

EXHIBIT 9

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF LOUISIANA**

DR. DOROTHY NAIRNE, et al.

Plaintiffs,

v.

R. KYLE ARDOIN, in his official capacity as
Secretary of State of Louisiana,

Defendant.

CIVIL ACTION NO. 3:22-cv-00178
SDD-SDJ

Chief Judge Shelly D. Dick

Magistrate Judge Scott D. Johnson

**DECLARATION OF PRESIDENT MICHAEL W. MCCLANAHAN IN OPPOSITION
TO DEFENDANT’S MOTION FOR SUMMARY JUDGMENT**

Pursuant to 28 U.S.C. § 1746, I, Michael W. McClanahan, declare as follows:

1. I am over 18 years of age and competent to make this declaration.
2. I serve as President of the Louisiana State Conference of the National Association for the Advancement of Colored People (“Louisiana NAACP”) and have served in that capacity since 2017. In my role, I am responsible for overseeing and supporting over 40 local branches and 16 youth and college chapters across the state.
3. The Louisiana NAACP is a nonprofit, nonpartisan organization whose work is devoted to pursuing the social, political, economic, and educational equity of Black people in this state and nation. The Louisiana NAACP works to eliminate racial discrimination, protect voting rights, and uphold fair political participation.
4. As a membership organization, the Louisiana NAACP collects dues from paying members. Any active member may run for leadership positions within the NAACP. I was elected

by the membership of the Louisiana NAACP to serve as President. From my experience running for this position and serving since, I am familiar with our membership across the state. The Louisiana NAACP membership is from every corner of the state and is predominantly Black. Our members join the NAACP because they agree with its mission to advance equality and increase political power for Black people and Black communities. The Louisiana NAACP aims to serve all Black Louisianians regardless of their membership status.

5. In my capacity as President, I work with membership from across the state, including the challenged districts, on a regular basis. I have personal relationships with members in challenged districts, have been to their homes, and listened to their concerns about the dilutive maps in our meetings.

6. I have also reviewed our membership information in conjunction with the enacted House and Senate maps and the illustrative House and Senate maps created by our expert witness Mr. Bill Cooper to confirm that we have at least one member in each part of the state in which districts dilute Black voting strength (that is, “pack” or “crack” Black voters) who could be drawn into a new majority-Black district that could be created in that area. Specifically:

- a. I have identified a Louisiana NAACP member in a dilutive district in the Shreveport area, encompassing parts of Caddo and Bossier Parishes, who could be drawn into a new opportunity district as demonstrated by Illustrative Senate District 38.
- b. I have identified a Louisiana NAACP member in a dilutive district in the Baton Rouge area, encompassing parts of East Baton Rouge, Iberville, Pointe Coupee, and West Baton East Baton Rouge, Iberville, Pointe Coupee, and West Baton Rouge Parishes, who could be drawn into a new opportunity district as demonstrated by Illustrative Senate District 17.

- c. I have identified a Louisiana NAACP member in a dilutive district in the New Orleans area, encompassing parts of Jefferson and St. Charles Parishes, who could be drawn into a new opportunity district as demonstrated by Illustrative Senate District 19.
 - d. I have identified a Louisiana NAACP member in a dilutive district in the Shreveport area, encompassing parts of Caddo and Bossier Parishes, who could be drawn into a new opportunity district as demonstrated by Illustrative House District 1.
 - e. I have identified a Louisiana NAACP member in a dilutive district in the Natchitoches area, encompassing parts of Desoto, Natchitoches, Red River Parishes, who could be drawn into a new opportunity district as demonstrated by Illustrative House District 23.
 - f. I have identified a Louisiana NAACP member in a dilutive district in the Lake Charles area, encompassing parts of Calcasieu Parish, who could be drawn into a new opportunity district as demonstrated by Illustrative House District 38.
 - g. I have identified a Louisiana NAACP member in a dilutive district in the Baton Rouge area encompassing parts of Ascension and Iberville Parishes who could be drawn into a new opportunity district, as demonstrated by Illustrative House District 60, and I have identified two members in dilutive districts in East Baton Rouge Parish, who could be drawn into two new opportunity districts, as demonstrated by Illustrative House Districts 65 and 68 respectively.
7. These are just some of the Louisiana NAACP's members who are harmed by the enacted House and Senate maps because they reside in dilutive districts and who would benefit from

new, fairer redistricting plans that created additional districts that provide equal electoral opportunity to Black voters.

8. The redistricting process was a top priority for the Louisiana NAACP because of our commitment to the fair representation of Black voters and our understanding of the implications of the district lines for the efficacy of our programmatic work and policy priorities. For example, the Louisiana NAACP mobilized members and branch leaders to speak out at the redistricting roadshow hearings about the need for fair representation for Black Louisianians. Along with other organizations, we delivered letters to the Legislature throughout the redistricting process calling for compliance with the Voting Rights Act and submitted House and Senate maps that would have better represented Black voters and Black communities.

9. As a result of the discriminatory House and Senate maps enacted by the Legislature, the Louisiana NAACP has been forced to shift our efforts to fight against the effects of voter dilution in the affected areas of the state by increasing education and outreach to voters. The Louisiana NAACP has had to work even harder to engage our members, who have become disillusioned and hopeless after this past redistricting cycle.

10. For instance, the Louisiana NAACP typically engages in “Get Out the Vote” (or “GOTV”) campaigns across the entire state, including organizing voter education events, preparing voter education resources, fielding volunteers to knock on doors in Black communities, and distributing thousands of voter information materials. These efforts have become more difficult and resource-intensive due to the enactment of discriminatory state legislative maps.

11. Volunteers engaged in canvassing spend time speaking to voters at their doorsteps, talking to them about issues, about the importance of voting and making their voices heard, about where and how to vote, and asking them to commit to voting in the next election. When voters feel

their votes don't matter, these conversations take longer, sometimes significantly longer, and volunteers are not able to connect with as many voters in a day of canvassing.

12. Because of the discriminatory way districts were drawn for the Louisiana House and Senate, there were not competitive elections in many of the communities Louisiana NAACP members live, serve, canvass, and vote. Over 40% of legislative seats were filled without an election this year because no competitor entered the race. Even where elections occurred during the recent primary elections on the Enacted Maps, many did not advance to a runoff election.

13. The lack of competitive legislative races makes it harder for the Louisiana NAACP to recruit volunteers to help door knock, text, call, and further engage voters to participate in the other important elections on the ballot because they do not have the same opportunities to mobilize around the higher-visibility races in their communities. When the results feel decided before the votes are cast, our volunteers feel deflated, and voters are less responsive to our outreach efforts leading to more work and less reward.

14. Moreover, we have observed how noncompetitive elections in packed and cracked districts lead to less investment from political campaigns and other organizations due to fewer races being on the ballot. For example, when there is only one Senate candidate who enters a race in a district, there is little incentive for that candidate's campaign to expend resources on voter outreach and mobilization since the candidate wins outright without even needing to appeal to voters. This is true regardless of the political party of the candidate in a non-competitive district or whether or not the candidate has the support of Black voters: It is true in districts in which Black voters are packed, virtually guaranteeing a win for Black voters' preferred candidate and in districts in which Black voters are cracked, making it virtually impossible for Black voters' preferred candidate to prevail.

15. I have directly observed the lack of investment from candidates, campaigns, and political parties in the areas impacted by the Enacted Maps. When I travel among the communities in these packed and cracked districts where our members live, I see fewer campaign signs and billboards than in prior election years. I hear fewer campaign advertisements on the radio for state legislative races. At one point I had to call into the radio station myself to encourage people to get out and vote since there was so little discussion of the important election dates this year. Under the Enacted Maps, there is less information exchange, less engagement in Black communities from candidates and elected officials, less enthusiasm, and less opportunity for voters to realize the full weight of their vote.

16. In these situations, the Louisiana NAACP has had to step in and fill the gap, compensating for the lack of information and voter engagement in the communities we serve to ensure voters know that elections are happening and believe in the value of their vote on other key races and constitutional amendments. This is expensive and time-consuming; it drains the financial resources and people power the Louisiana NAACP can invest in our broader programmatic work and voter outreach in other areas of the state.

17. Because races under the Enacted Map have been dismissed as noncompetitive, we have received less funding from national sources and other donors to conduct our GOTV work this year. These organizations do not want to invest in GOTV work in states and districts where the outcome of elections is a foregone conclusion when there are other, more competitive elections where they can have a greater impact. As a result, we have had to stretch the resources we have and make choices between what districts, communities, events, and initiatives we can invest in at the expense of others.

18. The Louisiana NAACP has had to cancel or postpone specific events—namely, rallies and town hall sessions that we planned to hold in Bogalusa and Orleans—in order to redirect our limited resources to engaging Black voters disenfranchised by the redistricting plans. The impact of the discriminatory districts has not only burdened outreach efforts in those areas, but has drained and deferred resources meant to reach other regions of the state.

19. The Louisiana NAACP must also now devote more of its resources to engage with the House and Senate candidates that represent Black voters in the affected districts to ensure that Black voters have an opportunity to be heard by their elected officials. In the districts where our members and other Black voters are underrepresented due to their communities being cracked across district lines, it is harder to get responses from elected officials on important issues or to have our meeting requests granted. Our members feel that their voices are not heard and that their interests are not reflected in the policy platforms of the candidates running and elected to serve them.

20. For example, each year the Louisiana NAACP invites candidates to a town hall during our annual state convention. This is an important opportunity for candidates to be able to speak with attending members, share their platforms, and to hear feedback and field questions. Many candidates will also buy ad space in our convention booklet or tables at our Annual Freedom Fund Dinner held during the convention. This year, we saw a dramatic drop off in responses, participation, and contributions from candidates and incumbent elected officials who faced uncompetitive elections. This meant we lost funding revenue that used to be reliable in election years. Worse, it meant that Louisiana NAACP members lost out on a critical opportunity to engage with these candidates, learn their positions, share their opinions, and feel that their voices were heard.

21. Political participation is the cornerstone of the Louisiana NAACP's mission. Now, under the discriminatory maps, the NAACP has had to redouble its efforts to engage Black voters in parts of the state where candidates supported by Black voters have little chance of winning and convince them that, despite the lack of competitive elections, their vote matters and their opinions can influence change in the political process. This labor requires more effort, more volunteers, and more money, and has made it more difficult to accomplish other organizational goals. Every time Black voters lose an opportunity to vote due to uncompetitive elections cuts against our organizational objective to encourage Black Louisianians to become chronic voters.

22. Despite the significant efforts and resources that we devoted to advocating for a representative state legislative map, the Louisiana legislature insisted on enacting maps that violate federal law and deprive Black voters of an equal opportunity to participate in the political process and elect candidates of choice in parts of the state with large Black populations who should be better represented. For Louisiana to have fair and representative State Legislative Maps, there must be a meaningful expansion of the number of majority-minority opportunity districts for Black voters.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 27, 2023

A handwritten signature in black ink, appearing to read "Michael W. McClanahan", with a stylized, overlapping loop at the end.

Michael W. McClanahan