

EXHIBIT B

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Coakley Pendergrass, et. al., v. Brad Raffensperger, et. al.

Dr. John Alford

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

COAKLEY PENDERGRASS, et al.,

Plaintiffs,

vs.

BRAD RAFFENSPERGER, in his
official capacity as the
Georgia Secretary of State,
et al.,

Defendants.

Civil Action No.

2:21-CV-05449-SCJ

ANNIE LOIS GRANT, et al.,

Plaintiffs,

vs.

BRAD RAFFENSPERGER, in his
official capacity as the
Georgia Secretary of State,
et al.,

Defendants.

Civil Action No.

1:22-CV-00122-SCJ

Videotaped deposition of DR. JOHN ALFORD, taken
remotely in the above-captioned cause, before
Rachel F. Gard, CSR, RPR, CRR, commencing at
the hour of 11:00 a.m. Eastern on Thursday,
February 23, 2023.

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1 A -- is a cue, doesn't mean it's a cue,
2 therefore that creates this causal tumble or
3 whatever. But if the information is available to
4 the voters, therefore it's one of the things they
5 may be acting on because it is apparent to them
6 and it's something they actually know about,
7 people act on things that they don't -- that
8 they're not cognizant of, but certainly the things
9 they are cognizant of can be important.

10 Again, by "racial cue," I mean that
11 information is available to the voters when
12 they're making the decision, and I'm not really
13 going beyond that with the evidence we have here.

14 Q Okay. Would you agree that the race of a
15 candidate is not the only role race plays or race
16 might play in a voter's political behavior?

17 A Yes.

18 Q And, in fact, race might play -- again, we
19 don't -- kind of removing ourselves from the data
20 here and speaking more just abstractly or
21 theoretically, race might play a tremendously
22 important role in a voters' decision or how they

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1 vote or what their political beliefs are. Do you
2 think that's a fair statement?

3 MR. JACOUTOT: Object to form.

4 A We're saying it might, yes. It might; it
5 might not. I think yeah, there's certainly room
6 for race to be involved in decision-making in a
7 wide variety of ways.

8 Q And what -- and now looking at the data we
9 have in front of us, we know how -- to put it
10 plainly, we know how black voters vote in Georgia
11 and we know how white voters vote in Georgia,
12 correct?

13 A Right, in a limited sense of, you know,
14 our prediction about which candidates they prefer
15 in the general elections, yes.

16 Q But what that data does not necessarily
17 tell us is the degree to which race is influencing
18 those decisions?

19 A So yes, it does. It can answer questions
20 about all or a variety of ways in which
21 speculatively race might influence decision, but I
22 guess the way I would answer that is to say, I

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1 of other possibilities, right.

2 Q Right.

3 A So again, that's a different sort of scope
4 question. The question -- the question is, does
5 it in any way suggest that that might be true or
6 does it give us any sense of how likely that is.
7 And I think common sense, if you're saying
8 something as important in U.S. politics as
9 choosing a party, in choosing candidates based on
10 issues is being driven by race, right, so I'm
11 making my party choice entirely on the basis of
12 race because that's how important race is with me,
13 and then when confronted with a racially contested
14 election, it makes no difference at all.

15 So I just find -- again, this is -- you
16 think of it as sort of obvious. If Republicans
17 choose to be Republicans and it's really all about
18 being white and that being a white party that
19 doesn't support -- that doesn't support blacks,
20 then it's just really hard to get your head around
21 how they nominated Herschel Walker. I mean, it's
22 strategically hard to understand how they got

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1 around to nominating Herschel Walker. But
2 racially, how is it these same voters who
3 structure their entire political universe around
4 race become completely indifferent to the race of
5 candidates, right. There may be some way for that
6 to happen. Again, I think you have to accept that
7 that becomes -- it's not just -- we can never
8 exclude all of the strange possibilities out of
9 the world, but we can certainly assign
10 probabilities to them.

11 And if there was something going on like
12 you're suggesting, it's really hard to see why it
13 wouldn't leave any -- to continue to provide some
14 evidence of it at the level of the idea that if I
15 chose being a Democrat or a Republican on the
16 basis of race, I then would treat black and white
17 candidates with complete indifference as to race
18 seems like an odd line to draw in your political
19 universe.

20 Q So I guess --

21 A It's not impossible, but it's unlikely.

22 And if you think that's true, I'd suggest

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1 providing some evidence that it's true because I
2 just don't think the burden of proof strikes me
3 here not as the burden of just demonstrating that
4 something is not impossible.

5 Q But you have done -- your expert report
6 doesn't include any opinions on these questions?
7 To put it more specifically, you have not examined
8 the reasons why voters make their decisions,
9 correct?

10 A I think it's outside the scope of what
11 experts do in these cases, just generally, to have
12 a thing about how voters make decisions. So
13 there's some evidence here. It's exactly the sort
14 of evidence that's always in these cases, it's
15 always relies on, it's always done in reliable
16 fashion. It suggests the connections we talked
17 about.

18 And then if your question is have I tried
19 to show -- have I tried to demonstrate this
20 possible but highly unlikely other thing, have I
21 tried to find out if it is there or if I tried to
22 prove that it isn't there, I am not. I don't -- I

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1 preference or party identification, and if the
2 pattern that you observe indicates that
3 polarization in Georgia is attributable to party,
4 then it's also true, then, that that polarization
5 might be attributable to race through party. Is
6 that fair?

7 MR. JACOUTOT: Object to form.

8 A So I'll say just to make sure that I'm not
9 quoted out of context.

10 Q Sure.

11 A Not that you would do that but somebody
12 else might. We're just restating what I think we
13 said already, is this a possibility? Yes. Is
14 this something you could do empirical work on and
15 establish? Yes. And again, is there anything in
16 Dr. Palmer's report that in any way establishes
17 that that's true in Georgia empirically? The
18 answer is no.

19 So there's not in evidence here. It's not
20 in his report. And if he puts it in his report,
21 I'd have a chance to respond to it and we can
22 debate, is this real, is it the right evidence, is