in writing, or published in some local newspaper of general circulation.

c. *Prison Branches.* Written notice shall be provided a minimum of 30 days prior of the time and place of the Annual Meeting to each member in good standing in writing, or published in the newspaper or newsletter of the prison or correctional facility as facility regulations allow.

d. *College Chapters.* Written notice of the time and place of the Annual Meeting shall be sent by the Secretary to each member of the Chapter, at least seven (7) days in advance of the date of the Annual Meeting. Notice of the regular monthly or special meetings shall be published in the campus publication.

5. (Special Meetings of Branches, Youth Units and Authorized Committees)

Special Meetings may be called at any time and place and on three days written notice to all members by the President, or by any three members of the Executive Committee; or by any ten members of the Unit by signed declaration to the Secretary, who in turn must call the meeting. The notice must state the purpose for which the meeting is called. If the meeting is to be held via teleconference or electronic meeting, the conference call number or sign in code must be provided

6. (Meetings of the Executive Committee of Branches, Prison Branches and Youth Units)

The Executive Committee shall meet at least once a month at such times and places as it may determine. Special Committee meetings may be called by the President, Secretary or by two members of the Committee on two days written notice. The notice must state the purpose for which the meeting is called.

7. (Meetings of Standing Committees)

The Standing Committees shall meet regularly once a month at places they may determine. They shall inform the President of the time and place of each meeting. Special meetings may be called by the Chairperson or by two members on two days written notice. If the meeting is to be held via teleconference or electronic meeting, the conference call number or sign in code must be provided.

8. (Quorum)

a. State/State-Area Conferences, Branches, Prison Branches and Authorized Committees. The number of members necessary to constitute a quorum at all meetings shall be decided upon by a resolution adopted by the Unit which shall be incorporated into the Unit Bylaws.

b. College Chapters, Youth Councils, High School Chapters and Junior Youth Councils. The number of members necessary to constitute a quorum at all meetings shall be decided upon by a resolution adopted by the Youth Council.

9. (Order of Business)

Any NAACP Unit, unless altered or suspended at any meeting by a majority vote of the members present, shall follow the order of business at meetings of any NAACP Unit:

(1) Ascertainment of members present;

(2) Reading of minutes of previous meeting;

(3) Reports of Officers;

(4) Reports of Committees;

(5) Unfinished Business; and

(6) New Business.

In the event that the provisions herein do not address a specific procedural question, the latest edition of Robert's Rules of Order shall apply. Nonetheless, mere good faith failure to adhere to such rules may not constitute grounds for removal or suspension pursuant to Article X.

10. (Faculty Advisor)

a. There shall be a Faculty Advisor for a College Chapter or a Faculty Advisory Committee (not to exceed three members), in accordance with the rules of the college and/or student government regulations relating thereto.

b. The Faculty Advisor to the College Chapter must be an employee of the College and meet the requirements as set forth by the College and/or Student Government regulations relating to serving as advisor to a bona fide College or group. In addition, the Faculty Advisor must be a member of the NAACP. The Advisor shall serve as an ex-officio member of the College Chapter without voting rights.

11. (Selection of a Youth Council Advisor)

a. There shall be an Advisor for Youth Councils in conformity with the rules of the Association. The Advisor must be a member in good standing of the Association, be at least twenty-five (25) years of age or at least twenty-two (22) years of age if the person is a member of the branch; reside or work within the jurisdiction in which the Youth Council operates and shall be in accord with the aims and objectives of the Association. The Advisor shall serve as an ex-officio member of the Youth Council Executive Committee without voting rights.

b. In jurisdictions where there is a Branch and a Youth Council, the Youth Council shall submit in writing the names of the elected Advisor to the Branch Executive Committee at the Branch Executive Committee meeting immediately following the Annual Meeting of the Youth Council. The Branch Executive Committee must accept or reject the submitted name within fifteen (15) days after the submission in writing to the Youth Council President. Should the Branch Executive Committee fail to act on the submitted name within fifteen (15) days after the submission, the submitted named adult shall become the Advisor.

c. If the submitted name is rejected, a written explanation as to the justification for a denial must accompany the response forwarded to the Youth Council President. The Youth Council Executive Committee then has the option of electing and submitting another name to the Branch Executive Committee or to utilize the controversy process as outlined in Article V, Section 14.

d. The Youth Council and Advisor may select the Co-Advisors as they see fit.

12. (High School Chapter Advisors)

a. There shall be an Advisor for High School Chapters in conformity with the rules of the Association. The Advisor must be a member in good standing of the Association, be at least twenty-five (25) years of age; and be an employee of the high school in which the High School Chapter operated, and shall be in accord with the aims and objectives of the Association. The Advisor shall serve as an ex-officio member of the High School Chapter Executive Committee without voting rights.

b. The High School Chapter shall submit in writing the names of the elected Advisor to the Branch Executive Committee at the Branch Executive Committee meeting immediately following the Annual Meeting of the High School Chapter. The Branch Executive Committee must accept or reject the submitted name within fifteen (15) days after the submission in writing to the High School Chapter President. Should the Branch Executive Committee fail to act on the submitted name within fifteen (15) days after the submission, the submitted named adult shall become the Advisor.

c. If the submitted name is rejected, a written explanation as to the justification for a denial must accompany the response forwarded to the High School Chapter President. The High School Chapter Executive Committee then has the option of electing and submitting another name to the Branch Executive Committee or to utilize the controversy process as outlined in these Bylaws.

13. (Junior Youth Council Advisors)

The Branch Executive Committee shall appoint the Advisor for the Junior Youth Council. The Advisor must be a member of the Branch. The Advisor shall serve as an ex-officio member of the Junior Youth Council Executive Committee without voting rights.

14. *(Controversies Between Branch and Youth Units)*

Within fifteen (15) days after a controversy arises between a Youth Unit and a Branch, the Advisor, the Presidents and Secretaries of both Units shall prepare and forward signed report(s) to the President and CEO of the Association for mediation, arbitration, decision or referral to the appropriate Regional Office or State/State-Area Conference for investigation and other action. Respective parties shall send copies of all reports submitted by them to State/State-Area Conference and Field Operations and Membership Department and to the other party to the controversy. The original report to the President and CEO shall contain a statement that copies have been forwarded as provided above.

15. *(Indebtedness for State/State-Area Conferences, Branches, Prison Branches and Authorized Committees)*

a. No indebtedness or obligation shall be incurred by the State/State-Area Conference, Branch, Prison Branch or Authorized Committee or any of its officers or agents in the name of National Association for the Advancement of Colored People, and the National Office shall not be responsible for any indebtedness or obligation incurred by the State/State-Area Conference, Branch, Prison Branch, Authorized Committee or any of its officers or agents.

b. Indebtedness exceeding $300.00 per month in the aggregate shall not be incurred in the name of, or on behalf of the State/State-Area Conference or Branch unless by vote of the Executive Committee.

16. *(Indebtedness for Youth Units)*

a. No indebtedness or obligation shall be incurred by the Youth Unit or any of its officers or agents in the name or behalf of the Association or of the Unit, and the Association shall not be responsible for any indebtedness or obligation incurred by the Youth Unit or by any of its officers or agents.

b. No indebtedness or obligation of more than $25.00 shall be incurred in the name or on behalf of the College Chapter, Youth Council, High School

Chapter or Junior Youth Council unless by vote of the Branch Youth Work Committee.

c. College Chapters shall additionally be governed by applicable college or university policies.

17. ***(Fiscal Business Year)***

a. The fiscal and business year of all Units shall begin on January 1 and end December 31.

b. The installation of officers can take place following elections or at a time and place designated by the body.

18. ***(Unit Bookkeeping System)***

The Unit must use the uniform bookkeeping system provided by the National Office.

19. ***(Audits)***

The books of the Unit shall be audited annually by an auditing system acceptable to the National Office.

ARTICLE VI
OFFICERS OF UNITS AND STAFF

1. ***(Officers and Staff)***

a. The elective officers of the NAACP Units shall be: President, First Vice President, Second Vice President, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer and additional officers as the NAACP Unit may prescribe pursuant to local Bylaws.

b. *Staff and Executive Directors.* Units may employ Staff and/or Executive Directors where budgets of Units warrant such employment, upon terms and conditions approved by the President and CEO.

c. *Restrictions.* Executive Directors or other staff shall not be members of the Executive Committee of the Unit.

2. (Qualifications)

a. *State/State-Area Conferences*. Only members in good standing of Units in good standing within the jurisdiction of the State/State-Area Conference shall be eligible to run for office in the State/State-Area Conference. For the purpose of running for office, a member in good standing is one whose name appears on the roll of a Unit in good standing within the jurisdiction of the State/State-Area Conference by December 15 of the year prior to the State/State-Area Conference election. For the purpose of running for office, a person must be a member of Unit in good standing within the State/State-Area Conference as defined in Article IV, Section 3 of these Bylaws.

b. *Branch*. Only members in good standing shall be eligible to run for office or vote in a Branch election. For the purpose of running for office, a member in good standing is one whose name appears on the roll of the Branch as a bona fide member of the Branch by April 1 of the election year and remains a continuous member of the branch through the election process; and who lives and/or works within the Branch jurisdiction. For the purpose of being elected to the Nominating Committee or the Election Supervisory Committee, signing a nominating petition or voting in Branch elections, a member in good standing is one who has been a bona fide member of the Branch for at least 30 calendar days prior to the date the election is held or the nominating petition is filed. For all other purposes, a member in good standing is one who has paid the requisite minimum membership fee to the Branch.

c. *Prison Branch.* Only members in good standing shall be eligible to run for office of the Prison Branch Coordinator/Program director. For the purpose of running for office, a member in good standing is one whose name appears on the roll of the National Office as a bona fide member at least one hundred eighty (180) calendar days prior to the date nominations are made and is a resident of the prison or correctional facility. For the purpose of being elected, the position of State Prison Branch Coordinator/Program Director shall be directly elected by members of the Prison Branch.

d. *College Chapter*. Only members in good standing shall be eligible to run for office or to vote in a College Chapter election. For the purpose of running for office, a member in good standing is one who has paid the prescribed membership fee no later than thirty (30) calendar days prior to the date of elections. For the purpose of being nominated by the Nominating Committee, a member in good standing is one who has been

a bona fide member of the College Chapter and one who has paid the prescribed membership fee by twelve noon the day of the meeting that precedes the Annual Meeting. In order to run for College Chapter office or vote in a College Chapter election, Life Members and Members-at-Large must be actively affiliated with the College Chapter at least thirty (30) calendar days prior to any meeting at which they are nominated for office or seek to vote.

e. *Youth Council*. Only members in good standing shall be eligible to run for office or to vote in a Youth Council election. For the purpose of running for office, a member in good standing is one who has paid the prescribed membership fee no later than thirty (30) calendar days prior to the date of elections. For the purpose of being nominated by the Nominating Committee, a member in good standing is one who has been a bona fide member of the Youth Council and one who has paid the prescribed membership fee by twelve noon on the day of the meeting that precedes the Annual Meeting. In order to run for Youth Council office or vote in a Youth Council election, Junior Life Members, Life Members, and Members-at-Large must be actively affiliated with the Youth Council at least thirty (30) calendar days prior to any meeting at which they are nominated for office or seek to vote.

f. *High School Chapter*. Only members in good standing shall be eligible to run for office or to vote in a High School Chapter election. For the purpose of running for office, a member in good standing is one who has paid the prescribed membership fee no later than thirty (30) calendar days prior to the date of elections. For the purpose of being nominated by the Nominating Committee, a member in good standing is one who has been a bona fide member of the High School Chapter and one who has paid the prescribed membership fee by twelve noon on the day of the meeting that precedes the Annual Meeting. In order to run for High School Chapter office or vote in a High School Chapter election, Junior Life Members, Life Members, and Members-at-Large must be actively affiliated with the High School Chapter at least thirty (30) calendar days prior to any meeting at which they are nominated for office or seek to vote.

g. *Junior Youth Council*. Only members in good standing shall be eligible to run for office or to vote in a Junior Youth Council election. For the purpose of running for office, a member in good standing is one who has paid the prescribed membership fee no later than thirty (30) calendar days prior to the date of elections. For the purpose of being nominated by the Nominating Committee, a member in good standing is one who has been a bona fide member of the Junior Youth Council and one who has paid

the prescribed membership fee by twelve noon on the day of the meeting that precedes the Annual Meeting. In order to run for Junior Youth Council office or vote in a Junior Youth Council election, Junior Life Members, Life Members, and Members-at-Large must be actively affiliated with the Junior Youth Council at least thirty (30) calendar days prior to any meeting at which they are nominated for office or seek to vote.

h. *Authorized Committee*. Members in good standing shall be eligible to run for office or vote in an Authorized Committee election. For the purpose of running for office, a member in good standing is one whose name appears on the roll of the Authorized Committee as a bona fide member of the Authorized Committee at least one hundred and eighty (180) calendar days prior to the date nominations are made and who lives and/or works within the Authorized Committee's jurisdiction. For the purpose of being elected to the Nominating Committee or the Election Supervisory Committee, signing a nominating petition or voting in Authorized Committee elections, a member in good standing is one who has been a bona fide member of the Authorized Committee for at least (30) calendar days prior to the date the election is held or the nominating petition is filed. For all other purposes, a member in good standing is one who has paid the requisite minimum membership fee to the Authorized Committee.

3. (Term of Office)

a. *State/State-Area Conference*. All officers and elected members of the Executive Committee shall be elected by secret ballot for a two-year term, in each odd-numbered year and shall serve until their successor is elected and qualified. In no case shall Youth and College Division Officers serve beyond their 25th birthday. The term for officers shall begin on the date of the election and shall end on the date that their successors are elected and qualify.

b. *Branch*. All officers and elected members of the Executive Committee shall be elected by secret ballot for a two-year term and shall serve until their successor is elected and qualified. The term for officers shall begin on January 1 following the election. All minutes and other official records are the property of the Branch and shall be promptly transferred to the newly elected and qualified officers within 30 days after the election. Non-compliance with terms herein shall be considered conduct that is inimical to the best interests of the NAACP, meriting disciplinary action pursuant to Article X.

c. *Prison Branch*. All officers and elected members of the Executive Committee shall be elected by secret ballot for a two-year term until their successor is elected and qualified. The term for officers shall begin on January 1 following the election. All official records shall be transferred to the newly elected and qualified officers within 30 days after the election.

e. *College Chapter*. All officers and elected members of the Executive Committee shall be elected by secret ballot and shall hold office for one year or until their successors are elected and qualified. The term for officers shall begin on the date of their election. All minutes and other official records are the property of the Youth Unit and shall be promptly transferred to the newly elected and qualified officers within 30 days after the election. Non-compliance with terms herein shall be considered conduct that is inimical to the best interests of the NAACP, meriting disciplinary action pursuant to Article X.

f. *Youth Council*. All officers and elected members of the Executive Committee shall be elected by secret ballot and shall hold office for one year or until their successors are elected and qualified. The term for officers shall begin on the date of their election. All minutes and other official records are the property of the Youth Unit and shall be promptly transferred to the newly elected and qualified officers within 30 days after the election. Non-compliance with terms herein shall be considered conduct that is inimical to the best interests of the NAACP, meriting disciplinary action pursuant to Article X.

g. *Junior Council*. All officers and elected members of the Executive Committee shall be elected by secret ballot and shall hold office for one year or until their successors are elected and qualified. The term for officers shall begin on the date of their election. All minutes and other official records are the property of the Youth Unit and shall be promptly transferred to the newly elected and qualified officers within 30 days after the election. Non-compliance with terms herein shall be considered conduct that is inimical to the best interests of the NAACP, meriting disciplinary action pursuant to Article X.

h. *Authorized Committee*. All officers and elected members of the Executive Committee shall be elected by secret ballot and shall hold office for two years or until their successors are elected and qualified. The term for officers shall begin on the date of their election. All official records shall be transferred to the newly elected and qualified officers within 30 days.

ARTICLE VII
DUTIES OF OFFICERS OF UNITS

1. (President)

The duties of the President shall be:

a To preside at meetings of the NAACP Unit and act as Chair of the Executive Committee.

b. To appoint the Chair and members of all Committees not otherwise elected by the General Membership or the Executive Committee of the NAACP Unit; except the Chair of the Youth Work Committee of a Branch or State/State Area Conference.

c. Between meetings of the Executive Committee and the NAACP Unit, to exercise general executive authority on behalf of the NAACP Unit, subject to ratification by the Executive Committee.

d. To countersign all checks and properly supported requisitions for disbursements from the NAACP Unit Treasury.

e. To perform such other functions and exercise such further duties as may be voted from time to time by the NAACP Unit or the Executive Committee.

f. To be an ex-officio member of all committees except, in the case of State/State-Area Conferences, Branches and Prison Branches, the Nominating Committee and Election Supervisory Committee, and in the case of the State Youth and College Division, the Youth Nominating Committee.

g. To encourage and assist all Committees in the development of their programs and the performance of their duties.

h. To recommend, to the Executive Committee, the removal of any Chairperson of a Standing or Special Committees.

i. Additional Duties for Prison Branch Presidents. In addition to the previous duties, Prison Branch Presidents shall perform the duties through the appropriate procedures applicable to their respective prison or correctional facility.

j. *Additional Duties for Youth Council Presidents*. In addition to the previous duties, Youth Unit Presidents shall represent the Youth Unit on the Executive Committee of the Branch.

2. (Vice President)

The duties of the Vice President shall be:

a. To perform all the duties of the President in his/her absence or disability. In case of more than one Vice President, the Vice Presidents shall be designated as first, second, third and so forth and shall perform their duties according to their numerical rank.

b. In the event of the resignation, removal or death of the President, the Vice President(s) shall automatically ascend to the position of President, according to their numerical rank, for the remainder of the term of the presidency. Any other Vice President(s) shall ascend in the same manner.

3. (Secretary)

The duties of the Secretary shall be:

a.. To act as Secretary of the NAACP Unit and the Executive Committee; to give members notice of regular meetings and three (3) calendar days notice of special meetings of the NAACP Unit and Executive Committee; to keep full and accurate records of the proceedings of the NAACP Unit and of the Executive Committee and record the same in a minute book or minute books, provided that, in NAACP Units employing paid staff, the responsibility of giving the membership required notice of meetings shall be discharged by said staff under the oversight of the Secretary.

b. To keep a record of all NAACP Unit members and their dues, provided that wherever paid staff is employed such duties shall be discharged by said staff under the oversight of the Secretary.

c. To give receipts for all membership fees received and to transmit such fees to the NAACP Unit Treasurer; to send promptly to the Association lists of all membership fees received; and to secure from the Treasurer and forward to the Association that portion of membership fees due to the Association.

d. To aid, coordinate and integrate the work of the several committees and divisions of the NAACP Unit, provided that wherever an Executive Director is employed such duties shall be discharged by said Executive Director.

e. To submit reports to the NAACP Unit and the Executive Committee at all regular meetings, or whenever required by either body, covering the status of the NAACP Unit and its activities since the date of the last report; to submit to the NAACP Unit at its annual meeting an annual report of the status and activities of the NAACP Unit, provided that, where an Executive Director is employed, such duties shall be discharged by said Executive Director. The Director shall forward a copy of all reports, when adopted by the NAACP Unit, to the Association.

f. To keep the President and CEO of the Association informed of all events affecting the interests of minority groups in the vicinity of the NAACP Unit, and to submit to the Association, whenever required by the Association, a report on NAACP Unit activities, provided that, wherever an Executive Director is employed, such duties shall be discharged by said Executive Director.

g. In conjunction with the President, to sign requisitions for disbursements from the NAACP Unit Treasury and to maintain a file of receipts and disbursements.

h. The Secretary shall be an ex-officio member of all committees except the Nominating Committee and the Election Supervisory Committee.

i. *Additional Duties for State/State-Area Conference Secretaries.* The State/State-Area Conference Secretary shall keep a record of all Conference Units and Assessments, provided that whenever paid staff is employed, such duties shall be discharged by said staff under supervision of the Secretary.

j. *Additional Duties of College Chapter, Youth Council, High School Chapter and Junior Youth Council Secretaries.* College Chapter, Young Adult and Youth Secretaries shall:

(a) Submit to the Youth Unit at its Annual Meeting, an Annual Report on the status and activities of the College Chapter, and Youth Council. A copy of all reports by the Secretary,

when adopted by the Youth Unit, shall be forwarded to President and CEO.

(b) Keep the President and CEO informed of all events affecting the interests of the Youth in the vicinity of the Youth Unit.

4. (Treasurer)

The duties of the Treasurer shall be:

a. To receive all monies of the NAACP Unit and promptly deposit the same in the name of the NAACP Unit in a separate account or accounts in a responsible bank or trust company. No money shall be withdrawn from any account except by check signed by the Treasurer and countersigned by the President.

b. To act as chief financial officer of the NAACP Unit and chair of the Finance Committee.

c. To make authorized disbursements upon requisition signed by the Secretary and countersigned by the President. Each requisition shall recite the amount and purpose of the payment requested. Any requisition exceeding one hundred dollars or more in the case of Branches, or twenty-five dollars or more in the case of College Chapters and Youth Councils, must be approved by the Executive Committee before a check therefore is issued. The NAACP Unit bylaws may require that requisitions in smaller amounts be approved by the Executive Committee.

d. To remit through the Secretary to the Association the proportion of membership fees to which the Association is entitled, as hereinafter provided, within fifteen calendar days after their receipt.

e. To submit reports to the NAACP Unit and the Executive Committee at all regular meetings, or whenever required by either body, covering the financial condition of the NAACP Unit showing receipts and disbursements and outstanding accounts unpaid since the last report; to submit an Annual Report to the business of his/her office at the Annual Meeting of the NAACP Unit, to which shall be appended a statement signed by the President and Secretary that all funds by the NAACP Unit have

been listed in the Treasurer's report. A copy of all reports by the Treasurer, when adopted by the NAACP Unit, shall be forwarded to the National Office.

f. All NAACP Units shall require the Treasurer to be bonded at the expense of said Unit.

g. Submit year-end financial reports to the National Office on or before March 1st.

5. (Assistant Secretary)

The duties of the Assistant Secretary shall be: To perform the duties of the Secretary in his/her absence, unavailability or disability. The Assistant Secretary may perform specific duties of the Secretary under the supervision of the Secretary.

6. (Assistant Treasurer)

The duties of the Assistant Treasurer shall be to perform the duties of the Treasurer in his/her absence, unavailability or disability. The Assistant Treasurer may perform specific duties of the Treasurer under the supervision of the Treasurer.

7. (Executive Director)

The duties of the Executive Director shall be:

a. To give due notice of all meetings of the Branch as provided in Section 3 of this Article.

b. To keep a record of all Branch members and their dues as provided in Section 3 of this Article.

c. To send promptly to the National Office lists of all memberships received and to secure from the Treasurer and forward to the National Office that portion of the membership fees belonging to the National Office as provided in Article IV.

d. To aid, coordinate and integrate the work of the several committees and divisions of the Branch as provided in Section 3 of this Article. All the aforesaid duties listed in herein are to be preformed in cooperation with the Secretary.

e. To manage the Branch office and paid staff; and to supervise the annual membership campaign.

f. To interview complaints; to act in the name of the Branch on behalf of complainants with valid grievances; to investigate in the name of the Branch any reported, alleged or suspected discrimination practices in any place of community life; to represent the Branch at meetings of other organizations approved by the Executive Committee; to lend Branch support in active cooperation with such other organizations as may be approved by the Executive Committee; to discharge such other duties as may arise in the execution of the office, or as may be assigned by the Executive Committee.

g. To submit reports of the activities of the General Membership and the Executive Committee at all regular meetings or whenever required by either body; to submit to the Branch at its annual meeting an annual report covering activities. A copy of all reports where adopted by the Branch shall be forwarded to the National Office.

h. To keep the President and CEO of the Association informed of all events affecting the interests of African-Americans and other racial and ethnic minorities in the vicinity of the Branch.

i. The Executive Director shall be responsible to the General Membership, to the Executive Committee; and between meetings of the General Membership and the Executive Committee to the President.

ARTICLE VIII
COMMITTEES OF UNITS

1. (Executive Committee)

a. The Executive Committee of each State/State-Area Conference shall consist of all Officers of the State/State-Area Conference, all Standing Committee Chairpersons, State/State-Area Conference Youth President, State/State-Area Conference Youth Advisor, and such other persons as the approved State Conference Bylaws provide.

b. The Executive Committee of each Branch shall consist of the President, Vice Presidents (not to exceed three Vice Presidents) Secretary, Assistant

Secretary, Treasurer, Assistant Treasurer, and the Chairman of the Standing Committees of the Branch, President of the Youth Units in the same community, the Branch Advisors in the High School Chapters, Youth and Junior Youth Councils and such other members at large not to exceed twenty-four to be elected at the regular election of the Branch, provided that the total membership of the Executive Committee shall not exceed 45 except by written authorization of the Board of Directors. If there is no local youth group recognized by the National Office, the Branch must, upon receipt of 25 youth memberships, apply to the National Office for a Youth Charter and organize the appropriate youth group.

c. The Executive Committee of the Prison Branch shall consist of the Prison Branch Coordinator/Program Director, Vice Presidents (not to exceed three Vice Presidents), Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, and the Chairman of the Standing Committees of the Prison Branch, and such other members at large not to exceed twenty-four to be elected at the regular election of the Prison Branch, provided that the total membership of the Executive Committee shall not exceed forty-five (45) except by written authorization of the Board of Directors.

d. The Executive Committee of each College Chapter shall consist of the President, Vice Presidents, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, and the Chairmen of the Standing Committees of the College Chapter, and such other members to be elected at the Annual Meeting of the College Chapter as the College Chapter bylaws may decide, provided that the total membership of the Executive Committee shall not exceed eighteen (18) except by written authorization of the Board of Directors. The Faculty Advisor shall serve as an ex-officio member of the Executive Committee of the College Chapter.

e. The Executive Committee of each Youth Council shall consist of the President, Vice Presidents, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, and the Chairmen of the Standing Committees of the Youth Council, and such other members to be elected at the Annual Meeting of the Youth Council as the Youth Council bylaws may decide, provided that the total membership of the Executive Committee shall not exceed eighteen (18) except by written authorization of the Board of Directors. The Youth Council Advisor shall serve as an ex-officio member of the Executive Committee of the Youth Council.

f. The Executive Committee of each High School Chapter shall consist of the President, Vice Presidents, Secretary Assistant Secretary, Treasurer, Assistant Treasurer, the Chairmen of the Standing Committees of the High

School Chapter, and such other members to be elected at the Annual Meeting of the High School Chapter as the High School Chapter bylaws may decide, provided that the total membership of the Executive Committee shall not exceed eighteen (18) except by written authorization of the Board of Directors. The High School Council Advisor shall serve as an *ex officio* member of the Executive Committee of the High School Chapter.

g. The Executive Committee of each Junior Youth Council shall consist of the President, Vice President, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, the Chairmen of the Standing Committees of the Junior Youth Council, and such other members to be elected at the Annual Meeting of the Junior Youth Council as the Junior Youth Council bylaws may decide, provided that the total membership of the Executive Committee shall not exceed eighteen (18) except by written authorization of the Board of Directors. The Junior Youth Council Advisor shall serve as an ex-officio member of the Executive Committee of the Junior Youth Council.

h. The Executive Committee of each Authorized Committee shall consist of the President, Vice President, Secretary, Assistant Secretary, Treasurer, Assistant Treasurer, the Chairmen of the Standing Committees of the Authorized Committee, and such other members to be elected at the Annual Meeting of the Authorized Committee as the Authorized Committee bylaws may decide, provided that the total membership of the Executive Committee shall not exceed five (5) except by written authorization of the Board of Directors.

2. (Duties of the Executive Committee)

a. The Executive Committee shall have general control of the affairs and program of the Unit, subject to the authority of the Unit and the provisions of the Constitution and approved bylaws.

b. The Executive Committee shall render a report, containing the reports of all standing and special committees, at the regular meetings of the Unit and whenever otherwise required.

c. At its first meeting following the election, and at any time during the term of office, the Executive Committee shall approve the Unit President's appointments of Chairpersons of the various Standing Committees as presented by the President.

d. To create special committees as needs arise.

e. To fill all vacancies in Unit offices and on the Executive Committee.

f. To decide matters of Unit policy subject to endorsement by the Unit and in accordance with national policy.

g. In the case of Branches, Executive Committees shall appoint, employ and enter into employment arrangements with employees of the Unit subject only to employment procedures and qualifications approved by the National Office.

h. In the case of State/State-Area Conferences, an Executive Director and/or staff person may be employed by the State/State-Area Conference where its budget warrants such employment, upon terms and conditions approved by the Board of Directors. Such persons shall be selected by the Executive Committee of the Conference, subject to approval by the National Office.

3. (Quorum)

The quorum of the Executive Committee shall be determined by approved Unit bylaws, but shall not be less than one-third of the committee's total membership.

4. (Standing Committees and Special Committees of Units)

a. Standing Committees of State/State-Area Conferences. The Standing Committees of the State/State Area Conference shall be: ACT-SO, Armed Services & Veteran Affair's; Communications, Press & Publicity; Community Coordination; Criminal Justice; Economic Development; Education; Environmental and Climate Justice; Finance; Freedom Fund; Health; Housing; Labor & Industry; Legal Redress; Membership and Life Membership; Political Action; Prison Branch; Religious Affairs; Young Adult; Youth Works; and WIN

b. State/State-Area Conference Standing Committee Reporting Requirements:

1. State/State-Area Conference Standing Committees shall gather facts of their respective subject, disseminate the same to the Units through the State Conference office and make written reports at the following Annual Conference.

2. State/State-Area Conference Standing Committees shall be appointed within thirty (30) days following the last session of each Conference, by the President. The President shall designate the Chairperson of each of the Standing Committees, and make a report at the next regular meeting of the State/State-Area Conference.

c. *Standing Committees of Branches.* The Standing Committees of the Branch shall be: ACT-SO, Armed Services & Veteran Affair's; Communications, Press & Publicity; Community Coordination; Criminal Justice; Economic Development; Education; Environmental and Climate Justice; Finance; Freedom Fund; Health; Housing; Labor & Industry; Legal Redress; Membership and Life Membership; Political Action; Prison Branch; Religious Affairs; Young Adult; Youth Works; and WIN

d. *Standing Committees of Prison Branches.* The Standing Committees of the Prison Branch shall be: ACT-SO, Armed Services & Veteran Affair's; Communications, Press & Publicity; Community Coordination; Criminal Justice; Economic Development; Education; Environmental and Climate Justice; Finance; Freedom Fund; Health; Housing; Labor & Industry; Legal Redress; Membership and Life Membership; Political Action; Prison Branch; Religious Affairs; Young Adult; Youth Works; and WIN

e. *Standing Committees of College Chapters.* The Standing Committees of the College Chapters shall be: Membership; Finance; Press and Publicity; Programs and Research; Education; Environmental and Climate Justice; Employment; Political Action; Juvenile Justice; and Health.

f. *Standing Committees of Youth Councils.* The Standing Committees of the Youth Councils shall be: Membership; Finance; Press and Publicity; Political Action; Youth Employment; Education; Environmental and Climate Justice; Programs and Research; Entertainment; Juvenile Justice; and Community Coordination.

g. *Standing Committees of High School Chapters.* The Standing Committees of High School Chapters shall be: Membership; Finance; Press and Publicity; Political Action; Youth Employment; Education; Environmental and Climate Justice; Programs and Research; Entertainment; Juvenile Justice; and Community Coordination

h. *Standing Committees of Junior Youth Councils.* The Standing Committees of the Junior Youth Councils shall be: Membership; Finance; Press and Publicity; Political Action; Youth Employment; Education; Environmental

and Climate Justice; Programs and Research; Entertainment; Juvenile Justice; and Community Coordination.

i. The President, in consultation with the Committee Chair, shall appoint the members of the Standing and Special Committees, except the Nominating Committee. All committees shall consist of not less than three members.

5. (Duties of the Standing Committees)

The duties of the Standing Committees shall be:

a. ***Afro-Academic, Cultural, Technological and Scientific Olympics (ACT-SO):*** The Committee on ACT-SO shall follow these rules: (1) must be properly registered annually with the National Office and follow all directives outlined by the National ACT-SO Program; (2) understand that it is a major project of the NAACP. With ACT-SO, the NAACP is providing an instrument through which African-American youth are encouraged and inspired toward excellence in academic and cultural pursuits while benefiting from the maximum support of their communities; (3) uphold its goal of ACT-SO that affords the same respect for African-American Scholastic and cultural achievement that is given to heroes; and (4) recognizing that ACT-SO conducts annual academic competitions for students in grades nine (9) through twelve (12) in NAACP Branches throughout the country in accordance with the published guidelines of the National Office and oversight of the National Director of ACT-SO Program.

b. ***Armed Services and Veterans' Affairs.*** The Committee on Armed Services and Veterans' Affairs shall: (1) seek to establish a working relationship with those agencies in government, national, state and local, having the responsibility in the affairs of members of the various Armed Services and Veterans and to see that the programs to which they are responsible are administered fairly and justly to members of the minority community; (2) study conditions pertaining to veterans and members of the Military Service and their dependents and/or survivors in the community; (3) serve as a center of information on matters affecting the members of the Active Military, Reserves, State National Guard and Veterans; (4) maintain a repository of materials, information and forms to be used in assisting veterans and/or dependents of veterans and military personnel with their problems; (5) receive and act on all complaints relative to acts of discrimination on account of race, color, creed, or denial of benefits to which they are entitled because of discrimination; (6)

prepare a quarterly report on committee activities to be submitted to the Executive Committee of the Unit and the National Director of Armed Services and Veterans Affairs.

c. ***Communications, Press and Publicity.*** The Committee on Communications, Press and Publicity shall: (1) seek to promote media content consistent with fundamental NAACP goals which include the elimination of racial isolation and fear and the furtherance of multiracial and cultural understanding; (2) work to eliminate employment segregation and discrimination in those industries, [comprising the communications arts and sciences] (radio, telephone, television, motion pictures, newspapers, books, related computer communications, business, cable television); (3) seek to ensure Black minority ownership and control of print and electronic media — both hardware and software; (4) monitor local and national media, especially advertising performance; (5) provide the National Office with research and data on those local businesses engaged in communications arts and sciences; (6) seek to ensure that all people have a meaningful right to choose from and have access to a variety of high quality telecommunications goods and services at reasonable cost; (7) endeavor to secure publicity for the work of the Unit and the Association in the local press and on radio, television and other media; (8) attempt to interest persons in charge of local news media on conditions affecting minority groups; (9) seek to counteract derogatory and erroneous statements in local news media about Blacks and other minority groups; (10) be responsible for forwarding to THE CRISIS items covering Unit activities and important local affairs; and (11) act as far as possible as an agency for the promotion and sale of THE CRISIS. No publicity shall be released without first being approved by the President of the Unit.

d. ***Community Coordination.*** The Committee on Community Coordination shall enlist the support of other community organizations on issues affecting the interests of African Americans and other communities of color.

e. ***Criminal Justice.*** The Committee on Criminal Justice shall: (1) seek to eliminate harsh and unfair sentencing practices that are responsible for mass incarceration and racial disparities in the prison system, (2) support and seek to increase trust and public safety by advancing effective law enforcement practices, (3) fight for the restoration of the voting rights of formerly incarcerated people and the removal of barriers to employment, (4) elevate the voices of crime victim survivors in order to identify and advance systemic breakdowns existing in the criminal justice system that

perpetuate crime, (5) resolve to end the war on drugs for its disproportionate collateral consequences harm communities of color, (6) seek the institution and availability of alternatives to incarceration including education, employment, and mental health services, (7) eliminate zero tolerance policies implemented in our schools which are keeping kids out of the classroom and putting them on a path from the schoolhouse to the jailhouse, (8) investigate programs implemented in our local law enforcement agencies which derail from their main purpose of safety and order to conduct the work of federal agencies for which they do not have the capacity, and (9) seek budget modifications in states where incarceration receives more funding than education.

f. ***Economic Development.*** The Committee on Economic Development shall implement local efforts and support national programs to preserve and expand economic empowerment among African-Americans and other communities of color by: (1) researching and establishing relationships with private and public entities; (2) supporting the work of the National Office in monitoring the progress and activity of private and public entities designated by national programs; and (3) implementing local efforts to promote the growth of business ownership; (4) increasing employment and job creation; and (5) encouraging business development and home ownership.

g. ***Education***. The Committee on Education shall: (1) seek to eliminate segregation and other discriminatory practices in public education; (2) study local educational conditions affecting minority groups; (3) investigate the public school system and school zoning; (4) familiarize itself with textbook material there from which is racially derogatory; (5) seek to stimulate school attendance; (6) keep informed of school conditions and strive to correct abuses where found; (7) investigate the effects of standardized and high stakes testing practices; (8) teacher certification; (9) promote parental involvement in education; and (10) aim to be a center of popular education on the race question and on the work of the Association.

h. ***Environmental and Climate Justice.*** The Environmental and Climate Justice Committee shall: (1) seek to address environmental inequities at the local level and advocate for civil rights issues (2) develop a comprehensive and holistic agenda to reduce pollution (3) advance energy efficiency and clean energy (4) build disaster resilient infrastructure policies and practices.

i. ***Finance***. The Finance Committee shall consist of the President, Treasurer, and at least one other member. It shall study the financial needs of the Unit and shall be responsible for drafting an adequate annual budget.

i. ***Freedom Fund.*** The Freedom Fund Committee shall plan and conduct fund-raising activities, entertainment and other projects, for local and national purposes within the scope of the Association's program. It shall work closely with the Finance Committee.

j. ***Health.*** The Health Committee shall: (1) work to promote, protect and maintain the health of African Americans; (2) assess the health needs of the community; (3) advocate for equal access to health education, care, treatment and research for all Americans; (4) sponsor health-related activities such as health forums, fairs and workshops highlighting issues of importance to people of color; and (5) support health initiatives of the Association.

k. ***Housing.*** The Committee on Housing shall: (1) study housing conditions in the local community; (2) receive and seek to address complaints of discrimination; (3) oppose all restrictive practices whether public or private; and (4) disseminate information and render such other assistance which may eliminate discrimination in housing.

l. ***Labor and Industry.*** The Labor and Industry Committee shall seek ways to improve the economic status of minority groups by: (1) working to eliminate discriminatory employment practices in industry and government, wage differentials based on race, unequal opportunities for training, promotion and unfair dismissals; (2) encouraging greater participation in the trade union movement; (3) working to end discriminatory practices in labor unions; (4) securing the enactment of state and federal fair employment practices legislation; and (5) working for improved opportunities in vocational and apprenticeship training.

m. ***Legal Redress.*** The Legal Redress Committee shall: (1) investigate all cases reported to it; (2) supervise all litigation in which the Unit is interested; and (3) keep the National Office and the Branch informed on the progress of every case. It shall not give general legal advice.

n. ***Membership and Life Membership.*** The Membership Committee shall: (1) work throughout the year to maintain and increase the membership of the Association; (2) be responsible for planning and organizing the annual membership campaign; (3) be responsible on a continuous basis

for soliciting new members and for securing renewals; and (4) initiate all possible means to obtain Life Members and sponsor a continuing program towards this end.

o. ***Political Action.*** The Political Action Committee shall: (1) seek to increase registration and voting; (2) work for the enactment of municipal, state and federal legislation designed to improve the educational, political and economic status of minority groups; (3) seek the repeal of racially discriminatory legislation; (4) work to improve the administration of justice; (5) work to secure equal enforcement of the law; and (6) keep the National Office and the Unit informed of all proposed legislation which affects minority groups. The Committee shall be nonpartisan and shall not endorse candidates for public office.

p. ***Prison Branch.*** The Prison Branch Support Committee shall support the work of the Prison Branch in accordance with Article VIII, Section 6 (1-11) by (1) working closely and directly with the members of their respective Prison Branch and the Regional Prison Coordinator; (2) maintain contacts with, and report regularly to the Regional Coordinators; (3) build, cultivate and maintain positive relationships between prison officials, Prison Branch members and members within the local Branch; and (4) solicit community organizations and business to establish a volunteer bank (teachers, writers, poets, businessmen, ministers, lawyers, policemen, judges, government officials, politicians and media personnel) to assist the Prison Branch in carrying out its programs.

q. ***Religious Affairs.*** The Religious Affairs Committee shall include ministerial and lay religious leaders who are members of the Unit. It shall: (1) promote an educational program designed to give moral and ethical interpretation to the civil rights struggle; (2) interpret the work of the Association to organized religious groups of all faiths; (3) enlist the support of such organized religious groups for membership, fundraising, and the struggle for equality and full civil rights; and (4) provide resource assistance for religious education and social action activities, associated with the improvement of race relations.

r. ***Young Adult***. The Committee on Young Adult shall consist of Branch members twenty-one (21) – forty (40) years of age. It shall be the function of the Committee to: (1) support all branch activities; (2) stimulate interest through advocacy training and solicit membership of twenty-one (21) – forty (40) years of age; (3) create a mentorship program (Branch to Young Adults and Young Adults to Youth Units) to serve as a support bridge from Youth and College to Branch

participation; (4) provide networking and social opportunities for young adults in the local community; and (5) encourage the participation of young adults in all activities and leadership within the Branch.

s. ***Youth Works.*** The Committee on Youth Work for State/State-Area Conferences shall consist of all Youth Unit Advisors and Youth Unit Presidents in the state, and five (5) persons appointed by the State/State-Area Conference President. The Committee on Youth Work for Branches shall consist of the Youth Unit Advisor(s), and Youth Unit President(s) in the same community, and five (5) persons appointed by the Branch President. The Youth Unit Advisors and the Youth Unit Presidents shall choose the chair of the Committee. The Youth Work Committee shall develop and coordinate the programs of the Branch(es) and Youth Units.

The Branch Committee on Youth Work shall turn the names, addresses and membership dues of youth solicited by the Branch over to the appropriate National Office recognized youth group, if any, in their community. The Youth Work Committee shall monitor the youth membership in the Branch. If there is no local youth unit recognized by the National Office, the Committee shall recommend the Branch apply to the National Office for a Youth Charter and organize the appropriate youth group.

t. ***Women in the NAACP (WIN).*** State/State-Area Conferences, Branches, Prison Branches of the Association may organize Women in NAACP (WIN) committees subject to the control of the Executive Committee and to such rules and regulations as the Board of Directors may enact. WIN committees shall consist of a Chairperson and/or Co-Chairperson and at least three (3) other members. WIN shall address within the framework of the NAACP, civil rights issues affecting women and children and shall carry out other civil and cultural activities to enhance membership and provide financial support to the Branch. The purpose WIN is (1) to enhance the leadership role of women; (2) to serve as an advocacy vehicle to address the social, economic, political, educational, health and welfare issues affecting women; (3) to advocate for the emotional, mental, physical and spiritual development of children and (4) to support the policies as well as the on-going mission and vision of the NAACP.

u. All Standing Committees must have at least three (3) appointed members. They shall report in writing each month to the Executive Committee at its regular meetings.

6. (Distinctive Duties of Prison Branch Support Committees)

Prison Branch Support Committee. The Prison Branch Support Committee shall:

a. Work closely and directly with the members of their respective Prison Branch and the Regional Prison Coordinator.

b. Maintain contacts with, and report regularly to the Regional Coordinators.

c. Build, cultivate and maintain positive relationships between prison officials, Prison Branch members and members within the local Branch.

d. Solicit community organizations and businesses to establish a volunteer bank (teachers, writers, poets, businessmen, ministers, lawyers, policemen, judges, government officials, politicians, media personnel) to assist the Prison Branch in carrying out its programs.

e. Aid the Prison Branch in organizing and planning parliamentary procedure workshops, leadership training sessions and other seminars.

f. Aid the Prison Branch in establishing and securing instructors for ongoing certification and remedial classes and General Equivalency Diploma (GED) preparatory work.

g. Aid the Prison Branch in planning and scheduling its annual awards banquet by contacting prospective guest speakers and making sure items needed for the ceremony are made available in a timely fashion.

h. Meet with local businessmen, companies and corporations to discuss Targeted Job Tax Credit Programs and to persuade prospective employers to consider the advantages of hiring ex-offenders. Employers will be encouraged to interview the inmate while still incarcerated; if they agree, efforts will be made to gain clearance into the facility where there is an obvious reluctance to entering the prison. The Prison Branch Support Committee would provide the employer with pertinent information on the inmate under consideration.

i. Interview all Prison Branch members when they are within 90-180 days of their parole hearings to assess what types of offender re-entry programs may be most beneficial to them upon their release.

j. Maintain for two years a careful and accurate "follow up" file on those ex-offenders placed in jobs secured through the assistance of the NAACP. The purpose of these records will be to compare the NAACP recidivism rate to

the national average (70%) and thus compute the yearly savings in public tax dollars.

k. Perform any and all duties consistent with the Prison Project.

7. (Distinctive Duties of College Chapter Standing Committees)

a. ***College Chapter Armed Services Committee.*** The Committee on Armed Services shall:

1. Study conditions pertaining to students of color serving in the branches of the armed services on both the campus and in the community.

2. Receive and act on all these students' complaints relative to discrimination because of race, color or creed or denials of benefits in local areas because of discrimination.

b. ***College Chapter Education Committee.*** The College Chapter Committee on Education shall study educational conditions affecting Black people and other minority groups. It shall be the policy of the College Chapter Education Committee to:

1. Concern itself with the educational practices on its own campus as well as other campuses.

2. Be a center of popular education on the problems of Black Students and the work of the NAACP.

3. To work for the integration of students, faculty and non-teaching personnel and the elimination of quota systems, particularly in medical, dental, and engineering schools, and to give attention to upgrading and granting tenure to professors.

4. Seek to secure unprejudiced presentation in teaching materials pertaining to African-Americans and other ethnic minority groups.

5. Work to establish deadlines by which time student organizations must have removed racial or religious discriminatory clauses from their Constitutions or face non-recognition by the university.

6. Conduct joint programs with students from other colleges in the community, particularly colleges having few, if any Black students.

c. ***College Chapter Employment and Economic Empowerment Committee***. The Committee on Chapter Employment and Economic Empowerment shall seek ways to empower youth economically by:

1. Encouraging the development of job readiness training and placement programs for youth and young adults.

2. Studying levels of unemployment and underemployment of working age youth and the causes of each.

3. Working for improved opportunities in vocation and apprenticeship training.

4. Working to eliminate discriminatory employment practices.

5. Studying levels of youth and young adult credit and debt creating programs to decrease debt.

6. Creating training programs in entrepreneurship, savings, investment and home ownership.

d. ***College Chapter Housing and Community Planning Committee.*** The Committee on Housing and Community Planning shall study the housing patterns and conditions of Blacks and other minority people both on and off campus. Specifically, it shall:

1. Seek to guarantee the rights of students and staff to live in any campus controlled housing without regard to race or color.

2. Oppose segregation and discrimination in off-campus housing for both students and staff.

3. Demand the enforcement of community housing and sanitation codes.

4. Where necessary, with the approval of the Association, sponsor direct action programs as a means of publicizing and correcting intolerable housing conditions.

5. Seek to eliminate segregation and discrimination and to improve the general housing conditions for Blacks and other minorities in the community at large.

e. ***College Chapter Juvenile Justice Committee.*** The Committee shall:

1. Seek to eliminate discriminatory practices in the Juvenile and Adult Justice systems.

2. Research and monitor local and state incarceration, sentencing, arrest and probation rates of African-American and other youth of color.

3. Investigate disproportionate incarceration and sentencing of African-Americans and other youth of color.

4. Investigate living conditions and treatment within youth detention centers.

5. Mobilize Units to correct abuses where found.

f. ***College Chapter Press and Publicity Committee.*** The Committee shall:

1. Secure publicity in the local press for the Chapter.

2. Publicize by means of posters, etc., the meetings and activities of the Chapter.

3. Promote the sale of the CRISIS and other Association literature.

4. College Chapters shall not issue press releases without the consent of the Chapter President.

g. ***College Chapter Program and Research Committee***. The Committee shall:

1. Study local and national issues affecting Black youth and other minority groups and recommend certain of these issues for discussion and action by the unit.

2. Operate a speakers' bureau for the benefit of the Units and for the benefit of organization on the campus and in the community desiring to make use of it.

3. To have charge of such entertainment as shall be approved by the Executive Committee.

4. Formulate and present to the Executive Committee, at the regular monthly meeting following the annual Meeting of the Unit, a program of activity for the ensuing year.

8. (Distinctive Duties of Youth Council Standing Committees)

a. ***Youth Employment and Economic Empowerment Committee.*** The Committee shall seek to empower youth economically by:

1. Encouraging the development of job readiness training and placement programs for youth and young adults.

2. Studying levels of unemployment and underemployment of working age youth and the causes of each.

3. Working for improved opportunities in vocation and apprenticeship training.

4. Working to eliminate discriminatory employment practices.

5. Studying levels of youth and young adult credit debt and creating programs to decrease debt.

6. Creating training programs in entrepreneurship, savings, investment and home ownership.

b. ***Youth Council Entertainment Committee.*** The Committee on Entertainment shall have charge of entertainment of such kind as shall be approved by the Executive Committee of the Youth Council.

c. *Youth Council Juvenile Justice Committee.* The Committee shall:

1. Seek to eliminate discriminatory practices in the juvenile and adult justice systems.

2. Investigate living conditions and treatment with in youth detention centers.

3. Mobilize units to correct abuses where found.

d. ***Press and Publicity Committee.*** The Press and Publicity Committee shall:

1. Seek to secure favorable publicity in local, state and national media for the Youth Council.

2. No press releases shall be issued without the consent of the President and Youth Council Advisor.

e. ***Youth Council Program and Research Committee***. The Program and Research Committee shall:

1. Study local and national issues affecting Black youth and other minority groups and recommend certain of these issues for discussion and action by the Council.

2. Operate a speakers' bureau for the benefit of the Council and the community.

3. Formulate and present to the Executive Committee at the regular monthly meeting following the Annual Meeting of the Council a program of activity for the ensuing year.

9. (Tenure)

Members of the Executive Committee and of the several standing committees of Branches and Prison Branches shall hold office for two years and until their successors are elected and qualify. Members of the Executive Committee of Youth Units shall hold office for one year.

10. (Removal Procedure)

a. Non-functioning committees shall be discharged promptly by the Executive Committee.

b. Any member of the Executive Committee, except officers or of any standing or special committee who shall be absent from three (3) consecutive meetings without notice to the Secretary or President or who shall not perform the required duties for three (3) consecutive months, or who shall be absent from any six (6) meetings with or without notice in a twelve month period shall be removed by the Executive Committee by written notification to the delinquent member and replaced in accordance with Article VIII, Section 2(e). A member of any standing or special committee may be directly removed by the chairperson for dereliction of duty. If the Executive Committee fails to act, the President, Secretary, and one member may sign the removal letter.

c. For any officers who shall be absent from three (3) consecutive meetings without notice or explanation to the Secretary or President, or who shall not perform the required duties for three (3) consecutive months, or who shall be absent from any six (6) meetings with or without notice in a twelve month period except in cases when the General Meeting and the Executive Committee meeting are held on the same day those occurrences

shall be counted as one missed meeting, the National Office is to be notified by the Secretary by way of a petition signed by the Secretary, the President and one (1) other member of the Executive Committee. If the President or Secretary is in violation, then any three members of the Executive Committee shall sign the petition. The National Office shall recommend the removal of said officer by the Board of Directors at the next meeting of the Board of Directors following receipt of the petition.

ARTICLE IX
ELECTION OF OFFICERS AND EXECUTIVE COMMITTEE AND DELEGATES

1. (Procedure for State/State-Area Conference Elections)

a. Election of Delegates

1. All delegates elected to the Annual Convention of a State/State-Area Conference must be members in good standing of Units in good standing within the State/State-Area Conference. All such delegates must be elected at a regular meeting of their general membership. Elected delegates must present official credential forms as provided by the State/State-Area Conference at the time of registering to the Credentials Committee of the Convention.

2. The election shall be by secret ballot of delegates both youth and adults at the Annual Convention of the State/State-Area Conference held in odd numbered years and those elected shall hold office for two (2) year terms and/or until their successors are elected and qualify.

3. *Representation*. Representation of Units at the Annual Convention of the State/State-Area Conference shall be on the following basis:

25 - 49	(Youth) 2 delegates
50 - 100	4 delegates
101 - 500	6 delegates
501 - 1,000	8 delegates
1,001 - 2,500	10 delegates
2,501 - 5,000	12 delegates
5,001 - 10,000	14 delegates
10,001 - 20,000	16 delegates
20,001 - 25,000	18 delegates

Over 25,000 - 1 additional vote for every 2,500 members.

(a) Representation shall be on the basis of membership as recorded in the National Office, sixty (60) days prior to the opening date of each Annual Convention.

(b) Each Unit is entitled to the number of alternate delegates equal to the number of voting delegates. Alternate delegates shall be permitted to vote in place of absent delegates.

4. *Organization of State/State-Area Conference.* At the first session of the Annual Convention, the delegates shall elect delegates to serve on the Committee on Time and Place, Committee on Resolutions and Committee on Credentials.

(a) *Committee on Time and Place.* Shall be charged with the responsibility of investigating possible cities for future Annual Conventions, and recommending same to the Convention.

(b) *Committee on Resolutions.* Shall be responsible for determining for each proposed resolution whether it meets the criteria of newness or material modification of existing resolutions.

(c) *Committee on Credentials.* Shall examine and report upon the credentials of all delegates to the Convention as the first order of business of each Business Session. The Committee on Credentials shall be the arbitrator of all disputes and will report the resolution of same to the Convention.

5. *Quorum of State/State-Area Conference Meetings.* The number of members necessary to constitute a quorum at all meetings shall be decided upon by a resolution adopted by the State/State-Area Conference which shall be incorporated in the approved State/State-Area Conference Bylaws.

b. *Election Procedure*

1. All State/State-Area Conferences shall hold an election for officers in odd numbered years in accordance with the Constitution, these Bylaws and the Manual on State/State-Area Conference Election

Procedure. All State/State Area Conferences shall utilize the following election procedure.

(a) In each even numbered year, the delegates at the Annual Convention of each State/State-Area Conference shall elect seven delegates to the Election Procedures Committee which shall be responsible for the election process leading up to the State/State-Area Conference election in the odd numbered years. No more than two (2) State/State-Area Conference officers or Executive Committee members shall be elected to the Election Procedures Committee. The Committee shall conduct an organizing meeting during the Convention at which time they shall elect a chairperson and secretary. Members of the Election Procedures Committee are not prohibited from filing a nominating petition.

(b) Written notice of the date, time, location and procedure for the conduct of the biennial State/State-Area Conference election shall be sent by the State/State-Area Conference Secretary by certified mail to all Units in good standing within the State/State-Area Conference by no later than February 1 of the odd numbered year. The notice shall include the positions to be filled by election and the official nominating petition.

(c) Persons wishing to run for elective office must be members in good standing and return the petition bearing their signature by certified mail signed by three (3) or more members in good standing of Units in good standing within the State/State-Area Conference by no later than June 15 of the election year. The nominating petitions must be mailed to the official mailing address of the State/State-Area Conference to the attention of the Election Procedures Committee which shall follow the procedures set forth in the Manual on State/State-Area Conference Election Procedure. An individual may seek only one elective office at a time.

(d) For the purpose of running for office, a member in good standing is one whose name appears on the roll of a Unit in good standing within the State/State Area Conference no later than December 15 of the even numbered year prior to the State/State-Area Conference election. For the purpose

of signing a nominating petition, a member in good standing is one whose name appears on the roll of a Unit in good standing within the State/State-Area Conference at least thirty (30) days prior to the date the nominating petition is filed.

(e) The Election Procedures Committee shall review all nominating petitions, validate the eligibility of candidates and file its report with the State-State/Area Conference Secretary by no later than June 30 of the election year.

(f) Upon receipt of the Committee's report, the State/State-Area Conference Secretary shall mail the listing of all eligible candidates for each office to all Units in good standing within the State/State-Area Conference by no later than July 15 of the election year.

(g) Thirty (30) days prior to the election the Election Procedures Committee shall file a report with the State/State-Area Conference Secretary verifying that all eligible candidates for office will be members in good standing as of the date of the election.

(h) An eligible candidate may withdraw from contention by forwarding a letter requesting that his/her name be removed from the ballot. The letter must be sent to the Chairperson of the Election Procedures Committee thirty (30) days prior to the election.

All voting at the Annual Convention must be by delegates present who were duly elected by their respective Unit in good standing within the State/State-Area Conference. Proxy voting, absentee voting and write-in voting are prohibited in NAACP elections. State/State-Area Conference Officers and Executive Committee members only have voting privileges if they have been duly elected by their respective Unit in good standing within the State/State-Area Conference.

(i) Prison Units in good-standing, only, shall be allowed to participate in State/State Area Conference Elections. Prison Units that meet all prerequisites as defined in Article III, Section 3(c) and Article IV, Section 3(a) will receive a

ballot. The State/State Area Conference on June 30th when sending out report of the Election Procedures Committee to all units, will also forward the prerequisite ballots to Prison Units that are in good-standing. Ballots will be prepared in accordance with guidelines established by the Association. The Prison Unit will elect delegates at its General Membership meeting, after which the delegates will vote. When returning the ballots to the address of the State/State Area Conference mailing address, a copy of the minutes of the meeting when delegates were elected must be included. Ballots must be received by the State/State Area Conference 10 business days prior to the first day the Annual State/State Area Convention convening. The State Conference Secretary shall provide the Chair of the Election Procedures a report as to when ballots were received. The State/State Area Conference Secretary shall, upon the election of the Election Supervisory Committee immediately turn over the sealed ballots to the Election Supervisory Committee. Ballots are to remain sealed and not be counted until the polls close.

(j) At the first session of the Annual Convention, the delegates shall elect five (5) delegates to the Election Supervisory Committee which will conduct the election in accordance with the Constitution, these Bylaws and the Manual on State/State-Area Conference Election Procedure. In addition, if there is more than one presidential candidate, each presidential candidate is entitled to appoint a representative to the Election Supervisory Committee. In the event the total number of presidential candidates exceeds four (4), the delegates must elect additional members to the Election Supervisory Committee so that the total number of elected members is one more than the appointed members of the Committee. No candidate for office shall serve on the Election Supervisory Committee.

(k) On Saturday during the Convention at 8:00 a.m. on Election Day, the Election Supervisory Committee shall convene a special session of the Convention for the sole purpose of hearing from the candidates seeking office. Candidates shall be heard in the following order:

Assistant Secretary

Secretary
Assistant Treasurer
Treasurer
Vice Presidents
President

Immediately following the special session, but no later than 11:00 a.m., the polls shall open, remaining open until 3:00 p.m. Following tabulation, the results of the election shall be announced by the Election Supervisory Committee by posting on the tabulation room door and by announcement on Saturday evening.

2. *State/State-Area Conference Election Controversy*

(a) In the event of election controversy, all parties thereto shall submit complaints to the National Office. Said complaints must be postmarked not later than ten (10) days following the date of the election in question. The complaints must be signed by at least twenty-five (25) voting delegates who were in attendance at the Convention. Said delegates must represent at least five (5) units registered at the Convention.

(b) The National Office will institute an investigation into the matter, and should a determination be made that the complaint is frivolous or completely devoid of merit, or that the election result could not have been otherwise even if the allegations alleged are assumed to be true, then the National Office shall within thirty (30) days, or as soon thereafter as possible, dismiss the complaint and inform all parties forthwith that the installation of officers might be held.

(c) Should the National Office be unable to dismiss the complaint because the charges appear to have merit and as such, the results of the election might have been otherwise had the alleged violations not occurred, then the matter will be referred to the Chairperson of the Committee on Membership and Units of the Board of Directors, who will designate a Hearing Panel.

(d) Pending resolution of the dispute, the officers whose terms were to have expired with the new election, will continue to function.

(e) *Authority of the National Office.* The National Office shall have authority to intervene at any time during the period leading up to the State Conference election. Such authority includes suspending the process and instituting corrective action to assure that the rights of all members are protected.

2. *(Election of Officers and Executive Committees for Branches)*

a. *Organizing Meeting (New Branch)*

1. The officers and members of the Executive Committee elected at the organizing meeting of the Branch shall hold office until their successors are elected and qualify.

2. Following the chartering of a new Branch by the Board of Directors, the National Office shall cause an election to be held of the members of the new Branch. Should the election take place during an even numbered year, the officers and members of the Executive Committee elected at this time shall not be required to stand for election again until the next Branch election year.

b. *Eligible Voters at Organizing Meeting.* All persons who endorse the aims and purposes of the National Association for the Advancement of Colored People who have paid the prescribed fees shall be entitled to vote at the organizing meeting and to be elected to office.

c. *Biennial Elections.* Thereafter, all officers and elected members of the Executive Committee shall be elected by ballot at a Branch election held in even numbered years as hereinafter provided, and shall hold office for two (2) years and until their successors are elected and qualify.

d. *Nominating Committee Election.*

1. In even numbered years there shall be elected at a **September** membership meeting of the Branch a Nominating Committee composed of not less than five (5) nor more than fifteen (15) members of the Branch in good standing, provided that not more than two (2) shall be officers of the Branch or members of the Executive Committee.

2. *Duties of the Nominating Committee.* The Branch Secretary shall call the organizing meeting of the Nominating Committee. The first meeting of the Nominating Committee shall be held no later

than ten (10) days after its election. The Nominating Committee shall:

(a) Elect its Chairperson and Secretary as its first order of business.

(b) Nominate any member of the Branch who is in good standing. For purposes of running for office, the term "member in Good Standing" shall mean that the person must be a bona fide member of the Branch by April 1 of the election year and must live and/or work within the branch's jurisdiction.

(c) The Nominating Committee may nominate a member thereof as a candidate for office or as an at large member of the Executive Committee.

(d) The Nominating Committee shall have itself available to interview members interested in being considered for office or as at-large members of the executive Committee.

(e) The Nominating Committee shall nominate only those persons who have given written consent to be nominated. The secretary shall verify that each nominee has given written consent after the Nominating Committee has given its report at the October meeting and before the Branch accepts this report.

(f) The Committee shall nominate a member for only one (1) position during the election.

3. *Reporting of the Nominating Committee.* The Nominating Committee shall submit a report in writing at the **October** General Membership Meeting of the Branch. This report shall consist of the names of those persons qualified to fill existing Branch offices (one name for each office) and to be members of the Executive Committee (at least ten (10) names and up to twenty-four (24) names).

4. *Nominations by Petition.* At said **October** Membership Meeting of the Branch, additional nominations may be made for all officers and elected members of the Executive Committee by written petition signed by three or more members of the Branch in good

standing as of the time of the meeting. No one shall be nominated by the Nominating Committee or by petition without having first obtained his/her written consent. The Branch Secretary shall certify that at least three (3) of the members who signed the petition are members in good standing and that the member being nominated is a member in good standing and that a consent form has been signed by the nominee.

5. *Withdrawal of Nominations.* A member properly nominated for a position may withdraw from contention by forwarding a letter requesting that his/her name be removed from the ballot. The letter must be sent to the Chairperson of the Election Supervisory Committee in sufficient time prior to the election.

6. *Eligibility Determinations.* All questions regarding the eligibility of candidates must be resolved prior to the conclusion of the October meeting.

e. After all nominations have been made, the Branch at said October meeting shall elect an Election Supervisory Committee consisting of five (5) members of the Branch in good standing. In addition, each candidate for the presidency is entitled to appoint a representative to the Election Supervisory Committee. However, in the event the total number of candidates for the presidency is more than four (4), the Branch must elect additional members to the Election Supervisory Committee so that the total number of elected members is one more than the appointed members of the Committee. No candidate may serve on the Election Supervisory Committee.

f. It shall be the duty of the Election Supervisory Committee to:

1. Supervise the Branch election.

2. Supervise the establishment of appropriate machinery, provisions, and procedures for conducting the election in accordance with this Constitution and the Manual for Branch Election Procedure, whether at an election meeting or at polling booths, in order to protect the right of each member of the Branch to cast his ballot properly and have it counted.

3. Have printed ballots containing in alphabetical order by last name, the names of all persons nominated for office and executive

committee that were properly received at the October General Membership meeting for each office to be elected.

4. Prepare the ballot in sufficient numbers for use at the election, and this ballot shall be the only ballot used at the election. Unless the Branch decides to use voting machines in addition to, or in place of, the ballot.

g. *Notice of September, October Meeting and November Election.* Each Branch shall send notice to each member in good standing at least ten (10) days prior to the September meeting, listing the time, place, date and purpose of the September and October meetings and time, place and date of the November election. Notices shall be sent via regular and electronic mail to members. The Secretary shall maintain a list of those members to whom a notice was sent and shall secure and maintain all electronic delivery receipts for the notice. In addition to this notice, each Branch shall place the announcements of such meetings and election in one or more local newspapers of general circulation at least ten (10) days before the date of the November election. Should a run-off election be necessary, that election shall occur on the following date at time certain (at least 1 hour) at this location run-off elections shall be conducted not less than ten (10) days after the original election.

h. *Term of Office.*

1. All officers and elected members of the Executive Committee shall be elected by secret ballot for a two year term ending December 31. The term of each elected officer shall begin on January 1, of each odd numbered year.

2. *Election Meeting.* No officer of the Branch or any candidate for office shall occupy their chair at election meetings. The names of the various candidates for the office shall be clearly announced or posted in a place visible to all present at the election meeting. Tellers to count the ballot shall be appointed in equal numbers by the candidates for office of the President. No officer of the Branch or candidate for office shall serve as teller.

i. *Eligible Voters.* The number of eligible voting members of the Branch shall be established before the voting begins. Upon proof of qualification, all eligible voters shall receive and sign for one ballot each and thereupon immediately proceed to vote secretly. The right to vote is personal and shall not be exercised by proxy. No absentee ballots may be cast.

j. *Polling Booths of Branches of 1,000 or More Members.* Polling booths must be used and must be setup as prescribed by the Branch Election Manual in a centralized place staffed by the Election Supervisory Committee, and with an equal number of watchers and observers for each of the candidates for President. The Branch's bylaws will determine the number of hours the booths shall be open. The minimum number of hours for polling shall be four (4) hours unless otherwise determined by the Branch's bylaws. Provisions for determining eligibility and challenging the right of persons to vote shall be established in accordance with the Branch Election Manual, which has been adopted by the Board of Directors and is appended hereto.

k. *Members in Good Standing.* Members in good standing shall be eligible to run for office or vote in a Branch election. For the purpose of running for office, a member in good standing is one whose name appears on the roll of the Branch as a bona fide member of the Branch by April 1 of the election year and who lives and/or works within the Branch jurisdiction. For the purpose of being elected to the Nominating Committee or the Election Supervisory Committee, signing a nominating petition or voting in Branch elections, a member in good standing is one who has been a bona fide member of the Branch for at least (30) thirty days prior to the date the election is held or the nominating petition is filed. For all other purposes, a member in good standing is one who has paid the requisite minimum membership fee to the Branch at least (30) thirty days prior to the date the election is held or the nominating petition is filed. For all other purposes, a member in good standing is one who has paid the requisite minimum membership fee to the Branch.

l. *Youth Voting in Branch Elections.* The minimum voting age for any member in good standing in Branch elections shall be seventeen (17) years of age. Should a member of the Branch be seventeen (17) years of age, but under twenty-one (21) years of age, that member may vote in the Branch election if he/she has paid the minimum adult membership fee to the Branch.

m. *Life Members, Subscribing Life Members and Members-At-Large.* In order to run for Branch office unaffiliated Life Members and Members-At-Large must be actively affiliated with the Branch by April 1 of the election year. In order to run for State/State-Area Conference office unaffiliated Life Members and Members-At-Large must be actively affiliated with a Unit in good standing within the Conference by December 15 of the year prior to the election year. In order to vote in a Branch or Conference election, unaffiliated Life Members and Members-

At-Large must be actively affiliated with a Unit in good standing within the Conference at least thirty (30) days prior to any meeting at which they are nominated for office or seek to vote. *The term "affiliated" means that the individual must have requested, in writing, that his membership be transferred to the Branch. The request may be made through the Branch or directly to the National Office. The National Office must notify the Branch in writing within thirty (30) days of receiving notification.*

n. *Tellers.* Presidential candidates shall have the right to appoint an equal number of tellers. The tellers thus appointed, shall elect a chief teller, who shall organize the tabulating of the ballots.

o. *Election Controversy.* In the event of election controversy, all parties thereto shall submit any written complaint(s) to the National Office through the President and CEO. Said complaint(s) must be postmarked no later than five (5) calendar days following the date of the election in question. *In Branches with memberships up to 1000, such complaints must be signed by at least twenty-five (25) members of the Branch in good standing.* In Branches with memberships exceeding 1000, such complaints must be signed by at least fifty (50) members of the Branch in good standing.

(a) The National Office will institute an investigation into the matter, and should a determination be made that the complaint is frivolous or completely devoid of merit, or that the election result could not have been otherwise even if the allegations alleged are assumed to be true, then the National Office shall within thirty (30) days, or as soon thereafter as possible, dismiss the complaint and inform all parties forthwith that the installation of officers might be held.

(b) Should the National Office be unable to dismiss the Complaint because the charges appear to have merit and as such, the results of the election might have been otherwise had the alleged violations not occurred, then the matter will be referred to the Chairman of the Committee on Membership and Units of the Board of Directors, who will designate a Hearing Panel.

(c) Pending resolution of the dispute, the officers whose terms were to have expired with the new election, will continue to function.

p. *Authority of the National Office.* The National Office shall have authority to intervene at any time during the three-month period leading up to the Branch election. Such authority includes suspending the process and instituting corrective action to ensure that the rights of all members are protected.

3. (Procedure for Prison Branch Elections)

a. *Organizing Meeting (New Prison Branch)*

1. The officers and members of the Executive Committee elected at the organizing meeting of the Prison Branch shall hold office until their successors are elected and qualify.

2. Following the chartering of a new Prison Branch by the Board of Directors, the National Office shall cause an election to be held of the members of the new Prison Branch. Should the election take place during an even numbered year, the officers and members of the Executive Committee elected at this time shall not be required to stand for election again until the next Prison Branch election year.

b. *Eligible Voters at Organizing Meeting.* All persons who endorse the aims and purposes of the National Association for the Advancement of Colored People who have paid the prescribed fees shall be entitled to vote at the organizing meeting and to be elected to office.

c. *Biennial Elections.* Thereafter, all officers and elected members of the Executive Committee shall be elected by ballot at a Prison Branch election held in even numbered years as hereinafter provided, and shall hold office for two (2) years and until their successors are elected and qualify.

d. *Nominating Committee Election.*

1. In even numbered years there shall be elected at a **September** membership meeting of the Prison Branch a Nominating Committee composed of not less than five (5) nor more than fifteen (15) members of the Prison Branch in good standing, provided that not more than two (2) shall be officers of the Prison Branch or members of the Executive Committee.

2. *Duties of the Nominating Committee.* The Prison Branch Secretary shall call the organizing meeting of the Nominating Committee. The first meeting of the Nominating Committee shall be held no

later than ten (10) days after its election. The Nominating Committee shall:

(a) Elect its Chairperson and Secretary as its first order of business.

(b) Nominate any member of the Prison Branch who is in good standing. For purposes of running for office, the term "member in good standing" shall mean that the person must be a bona fide member of the Prison Branch at least one hundred and eighty (180) days prior to the date nominations are made and must live and/or work within the Prison Branch's jurisdiction.

(c) The Nominating Committee may nominate member thereof as a candidate for office or as an at large member of the Executive Committee.

(d) The Nominating Committee shall have itself available to interview members interested in being considered for office or as at-large members of the Executive Committee.

(e) The Nominating Committee shall nominate only those persons who have given written consent to be nominated. The Secretary shall verify that each nominee has given written consent after the Nominating committee has given its report at the October meeting and before the Prison Branch accepts this report.

(f) The Committee shall nominate a member for only one (1) position during the election.

3. *Reporting of the Nominating Committee.* The Nominating Committee shall submit a report in writing at the **October** General Membership Meeting of the Prison Branch. This report shall consist of the names of those persons qualified to fill existing Branch offices (one name for each office) and to be members of the Executive Committee (at least ten (10) names and up to twenty-four (24) names).

4. *Nominations by Petition.* At said **October** Membership Meeting of the Prison Branch, additional nominations may be made for all officers and elected members of the Executive Committee by

written petition signed by three or more members of the Branch in good standing as of the time of the meeting. No one shall be nominated by the Nominating Committee or by petition without having first obtained his/her written consent. The Unit Secretary shall certify that at least three (3) of the members who signed the petition are members in good standing and that the member being nominated is a member in good standing and that a consent form has been signed by the nominee.

5. *Withdrawal of Nominations.* A member properly nominated for a position may withdraw from contention by forwarding a letter requesting that his/her name be removed from the ballot. The letter must be sent to the Chairperson of the Election Supervisory Committee in sufficient time prior to the election.

6. *Eligibility Determinations.* All questions regarding the eligibility of candidates must be resolved prior to the conclusion of the October meeting.

e. After all nominations have been made, the Prison Branch at said October meeting shall elect an Election Supervisory Committee consisting of five (5) members of the Prison Branch in good standing. In addition, each candidate for the presidency is entitled to appoint a representative to the Election Supervisory Committee. However, in the event the total number of candidates for the presidency is more than four (4), the Prison Branch must elect additional members to the Election Supervisory Committee so that the total number of elected members is one more than the appointed members of the Committee. No candidate may serve on the Election Supervisory Committee.

f. It shall be the duty of the Election Supervisory Committee to:

1. Supervise the Prison Branch election.

2. Supervise the establishment of appropriate machinery, provisions, and procedures for conducting the election in accordance with the Constitution and the Manual for Branch Election Procedure, whether at an election meeting or at polling booths, in order to protect the right of each member of the Prison Branch to cast his ballot properly and have it counted.

3. Have printed, copied, or typewritten, one complete ballot containing in alphabetical order, for each office and Executive Committee, the names of all persons nominated for office.

4. Prepare the ballot in sufficient numbers for use at the election, and this ballot shall be the only ballot used at the election. Unless the Branch decides to use voting machines in addition to, or in place of, the ballot.

g. *Notice of September, October Meeting and November Election.* Each Prison Branch shall notify each member in good standing, at least ten (10) days prior to the September meeting, listing the time, place, date and purpose of the September and October meetings and time, place and date of the November election. In addition, to this notice, each Branch shall place the announcements of such meetings and election in one or more newspapers or newsletters of general circulation at the prison or correctional facility least ten (10) days before the date of the November election. Should a run-off election be necessary that election shall occur on the following date at time certain (at least 1 hour) at this location, run-off elections shall be conducted not less than ten (10) after the original election.

h. *Term of Office.*

1. All officers and elected members of the Executive Committee shall be elected by secret ballot for a two year term ending December 31. The term of each elected officer shall begin on January 1, of each odd numbered year.

2. *Election Meeting.* No officer of the Prison Branch or any candidate for office shall occupy their chair at election meetings. The names of the various candidates for the office shall be clearly announced or posted in a place visible to all present at the election meeting. Tellers to count the ballot shall be appointed in equal numbers by the candidates for office of the President. No officer of the Prison Branch or candidate for office shall serve as teller.

i. *Eligible Voters.* The number of eligible voting members of the Prison Branch shall be established before the voting begins. Upon proof of qualification, all eligible voters shall receive and sign for one ballot each and thereupon immediately proceed to vote secretly. The right to vote is personal and shall not be exercised by proxy. No absentee ballots may be cast.

j. *Members in Good Standing.* Members in good standing shall be eligible to run for office or vote in a Prison Branch election. For the purpose of running for office, a member in good standing is one whose name appears on the roll of the Prison Branch as a bona fide member of the Prison Branch at least one hundred and eighty (180) days prior to the date nominations are made and who lives and/or works within the Prison Branch jurisdiction. For the purpose of being elected to the Nominating Committee or the Election Supervisory Committee, signing a nominating petition or voting in Prison Branch elections, a member in good standing is one who has been a bona fide member of the Prison Branch for at least (30) thirty days prior to the date the election is held or the nominating petition is filed. For all other purposes, a member in good standing is one who has paid the requisite minimum membership fee to the Prison Branch at least (30) thirty days prior to the date the election is held or the nominating petition is filed. For all other purposes, a member in good standing is one who has paid the requisite minimum membership fee to the Prison Branch.

k. *Youth Voting in Prison Branch Elections.* The minimum voting age for any member in good standing in Prison Branch elections shall be seventeen (17) years of age. Should a member of the Prison Branch be seventeen (17) years of age, but under twenty-one (21) years of age, that member may vote in the Prison Branch election if he/she has paid the minimum adult membership fee to the Prison Branch.

l. *Life Members, Subscribing Life Members and Members-At-Large.* In order to run for Prison Branch office or vote in Prison Branch or State Conference election, unaffiliated Life Members and Members-At-Large must be actively affiliated with the Prison Branch at least thirty (30) days prior to any meeting at which they are nominated for office or seek to vote. *The term "actively affiliated" means that the individual must have requested, in writing, that his membership be transferred to the Prison Branch. The request may be made through the Prison Branch or directly to the National Office. The National Office must notify the Prison Branch in writing within thirty (30) days of receiving notification.*

m. *Tellers.* Presidential candidates shall have the right to appoint an equal number of tellers. The tellers thus appointed, shall elect a chief teller, who shall organize the tabulating of the ballots.

n. *Election Controversy.* In the event of election controversy, all parties thereto shall submit any written complaint(s) to the National Office through the President and CEO. Said complaint(s) must be postmarked

no later than five (5) calendar days following the date of the election in question. *In Prison Branches with memberships up to 1000, such complaints must be signed by at least twenty-five (25) members of the Branch in good standing.* In Prison Branches with memberships exceeding 1000, such complaints must be signed by at least twenty-five (25) members of the Prison Branch in good standing.

(a) The National Office will institute an investigation into the matter, and should a determination be made that the Complaint is frivolous or completely devoid of merit, or that the election result could not have been otherwise even if the allegations alleged are assumed to be true, then the National Office shall within thirty (30) days, or as soon thereafter as possible, dismiss the Complaint and inform all parties forthwith that the installation of officers might be held.

(b) Should the National Office be unable to dismiss the Complaint because the charges appear to have merit and as such, the results of the election might have been otherwise had the alleged violations not occurred, then the matter will be referred to the Chairman of the Committee on Membership and Units of the Board of Directors, who will designate a Hearing Panel.

(c) Pending resolution of the dispute, the officers whose terms were to have expired with the new election, will continue to function.

o. *Authority of the National Office.* The National Office shall have authority to intervene at any time during the three-month period leading up to the Prison Branch election. Such authority includes suspending the process and instituting corrective action to assure that the rights of all members are protected.

4. (Procedure for College Chapter Elections)

a. The officers and members of the Executive Committee elected at the organizing meeting shall hold office until their successors are elected and qualify, unless removed.

b. *Annual Meeting.* Thereafter, all officers and members, not otherwise appointed, shall be elected by ballot at each Annual Meeting of the

College Chapter and shall hold office for one year and until their successors are elected and qualify.

c. *Elections.* All persons qualified as provided by Article IV, Section 7, who signify their intention of becoming charter members of the College Chapter and their endorsement of the aims and purposes of the National Association for the Advancement of Colored People and who have paid the prescribed fees, shall be entitled to vote at the organizing meeting and to be elected to office. Thereafter, all members who are in good standing by noon of the day of my meeting of the College Chapter shall be entitled to vote at the meeting.

d. *Nominating Committee.*

1. At the regular meeting of the College Chapter next preceding the Annual Meeting, the College Chapter shall elect a Nominating Committee, composed of not less than five (5) and no more than nine (9) members of the College Chapter in good standing, provided not more than two shall be officers of the College Chapter or members of the Executive Committee, to present nominations at the Annual Meeting for all officers and the Executive Committee, provided, that additional nomination may he made at the Annual Meeting by written petition signed by three or more members of the College Chapter.

2. *Duties of Nominating Committee.* The Nominating Committee shall meet promptly to elect a Chairman and interview persons qualified as candidates for office.

3 *Report of Nominating Committee.* The Nominating Committee shall submit a report in writing to the College Chapter during the Annual Meeting. In case the Nominating Committee is not elected and neglects or refuses to render a report, nominations shall be made at the Annual Meeting by written petition signed by three or more members of the College Chapter.

e. *Notice of Annual Meeting and the Meeting That Precedes the Annual Meeting.* At least seven days prior to the Annual Meeting and the meeting that precedes the Annual Meeting, written notice shall be sent to each member of the College Chapter in good standing of the date, place, and purpose of said meetings and election. Notices may sent via electronic mail to members for whom the College Chapter has a valid address. The Secretary shall maintain a list of those members to whom a

notice was sent and shall secure and maintain all electronic delivery receipts for the notice. Should a run-off election be necessary email that election shall occur on the following date at a time certain (at least 1 hour) at this location run-off elections shall be conducted not less than ten (10) days after the original election.

f. *Tenure in Office.* All officers and elected members of the Executive Committee shall be elected by secret ballot and shall hold office for one year or until their successors are elected and qualified.

g. *Election Meeting.* The College Chapter election of officers meetings and the College Chapter Annual Meeting shall be the same. No candidate for office shall occupy the chair at the election meeting. The names of the various candidates for office shall be clearly announced or posted in a place visible to all present at the election meeting. Tellers to count the ballots shall be appointed in equal number by the candidates for office of President. Should a run-off election be necessary that election shall occur on the following date at time certain (at least 1 hour) at this location, run-off elections shall be conducted not less than ten (10) days after the original election.

h. *Eligible Voters.* The number of the eligible voting members of the College Chapter shall be established before the voting begins. Upon proof of qualification eligible voters shall receive and sign for one ballot each and thereupon immediately proceed to vote secretly. The right to vote is personal and shall not be exercised by proxy.

i. *Site of Election.* The site of the College Chapter election shall be that place where the College Chapter held the majority of its regular meetings, unless otherwise voted by a majority of the College Chapter members present at the meeting preceding the Annual Meeting.

j. *Member in Good Standing.* Only members in good standing shall be eligible to run for office or to vote in a College Chapter election. For the purpose of running for office, a member in good standing is one who has paid the prescribed membership fee no later than thirty (30) days prior to the date of elections. For the purpose of being nominated by the Nominating Committee, a member in good standing is one who has been a bona fide member of the College Chapter and one who has paid the prescribed membership fee by twelve noon the day of the meeting that precedes the Annual Meeting.

k. *Life Members and Members-At-Large.* In order to run for College Chapter office or vote in a College Chapter election, Life Members and Members-at-Large must be affiliated with the College Chapter at least thirty (30) days prior to any meeting at which they me nominated for office or seek to vote.

l. *Election Controversy.* In the event of an election controversy, all parties thereto shall submit complaints to the National Office through the President and CEO for resolution. Said complaints must be postmarked no later than five (5) days following the date of the election in question. The complaint must be signed by at least seven (7) members of the College Chapter in good standing, and each signer must list his or her address. A copy of the complaint shall be forwarded by mail to the officer or member against whom the complaint has been filed at the officer's or member's address on record by the National Office.

(a) The National Office will institute an investigation into the matter, and should a determination be made that the Complaint is frivolous or completely devoid of merit, or that the election result could not have been otherwise even if the allegations alleged are assumed to be true, then the National Office shall within thirty (30) days, or as soon thereafter as possible, dismiss the Complaint and inform all parties forthwith that the installation of officers might be held.

(b) Should the National Office be unable to dismiss the Complaint because the charges appear to have merit and as such, the results of the election might have been otherwise had the alleged violations not occurred, then the matter will be referred to the Chairman of the Committee on Membership and Units of the Board of Directors, who will designate a Hearing Panel.

(c) Pending resolution of the dispute, the officers whose terms were to have expired with the new election, will continue to function.

m. *Authority of the National Office.* The National Office shall have authority to intervene at any time during the three-month period leading up to the College Chapter election. Such authority includes suspending the process and instituting corrective action to assure that the rights of all members are protected.

5. *(Procedure for Youth Council, High School Chapter and Junior Youth Council Elections)*

a. *Organization Meeting.* The officers and members of the Executive Committee elected at the organizing meeting of the Youth Council shall hold office until their successors are elected and qualified.

b. *Annual Meeting.* Thereafter, all officers and Executive Committee members shall be elected by ballot at each Annual Meeting of the Youth Council, High School Chapter and Junior Youth Council and shall hold office for one year and until their successors are elected and qualified.

c. *Elections.* All persons qualified as provided by Article IV, who signify their intention of becoming charter members of the High School Chapter, Youth Council, Junior Youth Council and their endorsement of the aims and purposes of the National Association for the Advancement of Colored People and who have paid the prescribed fees, shall be entitled to vote at the organizing meeting and to be elected to office. Thereafter, all members who are in good standing by noon of the day of any meeting of the Youth Council shall be entitled to vote at the meeting.

d. *Nominating Committee*.

1. At the regular meeting next preceding the Annual Meeting, the Youth Council, High School Chapter and Junior Youth Council shall elect a Nominating Committee composed of not less than five (5) and no more than nine (9) members of the Unit in good standing, provided not more than two shall be officers of the Unit or members of the Unit's Executive Committee, to present nominations at the Annual Meeting for all officers and the Executive Committee, provided that additional nomination may be made at the Annual Meeting by written petition signed by three or more members of the Youth Council, High School Chapter and Junior Youth Council.

2. *Duties of Nominating Committee.* The Nominating Committee shall meet promptly to elect a Chairman and interview persons qualified as candidates for office.

3. *Report of Nominating Committee.* The Nominating Committee shall submit a report in writing to the Youth Council, High School Chapter or Junior Youth Council during the Annual Meeting. In case the Nominating Committee is not elected and neglects or

refuses to render a report, nominations shall be made at the Annual Meeting by written petition signed by three or more members of the Youth Council, High School Chapter or Junior Youth Council.

e. *Notice of Annual Meeting and the Meeting that Precedes the Annual Meeting*. At least seven days prior to the Annual Meeting and the meeting that precedes the Annual Meeting, written notice shall be sent to each member of the Youth Council, High School Chapter and Junior Youth Council, in good standing, of the date, place and purpose of said meetings of the Youth Council, High School Chapter and Junior Youth Council. Notices may be sent via electronic mail to members for whom the Youth Council, High School Chapter and Junior Youth Council has a valid email address. The Secretary shall maintain a list of those members to whom a notice was sent and shall secure and maintain all electronic delivery receipts for the notice.

f. *Tenure in Office.* All officers and elected members of the Executive Committee shall be elected by secret ballot and shall hold office for one year or until their successors are elected and qualified.

g. *Election Meeting.* The Youth Council, High School Chapter and Junior Youth Council election of officers meetings and the Unit's Annual Meeting shall be the same. No candidate for office shall occupy the chair at the election meeting. The names of the various candidates for office shall be clearly announced or posted in a place visible to all present at the election meeting. Tellers to count the ballots shall be appointed in equal number by the candidates for office of President. Should a run-off election be necessary that election shall occur on the following date at time certain (at least 1 hour) at this location, run-off elections shall be conducted not less than ten (10) days after the original election.

h. *Eligible Voters.* The number of the eligible voting members of the Youth Council, High School Chapter and Junior Youth Council shall be established before the voting begins. Upon proof of qualification, eligible voters shall receive and sign for one ballot each and thereupon immediately proceed to vote secretly. The right to vote is personal and shall not be exercised by proxy.

i. *Site of Election.* The site of the Youth Council, High School Chapter and Junior Youth Council election shall be that place where the Unit Council held the majority of its regular meetings, unless otherwise voted by a majority of the Unit's members present at the meeting preceding the Annual Meeting.

j. *Member in Good Standing.* Only members in good standing shall be eligible to run for office or to vote in a Youth Council, High School Chapter and Junior Youth Council election. For the purpose of running for office, a member in good standing is one who has paid the prescribed membership fee no later than thirty (30) days prior to the date of elections. For the purpose of being nominated by the Nominating Committee, a member in good standing is one who has been a bona fide member of the Youth Council and one who has paid the prescribed membership fee by twelve noon on the day of the meeting that precedes the Annual Meeting.

k. Youth Council, High School Chapter and Junior Youth Council. In order to run for Youth Council, High School Chapter and Junior Youth Council or vote in a Youth Council, High School Chapter and Junior Youth Council election, Junior Life Members, Life Members, and Members-at-Large must be affiliated with the Youth Council at least thirty (30) days prior to any meeting at which they are nominated for office or seek to vote.

l. *Election Controversy.* In the event of election controversy, all parties thereto shall submit complaints to the National Office through the President and CEO. Said complaints must be postmarked no later than five (5) days following the date of the election in question. The complaint must be signed by at least seven (7) members of the Unit in good standing, and each signer must list his or her address. A copy of the complaint shall be forwarded by mail to the officer or member against whom the complaint has been filed at the officer's or member's address on record by the National Office.

(a) The National Office will institute an investigation into the matter, and should a determination be made that the complaint is frivolous or completely devoid of merit, or that the election result could not have been otherwise even if the allegations alleged are assumed to be true, then the National Office shall within thirty (30) days, or as soon thereafter as possible, dismiss the complaint and inform all parties forthwith that the installation of officers might be held.

(b) Should the National Office be unable to dismiss the complaint because the charges appear to have merit and as such, the results of the election might have been otherwise had the alleged violations not occurred, then the matter will be referred to the Chairman of the Committee on

Membership and Units of the Board of Directors, who will designate a Hearing Panel.

(c) Pending resolution of the dispute, the officers whose terms were to have expired with the new election, will continue to function.

m. *Authority of the National Office.* The National Office shall have authority to intervene at any time during the three-month period leading up to the Youth Council, High School Chapter or Junior Youth Council election. Such authority includes suspending the process and instituting corrective action to assure that the rights of all members are protected.

6. (Voting for Members of the Board of Directors at Large)

The list of candidates for the Board of Directors is mailed out to the Units of the Association by not later than November 1st of each year in accordance with procedures established by the Board of Directors in the NAACP Annual Elections Procedure Manual. The names of the Board of Directors Candidates shall be placed on an election ballot to be voted upon by members of the Unit at the Annual Meeting of the Unit.

ARTICLE X
EXPULSION, SUSPENSION OR REMOVAL OF OFFICERS AND MEMBERS

1. (Units Failing to Report)

If a Unit fails to inform the Association in writing of its activities or shall fail to maintain a minimum of fifty (50) adult members; twenty-five (25) Prison Branch members; or twenty-five (25) Youth Unit members; for a period of four (4) consecutive months, the Board of Directors shall declare any or all of the offices of the Unit vacant and order a new election. Notice of removal shall be sent to the President, Secretary and Treasurer of the Unit and the State/State-Area Conference by registered mail at their last addresses on file in the Association and shall be published in the official communication organ of the National Association. Immediately upon the service of notice by the Association, the Officers shall perform no official acts and shall hold all records and monies of the Branch, subject to the disposition of the Association.

2. (*Grounds for Suspension or Other Disciplinary Action)*

When an individual becomes a member of the NAACP, that individual pledges to abide by the rules and policies of the Association and the decisions of the Board of Directors. The Board of Directors, upon satisfactory evidence that an officer or member of the Association, or of a subsidiary Unit of the Association is guilty of conduct not in accord with the principles, aims and purposes of the National Association for the Advancement of Colored People, as set forth in its Constitution, and as defined by the Board or Convention, or guilty of conduct inimical to the best interests of the National Association for the Advancement of Colored People, may order suspension, expulsion or other disciplinary action against such officer or member, after a full hearing if requested by the respondent in accord with the provisions of this Constitution. Any member of the Association who files litigation against the National NAACP or against any of its units without having pursued the remedies within the framework of the Association, shall be deemed as exhibiting behavior not in accord with the principles, aims and purposes of the National Association for the Advancement of Colored People, meriting suspension, expulsion, or other disciplinary actions.

3. (Complaints)

A complaint against an officer or member of a Branch of the NAACP may be initiated by any 20 members of the affected Branch and must be signed by such members and forwarded to the National Office and to the attention of the President and CEO as well as State/State-Area Conference. The National Office may seek input from said State/State-Area Conference on the complaint. The complaint must include the officer or member's mailing address.

4. (Authority of National President and CEO)

Where the President and CEO of the National Office is satisfied that there is danger of irreparable harm to the Association or Unit involved and that immediate action is necessary, he may order an officer or member suspended pending a full hearing if requested by the respondent.

5. (Notice of Complaint and Right to Answer)

Upon receipt of the complaint by certified or regular mail, the National Office shall forward a copy of the complaint by mail to the officer or member against whom it has been filed at the officer or member's correct address of record within ten (10) calendar days of receipt of the complaint. The respondent officer or member shall have fifteen (15) calendar days from the date of the receipt of the complaint to file a written response by certified and regular mail, sent to the attention of the Vice President of Field Operations and Membership Department. The 15-day period shall commence to run from the time service of the complaint is complete. Service of the complaint upon the officer or member shall be deemed complete five (5) days after the complaint was mailed by the Vice President of Field Operations and Membership Department.

6. (National Office Review and Investigation)

The National Staff, upon receipt of the complaint, and the respondent's written response, shall conduct an investigation, render determinations and make recommendations and findings regarding the complaint, when no hearing is requested by the respondent, to the Committee on Membership and Units within ninety (90) calendar days of the respondent's written response. The National Staff shall prepare a record which includes all documentary matters submitted to it. Where a hearing is requested by the respondent, the National Office through the President and CEO or his designee, shall cause a hearing to be held by a panel of three members of the Board of Directors. The panel shall be appointed by the Chairperson of the Board's Committee on Membership and Units. The hearing panel shall convene within sixty (60) calendar days, of the receipt of the complaint or a soon as possible thereafter, and conduct a hearing according to the hearing procedure.

After receipt of the National Staff or hearing panel's decision, the complainant and respondent shall have fifteen (15) calendar days within which to appeal. Notice of Appeal shall be filed with the National Office, by certified and regular mail, to the attention of the Vice President of Field Operations and Membership Department, 4805 Mt. Hope Drive, Baltimore, MD 21215. If an appeal is filed, the National Office shall notify the Committee on Membership and Units within fifteen (15) days. The Committee on Membership and Units will review the findings and conclusions of the National Staff or hearing panel. Upon failure to appeal within a fifteen (15) day period, the complainant/respondent's opportunity to appeal is waived.

Should either party file an appeal to the National Office, the President and CEO or his designee shall cause an appellate hearing to be held by the Board of Directors. The panel shall be appointed by the Chairperson of the Board's Committee on Membership and Units. The hearing panel shall convene within sixty (60) calendar days, of the receipt of the appeal, or a soon as possible thereafter, and conduct an appellate hearing according to procedures.

7. ***(Hearing Procedure)***

The hearing panel shall review the written record and may allow oral argument by the parties or their spokesperson. Based on its review of the record, and oral argument, if any, the panel shall render findings and recommendations in the matter to the Board of Directors. The Board of Directors shall affirm, reverse, modify the panel's recommendation, or deny a rehearing. The decision of the Board of Directors shall be final.

Appeals shall be based only on the written record. Appeal hearings will be conducted by a hearing panel which shall be appointed by the Chairperson of the Board's Committee on Membership and Units. The General Counsel or his/her designee shall serve as counsel for the panel. The appellants may be represented by oral argument by counsel or another person of their choosing. The parties may not present documentary evidence or testimony, but rather they may speak only from the written record before the panel.

8. ***(Notice of Findings and Action of the Board)***

Notice of the findings and action of the Board shall be sent to the officer or member by registered mail at his/her address on file in the National Office and, in the discretion of the Board of Directors, published in the official organ of the National Association. Decisions affecting membership shall be forwarded to the National Membership Director.

ARTICLE XI
SUSPENSION AND REVOCATION OF CHARTER

The Charter of Authority received by a Unit upon its admission to the Association may be suspended or revoked by the Board of Directors of the Association, whenever the Board of Directors shall deem it in the best interest of the Association; provided, however, that a hearing consistent with Article X, Section 7 on such changes be held. Such charter suspension or revocation shall not invalidate the membership of any member of the Unit in the Association. Notice of the findings and action of the Board of Directors shall be sent by the President and CEO, by registered mail, to the President and

Secretary of the Unit, and shall be published in the official organ of the National Association and in a newspaper of general circulation in the jurisdiction where the Unit is located. Upon receipt of the notice by the President or Secretary by mail, publication or otherwise of charter suspension or revocation, the Unit shall cease to function and the officers shall forthwith forward all records, property and monies of the Unit to the Association where the same may be applied in its discretion for the benefit of the community wherein the Unit was located.

Notice of intent to revoke or suspend a charter shall be mailed to officers of the Unit on such terms and conditions as determined by the Board of Directors.

ARTICLE XII
INDEMNIFICATION

1. (Persons Covered)

The Association shall furnish all duly elected directors or officers or staff of the Association or its subsidiaries and duly elected or Executive Committee members, of Units a legal defense and indemnification against judgments incurred as a result of specifically authorized actions on behalf of the NAACP and its programs.

2. (Limitation; Notice)

This Article shall have no force or effect unless the person(s) affected forwards legal process to the General Counsel or his/her designee within a reasonable time to allow a defense to be made.

ARTICLE XIII
AMENDMENTS TO LOCAL BYLAWS

The Bylaws for Units of the Association, except for State/State-Area Conferences, may be amended by a two-thirds (2/3) vote of any Annual Convention of the Association provided the proposed amendment be submitted to the Resolutions Committee by the May 1st deadline. The President and CEO shall provide copies of the proposed amendment(s) to all Units at least 30 days prior to the Annual Convention.

ARTICLE XIV
RATIFICATION OF BYLAWS

The Bylaws for Units of the National Association for the Advancement of Colored People becomes effective at Noon, on January 1, 2005, Eastern Standard Time. It supersedes any previous document outlining the policy and procedures of the

Association and its subordinate Units and the Bylaws, manuals and other documents duly adopted by the Board of Directors and subordinate to these Bylaws.

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