

Exhibit 8

SUPPLEMENTAL EXPERT REPORT OF DR. CHRIS CLARK

Williams, et al.

v.

Hall, et al.

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA

Case No. 23 CV 1057

March 17, 2025

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I. Statement of Purpose and Summary of Opinions

I have been asked by Plaintiffs' counsel to analyze Senate Factor 7—the extent to which members of the minority group have been elected to public office in the jurisdiction—in North Carolina considering the results of the 2024 election.

- Based on my analysis, as discussed below, I reached the following conclusions: Black North Carolinians continue to face obstacles winning statewide office, with only one Black North Carolinian elected to one of the ten Council of State offices.
- Black North Carolinians remain underrepresented in the U.S. House of Representatives, with a Black Representation Ratio of 0.97.
- White North Carolinians remain overrepresented in the U.S. House of Representatives, with a white representation ratio of 1.13.
- Black North Carolinians are now slightly overrepresented in the North Carolina General Assembly, with a Black Representation Ratio of 1.01. Many were elected from majority-minority districts.
- White North Carolinians remain overrepresented in the North Carolina General Assembly, with a white representation ratio of 1.06.
- Latinos remain grossly underrepresented, with no Latino North Carolinians currently serving in the U.S. House of Representatives and only two members serving in the North Carolina General Assembly, resulting in a 0.10 Latino Representation Ratio for the General Assembly.
- White North Carolinians are overrepresented relative to Black North Carolinians and to Latino North Carolinians in the U.S. House of Representatives, the General Assembly, and statewide office.

II. Senate Factor 7: the extent to which members of the minority group have been elected to public office in the jurisdiction.

Overall, after the November 2024 election cycle, the Black Representation Ratio remains below parity in the U.S. House of Representatives and barely exceeds parity in the North Carolina General Assembly. Latinos continue to be grossly underrepresented, with no Latino North Carolinians elected to the U.S. House of Representatives and only two elected to the North Carolina General Assembly.

A. Methodology

I used the same methodology as in my August 2024 report. To ascertain Black representation in the U.S. House of Representatives, I relied on information made available by the Office of History, Art, and Archives of the House of Representatives. By utilizing the “People

Search” function, I could identify Black and Latino representatives serving in the 119th Congress (2025-27).¹

I obtained data on the racial identity of state legislators from documents published by the North Carolina General Assembly.² To evaluate Black representation in the North Carolina General Assembly, I examined two key measurements. The first is “*Black Seat Share*,” which refers to the proportion of seats held by Blacks in the legislature. This is calculated by taking the total number of Blacks in the legislature and dividing that by the total number of seats in the legislature. The second is the “*Black Representation Ratio*,” which refers to the ratio of Black Seat Share relative to the Black population share in the state. The Black population share is measured as the Black population divided by the total state population. I followed the same approach when calculating the presence of Latinos and whites in legislatures. I obtained data on the racial composition of districts that Black state legislators represent from the North Carolina General Assembly website, under the “Redistricting” tab for each chamber and in the document titled “StatPack w Race.”³ The data came from the following table: “Census All Ages by Ethnicity Report.”

To determine whether Black candidates for statewide office were successful in their bids, I relied on data from a few sources. First, I relied on an article published shortly after the election to determine who won Council of State seats in 2024.⁴ Second, I consulted the Election Results Database from the North Carolina State Board of Elections for data on election outcomes, listing the names of candidates, offices sought, and votes earned.⁵ The North Carolina State Board of Elections does not list the racial identity of candidates, so I relied on targeted searches in *The News & Observer* to ascertain the racial identity of candidates.

¹ The People Search function can be found here: <https://history.house.gov/People/Search/> (last accessed Mar. 17, 2025).

² Data for Black state senators came from this source: *Senate Documents*, N.C. Gen. Assemb., <https://www.ncleg.gov/Documents/10/17881> (last accessed Mar. 17, 2025). Data for Black state house members came from this source: *House Documents*, N.C. Gen. Assemb., <https://www.ncleg.gov/Documents/9/17883> (last accessed Mar. 17, 2025).

³ The source for the North Carolina Senate is as follows: *Population Deviation Report*, N.C. Gen. Assemb. (Oct. 26, 2023), https://www.ncleg.gov/Files/GIS/Plans_Main/Senate_2023/SL%202023-146%20Senate%20-%20StatPack2023_RVR_S.pdf. The data for the North Carolina House of Representatives can be found here: *Population Deviation Report*, N.C. Gen. Assemb. (Oct. 26, 2023), https://www.ncleg.gov/Files/GIS/Plans_Main/House_2023/SL%202023-149%20House%20-%20StatPack2023_RVR_H.pdf.

⁴ Christine Zhu, *Here’s a Look at the New North Carolina Council of State*, NC NEWSLINE (Nov. 7, 2024), <https://ncnewsline.com/2024/11/07/heres-a-look-the-new-north-carolina-council-of-state/>.

⁵ Election Results Database, N.C. State Bd. of Elections, <https://er.ncsbe.gov/> (last accessed Mar. 17, 2025).

B. Statewide Office

Based on data from the North Carolina State Board of Elections, only one state supreme court race was on the ballot, and it did not include a Black candidate. Thus, Anita Earls remains the only Black judge on the North Carolina State Supreme Court.⁶

North Carolina did not have a U.S. Senate election in 2024.⁷

As for the Council of State, three Black Democrats ran for office in November 2024. Jessica Holmes, an incumbent, ran for Auditor, but she lost to Dave Boliek, a white candidate. Braxton Winston ran for Commissioner of Labor, and he also lost to Luke Farley, a white candidate. The only successful Black candidate was Mo Green, who won his election for Superintendent of Public Instruction.

There were no Republican Black candidates for the Council of State besides gubernatorial candidate Mark Robinson—who, as discussed in my original report, was not the Black-preferred candidate.⁸ Out of the ten executive offices that comprise the Council of State, only one Black lawmaker holds office and nine white lawmakers hold offices. The Black population share is 22.1 percent and the white population share is 69.8 percent, so Black voters are underrepresented and white voters are overrepresented on the Council.

C. The U.S. House of Representatives

In the 118th Congress, three Black politicians represented North Carolina in the U.S. House of Representatives: Rep. Alma Adams, Rep. Don Davis, and Rep. Valerie Foushee. These same three representatives were elected to the 119th Congress. Since no other Black representatives from North Carolina were elected to the U.S. House of Representatives, and North Carolina continues to have 14 U.S. House members, the Black Seat Share has remained the same, at 21.4 percent. And because the Black Seat Share (21.4 percent) and population share (22.1 percent) remain the same, the Black Representation Ratio for the 119th Congress remains the same, at 0.97. Consequently, following the 2024 election cycle, Black residents of North Carolina remain underrepresented in the U.S. House of Representatives.

I calculated the white representation ratio in the 119th Congress. Using the same “people search” function, I found that 11 of the 14 members of the North Carolina delegation are white. This is identical to the number in the 118th Congress. Thus, the white Seat Share in the 119th

⁶ See N.C. Jud. Branch, *Meet the Justices*, <https://www.nccourts.gov/courts/supreme-court/meet-the-justices> (last accessed Mar. 17, 2025); see also Michael Hewlett, *The Majority v. Anita Earls*, THE ASSEMBLY (Jan. 29, 2024), <https://www.theassemblync.com/politics/anita-earls-supreme-court/>.

⁷ See N.C. State Bd. of Elections, *Election Results Dashboard*, <https://www.ncsbe.gov/results-data/election-results> (last accessed Mar. 17, 2025); *2024 House and Senate election results maps*, ABC NEWS (Nov. 6, 2024), <https://abcnews.go.com/Politics/2024-house-senate-election-results-maps/story?id=115485899>.

⁸ Expert Rep. of Dr. Chris Clark at 33 (Aug. 1, 2024) (“Dr. Clark Report”).

Congress is 78.6 percent. Using the same white population share data for 2023 (69.8 percent),⁹ the white Representation Ratio in the 119th Congress remains the same, at 1.13. Accordingly, white North Carolinians continue to be overrepresented in Congress.

Moreover, no Latino represents North Carolina in the U.S. House of Representatives in the 119th Congress. In fact, no Latino has ever represented North Carolina in the U.S. House of Representatives.

D. The North Carolina General Assembly

For the 2025–26 session, 28 Black members serve in the North Carolina House of Representatives and 10 Black members serve in the North Carolina Senate. Across the two chambers, 38 Black state legislators serve in the North Carolina General Assembly. The North Carolina House of Representatives has 120 members, and the North Carolina Senate has 50 members, for a total of 170 members. Thus, the Black Seat Share in the North Carolina General Assembly for the 2025-26 session is 22.4 percent (38/170).

Using the same Black population share data from the U.S. Census Bureau that I used to calculate the Black Representation Ratio in the 119th Congress (22.1 percent), I find that the Black Representation Ratio in the North Carolina General Assembly for the 2025–26 session is 1.01. Thus, currently, Black North Carolinians are represented at a rate that just barely exceeds their population share.

Although it is true that Black North Carolinians are slightly overrepresented, majority-minority districts have been crucial to the success of Black state legislators. Using data from the North Carolina General Assembly, Table 1 provides information on the racial composition of districts represented by Black state legislators in the 2025–26 session. To calculate whether a district is majority-minority, I consulted the table providing information on the ethnicity of residents. The last column, “percent white non-Hispanic” was the variable of interest. When a district had a white non-Hispanic population under 50 percent, it was labeled a majority-minority district.

Table 1: Racial Composition of Districts Represented by Black State Legislators in North Carolina, 2025-26 Session

| Chamber | Number of Black State Legislators | Number of Black State Legislators Representing a Majority-Minority District | Percentage Representing a Majority-Minority District |
|----------------|--|--|---|
| House | 28 | 22 | 78.6% |
| Senate | 10 | 8 | 80% |

⁹ Dr. Clark Report at 37, tbl. 11.

| | | | |
|--------------|-----------|-----------|--------------|
| Total | 38 | 30 | 78.9% |
|--------------|-----------|-----------|--------------|

As reflected in the table above, nearly 79 percent of Black state legislators represent districts that are majority-minority.

Only two Latinos serve in the North Carolina General Assembly in the 2025-26 session.¹⁰ This means the Latino Seat Share is a meager 1.18 percent (2/170). In 2023, an estimated 1,238,421 Latinos and an estimated 10,835,491 people in total reside in North Carolina, so the Latino population share is 11.4 percent.¹¹ Thus, the Latino Representation Ratio is 0.10, extremely below parity.

I also calculated the white Representation Ratio using the same sources and methodology. For each chamber, I subtracted the number of racial and ethnic minority legislators from the total number of legislators. For the 2025-26 session, 31 members of the North Carolina House are racial or ethnic minorities, and 89 of the 120 members of the state's lower chamber are white.¹² As for the North Carolina Senate, a total of 13 of its 50 members are racial or ethnic minorities, and 37 members are white. Together, 126 members of the North Carolina General Assembly for the 2025-26 session are white (89 + 37). This means the white Seat Share is 74.1 percent (126/170). Using the same white population share I used to calculate the white Representation Ratio in the U.S. House, the white Representation Ratio in the North Carolina General Assembly is 1.06. Accordingly, white North Carolinians remain overrepresented in the state legislature.

III. Conclusion

This supplemental report has considered the extent to which Senate Factor 7 is present in North Carolina upon the conclusion of the November 2024 election cycle. Two of the three Black Democrats who ran for the ten-office Council of State lost their elections, and the only Black Republican who ran for a Council of State position (Mark Robinson) lost. Black North Carolinians remain underrepresented in the U.S. House of Representatives, and are now slightly overrepresented in the North Carolina General Assembly. This slight overrepresentation for Black North Carolinians in the General Assembly, however, must be understood in light of the fact that nearly 80 percent of Black state legislators are elected from majority-minority districts. Latinos remain grossly underrepresented, with no Latino members currently serving in the U.S. House of Representatives and only two in the North Carolina General Assembly. Moreover,

¹⁰ The North Carolina General Assembly only listed a single Latino, but another source shows that a second state legislator, Jordan Lopez, identifies as Latino. See Claudia Rivera Cotto, *Meet the Latinos in the North Carolina Assembly: Rep. Jordan Lopez*, ENLACE LATINO NC (Feb. 10, 2025), <https://enlancelatinonc.org/en/Meet-the-Latinos-at-the-North-Carolina-Assembly-Rep.-Jordan-Lopez/>.

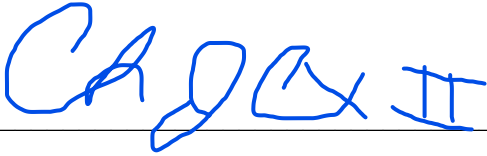
¹¹ U.S. Census Bureau, *State Population by Characteristics: 2020-2024*, <https://www.census.gov/data/tables/time-series/demo/popest/2020s-state-detail.html> (last accessed Mar. 17, 2025).

¹² The data from the NC House lists 28 Black legislators, one Latino, 2 Asian Americans, and one American member, for a total of 32 members. However, the Latino member is also counted among the Black members, which is how I ended up with 31 racial/ethnic minority legislators in the state's lower chamber.

white North Carolinians continue to be overrepresented in the U.S. House of Representatives, the North Carolina General Assembly, and statewide office.

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

Executed on March 17, 2025.

A handwritten signature in blue ink, appearing to read "CAGC II", written over a horizontal line.

Christopher Clark, Ph.D.