

**Expert Report of Dr. John Alford**

Expert for the Wisconsin Legislature

*Johnson v. Wisconsin Elections Commission*

December 15, 2021

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## **Scope of Inquiry**

1. I have been retained by the Wisconsin Legislature as an expert to provide Voting Rights Act and related analysis related to the redistricting plans for the State Senate and State Assembly passed by the Legislature. My rate of compensation as an expert is \$400 per hour.

## **Qualifications**

2. I am a tenured full professor of political science at Rice University. In my over thirty-five years at Rice, I have taught courses on redistricting, elections, political representation, voting behavior, and statistical methods at both the undergraduate and graduate level. Over the last thirty-five years, I have worked with numerous local governments on districting plans and on Voting Rights Act issues. I have previously provided expert reports and/or testified as an expert witness in voting rights and statistical issues in a variety of court cases, working for the U.S. Attorney in Houston, the Texas Attorney General, a U.S. Congressman and various cities and school districts.
3. In the 2000 round of redistricting, I was retained as an expert to provide advice to the Texas Attorney General in his role as Chair of the Legislative Redistricting Board. I subsequently served as the expert for the State of Texas in the state and federal litigation involving the 2001 redistricting for U.S. Congress, the Texas Senate, the Texas House of Representatives, and the Texas State Board of Education.
4. In the 2010 round of redistricting in Texas, I was again retained as an expert by the State of Texas to assist in defending various state election maps and systems including the district maps for the U.S. Congress, the Texas Senate, the Texas House of Representatives, and the current at large system for electing Justices to the State Supreme Court and Court of Appeals, as well as the winner-take-all system for allocating Electoral College votes.
5. I have also worked as an expert on redistricting and voting rights cases at the state and/or local level in Michigan, Washington, Louisiana, New Mexico, Mississippi, Wisconsin, Florida, New York, Georgia, South Carolina and Alabama.
6. The details of my academic background and qualifications, including all publications in the last ten years, and work as an expert, including all cases in which I have testified by deposition or at trial in the last four years, are included in my curriculum vitae, which is attached to this report as Exhibit 1.

## **Data and Sources**

7. In preparing my report, I have reviewed all materials cited in this report; pleadings and filings including the Court's November 30, 2021 Order; LRB and LTSB data and memoranda related to the 2020 Census, Act 43, and the Legislature's SB 621; publicly available expert reports and opinions from the *Baldus* litigation; and publicly available election returns.

## Executive Summary

8. The plan for new State Assembly and Senate districts adopted by the Wisconsin State Legislature, “SB621” or “the Legislature’s plans,” makes minimum changes to Wisconsin’s existing legislative districts (details below) to address the required one person one vote issues after a decade of population changes.
9. The path to the existing map began in 2011, with an enacted legislative map that included a major reconfiguration of the existing legislative districts. That map, known as Act 43, set the stage for Voting Rights Act litigation in *Baldus v. Members of the Wisconsin Government Accountability Board*. Federal plaintiffs in *Baldus* challenged various Milwaukee-area districts as violative of the Voting Rights Act. Ultimately, the *Baldus* court altered only two Assembly districts. The Legislature’s plans submitted to this Court track the districts approved in *Baldus*, with some adjustments as necessary to accommodate shifting population since *Baldus*.
10. Here, I understand that the Court has asked parties to submit plans with “minimum changes” that comply with state and federal law, including reapportionment requirements and the Voting Rights Act. Order ¶8 (Nov. 30, 2021). The Legislature’s plans satisfy these requirements. Importantly, with respect to the VRA, the Legislature’s plans make minimal changes to the existing map that the *Baldus* court has already concluded did not merit redrawing on the basis of any of the similar challenges raised by plaintiffs then, save the narrow VRA issue in Districts 8 and 9. In addition, in assessing the VRA compliance of the Legislature’s plans, this Court has the benefit of a decade of elections held under the *Baldus* districts that are largely (or entirely) retained in the Legislature’s plans.
11. The table below offers a detailed look at the 2020 Census racial and ethnic characteristic of the minority Assembly and Senate districts in the Legislature’s plans:

**Table 1<sup>1</sup>**

DISTRICT	DEVIATION	DEV.	SENATE	PERSONS	WHITE	BLACK	HISPANIC	ASIAN	AMINDIAN	PISLAND	OTHER	%Black	%Hisp	PERSONS18	WHITE18	BLACK18	HISPANIC18	ASIAN18	AMINDIAN18	PISLAND18	OTHER18	%Black18	%Hisp18	
Asm 7	70	0.12	3	59603	35020	4719	14444	3296	1124	46	954	7.9%	24.2%	46329	30268	3130	9201	2213		841	35	641	6.8%	19.9%
Asm 8	-171	-0.29	3	59362	9100	5423	41209	2308	632	29	661	9.1%	69.4%	40439	8022	3432	26651	1417		485	22	410	8.5%	65.9%
Asm 9	38	0.06	3	59571	14890	4921	34572	3862	635	30	661	8.3%	58.0%	42238	13084	3330	22371	2439		514	22	478	6.8%	19.9%
Senate 3				178536	59010	15063	90225	9466	2391	105	2276	8.4%	50.5%	129006	51374	9892	58223	6069		1840	79	1529	7.9%	45.1%
Asm 10	-30	-0.05	4	59503	23249	29311	3489	1981	390	30	1053	49.3%	5.9%	45220	19708	20700	2284	1497		280	13	738	45.8%	5.1%
Asm 11	32	0.05	4	59565	6623	43798	2913	4919	271	18	1023	73.5%	4.9%	41166	5961	29420	1838	3089		194	14	650	71.5%	4.5%
Asm 12	-182	-0.31	4	59351	14133	35210	3672	4954	354	22	1006	59.3%	6.2%	42610	12652	23644	2233	3167		274	14	626	55.5%	5.2%
Senate 4				178419	44005	16405	10074	11854	1015	70	3082	60.7%	5.6%	128996	38321	73764	6355	7753		748	41	2014	55.5%	4.9%
Asm 16	181	0.3	6	59714	15288	34813	4373	3794	359	25	1062	58.3%	7.3%	45615	14609	23985	3231	2737		292	22	739	52.6%	7.1%
Asm 17	-98	-0.16	6	59435	14905	37334	3071	2644	372	31	1078	62.8%	5.2%	43760	12734	26333	1948	1771		265	30	679	60.2%	4.5%
Asm 18	-187	-0.31	6	59346	18712	32149	4184	2611	483	42	1165	54.2%	7.1%	43972	15861	22337	2781	1831		371	29	762	50.8%	6.3%
Senate 6				178495	48905	16405	11628	9049	1214	98	3305	58.4%	6.5%	133347	43204	72655	7960	6339		928	81	2180	50.8%	6.0%

<sup>1</sup> All demographic data for districts is publicly available in an LTSB CSV file here: <https://data-ltsb.opendata.arcgis.com/search?q=Districts>.

12. The VRA issues are addressed in more detail below, but they can be easily summarized here. Shown in Tables 2 and 3, the Legislature’s districts retain all or nearly all of the population of the existing districts challenged and approved in *Baldus*, including all or nearly all of the Black or Hispanic population:

**Table 2**

<b>Act 43</b>	<b>Legislature's</b>	<b>Population</b>	<b>Hispanic</b>	<b>Total Percentage</b>	<b>Hispanic Percentage</b>
AD 8	AD 8	53,999	38,111	100.0%	100.0%
AD 9	AD 7	27	23	0.0%	0.1%
	AD 8	5,363	3,098	9.4%	8.9%
	AD 9	51,949	31,731	90.6%	91.0%
Data: Report of T. Bryan, Appendix 2 Core Retention Analysis					

**Table 3**

<b>Act 43</b>	<b>Legislature's</b>	<b>Population</b>	<b>Black Alone</b>	<b>Total Percentage</b>	<b>Black Alone Percentage</b>
<b>SD 4</b>	<b>SD 4</b>	<b>163,208</b>	<b>103,694</b>	<b>100.0%</b>	<b>100.0%</b>
AD 10	AD 10	46,146	26,743	87.7%	83.7%
	AD 11	6,482	5,208	12.3%	16.3%
AD 11	AD 10	6,276	1,595	11.6%	4.4%
	AD 11	46,364	33,843	85.4%	93.2%
	AD 12	1,635	875	3.0%	2.4%
AD 12	AD 11	6,719	4,747	11.9%	13.4%
	AD 12	49,586	30,683	88.1%	86.6%
<b>SD 6</b>	<b>SD 6</b>	<b>162,069</b>	<b>103,044</b>	<b>100.0%</b>	<b>100.0%</b>
AD 16	AD 16	53,739	32,105	100.0%	100.0%
AD 17	AD 17	52,204	35,415	94.3%	93.0%
	AD 18	3,139	2,654	5.7%	7.0%
AD 18	AD 16	5,975	2,708	11.3%	8.2%
	AD 17	1,233	1,088	2.3%	3.3%
	AD 18	45,779	29,074	86.4%	88.5%
Data: Report of T. Bryan, Appendix 2 Core Retention Analysis					

13. With regard to the two Hispanic districts at issue in *Baldus* (Assembly Districts 8 & 9), the Legislature’s plan seeks to retain the configuration of those districts as ordered by the *Baldus* court. In their existing configuration, both districts have an established record of electing Hispanic candidates of choice (as does Senate District 3), and both are currently represented by Hispanic Assembly members.
14. With regard to Black districts challenged in *Baldus*, the existing plan contained a configuration of Assembly Districts 10, 11 and 12, nested in a majority Black Senate district, District 4, and Assembly Districts 16, 17 and 18, nested in a second majority Black Senate district, District 6. The Legislature’s plans retain that configuration, as detailed below. All six Assembly districts have an established record of electing Black candidates of choice, and five of the six are currently represented by Black Assembly members. Likewise, both Senate districts—which retain 100% of their existing population under the Legislature’s plan—also have an established record of electing Black candidates of choice, and both are currently represented by Black Assembly members. This same configuration was initially at issue in *Baldus* based on the claim that “Act 43 ‘packs’ African-American voters in Milwaukee into six districts and thus foregoes the opportunity to create a seventh ‘influence’ district” —a claim that was litigated but then abandoned at trial.<sup>2</sup> Federal plaintiffs have raised a similar claim in this redistricting cycle, but as discussed below, their demonstration plan reveals various problems with such a proposal. Chief among them, all seven districts would be notably undersized, multiplying the Legislature’s plans’ population deviations. Further, and perhaps most important, adding an additional Black district moves beyond proportionality of representation and into the territory of maximizing the number of minority districts, something prohibited even to legislatures, much less courts.

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<sup>2</sup> *Baldus v. Members of Wis. Gov’t Accountability Bd.*, 849 F. Supp. 2d 840, 848 (E.D. Wis. 2012).

## The Legislature’s Plans and the Voting Rights Act

### I. Core Retention and the *Baldus* Litigation

15. As the Court has noted, the existing maps “survived judicial review by the federal courts,” including in the 2012 *Baldus* litigation raising various Voting Rights Act claims about the 2011 legislative districts. Order ¶64. Against the *Baldus* backdrop, the Court has properly assumed that the existing districts are legal in every respect, including with respect to the Voting Rights Act.
16. In the *Baldus* litigation, federal plaintiffs challenged Senate District 4 (and constituent Assembly Districts 10, 11, and 12), Senate District 6 (and constituent Assembly Districts 16, 17, and 18), and Assembly Districts 8 and 9. The plaintiffs’ Voting Rights Act challenges to the Black districts were abandoned at trial, and in the end the *Baldus* court altered only two Assembly districts. The Court’s remedy increased the Hispanic population of a Hispanic majority district (District 8), where the adopted plan (Act 43) had sought to boost Hispanic numbers in the adjacent Hispanic influence district (District 9) at the expense of the existing super-majority in District 8. Aside from this single VRA issue, the *Baldus* court left the remainder of the adopted plan intact, going so far as to instruct the legislature that the limited VRA holding was *not* intended to affect any other district drawn by Act 43. Indeed, to avoid disrupting other lines, the *Baldus* court emphasized that the re-drawing of the lines for Districts 8 and 9 must “occur within the combined outer ... boundaries of those two districts.”<sup>3</sup>
17. In particular, the *Baldus* court refused a request by an amicus inviting “the Court to adopt an entirely different redistricting plan than the plan adopted by the legislature. The court concluded by emphasizing that “[r]edistricting is ‘primarily the duty and responsibility of the State,’ ” quoting U.S. Supreme Court precedent, such that “the Court would not tread into the black water of re-drawing the redistricting boundaries itself,”<sup>4</sup> with the plaintiffs having failed to show any other VRA violation, including in Milwaukee’s Black districts.
18. This Court could face some of the same complaints about the Legislature’s plans that the *Baldus* court faced a decade ago. However, the Court’s task is simplified here by the fact that, unlike the substantial changes made to the previously existing plan in the Act 43 map, in this round of redistricting the Legislature’s map is a least-change version, based on an existing map approved in *Baldus*.

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<sup>3</sup> 849 F. Supp. 2d at 859-60.

<sup>4</sup> 849 F. Supp. 2d at 861.

## II. Core Retention in Milwaukee-Area Black Senate Districts 4 & 6 And Assembly Districts 10, 11, 12, 16, 17 & 18

19. All six of these districts are securely Democratic majority districts and as such securely elect the candidate of choice of Black voters in the general election. This is true in their existing configuration, and it is true in the Legislature's proposed configuration. Currently, both Senate districts are represented by Black legislators and five of the six Assembly districts are represented by Black legislators.<sup>5</sup> The Legislature's Assembly and Senate plans do not pair any incumbents in these districts.<sup>6</sup>
20. Shown in Table 3, the Legislature's Senate plan keeps *all* of the Black population in Senate District 4 (comprising Assembly Districts 10, 11, and 12) and Senate District 6 (comprising Assembly Districts 16, 17, and 18). In addition to retaining 100% of its existing Black population, Senate District 4 also gained Black population from Senate District 8 (4,625 individuals). Likewise, in addition to retaining 100% of its existing Senate District 6 also gained Black population from Senate District 5 (1,252 individuals).
21. Shown in Table 3, with respect to the Assembly Districts 10, 11, 12, 16, 17, and 18, the Legislature's Assembly plan keeps most of the Black population of these six districts in the same district that they were in under the existing plan, with over 80% of the Black population staying in their existing district. The pattern specific retention in each district is:
  - Assembly District 10 (predominately Black district challenged/abandoned in *Baldus*) retains 83.7% of the existing Black population. It also gains Black population from Assembly District 11 (1,595 individuals) and 24 (973 individuals).
  - Assembly District 11 (predominately Black district challenged/abandoned in *Baldus*) retains 93.2% of the existing Black population. It also gains Black population from Assembly District 10 (5,208 individuals) and 12 (4,747 individuals).
  - Assembly District 12 (predominately Black district challenged/abandoned in *Baldus*) retains 86.6% of the existing Black population. It also gains Black population from Assembly District 11 (875 individuals) and 24 (652 individuals).

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<sup>5</sup> Assembly District 18 was won by Evan Goyke, a white male, in 2012. He came in first with 37.2% of the vote in an eight-person Democratic primary, and went on to win the general election with no Republican opponent. In 2014 Goyke was unopposed in both the Democratic primary and the general election. In 2016 Goyke won the Democratic primary over Travis Spell, a Black male, with a significant 75.0% of the vote. In that Democratic primary, Spell did not win a majority in any election ward, and won only 35.2% of the vote in the 11 wards that have a Black VAP over 80%. Goyke went on to win unopposed in the general election. In 2020 Goyke was unopposed in both the Democratic primary and the general election.

<sup>6</sup> LRB Memorandum (Oct. 2021), [https://drawyourdistrict.legis.wisconsin.gov/download/Sen\\_LeMahieu\\_and\\_Speaker\\_Vos\\_LRB\\_5017\\_and\\_5071.pdf](https://drawyourdistrict.legis.wisconsin.gov/download/Sen_LeMahieu_and_Speaker_Vos_LRB_5017_and_5071.pdf).



- Assembly District 16 (predominately Black district challenged/abandoned in *Baldus*) retains 100% of the existing Black population. It also gains Black population from Assembly District 18 (2,708 individuals).
  - Assembly District 17 (predominately Black district challenged/abandoned in *Baldus*) retains 93.0% of the existing Black population. It also gains Black population from Assembly District 18 (1,088 individuals).
  - Assembly District 18 (predominately Black district challenged/abandoned in *Baldus*) retains 86.4% of the existing Black population. It also gains Black population from Assembly District 17 (2,654 individuals) and 13 (421 individuals).
22. These percentages indicate very substantial levels of representational stability, as one would expect in a least change plan of the sort the Legislature enacted.
23. These core retention numbers are roughly equivalent to or exceed the high overall core retention of the Legislature’s plans as reported in the table below.

**Table 4<sup>7</sup>**

Legislature’s Plan	Overall Core Retention of Existing Districts	Overall Largest Positive Population Deviation	Overall Largest Negative Population Deviation
Assembly Districts	84.16%	0.39%	-0.37%
Senate Districts	92.21%	0.29%	-0.28%

24. The Legislature’s plan does draw Assembly District 10 below 50% Black Voting Age Population (or BVAP). Importantly, shown in Table 1 above, Black individuals in District 10 are still the largest demographic of voters in the district. Also importantly, as the U.S. Supreme Court has made clear, the VRA does not require 50% BVAP districts. The 50% threshold is a bright line only at the *Gingles* 1 demonstration stage.<sup>8</sup> For example, in *Cooper v. Harris*, the Supreme Court recently found that North Carolina had violated the Fourteenth Amendment by intentionally inflating the population of VRA districts to exceed 50%.<sup>9</sup>

<sup>7</sup> LRB Memorandum (Oct. 2021), [https://drawyourdistrict.legis.wisconsin.gov/download/Sen\\_LeMahieu\\_and\\_Speaker\\_Vos\\_LRB\\_5017\\_and\\_5071.pdf](https://drawyourdistrict.legis.wisconsin.gov/download/Sen_LeMahieu_and_Speaker_Vos_LRB_5017_and_5071.pdf)

<sup>8</sup> *Bartlett v. Strickland*, 556 U.S. 1 (2009); *Thornburg v. Gingles*, 478 U.S. 30 (1986).

<sup>9</sup> *Cooper v. Harris*, 137 S. Ct. 1455 (2017). The majority in *Cooper* explained: “Uncontested evidence in the record shows that the State’s mapmakers, in considering District 1, purposefully established a racial target: African-Americans should make up no less than a majority of the voting-age population. Senator Rucho and Representative Lewis were not coy in expressing that goal. They repeatedly told their colleagues that District 1 had to be majority-minority, so as to comply with the VRA. ... Rucho and Lewis proceeded under ... theory—arising not from *Gingles* but from *Bartlett v. Strickland*—of what §2 demanded in drawing District 1. *Strickland* involved a geographic area in which African-Americans could not form a majority of a reasonably compact

25. In my experience, predominantly Black districts can, and commonly do perform at levels below 50% BVAP. Focusing explicitly on a racial goal such as achieving an arbitrary 50% threshold is neither necessary nor proper when redrawing existing minority districts to bring a plan into population equality. The appropriate consideration is whether the redrawn districts can be expected to continue to perform. As mentioned above, the general election performance of these districts in either the existing or proposed legislative configuration is not in question.
26. Similarly, the performance of these districts can be observed in the Democratic primary. To see an example of this in practice, the chart below summarizes the election performance in the 2018 Democratic primary focusing on the racially contested contests that year for the Democratic nomination for Governor and Lt. Governor. The contest for the nomination for Governor featured a crowded field with one Black candidate, Mahlon Mitchell. Tony Evers secured the nomination with just over 40% of the vote statewide. The contest for the nomination for Lt. Governor was a two-person race, with Black candidate Mandela Barnes taking 68% of the vote statewide and defeating the white candidate, Kurt Kober.

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district. The African-American community, however, was sizable enough to enable the formation of a crossover district, in which a substantial bloc of black voters, if receiving help from some white ones, could elect the candidates of their choice. A plurality of this Court, invoking the first *Gingles* precondition, held that §2 did not require creating that district: When a minority group is not sufficiently large to make up a majority in a reasonably shaped district, §2 simply does not apply. Over and over in the legislative record, Rucho and Lewis cited *Strickland* as mandating a 50%-plus BVAP in District 1. They apparently reasoned that if, as *Strickland* held, §2 does not require crossover districts (for groups insufficiently large under *Gingles*), then §2 also cannot be satisfied by crossover districts (for groups in fact meeting *Gingles*' size condition). In effect, they concluded, whenever a legislature can draw a majority-minority district, it must do so—even if a crossover district would also allow the minority group to elect its favored candidates. That idea, though, is at war with our §2 jurisprudence—*Strickland* included.” (citations omitted).

Table 5<sup>10</sup>

District	Plan	VAP	BLK VAP	%Blk VAP	Evers	Pade	McCabe	Mitchell	Roys	Soglin	Vinehout	Wachs	Other	Total	%Mitchell	%Evers	Kober	Barnes	Total	%Barnes
Assembly	10 Existing	39057	22550	57.7%	2444	27	495	4608	1113	113	286	36	3	9125	50.5%	26.8%	985	7623	8608	88.6%
Assembly	10 SB621	45220	20700	45.8%	3425	39	601	4599	1559	213	406	47	3	10892	42.2%	31.4%	1419	9024	10443	86.4%
Assembly	11 Existing	36315	23744	65.4%	1048	14	152	4055	297	91	139	39	3	5838	69.5%	18.0%	661	4838	5499	88.0%
Assembly	11 SB621	41166	29420	71.5%	1075	16	141	5014	221	75	112	41	3	6698	74.9%	16.0%	731	5484	6215	88.2%
Assembly	12 Existing	40040	23653	59.1%	1465	24	141	3863	317	97	140	51	2	6100	63.3%	24.0%	1034	4717	5751	82.0%
Assembly	12 SB621	42610	23644	55.5%	1621	23	163	3901	362	113	156	60	3	6402	60.9%	25.3%	1118	4901	6019	81.4%
Senate	4 Existing	115412	69947	60.6%	4957	65	788	12526	1727	301	565	126	8	21063	59.5%	23.5%	2680	17178	19858	86.5%
Senate	4 SB621	128996	73764	57.2%	6121	78	905	13514	2142	401	674	148	9	23992	56.3%	25.5%	3268	19409	22677	85.6%
Assembly	16 Existing	41231	22281	54.0%	1202	20	296	3796	559	75	151	24	13	6136	61.9%	19.6%	661	4988	5649	88.3%
Assembly	16 SB621	45615	23985	52.6%	1243	22	306	3997	579	81	158	28	14	6428	62.2%	19.3%	704	5198	5902	88.1%
Assembly	17 Existing	40187	26744	66.5%	1469	20	194	5662	519	121	169	41	3	8198	69.1%	17.9%	1002	6390	7392	86.4%
Assembly	17 SB621	43760	26333	60.2%	1843	24	241	5682	763	165	236	46	3	9003	63.1%	20.5%	1226	7013	8239	85.1%
Assembly	18 Existing	38748	22767	58.8%	1489	15	190	3873	684	105	172	36	8	6572	58.9%	22.7%	824	5227	6051	86.4%
Assembly	18 SB621	43972	22337	50.8%	2178	21	266	4127	1103	158	281	43	8	8185	50.4%	26.6%	1107	6452	7559	85.4%
Senate	6 Existing	120166	71792	59.7%	4160	55	680	13331	1762	301	492	101	24	20906	63.8%	19.9%	2487	16605	19092	87.0%
Senate	6 SB621	133347	72655	54.5%	5264	67	813	13806	2445	404	675	117	25	23616	58.5%	22.3%	3037	18663	21700	86.0%

27. Table 5 above provides details of the performance of the Black candidates in these contests in the six predominately Black Assembly districts and in the two Senate districts. Looking first at the Assembly districts, in the nomination contest for Lt. Governor, the Black candidate Mandela Barnes is the overwhelming winner, with over 80% of the vote in each of the six districts, and this is true for both the existing district configuration and the Legislature’s SB621 configuration. In the crowded nomination contest for Governor, the Black candidate Mahlon Mitchell is the winner in each of the six districts as well, albeit by a narrower margin. This is true in both the existing districts and in the Legislature’s SB621 configuration. Mitchell’s vote proportion is reduced by about eight percentage points in both District 10 and District 18, the districts where the Black share of VAP is also reduced by a comparable margin. Even so both Mitchell and Barnes remain the winners in those districts in the Legislature’s configuration.

28. Looking at the Senate districts shows very similar results. In the nomination contest for Lt. Governor, the Black candidate Mandela Barnes is the overwhelming winner, with over 85% of the vote in the two Senate districts, and this is true for both the existing district configuration and the Legislature’s SB621 configuration. In the nomination contest for Governor, the Black candidate Mahlon Mitchell is the winner in both Senate districts with over 50% of the vote. This is true in both the existing districts and in the Legislature’s configuration.

<sup>10</sup> The analysis of the Legislature’s SB621 is based on 2020 Census data for both the existing Assembly districts and the districts enacted in SB621.



30. The demonstrative map makes it clear that this is not a “least change” proposal, as does the table reproduced below, which the federal plaintiffs included with their Demonstrative Plan. All seven of the districts are undersized, something that is not appropriate in either a court ordered plan, or in a plan presented by a plaintiff in order to demonstrate that the *Gingles* 1 test has been met.

**Figure 2 – BLOC Demonstrative Plan Deviations**

District	Total Population	Population Deviation	Black Voting Age Population (BVAP)
7	58,764	-1.3%	52.4%
10	59,284	-0.4%	51.1%
11	59,139	-0.7%	50.3%
12	58,790	-1.2%	50.4%
16	58,647	-1.5%	50.7%
17	58,768	-1.3%	50.4%
18	58,668	-1.5%	50.6%

31. The under-population of the federal plaintiffs’ plan (shown above) is especially remarkable when compared to the overall population deviations in the Legislature’s plans. The population deviations of the individual districts in the federal plaintiffs’ plans exceed the population deviations of the very biggest (0.39%) and very smallest (-0.37%) deviations in the Legislature’s Assembly plan, shown in Table 4 above. Consequently, to accept the federal plaintiffs’ deviations would be to accept an aggregate population deviation that is multiples of the deviations in the Legislature’s plan.
32. The other issue for this seven-district proposal relates to proportionality. The federal plaintiffs have observed (in paragraph 92 of their amended complaint) that:

*Although some Black candidates have had success in winning office in the Milwaukee area, most positions (outside of BVAP majority districts) are not held by Black people, and the number of Black officeholders has been far below number proportional to the Black population in recent and past history. For example, only two of out the eight current county government officials elected county-wide are Black. David Crowley, the current County Executive (elected in 2020), is the first Black person to ever elected to that office.*

33. The federal plaintiffs’ critique appears both to overstate the importance of proportionality and to miscalculate the degree to which the current proportion of Black officeholders approximates the Black proportion of the population. The reference to proportionality in the Voting Rights Act is actual directly qualified. The text reads: “The extent to which members of a protected class have been elected to office in the State or political subdivision is one circumstance which may be considered: *Provided, That nothing in this section establishes a right to have members of a protected class elected in numbers equal to their proportion in the population.*” 52 U.S.C. §10301(b).

34. Even if one considers proportionality, the actual numbers for proportionality in Milwaukee County are also revealing. As mentioned above, according to the federal plaintiffs, “the number of Black officeholders has been far below number proportional to the Black population” and specifically that “only two of out the eight current county government officials elected county-wide are Black.” What is missing from the federal plaintiffs’ critique is the actual population proportion that the proportion of elected officials is “far below.” The most recent ACS data for Milwaukee County shows that Black voters account for 25.9% of the Citizen Voting Age Population (CVAP). The two Black elected officials represent 25% of eight total county government officials elected county-wide. Thus, despite the assertion above, the number of Black officeholders in Milwaukee County is almost exactly proportional to the Black population.
35. Here, however, the actual issue at hand for the Court is the proportionality of Black districts in the entire state provided in a legislative redistricting plan relative to the Black proportion of the state population. The most recent ACS data for Wisconsin shows that Black voters account for 6.0% of the state CVAP. The six Black districts in both the existing and the adopted plan represent 6.06% of the 99 total Assembly seats. Again, as is the case above, the number of Black districts in the State Assembly is almost exactly proportional to the Black population. As such, even if one were to consider proportionality as one indication (among many) of VRA compliance, considerations of proportionality do not argue in favor of an increase in the number of Black Assembly districts beyond the current six. Proportionality is not required by the law, and certainly maximizing the number of minority districts is not required by the law, nor is it compatible with the constraint inherent in a court-drawn least change plan.
36. Even if the Court accepts the assumption that it is possible to create a seventh Black district without under sizing all of the districts, and without threatening the performance of the existing 6 districts despite drawing down their Black population (something Sen. Lena Taylor strongly disputed in her remarks during the public hearing on the Legislature’s plans and during her remarks during the Senate’s floor vote<sup>12</sup>), the question remains whether the Court must deviate from its minimal change approach and redraw all of the Black districts. The Court is under no compulsion to maximize the number of Black districts when the existing number of districts is proportional to the Black share of the eligible population, and doing so runs afoul of not only the minimum change approach, but also of the VRA constraint of doing nor more than what is required to remedy the harm.

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<sup>12</sup> Senator Taylor’s remarks are publicly available here (<https://wiseeye.org/2021/10/28/joint-committee-on-government-operations-and-state-affairs/>) (committee hearing) and here (<https://wiseeye.org/2021/11/08/wisconsin-state-senate-floor-session-34/>) (floor vote). Senator Taylor’s remarks included the idea that a VRA district must equal or exceed 60% BVAP. That is in conflict with the Supreme Court’s decision in *Cooper v. Harris* (2018).

#### IV. Hispanic Assembly Districts (8 and 9)

37. The Legislature’s Assembly plan retains the existing Hispanic majority district pattern with two districts, very similar in demographics and configuration to the existing Hispanic districts ordered by the court in the *Baldus* litigation. In the district map challenged in *Baldus*, the legislature had reduced the Hispanic proportion in the most Hispanic existing district (District 8) at that time by shifting some of the Hispanic population in District 8 to District 9. Discussed in *Baldus*, the Legislature’s shift was intended to create a second potential Hispanic majority or influence district. The court rejected that shift. It ruled that District 8 had to be a clear majority Hispanic district, meaning District 9 would be below majority.
38. In the Legislature’s Assembly plan, both districts retain most of their Hispanic population. Shown in Table 2, Assembly District 8 retains 100% of the existing Hispanic population, gains some new Hispanic population from Assembly District 9, and the Hispanic VAP percentage remains in the mid-60s. Assembly District 9 retains 91% of the existing Hispanic population, with almost all of the remaining 9% moved to Assembly District 8. Assembly District 9 gains back much of that Hispanic population by adding Hispanic population from Assembly District 7, and the Hispanic VAP in Assembly District 9 remains just above 50%.
39. Both districts are securely Democratic in the general election, therefore securely electing the candidate of choice of Hispanic voters in both districts, and both districts are currently represented by Hispanic legislators. For example, in a recent racially contested Democratic primary contest for Milwaukee County Register of Deeds, the Hispanic candidate Israel Ramon carried both existing districts over an Anglo candidate, County Supervisor John F. Weishan, Jr. Also, in both districts, Ramon’s vote share in the new slightly modified legislative configuration is nearly identical to his share in the existing districts.

**Table 6<sup>13</sup>**

District	Plan	VAP	HispVAP	%Hisp VAP	Weishan	Ramon	writain	Total RD	%Ramon
8	Existing	36690	24667	67.2%	428	1184	9	1621	73.0%
8	SB621	40439	26651	65.9%	535	1397	9	1941	72.0%
9	Existing	40157	22560	56.2%	1148	1723	9	2880	59.8%
9	SB621	42238	22371	53.0%	1255	1860	9	3124	59.5%

40. Finally, the Legislature’s Assembly plan does not pair either of the incumbent representatives who represent those living in Assembly District 8 or 9.<sup>14</sup>

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<sup>13</sup> The analysis of the Legislature’s SB621 is based on 2020 Census data for both the existing Assembly districts and the districts enacted in SB621.

<sup>14</sup> LRB Memorandum (Oct. 2021), [https://drawyourdistrict.legis.wisconsin.gov/download/Sen\\_LeMahieu\\_and\\_Speaker\\_Vos\\_LRB\\_5017\\_and\\_5071.pdf](https://drawyourdistrict.legis.wisconsin.gov/download/Sen_LeMahieu_and_Speaker_Vos_LRB_5017_and_5071.pdf).

## Conclusion

41. For the reasons stated in this report, I conclude that there are no apparent Voting Rights Act issue with regard to the Legislature's plans.

I reserve the right to supplement my report and any analysis based on any new facts, data, arguments, and as otherwise permitted.

Respectfully submitted,



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Dr. John R. Alford

Dated: December 15, 2021



**EXHIBIT 1 - CV**

## John R. Alford

Curriculum Vitae

December, 2021

Dept. of Political Science  
Rice University - MS-24  
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### Employment:

Full Professor, Rice University, 2015 to present.  
Associate Professor, Rice University, 1985-2015.  
Assistant Professor, University of Georgia, 1981-1985.  
Instructor, Oakland University, 1980-1981.  
Teaching-Research Fellow, University of Iowa, 1977-1980.  
Research Associate, Institute for Urban Studies, Houston, Texas, 1976-1977.

### Education:

Ph.D., University of Iowa, Political Science, 1981.  
M.A., University of Iowa, Political Science, 1980.  
M.P.A., University of Houston, Public Administration, 1977.  
B.S., University of Houston, Political Science, 1975.

### Books:

*Predisposed: Liberals, Conservatives, and the Biology of Political Differences.* New York: Routledge, 2013. Co-authors, John R. Hibbing and Kevin B. Smith.

### Articles:

“Political Orientations Vary with Detection of Androstenone,” with Amanda Friesen, Michael Gruszczynski, and Kevin B. Smith. **Politics and the Life Sciences.** (Spring, 2020).

“Intuitive ethics and political orientations: Testing moral foundations as a theory of political ideology.” with Kevin Smith, John Hibbing, Nicholas Martin, and Peter Hatemi. **American Journal of Political Science.** (April, 2017).

“The Genetic and Environmental Foundations of Political, Psychological, Social, and Economic Behaviors: A Panel Study of Twins and Families.” with Peter Hatemi, Kevin Smith, and John Hibbing. **Twin Research and Human Genetics.** (May, 2015.)

“Liberals and conservatives: Non-convertible currencies.” with John R. Hibbing and Kevin B. Smith. **Behavioral and Brain Sciences** (January, 2015).

“Non-Political Images Evoke Neural Predictors Of Political Ideology.” with Woo-Young Ahn, Kenneth T. Kishida, Xiaosi Gu, Terry Lohrenz, Ann Harvey, Kevin Smith, Gideon Yaffe, John Hibbing, Peter Dayan, P. Read Montague. **Current Biology.** (November, 2014).

“Cortisol and Politics: Variance in Voting Behavior is Predicted by Baseline Cortisol Levels.” with Jeffrey French, Kevin Smith, Adam Guck, Andrew Birnie, and John Hibbing. **Physiology & Behavior**. (June, 2014).

“Differences in Negativity Bias Underlie Variations in Political Ideology.” with Kevin B. Smith and John R. Hibbing. **Behavioral and Brain Sciences**. (June, 2014).

“Negativity bias and political preferences: A response to commentators Response.” with Kevin B. Smith and John R. Hibbing. **Behavioral and Brain Sciences**. (June, 2014).

“Genetic and Environmental Transmission of Political Orientations.” with Carolyn L. Funk, Matthew Hibbing, Kevin B. Smith, Nicholas R. Eaton, Robert F. Krueger, Lindon J. Eaves, John R. Hibbing. **Political Psychology**, (December, 2013).

“Biology, Ideology, and Epistemology: How Do We Know Political Attitudes Are Inherited and Why Should We Care?” with Kevin Smith, Peter K. Hatemi, Lindon J. Eaves, Carolyn Funk, and John R. Hibbing. **American Journal of Political Science**. (January, 2012)

“Disgust Sensitivity and the Neurophysiology of Left-Right Political Orientations.” with Kevin Smith, John Hibbing, Douglas Oxley, and Matthew Hibbing, **PlosONE**, (October, 2011).

“Linking Genetics and Political Attitudes: Re-Conceptualizing Political Ideology.” with Kevin Smith, John Hibbing, Douglas Oxley, and Matthew Hibbing, **Political Psychology**, (June, 2011).

“The Politics of Mate Choice.” with Peter Hatemi, John R. Hibbing, Nicholas Martin and Lindon Eaves, **Journal of Politics**, (March, 2011).

“Not by Twins Alone: Using the Extended Twin Family Design to Investigate the Genetic Basis of Political Beliefs” with Peter Hatemi, John Hibbing, Sarah Medland, Matthew Keller, Kevin Smith, Nicholas Martin, and Lindon Eaves, **American Journal of Political Science**, (July, 2010).

“The Ultimate Source of Political Opinions: Genes and the Environment” with John R. Hibbing in **Understanding Public Opinion**, 3rd Edition eds. Barbara Norrander and Clyde Wilcox, Washington D.C.: CQ Press, (2010).

“Is There a ‘Party’ in your Genes” with Peter Hatemi, John R. Hibbing, Nicholas Martin and Lindon Eaves, **Political Research Quarterly**, (September, 2009).

“Twin Studies, Molecular Genetics, Politics, and Tolerance: A Response to Beckwith and Morris” with John R. Hibbing and Cary Funk, **Perspectives on Politics**, (December, 2008). This is a solicited response to a critique of our 2005 APSR article “Are Political Orientations Genetically Transmitted?”

“Political Attitudes Vary with Physiological Traits” with Douglas R. Oxley, Kevin B. Smith, Matthew V. Hibbing, Jennifer L. Miller, Mario Scalora, Peter K. Hatemi, and John R. Hibbing, **Science**, (September 19, 2008).

“The New Empirical Biopolitics” with John R. Hibbing, **Annual Review of Political Science**, (June, 2008).

“Beyond Liberals and Conservatives to Political Genotypes and Phenotypes” with John R. Hibbing and Cary Funk, **Perspectives on Politics**, (June, 2008). This is a solicited response to a critique of our 2005 APSR article “Are Political Orientations Genetically Transmitted?”

“Personal, Interpersonal, and Political Temperaments” with John R. Hibbing, **Annals of the American Academy of Political and Social Science**, (November, 2007).

“Is Politics in our Genes?” with John R. Hibbing, **Tidsskriftet Politik**, (February, 2007).

“Biology and Rational Choice” with John R. Hibbing, **The Political Economist**, (Fall, 2005)

“Are Political Orientations Genetically Transmitted?” with John R. Hibbing and Carolyn Funk, **American Political Science Review**, (May, 2005). (The main findings table from this article has been reprinted in two college level text books - Psychology, 9th ed. and Invitation to Psychology 4th ed. both by Wade and Tavris, Prentice Hall, 2007).

“The Origin of Politics: An Evolutionary Theory of Political Behavior” with John R. Hibbing, **Perspectives on Politics**, (December, 2004).

“Accepting Authoritative Decisions: Humans as Wary Cooperators” with John R. Hibbing, **American Journal of Political Science**, (January, 2004).

“Electoral Convergence of the Two Houses of Congress” with John R. Hibbing, in **The Exceptional Senate**, ed. Bruce Oppenheimer, Columbus: Ohio State University Press, (2002).

“We’re All in this Together: The Decline of Trust in Government, 1958-1996.” in **What is it About Government that Americans Dislike?**, eds. John Hibbing and Beth Theiss-Morse, Cambridge: Cambridge University Press, (2001).

“The 2000 Census and the New Redistricting,” **Texas State Bar Association School Law Section Newsletter**, (July, 2000).

“Overdraft: The Political Cost of Congressional Malfeasance” with Holly Teeters, Dan Ward, and Rick Wilson, **Journal of Politics** (August, 1994).

“Personal and Partisan Advantage in U.S. Congressional Elections, 1846-1990” with David W. Brady, in **Congress Reconsidered** 5th edition, eds. Larry Dodd and Bruce Oppenheimer, CQ Press, (1993).

“The 1990 Congressional Election Results and the Fallacy that They Embodied an Anti-Incumbent Mood” with John R. Hibbing, **PS** 25 (June, 1992).

“Constituency Population and Representation in the United States Senate” with John R. Hibbing. **Legislative Studies Quarterly**, (November, 1990).

“Editors' Introduction: Electing the U.S. Senate” with Bruce I. Oppenheimer. **Legislative Studies Quarterly**, (November, 1990).

“Personal and Partisan Advantage in U.S. Congressional Elections, 1846-1990” with David W. Brady, in **Congress Reconsidered** 4th edition, eds. Larry Dodd and Bruce Oppenheimer, CQ Press, (1988). Reprinted in *The Congress of the United States, 1789-1989*, ed. Joel Silby, Carlson Publishing Inc., (1991), and in *The Quest for Office*, eds. Wayne and Wilcox, St. Martins Press, (1991).

“Can Government Regulate Fertility? An Assessment of Pro-natalist Policy in Eastern Europe” with Jerome Legge. **The Western Political Quarterly** (December, 1986).

"Partisanship and Voting" with James Campbell, Mary Munro, and Bruce Campbell, in **Research in Micropolitics. Volume 1 - Voting Behavior**. Samuel Long, ed. JAI Press, (1986).

"Economic Conditions and Individual Vote in the Federal Republic of Germany" with Jerome S. Legge. **Journal of Politics** (November, 1984).

"Television Markets and Congressional Elections" with James Campbell and Keith Henry. **Legislative Studies Quarterly** (November, 1984).

"Economic Conditions and the Forgotten Side of Congress: A Foray into U.S. Senate Elections" with John R. Hibbing, **British Journal of Political Science** (October, 1982).

"Increased Incumbency Advantage in the House" with John R. Hibbing, **Journal of Politics** (November, 1981). Reprinted in *The Congress of the United States, 1789-1989*, Carlson Publishing Inc., (1991).

"The Electoral Impact of Economic Conditions: Who is Held Responsible?" with John R. Hibbing, **American Journal of Political Science** (August, 1981).

"Comment on Increased Incumbency Advantage" with John R. Hibbing, Refereed communication: **American Political Science Review** (March, 1981).

"Can Government Regulate Safety? The Coal Mine Example" with Michael Lewis-Beck, **American Political Science Review** (September, 1980).

### **Awards and Honors:**

CQ Press Award - 1988, honoring the outstanding paper in legislative politics presented at the 1987 Annual Meeting of the American Political Science Association. Awarded for "The Demise of the Upper House and the Rise of the Senate: Electoral Responsiveness in the United States Senate" with John Hibbing.

### **Research Grants:**

National Science Foundation, 2009-2011, "Identifying the Biological Influences on Political Temperaments", with John Hibbing, Kevin Smith, Kim Espy, Nicolas Martin and Read Montague. This is a collaborative project involving Rice, University of Nebraska, Baylor College of Medicine, and Queensland Institute for Medical Research.

National Science Foundation, 2007-2010, "Genes and Politics: Providing the Necessary Data", with John Hibbing, Kevin Smith, and Lindon Eaves. This is a collaborative project involving Rice, University of Nebraska, Virginia Commonwealth University, and the University of Minnesota.

National Science Foundation, 2007-2010, "Investigating the Genetic Basis of Economic Behavior", with John Hibbing and Kevin Smith. This is a collaborative project involving Rice, University of Nebraska, Virginia Commonwealth University, and the Queensland Institute of Medical Research.

Rice University Faculty Initiatives Fund, 2007-2009, "The Biological Substrates of Political Behavior". This is in assistance of a collaborative project involving Rice, Baylor College of Medicine, Queensland Institute of Medical Research, University of Nebraska, Virginia Commonwealth University, and the University of Minnesota.

National Science Foundation, 2004-2006, "Decision-Making on Behalf of Others", with John Hibbing. This is a collaborative project involving Rice and the University of Nebraska.

National Science Foundation, 2001-2002, dissertation grant for Kevin Arceneaux, "Doctoral Dissertation Research in Political Science: Voting Behavior in the Context of U.S. Federalism."

National Science Foundation, 2000-2001, dissertation grant for Stacy Ulbig, "Doctoral Dissertation Research in Political Science: Sub-national Contextual Influences on Political Trust."

National Science Foundation, 1999-2000, dissertation grant for Richard Engstrom, "Doctoral Dissertation Research in Political Science: Electoral District Structure and Political Behavior."

Rice University Research Grant, 1985, Recent Trends in British Parliamentary Elections.

Faculty Research Grants Program, University of Georgia, Summer, 1982. Impact of Media Structure on Congressional Elections, with James Campbell.

## **Papers Presented:**

"The Physiological Basis of Political Temperaments" 6th European Consortium for Political Research General Conference, Reykjavik, Iceland (2011), with Kevin Smith, and John Hibbing.

"Identifying the Biological Influences on Political Temperaments" National Science Foundation Annual Human Social Dynamics Meeting (2010), with John Hibbing, Kimberly Espy, Nicholas Martin, Read Montague, and Kevin B. Smith.

"Political Orientations May Be Related to Detection of the Odor of Androstenone" Annual meeting of the Midwest Political Science Association, Chicago, IL (2010), with Kevin Smith, Amanda Balzer, Michael Gruszczynski, Carly M. Jacobs, and John Hibbing.

"Toward a Modern View of Political Man: Genetic and Environmental Transmission of Political Orientations from Attitude Intensity to Political Participation" Annual meeting of the American Political Science Association, Washington, DC (2010), with Carolyn Funk, Kevin Smith, and John Hibbing.

"Genetic and Environmental Transmission of Political Involvement from Attitude Intensity to Political Participation" Annual meeting of the International Society for Political Psychology, San Francisco, CA (2010), with Carolyn Funk, Kevin Smith, and John Hibbing.

"Are Violations of the EEA Relevant to Political Attitudes and Behaviors?" Annual meeting of the Midwest Political Science Association, Chicago, IL (2010), with Kevin Smith, and John Hibbing.

"The Neural Basis of Representation" Annual meeting of the American Political Science Association, Toronto, Canada (2009), with John Hibbing.

“Genetic and Environmental Transmission of Value Orientations” Annual meeting of the American Political Science Association, Toronto, Canada (2009), with Carolyn Funk, Kevin Smith, Matthew Hibbing, Pete Hatemi, Robert Krueger, Lindon Eaves, and John Hibbing.

“The Genetic Heritability of Political Orientations: A New Twin Study of Political Attitudes” Annual Meeting of the International Society for Political Psychology, Dublin, Ireland (2009), with John Hibbing, Cary Funk, Kevin Smith, and Peter K Hatemi.

“The Heritability of Value Orientations” Annual meeting of the Behavior Genetics Association, Minneapolis, MN (2009), with Kevin Smith, John Hibbing, Carolyn Funk, Robert Krueger, Peter Hatemi, and Lindon Eaves.

“The Ick Factor: Disgust Sensitivity as a Predictor of Political Attitudes” Annual meeting of the Midwest Political Science Association, Chicago, IL (2009), with Kevin Smith, Douglas Oxley, Matthew Hibbing, and John Hibbing.

“The Ideological Animal: The Origins and Implications of Ideology” Annual meeting of the American Political Science Association, Boston, MA (2008), with Kevin Smith, Matthew Hibbing, Douglas Oxley, and John Hibbing.

“The Physiological Differences of Liberals and Conservatives” Annual meeting of the Midwest Political Science Association, Chicago, IL (2008), with Kevin Smith, Douglas Oxley, and John Hibbing.

“Looking for Political Genes: The Influence of Serotonin on Political and Social Values” Annual meeting of the Midwest Political Science Association, Chicago, IL (2008), with Peter Hatemi, Sarah Medland, John Hibbing, and Nicholas Martin.

“Not by Twins Alone: Using the Extended Twin Family Design to Investigate the Genetic Basis of Political Beliefs” Annual meeting of the American Political Science Association, Chicago, IL (2007), with Peter Hatemi, John Hibbing, Matthew Keller, Nicholas Martin, Sarah Medland, and Lindon Eaves.

“Factorial Association: A generalization of the Fulker between-within model to the multivariate case” Annual meeting of the Behavior Genetics Association, Amsterdam, The Netherlands (2007), with Sarah Medland, Peter Hatemi, John Hibbing, William Coventry, Nicholas Martin, and Michael Neale.

“Not by Twins Alone: Using the Extended Twin Family Design to Investigate the Genetic Basis of Political Beliefs” Annual meeting of the Midwest Political Science Association, Chicago, IL (2007), with Peter Hatemi, John Hibbing, Nicholas Martin, and Lindon Eaves.

“Getting from Genes to Politics: The Connecting Role of Emotion-Reading Capability” Annual Meeting of the International Society for Political Psychology, Portland, OR, (2007.), with John Hibbing.

“The Neurological Basis of Representative Democracy.” Hendricks Conference on Political Behavior, Lincoln, NE (2006), with John Hibbing.

“The Neural Basis of Representative Democracy” Annual meeting of the American Political Science Association, Philadelphia, PA (2006), with John Hibbing.

“How are Political Orientations Genetically Transmitted? A Research Agenda” Annual meeting of the Midwest Political Science Association, Chicago Illinois (2006), with John Hibbing.

"The Politics of Mate Choice" Annual meeting of the Southern Political Science Association, Atlanta, GA (2006), with John Hibbing.

"The Challenge Evolutionary Biology Poses for Rational Choice" Annual meeting of the American Political Science Association, Washington, DC (2005), with John Hibbing and Kevin Smith.

"Decision Making on Behalf of Others" Annual meeting of the American Political Science Association, Washington, DC (2005), with John Hibbing.

"The Source of Political Attitudes and Behavior: Assessing Genetic and Environmental Contributions" Annual meeting of the Midwest Political Science Association, Chicago Illinois (2005), with John Hibbing and Carolyn Funk.

"The Source of Political Attitudes and Behavior: Assessing Genetic and Environmental Contributions" Annual meeting of the American Political Science Association, Chicago Illinois (2004), with John Hibbing and Carolyn Funk.

"Accepting Authoritative Decisions: Humans as Wary Cooperators" Annual Meeting of the Midwest Political Science Association, Chicago, Illinois (2002), with John Hibbing

"Can We Trust the NES Trust Measure?" Annual Meeting of the Midwest Political Science Association, Chicago, Illinois (2001), with Stacy Ulbig.

"The Impact of Organizational Structure on the Production of Social Capital Among Group Members" Annual Meeting of the Southern Political Science Association, Atlanta, Georgia (2000), with Allison Rinden.

"Isolating the Origins of Incumbency Advantage: An Analysis of House Primaries, 1956-1998" Annual Meeting of the Southern Political Science Association, Atlanta, Georgia (2000), with Kevin Arceneaux.

"The Electorally Indistinct Senate," Norman Thomas Conference on Senate Exceptionalism, Vanderbilt University; Nashville, Tennessee; October (1999), with John R. Hibbing.

"Interest Group Participation and Social Capital" Annual Meeting of the Midwest Political Science Association, Chicago, Illinois (1999), with Allison Rinden.

"We're All in this Together: The Decline of Trust in Government, 1958-1996." The Hendricks Symposium, University of Nebraska, Lincoln. (1998)

"Constituency Population and Representation in the United States Senate," Electing the Senate; Houston, Texas; December (1989), with John R. Hibbing.

"The Disparate Electoral Security of House and Senate Incumbents," American Political Science Association Annual Meetings; Atlanta, Georgia; September (1989), with John R. Hibbing.

"Partisan and Incumbent Advantage in House Elections," Annual Meeting of the Southern Political Science Association (1987), with David W. Brady.

"Personal and Party Advantage in U.S. House Elections, 1846-1986" with David W. Brady, 1987 Social Science History Association Meetings.



"The Demise of the Upper House and the Rise of the Senate: Electoral Responsiveness in the United States Senate" with John Hibbing, 1987 Annual Meeting of the American Political Science Association.

"A Comparative Analysis of Economic Voting" with Jerome Legge, 1985 Annual Meeting of the American Political Science Association.

"An Analysis of Economic Conditions and the Individual Vote in Great Britain, 1964-1979" with Jerome Legge, 1985 Annual Meeting of the Western Political Science Association.

"Can Government Regulate Fertility? An Assessment of Pro-natalist Policy in Eastern Europe" with Jerome Legge, 1985 Annual Meeting of the Southwestern Social Science Association.

"Economic Conditions and the Individual Vote in the Federal Republic of Germany" with Jerome S. Legge, 1984 Annual Meeting of the Southern Political Science Association.

"The Conditions Required for Economic Issue Voting" with John R. Hibbing, 1984 Annual Meeting of the Midwest Political Science Association.

"Incumbency Advantage in Senate Elections," 1983 Annual Meeting of the Midwest Political Science Association.

"Television Markets and Congressional Elections: The Impact of Market/District Congruence" with James Campbell and Keith Henry, 1982 Annual Meeting of the Southern Political Science Association.

"Economic Conditions and Senate Elections" with John R. Hibbing, 1982 Annual Meeting of the Midwest Political Science Association. "Pocketbook Voting: Economic Conditions and Individual Level Voting," 1982 Annual Meeting of the American Political Science Association.

"Increased Incumbency Advantage in the House," with John R. Hibbing, 1981 Annual Meeting of the Midwest Political Science Association.

### **Other Conference Participation:**

Roundtable Participant – Closing Round-table on Biopolitics; 2016 UC Merced Conference on Bio-Politics and Political Psychology, Merced, CA.

Roundtable Participant “Genes, Brains, and Core Political Orientations” 2008 Annual Meeting of the Southwestern Political Science Association, Las Vegas.

Roundtable Participant “Politics in the Laboratory” 2007 Annual Meeting of the Southern Political Science Association, New Orleans.

Short Course Lecturer, "What Neuroscience has to Offer Political Science” 2006 Annual Meeting of the American Political Science Association.

Panel chair and discussant, "Neuro-scientific Advances in the Study of Political Science” 2006 Annual Meeting of the American Political Science Association.

Presentation, "The Twin Study Approach to Assessing Genetic Influences on Political Behavior" Rice Conference on New Methods for Understanding Political Behavior, 2005.

Panel discussant, "The Political Consequences of Redistricting," 2002 Annual Meeting of the American Political Science Association.

Panel discussant, "Race and Redistricting," 1999 Annual Meeting of the Midwest Political Science Association.

Invited participant, "Roundtable on Public Dissatisfaction with American Political Institutions", 1998 Annual Meeting of the Southwestern Social Science Association.

Presentation, "Redistricting in the '90s," Texas Economic and Demographic Association, 1997.

Panel chair, "Congressional Elections," 1992 Annual Meeting of the Southern Political Science Association.

Panel discussant, "Incumbency and Congressional Elections," 1992 Annual Meeting of the American Political Science Association.

Panel chair, "Issues in Legislative Elections," 1991 Annual Meeting of the Midwest Political Science Association.

Panel chair, "Economic Attitudes and Public Policy in Europe," 1990 Annual Meeting of the Southern Political Science Association

Panel discussant, "Retrospective Voting in U.S. Elections," 1990 Annual Meeting of the Midwest Political Science Association.

Co-convener, with Bruce Oppenheimer, of Electing the Senate, a national conference on the NES 1988 Senate Election Study. Funded by the Rice Institute for Policy Analysis, the University of Houston Center for Public Policy, and the National Science Foundation, Houston, Texas, December, 1989.

Invited participant, Understanding Congress: A Bicentennial Research Conference, Washington, D.C., February, 1989.

Invited participant--Hendricks Symposium on the United States Senate, University of Nebraska, Lincoln, Nebraska, October, 1988

Invited participant--Conference on the History of Congress, Stanford University, Stanford, California, June, 1988.

Invited participant, "Roundtable on Partisan Realignment in the 1980's", 1987 Annual Meeting of the Southern Political Science Association.

## **Professional Activities:**

### **Other Universities:**

Invited Speaker, Annual Lecture, Psi Kappa -the Psychology Club at Houston Community College, 2018.

Invited Speaker, Annual Allman Family Lecture, Dedman College Interdisciplinary Institute, Southern Methodist University, 2016.

Invited Speaker, Annual Lecture, Psi Sigma Alpha – Political Science Dept., Oklahoma State University, 2015.

Invited Lecturer, Department of Political Science, Vanderbilt University, 2014.

Invited Speaker, Annual Lecture, Psi Kappa -the Psychology Club at Houston Community College, 2014.

Invited Speaker, Graduate Student Colloquium, Department of Political Science, University of New Mexico, 2013.

Invited Keynote Speaker, Political Science Alumni Evening, University of Houston, 2013.

Invited Lecturer, Biology and Politics Masters Seminar (John Geer and David Bader), Department of Political Science and Biology Department, Vanderbilt University, 2010.

Invited Lecturer, Biology and Politics Senior Seminar (John Geer and David Bader), Department of Political Science and Biology Department, Vanderbilt University, 2008.

Visiting Fellow, the Hoover Institution, Stanford University, 2007.

Invited Speaker, Joint Political Psychology Graduate Seminar, University of Minnesota, 2007.

Invited Speaker, Department of Political Science, Vanderbilt University, 2006.

**Member:**

Editorial Board, Journal of Politics, 2007-2008.

Planning Committee for the National Election Studies' Senate Election Study, 1990-92.

Nominations Committee, Social Science History Association, 1988

**Reviewer for:**

American Journal of Political Science

American Political Science Review

American Politics Research

American Politics Quarterly

American Psychologist

American Sociological Review

Canadian Journal of Political Science

Comparative Politics

Electoral Studies

Evolution and Human Behavior

International Studies Quarterly

Journal of Politics  
Journal of Urban Affairs  
Legislative Studies Quarterly  
National Science Foundation  
PLoS ONE  
Policy Studies Review  
Political Behavior  
Political Communication  
Political Psychology  
Political Research Quarterly  
Public Opinion Quarterly  
Science  
Security Studies  
Social Forces  
Social Science Quarterly  
Western Political Quarterly

### **University Service:**

Member, University Senate, 2021-2023.

Member, University Parking Committee, 2016-2022.

Member, University Benefits Committee, 2013-2016.

Internship Director for the Department of Political Science, 2004-2018.

Member, University Council, 2012-2013.

Invited Speaker, Rice Classroom Connect, 2016.

Invited Speaker, Glasscock School, 2016.

Invited Speaker, Rice Alumni Association, Austin, 2016.

Invited Speaker, Rice Alumni Association, New York City, 2016.

Invited Speaker, Rice TEDxRiceU , 2013.

Invited Speaker, Rice Alumni Association, Atlanta, 2011.

Lecturer, Advanced Topics in AP Psychology, Rice University AP Summer Institute, 2009.

Scientia Lecture Series: "Politics in Our Genes: The Biology of Ideology" 2008

Invited Speaker, Rice Alumni Association, Seattle, San Francisco and Los Angeles, 2008.

Invited Speaker, Rice Alumni Association, Austin, Chicago and Washington, DC, 2006.

Invited Speaker, Rice Alumni Association, Dallas and New York, 2005.

Director: Rice University Behavioral Research Lab and Social Science Computing Lab, 2005-2006.

University Official Representative to the Inter-university Consortium for Political and Social Research, 1989-2012.

Director: Rice University Social Science Computing Lab, 1989-2004.

Member, Rice University Information Technology Access and Security Committee, 2001-2002

Rice University Committee on Computers, Member, 1988-1992, 1995-1996; Chair, 1996-1998, Co-chair, 1999.

Acting Chairman, Rice Institute for Policy Analysis, 1991-1992.

Divisional Member of the John W. Gardner Dissertation Award Selection Committee, 1998

Social Science Representative to the Educational Sub-committee of the Computer Planning Committee, 1989-1990.

Director of Graduate Admissions, Department of Political Science, Rice University, 1986-1988.

Co-director, Mellon Workshop: Southern Politics, May, 1988.

Guest Lecturer, Mellon Workshop: The U.S. Congress in Historical Perspective, May, 1987 and 1988.

Faculty Associate, Hanszen College, Rice University, 1987-1990.

Director, Political Data Analysis Center, University of Georgia, 1982-1985.

### **External Consulting:**

Consultant, Lancaster ISD – redrawing of all school board member election districts including demographic analysis and redrawing of election districts, 2021.

Consultant, City of Baytown – redrawing of all city council member election districts including demographic analysis and redrawing of election districts, 2021.

Consultant, Goose Creek ISD – redrawing of all board member election districts including demographic analysis and redrawing of election districts, 2021.

Expert Witness, Christian Ministerial Alliance et al v. Arkansas, racially polarized voting analysis, 2020.

Expert Witness, Bruni et al. v. State of Texas, straight ticket voting analysis, 2020.

Consulting Expert, Sarasota County, VRA challenge to district map, 2020.

Expert Witness, Kumar v. Frisco ISD, TX, racially polarized voting analysis, 2019.

Expert Witness, Vaughan v. Lewisville ISD, TX, racially polarized voting analysis, 2019.

Expert Witness, Johnson v. Ardoin, (Louisiana), racially polarized voting analysis, 2019.

Expert Witness, Flores et al. v. Town of Islip, NY, racially polarized voting analysis, 2018.

Expert Witness, Tyson v. Richardson ISD, racially polarized voting analysis, 2018.

Expert Witness, Dwight v. State of Georgia, racially polarized voting analysis, 2018.

Expert Witness, NAACP v. East Ramapo Central School District, racially polarized voting analysis, 2018.

Expert Witness, Georgia NAACP v. State of Georgia, racially polarized voting analysis, 2018.

Expert Witness, United States v. City of Eastpoint, racially polarized voting analysis, 2017.

Expert Witness, Georgia NAACP v. Gwinnett County, racially polarized voting analysis, 2017.

Expert Witness for the State of Texas, Lopez, et al v. Abbott, a challenge to the current system of statewide at-large elections for the Texas Supreme Court and the Texas Court of Criminal Appeals, including election analysis, and racially polarized voting analysis, 2017.

Expert witness for the State of Texas, Perez, et al v State of Texas (and consolidated cases), challenge to adopted Texas election districts for the US Congress and the Texas House of Representatives, 2011-2017.