

Exhibit C

DECLARATION OF JOHN R. ALFORD, Ph.D.

At the request of counsel for the Defendants, I have reviewed the election performance of proposed Senate Districts 2 and 11 in the most recent remedial plan. The reconstituted election analyses provided below utilize the precinct level votes for all 19 of the two-party contested statewide contests for state offices from 2019 through 2024, including 7 contests in 2019 from Governor at the top of the ticket down to Insurance Commissioner (there was no Democratic candidate for Auditor and that contest was not included), 2 federal contests for President and U.S. Senate in 2020, 8 contests in 2023 from Governor at the top of the ticket down to Insurance Commissioner, and 2 federal contests for President and U.S. Senate in 2024. Twelve of the 19 contests were biracial where there was both a Black candidate and a White candidate, including at least one bi-racial contest in every election year.¹ Where the newly drawn districts split existing precincts, the votes were disaggregated to the Census block level and reaggregated to the split precinct level using Census VAP data.

Measuring District Effectiveness

In her earlier report in this matter Dr. Handley relied on two measures of district performance. An ‘effectiveness score’ that is simply the average vote share received by the preferred candidate of Black voters (here always the Democratic candidate) expressed as a proportion in each of the proposed districts. She considered a score of 50% or higher to signal an effective district for minority voters. Dr. Handley’s second measure was one she referred to as a ‘percent won’ score, defined simply as the number of contests the Black-preferred candidates won

¹ While some Courts have held that contests between Black and White candidates are the most probative contests for assessing racial polarization, this should not be read to mean that there is no probative value in considering White versus White contests as well when assessing racial polarization.



divided by the total number of election contests. Despite using this obvious and common 50% threshold for her district effectiveness score as discussed above, Dr. Handley offered a different 60% threshold for her ‘percent won’ measure without any clear justification, and the Court rejected this higher arbitrary standard in approving House District 16, with an effectiveness score in the high 50% range, but below Dr. Handley’s 60% line.

The Proposed Remedial Senate Plan

Table 1 below provides a reconstituted election performance analysis for two State Senate districts using the same methodology that Dr. Handley employed. I have focused on the full set of 19 statewide elections from the 2019 elections through the 2024 elections including both state and federal contests and have included all such contests regardless of whether they were racially contested to provide a comprehensive view of the performance of the preferred candidates of Black voters.²

Proposed Senate District 2 is a 50.1% any-part Black voting age district. The reconstituted election analysis for District 2 across all 19 of these reconstituted elections shows an effectiveness score of 51.9%, and an equivalent effectiveness score of 51.8% for the biracial contests (the index Dr. Handley prefers). The preferred candidate of Black voters in District 2 wins the reconstituted election in 13 out of 19 elections (a ‘percent won’ score of 68%), and in the biracial contests the

² The four federal election contests from 2020 and 2024 were included in order to provide a complete set of elections, but it should be noted that performance in these federal elections is less indicative of potential state legislative district performance than the state level offices. These top of the ballot elections for U.S. President and U.S. Senator are much higher profile contests, and in addition are not on the same ballot as the odd year state level contests and hence would not be on the same ballot as the endogenous State Senate elections in these two Senate districts. In this case the performance metrics lead to the same substantive conclusions regardless of whether the federal contests are included or excluded.

preferred candidate of Black voters in District 2 wins the reconstituted election in 8 out of 12 contests for an essentially identical ‘contests won’ score of 67%.

Table 1: Reconstituted Election Analysis for Two State Senate Districts 2019-2024

Office	Democratic	Year	Senate		Senate	
	Candidate		District 2		District 11	
	Race		Dem. %	Dem. Win	Dem. %	Dem. Win
Governor	White	2019	51.1%	1	59.8%	1
Lt. Governor	White	2019	46.8%	0	54.0%	1
Attorney General	Black	2019	48.4%	0	55.9%	1
Treasurer	Black	2019	46.0%	0	53.4%	1
Agriculture	White	2019	47.0%	0	55.2%	1
Insurance Commissioner	Black	2019	46.3%	0	53.3%	1
Secretary of State	Black	2019	47.5%	0	55.5%	1
U.S. President	White	2020	54.8%	1	59.3%	1
U.S. Senate	Black	2020	59.1%	1	62.9%	1
Governor	White	2023	57.6%	1	64.1%	1
Lt. Governor	White	2023	54.0%	1	57.3%	1
Secretary of State	Black	2023	53.1%	1	56.2%	1
Attorney General	White	2023	52.9%	1	56.5%	1
Auditor	Black	2023	53.7%	1	56.5%	1
Treasurer	Black	2023	53.8%	1	58.8%	1
Agriculture	Black	2023	54.6%	1	59.7%	1
Insurance Commissioner	Black	2023	53.1%	1	57.3%	1
U.S. President	Black	2024	53.2%	1	55.8%	1
U.S. Senate	Black	2024	53.0%	1	54.5%	1
Average			51.9%		57.2%	
Number of Democratic Wins				13		19
% of Democratic Wins				68%		100%
Black Dem. Candidate Average			51.8%		56.7%	
Black Dem. Candidate # of Wins				8		12
Black Dem. Candidate % of Wins				67%		100%

The trend over time is also favorable for Black preferred candidates in District 2 with those candidates winning every contest from the 2020 elections forward. With scores above the 50% threshold in both all elections and in racially contested elections, and in both effectiveness score and the contests won score, proposed Senate District 2 meets the test for an effective minority district. Note that even using Dr. Handley’s more stringent 60% threshold for the contests won

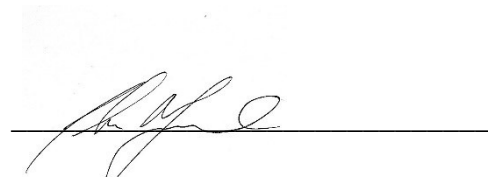
score, the district exceeds that standard even if the focus is restricted, as Dr. Handley prefers, to racially contested elections.

Proposed Senate District 11 is a 53.5% any-part Black voting age district. The reconstituted election analysis for District 11 across all 19 of these reconstituted elections shows an effectiveness score of 57.2%, and an equivalent effectiveness score of 56.7% for the biracial contests (the index Dr. Handley prefers). The preferred candidate of Black voters in District 11 wins the reconstituted election in 19 out of 19 elections (a 'percent won' score of 100%), and in the biracial contests the preferred candidate of Black voters in District 2 wins the reconstituted election in 12 out of 12 contests for an identical 'contests won' score of 100%.

With scores above the 50% threshold in both all elections and in racially contested elections, and in both the effectiveness score and the contests won score, proposed Senate District 11 meets the test for an effective minority district. Note that even by Dr. Handley's more stringent 60% threshold for the contests won score the district exceeds that standard even if the focus is restricted as Dr. Handley prefers, to racially contested elections.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

April 21, 2025.

A handwritten signature in black ink, appearing to read 'John R. Alford', is written over a horizontal line.

John R. Alford, Ph.D

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