

Expert Report of Dr. Loren Collingwood

Loren Collingwood

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Executive Summary

In this report, I examine previous statewide general election contests to perform racially polarized voting and reconstituted electoral performance analysis in areas comprising the 2012-enacted Congressional Districts 2 and 3 and the areas comprising the newly adopted Congressional Districts 2 and 3. I do this to determine if voting is racially polarized – i.e., if racial-minority voters generally prefer one candidate while white voters prefer a different candidate. In conducting this analysis, I analyzed 9 general elections from 2016 to 2020 and used the Ecological Inference (EI) statistical method to evaluate if racially polarized voting (RPV) exists in the previous and/or newly enacted districts of interest. Results indicate that RPV is present in every statewide election contest analyzed here.

I further evaluate whether the newly enacted Congressional District (CD) map has resulted in a racial gerrymander. I assess whether new district lines remove minority voters from one district (District 3) to place them into another (District 2), thereby reducing such voters' ability to equally participate in elections.

My analysis demonstrates that in the 2012-enacted District 3, minority voters combined with a subset of white voters to elect candidates of their choice (e.g., Sharice Davids, Joe Biden). Specifically, in the 2012-enacted CD-3 district, minority voters voted overwhelmingly for Democratic candidates, and about 40% of white voters typically supported the same candidate. This white cross-over support for minority-preferred candidates produced several victories for minority-preferred candidates. However, in its new plan, the state has cracked Black and Hispanic voters—previously only in District 3 – across Districts 2 and 3. In doing so, this reduced or eliminated minorities' ability to elect candidates of their choice in either district.

I conducted an electoral performance analysis in the newly enacted CD-2 and CD-3, as well as the 2012 district versions. An electoral performance analysis reconstructs previous election results based on new district boundaries to assess whether a minority- or white-preferred candidate is most likely to win in a given jurisdictions under consideration (i.e., the newly adopted legislative map). Changes to CD-2 yield little discernible change in performance, while changes to CD-3 reduce the performance of minority-preferred candidates.

Based on 2020 Census data, the minority voting age population (VAP) of the 2012 CD-3 was 29%. However, the new CD-3 is 22.1% minority VAP (a nearly 7-point reduction), whereas the new CD-2 moved from 18.4% minority VAP to 26.7% minority VAP. While CD-2 now has a larger minority VAP, my RPV analysis demonstrates that white voters in that district cast ballots in a more polarized way from minority voters in the same district, making it much less likely that minority voters in the newly enacted CD-2 can elect candidates of choice (relative to the previous CD-3), despite their increased numbers. On the other hand, the modest increase of white voters in CD-3 of 6.9% reduces the performance of minority-preferred candidates in CD-3.

Overall, the accumulated evidence leads me to conclude the following:

- Racially polarized voting (RPV) is present in Kansas elections in the old CD-3 and in the newly enacted CD-2 and CD-3, but white voters in the new CD-2 do not cross-over to vote with minorities to the same degree they did in the old CD-3 or the new CD-3.

- I used a well-known statistical method to assess RPV, which consistently demonstrated racially polarized voting patterns between people of color on the one hand (including Black and Hispanic Americans), and non-Hispanic whites on the other.
- Black and Hispanic voters in particular (and minorities overall), vote cohesively to prefer the same candidates for political office in the old CD-3 and were able to elect candidates of choice in that district. While white voters cohesively preferred a different set of candidates for political office, enough white voters (about 40% on average) supported the minority preferred candidate, thereby enabling that candidate to win office.
- In my reconstituted electoral performance analysis, the old CD-3 performs for minority voters, but the newly enacted CD-2 and CD-3 do not. This leads me to conclude that minority voters have been cracked. This provides evidence of an unconstitutional racial gerrymander.
- Kansas specifically moved Black and Hispanic voters in Wyandote County north of I-70, from the old CD-3 into the new CD-2. The white voters in the new CD-2 are more conservative politically, voting in CD-2 will be more racially polarized, and (as a result), Black and Latino voters there will be unable to elect a candidate of choice.

My opinions are based on the following data sources: Statewide Kansas general elections from 2016-2020,¹ a precinct/voting district dataset with election results and joined racial demographics provided to me by plaintiffs, the state's recently enacted CD boundary shape file with population demographics,² and the 2012 Congressional District shape file taken from the redistricting data hub.³

Background and Qualifications

I am an associate professor of political science at the University of New Mexico. Previously, I was an associate professor of political science and co-director of civic engagement at the Center for Social Innovation at the University of California, Riverside. I have published two books with *Oxford University Press*, 39 peer-reviewed journal articles, and nearly a dozen book chapters focusing on sanctuary cities, race/ethnic politics, election administration, and racially polarized voting. I received a Ph.D. in political science with a concentration in political methodology and applied statistics from the University of Washington in 2012 and a B.A. in psychology from the California State University, Chico, in 2002. Between my B.A. and Ph.D., I spent 3-4 years working in private consulting for the survey research firm Greenberg Quinlan Rosner Research in Washington, D.C. I have attached my curriculum vitae, which includes an up-to-date list of publications.

I founded the research firm, Collingwood Research LLC, which focuses primarily on the statistical and demographic analysis of political data for a wide array of clients. I also lead redistricting, map-drawing and demographic analysis for the Inland Empire Funding Alliance in Southern California and served as the redistricting consultant for the West Contra Costa Unified School District, CA, in which I drew a new map alongside the independent redistricting commission.

I served as a testifying expert for the plaintiff in the Voting Rights Act Section 2 case *NAACP v. East Ramapo Central School District*, No. 17 Civ. 8943 (S.D.N.Y.), on which I worked from 2018 to 2020. In that case, I used the statistical software eiCompare and WRU to implement Bayesian Improved Surname Geocoding (BISG) to identify the racial/ethnic demographics of voters and estimate candidate preference by race using ecological data. I am the quantitative expert in *LULAC vs. Pate (Iowa)*, 2021, and have filed an expert report in that case. I am the racially polarized voting expert for the plaintiff in *East St. Louis Branch NAACP, et al. vs. Illinois State Board of Elections, et al.*, having filed two reports in that case. I am the Senate Factors expert for plaintiff in *Pendergrass v. Raffensperger (N.D. Ga. 2021)*, having filed a report in that case. I am the racially polarized voting expert for plaintiff in *Johnson, et al., v. WEC, et al., No. 2021AP1450-OA*, having filed three reports in that case.

¹<https://sos.ks.gov/elections/elections-results.html>

²<http://www.kslegresearch.org/KLRD-web/Redistricting-2022-Plans.html>

³<https://redistrictingdatahub.org/state/kansas/>

Racially Polarized Voting

Racially polarized voting (RPV) occurs when one racial group (i.e., Black or Hispanic voters) consistently votes for one candidate or set of candidates, and another racial group (i.e., non-Hispanic white voters) regularly votes for another candidate or set of candidates. In this report, I analyze ten general elections from 2016 to 2020 to determine whether a pattern of RPV is present in CD-2 and/or CD-3. In an election contest between two candidates, RPV is present when a majority of voters belonging to one racial/ethnic group vote for one candidate and a majority of voters who belong to another racial/ethnic group prefer the other candidate. The favored candidate of a given racial group is called a “candidate of choice.” However, if a majority of voters (i.e., 50%+1) of one racial group support a particular candidate, and a majority of voters from another racial group similarly support the same candidate, then RPV is not present in that contest.

Racially polarized voting does not mean voters are racist or intend to discriminate. However, in situations where RPV is clearly present, majority voters may often be able to block minority voters from electing candidates of choice by voting as a broadly unified bloc against minority voters’ preferred candidate. At issue in this report, however, is whether Kansas’s recently enacted CD-2 and CD-3 potentially dilute Black and/or Hispanic American voters’ ability to elect candidates of choice, and whether the state racially gerrymander minorities out of political representation.

Ecological Inference

To determine if RPV exists, experts must generally infer individual-level voting behavior from aggregate data – a problem called ecological inference. We turn to aggregate data because most of the time we do not have publicly available survey data on all election contests and in particular geographic areas where we want to see if RPV is present. In general, we want to know how groups of voters (i.e., Black Americans or non-Hispanic whites) voted in a particular election when all we have to analyze are precinct vote returns and the demographic composition of the people who live in those precincts.

Experts have at their disposal several methods to analyze RPV: homogeneous precinct analysis (i.e., taking the vote average across high density white precincts vs. high density Black precincts), ecological regression (ER), ecological inference (EI), and ecological inference Rows by Columns (R by C), which is designed specifically for the multi-candidate, multi-racial group environment. However, all methods can be used to assess whether RPV is present in diverse election environments involving multiple candidates and multiple groups. In this report I rely primarily on the ecological inference (EI) method to assess whether voting is racially polarized. I also focus my attention on the two top of the ticket candidates in each contest.

The R software package, *eiCompare* (Collingwood et al. 2020), builds upon R packages *eiPack* (Lau, Moore, and Kellermann 2020) and *ei* (King and Roberts 2016) to streamline RPV analysis and includes all of these aforementioned statistical methods. In this report, I use the standard ecological inference method to estimate candidate choice by race.

The rest of the report presents my results: 1) A list of the elections analyzed; 2) Evidence of Racially Polarized Voting for the 2012-enacted (previous) CD-3; 3) Evidence of Racially Polarized Voting for the newly-enacted CD-2; 4) Evidence of Racially Polarized Voting for the newly-enacted CD-3; 5) Performance analysis for 2012-enacted and newly enacted CD-2 and CD-3; and 6) Racial Gerrymander Analysis.

List of Elections Analyzed

Table 1 presents a list of the 9 elections I analyzed. These represent all top-of-the-ticket contests between 2016-2020, subset to the various district precinct/voting district (VTD) configurations comprising different districts. I find racially polarized voting in each analysis, with minority voters preferring one set of candidates and white voters another set of candidates. However, it is worth noting that white voters from the old (2012-enacted) CD-3 were more likely to vote with minority voters than white voters in the newly enacted

CD-2 – this is due in part because Lawrence, KS – home to University of Kansas – has been removed from CD-2.

Table 1 List of contests analyzed between 2016-2020. The columns list the year, the candidate names, and whether minorities voted cohesively.

Year	Contest	Dem Candidate	GOP Candidate	2012 CD3 POC Cohesion	Enacted CD3 POC Cohesion	Enacted CD2 POC Cohesion
2020	President	Biden	Trump	YES	YES	YES
2020	U.S. Senate	Bollier	Marshall	YES	YES	YES
2018	Governor	Kelly/Rogers	Koback/Hartman	YES	YES	YES
2018	Secretary of State	McClendon	Schwab	YES	YES	YES
2018	Attorney General	Swain	D. Schmidt	YES	YES	YES
2018	Treasurer	Francisco	LaTurner	YES	YES	YES
2018	Insurance Commissioner	McLaughlin	V. Schmidt	YES	YES	YES
2016	President	Clinton	Trump	YES	YES	YES
2016	U.S. Senate	Wiesner	Moran	YES	YES	YES

Racially Polarized Voting 2012-enacted CD-3

To conduct all analyses, I gathered precinct election returns for candidates running in each contest. The data come joined with voting age population data by race, so I created variables for vote percent per candidate (X and Y) and then vote percent by racial group: white, non-white, Black (subset of non-white), and Hispanic (subset of non-white). I also calculated the total vote per precinct, which I use to weight results by total precinct votes cast.

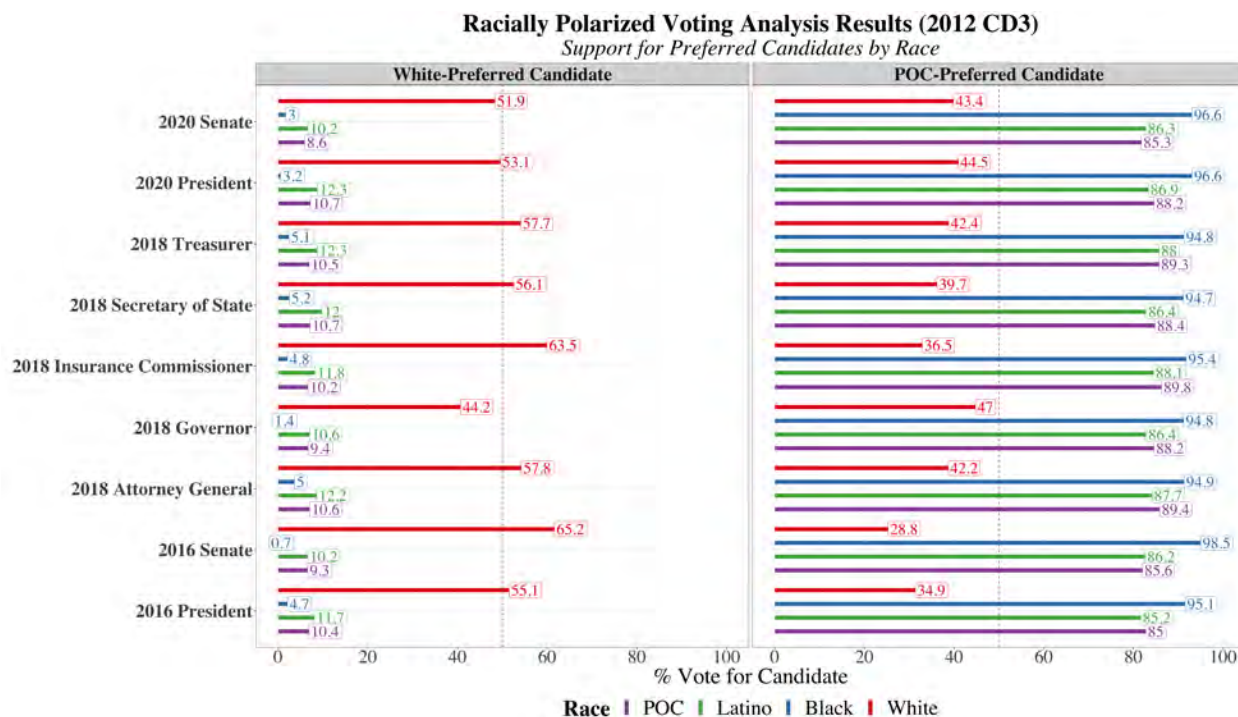
Figure 1 (2012-enacted CD-3) depicts breakdowns of nine elections between 2016 and 2020 in the previously existing CD-3.⁴ This plot provides evidence that non-white voters consistently exhibited candidate preferences that deviated from the white-preferred candidate. In the 2020 Presidential election, for example, 53.1 percent of white voters preferred Donald Trump, while 88.2 percent of non-white voters (including 96.6 percent of black voters and 86.9 percent of Latino voters) preferred Joe Biden. These clear trends of racially polarized voting are consistently evident across all nine elections I examined, as follows:

- In the 2020 Senate election, 51.9 percent of white voters preferred Marshall, while 85.3 percent of non-white voters (including 96.6 percent of black voters and 86.3 percent of Latino voters) preferred Bollier.
- In the 2018 Treasurer election, 57.7 percent of white voters preferred LaTurner, while 89.3 percent of non-white voters (including 94.8 percent of black voters and 88 percent of Latino voters) preferred the other candidate, Francisco.
- In the 2018 election for Secretary of State, 56.1 percent of white voters preferred Schwab, while 88.4 percent of non-white voters (including 94.7 percent of black voters and 86.4 percent of Latino voters) preferred the other candidate, McClendon.
- In the 2018 election for Insurance Commissioner, 63.5 percent of white voters preferred Vicki Schmidt, while 89.8 percent of non-white voters (including 95.4 percent of black voters and 88.1 percent of Latino voters) preferred the other candidate, Nathaniel McLaughlin.
- The 2018 Governor’s election is the only contest in which RPV is not present. There, just 44.2 percent of white voters preferred Kris Kobach, whereas 47% backed Laura Kelly. There is no majority among whites in part because a few third party candidates notched nearly 10% of the vote overall. Meanwhile, 88.2 percent of non-white voters (including 94.8 percent of black voters and 86.4 percent of Latino voters) preferred Laura Kelly.

⁴It should be noted I label each panel as white-preferred candidate and minority-preferred candidate, but that whites did not prefer Kobach in the 2018 gubernatorial contest. I kept the graphic structured this way for general consistency.

- In the 2018 Attorney General’s election, 57.8 percent of white voters preferred one candidate, Derek Schmidt, while 89.4 percent of non-white voters (including 94.9 percent of black voters and 87.7 percent of Latino voters) preferred the other candidate, Sarah G. Swain.
- In the 2016 Senate election, 65.2 percent of white voters preferred one candidate, Jerry Moran, while 85.6 percent of non-white voters (including 98.5 percent of black voters and 86.2 percent of Latino voters) preferred Patrick Wiesner.
- In the 2016 Presidential election, 55.1 percent of white voters preferred Donald Trump, while 85 percent of non-white voters (including 95.1 percent of black voters and 85.2 percent of Latino voters) preferred Hillary Clinton.

Figure 1. Racially Polarized Voting assessment statewide, subset to 2012-enacted CD-3, for white, Black, Hispanic, and non-white (all).



Crucial to this case, a significant enough portion of white cross-over voting (toward the minority-preferred candidate) made it possible for the non-white voters in the former CD-3 to elect their preferred candidates – on average 40% of white voters cast ballots in the same direction as do the vast majority of minority voters. Of the nine elections analyzed here, the minority-preferred candidate earned more votes than the white-preferred candidate in all but two elections (see Figure 4, below).

Racially Polarized Voting in newly-Enacted CD-2

Figure 2 (newly enacted CD-2) depicts breakdowns of nine elections between 2016 and 2020 by voters who are now located in the newly enacted CD-2. This plot provides evidence that non-white voters consistently exhibit candidate preferences that deviated from the white-preferred candidate (detailed below). The level of white cross-over voting (toward the minority-preferred candidate) is considerably lower than it was in the previously existing CD-3; on average 28.6 percent of whites in this new district voted for minority-preferred candidates.

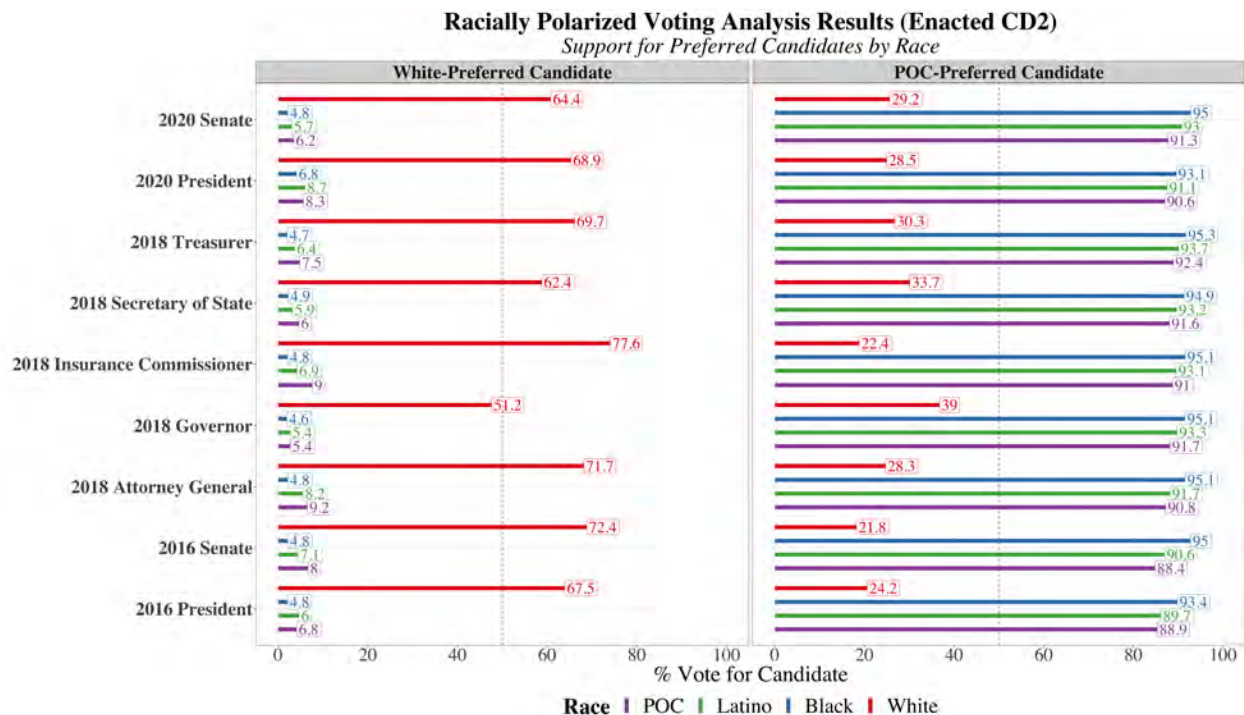
For the newly enacted CD-2:

- In the 2020 Senate election, 64.4 percent of white voters preferred one candidate, while 81.3 percent of

non-white voters (including 95 percent of black voters and 93 percent of Latino voters) preferred the other candidate.

- In the 2020 Presidential election, 68.9 percent of white voters preferred one candidate, while 90.6 percent of non-white voters (including 93.1 percent of black voters and 91.1 percent of Latino voters) preferred the other candidate.
- In the 2018 Treasurer election, 69.7 percent of white voters preferred one candidate, while 92.4 percent of non-white voters (including 95.3 percent of black voters and 93.7 percent of Latino voters) preferred the other candidate.
- In the 2018 Secretary of State election, 62.4 percent of white voters preferred one candidate, while 91.6 percent of non-white voters (including 94.9 percent of black voters and 93.2 percent of Latino voters) preferred the other candidate.
- In the 2018 election for Insurance Commissioner, 77.6 percent of white voters preferred one candidate, while 91 percent of non-white voters (including 95.1 percent of black voters and 93.1 percent of Latino voters) preferred the other candidate.
- In the 2018 Governor's election, 51.2 percent of white voters preferred one candidate, while 91.7 percent of non-white voters (including 95.1 percent of black voters and 93.3 percent of Latino voters) preferred the other candidate.
- In the 2018 Attorney General's election, 71.1 percent of white voters preferred one candidate, while 90.8 percent of non-white voters (including 95.1 percent of black voters and 91.7 percent of Latino voters) preferred the other candidate.
- In the 2016 Senate election, 72.4 percent of white voters preferred one candidate, while 88.4 percent of non-white voters (including 95 percent of black voters and 90.6 percent of Latino voters) preferred the other candidate.
- In the 2016 Presidential election, 67.5 percent of white voters preferred one candidate, while 88.9 percent of non-white voters (including 93.4 percent of black voters and 89.7 percent of Latino voters) preferred the other candidate.

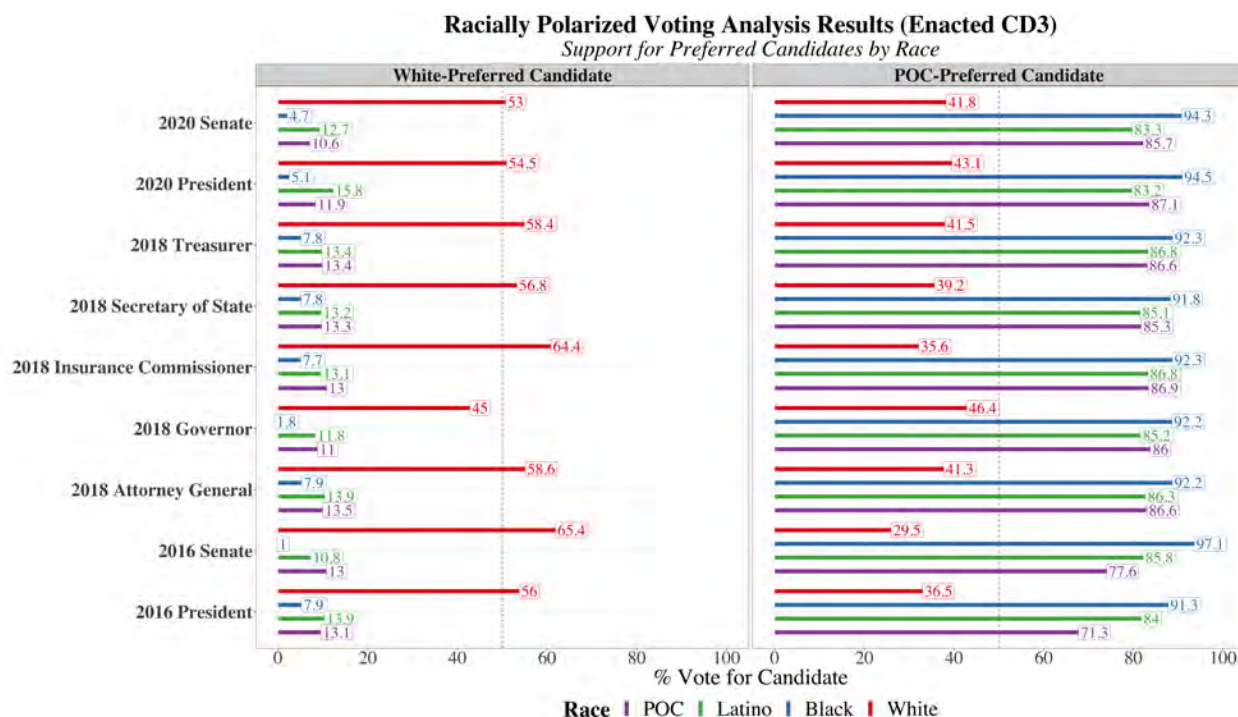
Figure 2. Racially Polarized Voting assessment statewide subset to newly-enacted CD-2, for white, Black, Hispanic, and non-white



Racially Polarized Voting in newly-Enacted CD-3

Figure 3 (newly enacted CD-3) depicts breakdowns of nine elections between 2016 and 2020 by voters who are now located in the newly enacted CD-3. As in the previously enacted CD-3, non-white voters consistently exhibited candidate preferences that deviated from the white-preferred candidate. The percentage of white cross-over voting (toward the minority-preferred candidate, relative to overall white voters) is quite similar to the previous CD-3. However, the new CD-3 contains 7 percent more white voters than did the previous CD-3. Therefore, although the percentage of white cross-over voters remained similar, the slightly higher raw number of white voters in the new district reduces the possibility that non-white voters can elect their preferred candidates (see performance analysis, below).

Figure 3. Racially Polarized Voting assessment statewide subset to newly-enacted CD-3, for white, Black, Latino, and non-white



Performance Analysis 2012- and Newly Enacted Plans CD-2 and CD-3

To conduct the performance analysis, I subset the precincts to the appropriate district boundaries then sum votes for candidate 1 and candidate 2, respectively, dividing by total votes. I focus on the top two candidates in each contest.

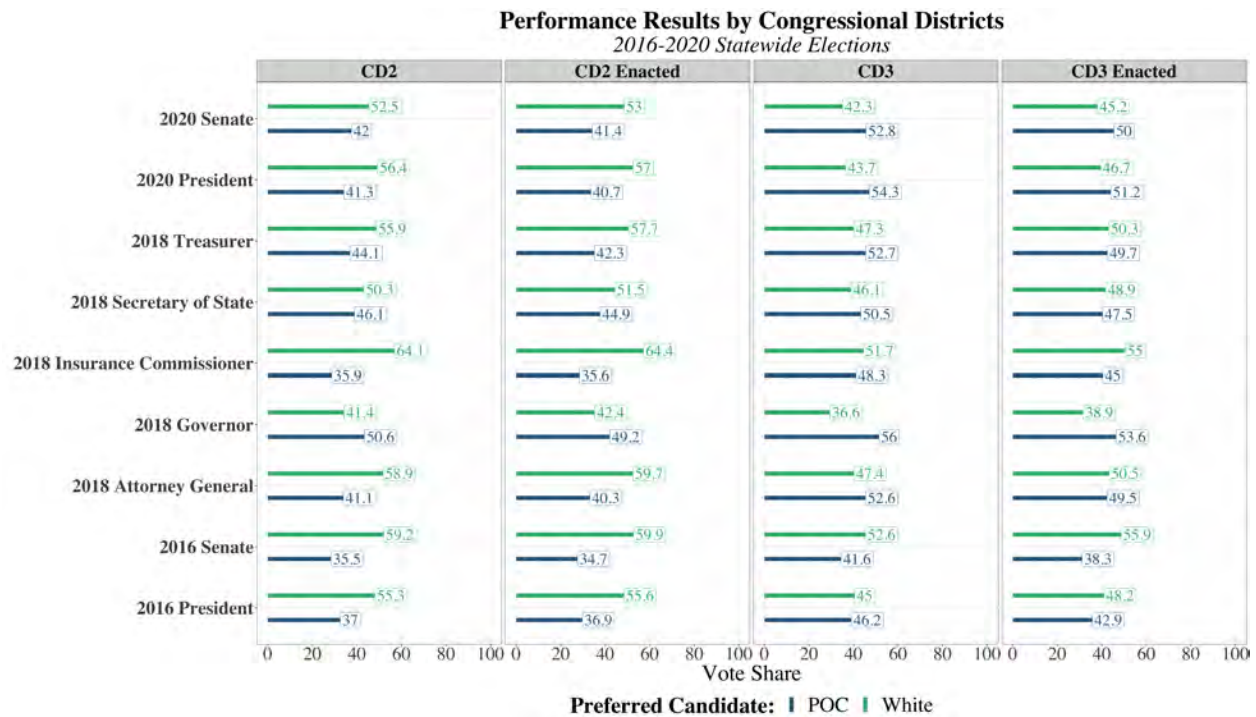
Figure 4 depicts the performance of white-preferred candidates and non-white preferred candidates in nine elections (2016-2020) for CD-2 (previous and enacted) and CD-3 (previous and enacted). The changes to voter composition in CD-2 do not appear to alter the results of any election analyzed here – likely due to the remove of Lawrence from the district. In every election (except for the 2018 gubernatorial race), the white-preferred candidates received (or would have received) a majority of votes; this is true of the previous CD-2 and the newly enacted CD-2.

In contrast, the newly enacted changes to voter composition in CD-3 appear to weaken the vote share for the minority-preferred candidate in every election analyzed. I set aside the 2018 Gubernatorial contest between

whites and non-whites preferred the same candidate. The minority-preferred candidate loses 6 of 8 contests analyzed, whereas in the old CD-3 the minority-preferred candidates wins 6 of 8 contests.

For example, the vote share for the minority-preferred 2020 Senate candidate dropped from 52.8 (previous CD-3) to 50 (enacted CD-3); dropped for 2020 President from 54.3 to 51.2; dropped for 2018 Treasurer from 52.7 to 49.7; dropped for 2018 Secretary of State from 50.5 to 47.5; dropped for 2018 Insurance Commissioner from 48.3 to 45; dropped for 2018 Attorney General from 52.6 to 49.5; dropped for 2016 Senator race from 41.6 to 38.3; and dropped for 2016 President from 46.2 to 42.9. In at least four races—2018 Treasurer, 2018 Secretary of State, 2018 Attorney General, and 2016 President—the recent CD-3 changes shifted the election outcome in favor of the white-preferred candidate (relative to the minority-preferred candidate).

Figure 4. Performance analysis assessment in CD-2 (2012 enacted), CD-2 (2022 enacted), CD-3 (2012 enacted), CD-3 (2022 enacted).



Racial Gerrymander Analysis

I gathered data from Kansas' redistricting website, which compares demographics of the 2012 plan against the newly enacted 2022 plan.⁵ The relevant tables are located on pages 14-17. However, the tables do not include counts by district for non-Hispanic white or non-whites/POC overall; therefore, I rely on the old and new map population (PL-94171) data to construct those counts. Table 2 presents the comparison, along with a difference bar.

In these tables, I define non-Hispanic white as anyone who reports not being Hispanic, reports white, and only reports one race. I define Hispanic as anyone who checks the Hispanic category on the Census. I define Black as anyone who is not Hispanic and is Black alone or in any combination (all possible Black). I define people of color/non-white as the population or voting age population - non-Hispanic white.

Table 2 Newly enacted population demographics, CD-2 and CD-3.

District	Population	Hispanic	% Hispanic	NH AP Black	% NH AP Black	NH White	% NH White	POC	% POC
CD2 2012	713007	52062	7.3	44732	6.3	563705	79.1	149302	20.9
CD2 Enacted	734470	94762	12.9	75893	10.3	512507	69.8	221963	30.2
Difference	21463	42700	5.6	31161	4	-51198	-9.3	72661	9.3
CD3 2012	792286	110697	14	73649	9.3	535307	67.6	256979	32.4
CD3 Enacted	734470	73610	10	43675	5.9	551145	75	183325	25
Difference	-57816	-37087	-4	-29974	-3.4	15838	7.4	-73654	-7.4

⁵http://www.kslegresearch.org/KLRD-web/Publications/Redistricting/2022-Plans/M3_AdAstra_2-packet.pdf

Table 3 presents the comparison for voting age population.

Table 3 Newly enacted voting age population demographics, CD-2 and CD-3.

District	VAP	Hispanic VAP	Pct. Hispanic VAP	NH AP Black VAP	Pct. NH AP Black VAP	NH White VAP	Pct. NH White VAP	POC VAP	Pct. POC VAP
CD2 2012	550432	32969	6	30058	5.5	448885	81.5	101547	18.4
CD2 Enacted	554813	59029	10.6	52806	9.5	406652	73.3	148161	26.7
CD2 Difference	4381	26060	4.6	22748	4	-42233	-8.2	46614	8.3
CD3 2012	595079	70288	11.8	51036	8.6	422583	71	172496	29
CD3 Enacted	556362	47341	8.5	28845	5.2	433217	77.9	123145	22.1
CD3 Difference	-38717	-22947	-3.3	-22191	-3.4	10634	6.9	-49351	-6.9

These overall numbers indicate that the CD-3 minority population has declined, whereas the CD-3 white population has grown. Meanwhile the CD-2 minority population has grown, and white population declined. The next step is to understand precisely where these changes are occurring, and whether there is evidence of clear racial gerrymandering.

To begin, Figure 5 presents the 2012 Congressional districts on the left panel, and a zoomed-in map for Districts 2 (purple) and 3 (light green). Most of the activity is in and around the geographic space making up Congressional District 3, as this is also one of the more population dense areas of the state.

Figure 5. Kansas 2012 and Congressional Districts

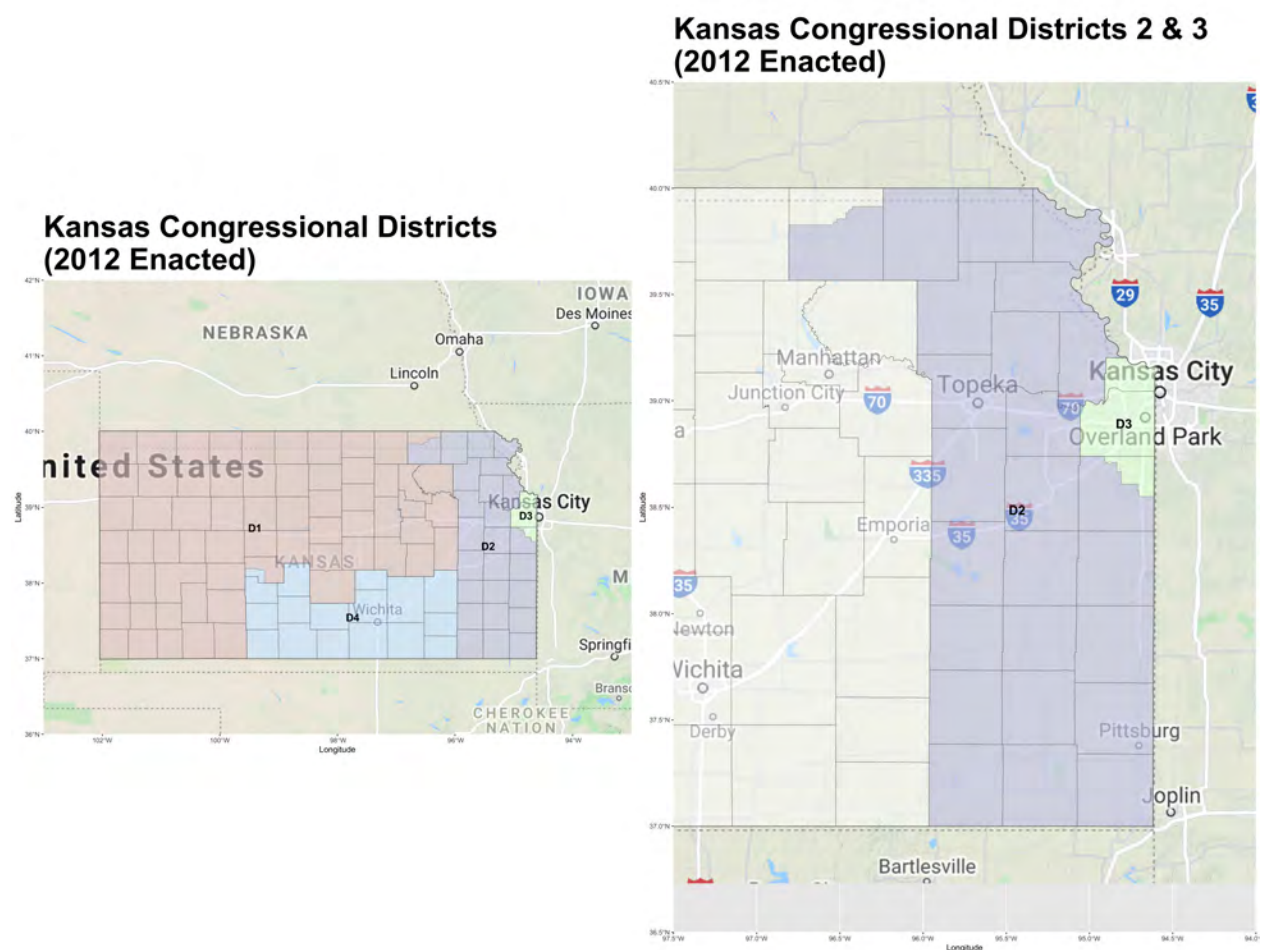
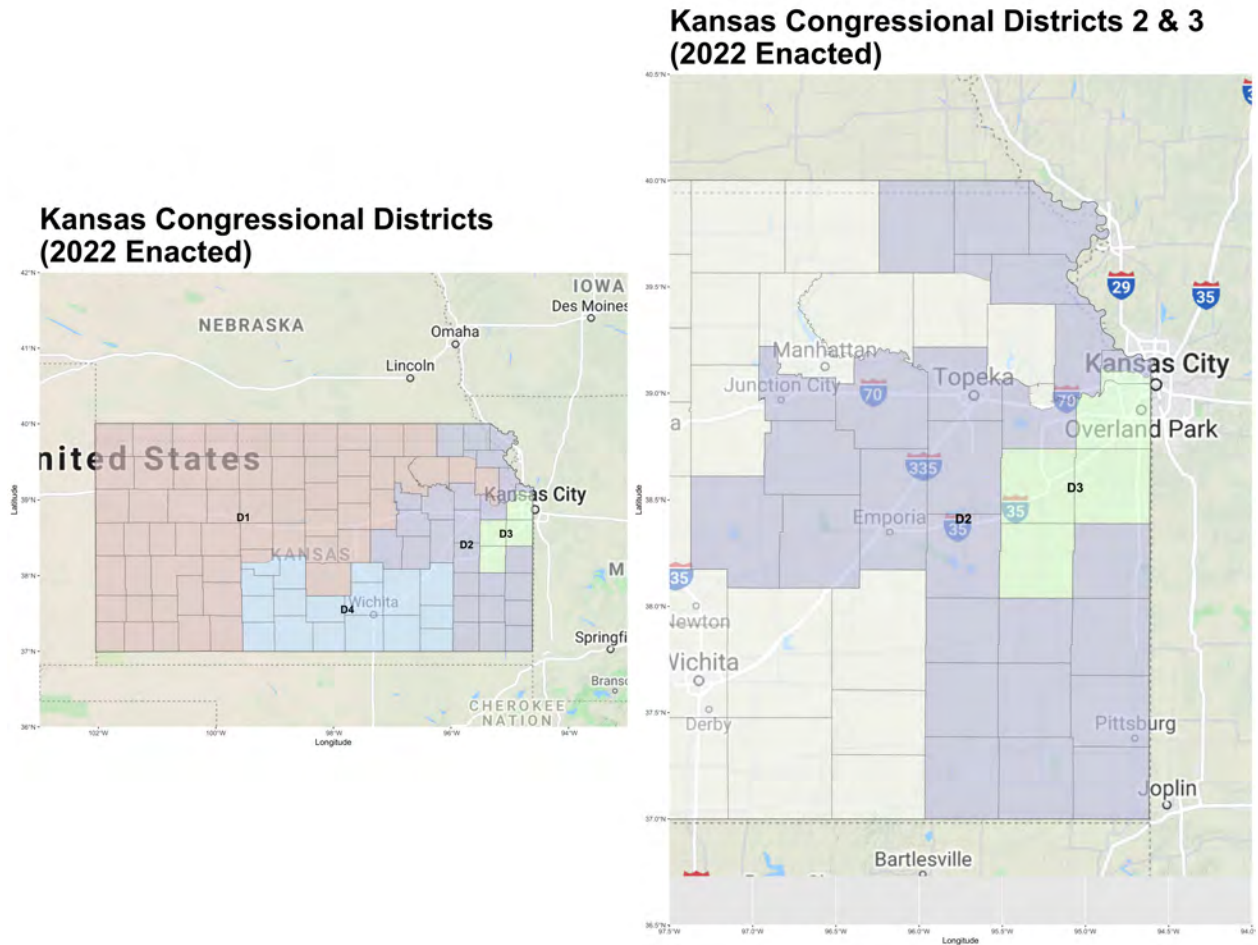


Figure 6 presents the newly enacted 2022 Congressional districts on the left panel, and a zoomed-in map for Districts 2 (purple) and 3 (light green). The two map comparison visually demonstrates that the new

District 3 now captures counties (Anderson and Franklin) to the south and west and now all of Miami County. However, the northern half of Wyandotte County (Kansas City) now appears cut in two, with the southern end in CD-3 but northern end in CD-2.

Figure 6. Kansas 2012 and Congressional Districts

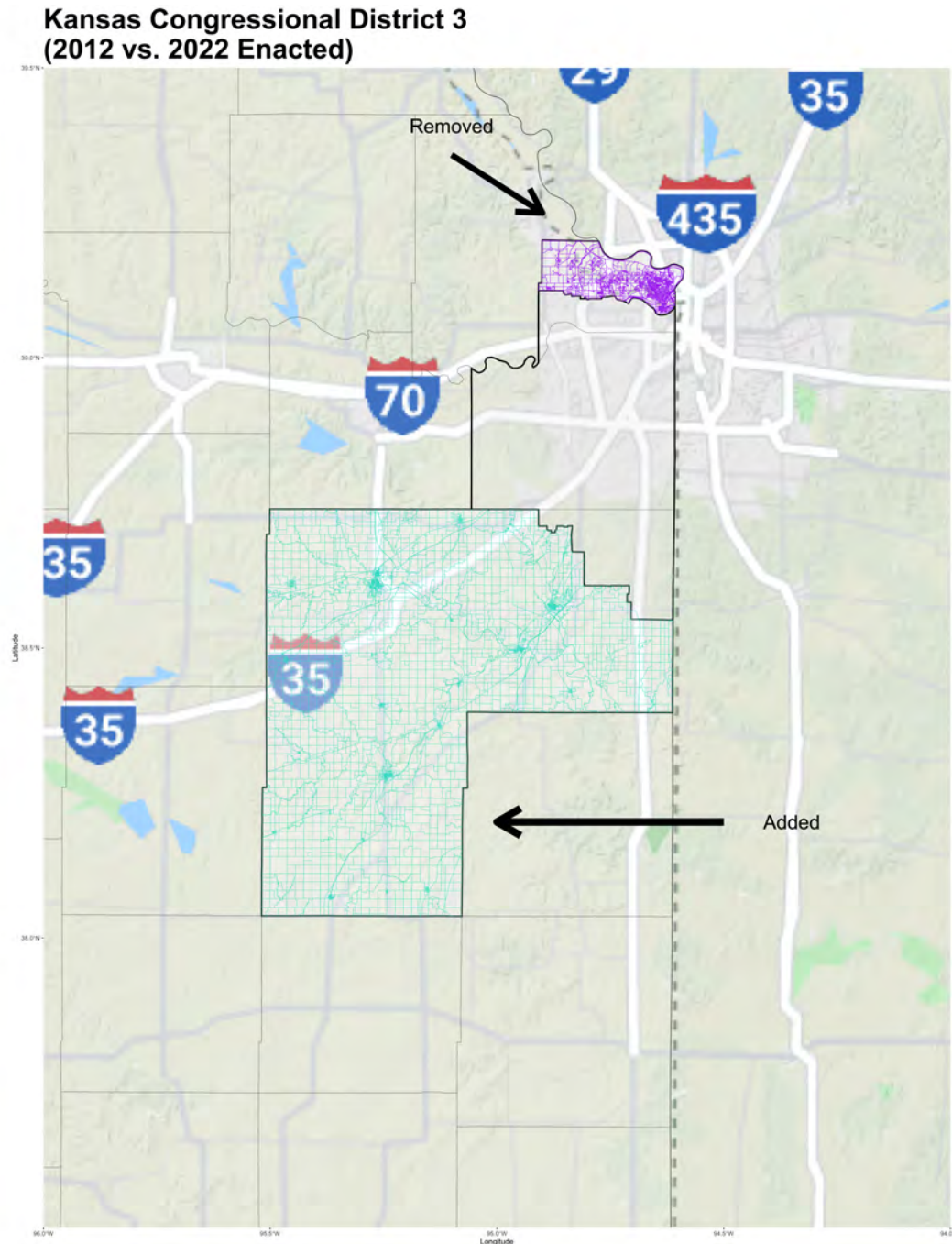


To further dissect the racial gerrymander, I narrow in on the Wyandotte County blocks the state moved out of the 2012 CD-3 and into the the 2022 CD-2 – which is effectively the geography north of I-70. To do so, I gathered the 2020 block shape file and overlaid this against the 2012 CD-3 and the 2022 CD-3. I then subset the 2012 data to the blocks that are no longer in the 2022 CD-3. Then, I examined the areas added to the 2022 CD-3: Franklin County, Anderson County, and now all of Miami County.

Figure 7 reveals the differences between the old and new CD-3. The purple outlined blocks on the north side

of the district are now in CD-2, whereas the turquoise blocks in the southern and western part of the district are new to CD-3 having previously been in CD-2.

Figure 7. Kansas 2012 CD-3 and 2022 CD-3 Differences



I next overlay racial demographics onto this map to visually demonstrate the racial gerrymander. The pattern is exceedingly clear that the state moved a disproportionate share of racial minorities out of CD-3 into CD-2. Using PL 94-171 Census variables, I generated block level variables for voting age population (VAP), non-Hispanic white VAP, Hispanic VAP, all possible Black VAP, and non-white (POC) VAP. Figure 8 plots out percent non-white voting age population by block. Very light/white areas indicate the presence of mostly white people. Dark blue indicates racially diverse areas. The northernmost part of the district – the area precisely removed from the district – is clearly the most diverse part of the old CD-3.

Figure 8. Kansas 2012 CD-3 and 2022 combined region with demographic overlay and new/old district boundaries.

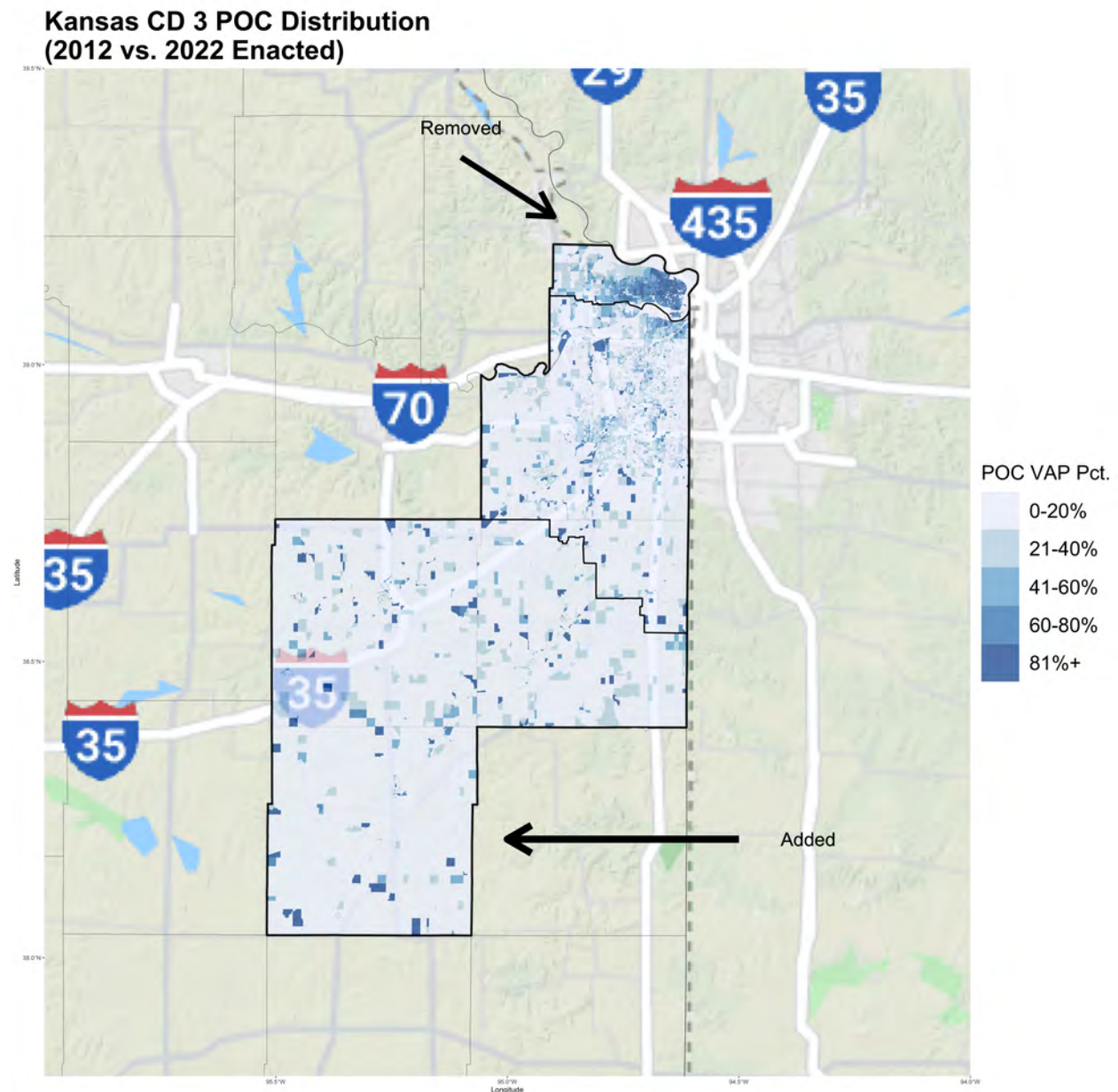


Table 4 further reveals the extent of the change. Although the share of the non-Hispanic white VAP in the newly enacted CD-3 is 77.9% (see Table 3 above), and 73.3% VAP in the newly enacted CD-2, the blocks moved out of 2012 CD-3 into 2022 CD-3 are just 33.79% non-Hispanic white VAP. Instead, 29% of the voting age population is Black, 30% Hispanic, and in total 66.21% are non-white. Instead, the new voting population moved into CD-3 from the south and west is comprised of a more rural and white population – 90.3% of the those people of voting age are non-Hispanic white.

Table 4 Demographic voting age population analysis of blocks north of I-70 that used to be in CD-3 but that are now in CD-2.

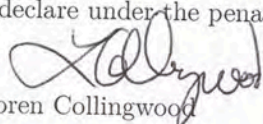
	Count	Percent
NH White VAP	27,269	33.79
AP Black VAP	23,405	29.00
Hispanic VAP	24,230	30.02
POC VAP	53,437	66.21

Conclusion

In conclusion, without any doubt, racially polarized voting between people of color (POC) and whites is present in the elections I examined. However, whites in the 2012 CD-3 exhibited enough cross-over voting with minorities to reliably enable the election of minority-preferred candidates in that district. However, the state has racially gerrymandered Blacks, Latinos and non-whites out of the old CD-3 into the CD-2 where minorities have no chance of electing candidates of choice (as demonstrated by both my RPV and performance analysis).

My demographic and spatial analysis make that clear, as the state moved people living in the blocks north of I-70 from CD-3 into CD-2: that area is 66% minority voting age population. The state replaced those voters with rural and white voters to the south and west who are more conservative. My performance analysis of the new CD-3 shows that the seat now more likely to elect white-preferred candidates than minority-preferred candidates. I am left with little conclusion other than this is a racial gerrymander.

I declare under the penalty of perjury tht the foregoing is true and correct to the best of my knowledge.

 3/9/22
Loren Collingwood

References

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