

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

**THE ARKANSAS STATE
CONFERENCE NAACP, *et al.***

PLAINTIFFS

v.

Case No. 4:21-cv-1239-LPR

**THE ARKANSAS BOARD OF
APPORTIONMENT, *et al.***

DEFENDANTS

**REPLY MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

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INTRODUCTION

Defendants make no serious attempt to defend the House map adopted by the Arkansas Board of Apportionment (the “Board”). Instead, Defendants rely on misunderstandings of the law of Section 2 of the Voting Rights Act (“VRA”), 52 U.S.C. § 10301 (hereinafter “Section 2”) and make arguments regarding the makeup of the Illustrative Plan promulgated by Plaintiffs. *See* D.E. 53. Defendants’ arguments fall flat. Plaintiffs have established that they are likely to succeed on the merits of their Section 2 claim and demonstrate that the newly adopted reapportionment plan for the Arkansas House of Representatives violates the VRA.

Further, Defendants’ efforts to hide behind purported administrative guidelines and delay justice for this violation are misguided. The impact of a preliminary injunction at this time to the State’s administrative deadlines would be minimal and is addressable by the parties and this Court, and any alleged voter confusion or deterrence is speculative at best.

ARGUMENT

I. Plaintiffs Satisfy the *Gingles* Preconditions

A. Plaintiffs Have Satisfied the First *Gingles* Precondition by Establishing That Arkansas’s Black Population Is Sufficiently Numerous and Geographically Compact So as to Draw Additional Majority-Black Districts

The first *Gingles* precondition requires that “the racial group is sufficiently large and geographically compact to constitute a majority in a single-member district.” *Mo. State Conf. of the NAACP v. Ferguson-Florissant Sch. Dist.*, 894 F.3d 924, 932 (8th Cir. 2018) (“*Missouri NAACP*”) (quoting *League of United Latin Am. Citizens v. Perry*, 548 U.S. 399, 425 (2006) (“*LULAC*”)); *see also Bone Shirt v. Hazeltine*, 461 F.3d 1011, 1018 (8th Cir. 2006). Here, Defendants all but concede that it is “mathematically possible to draw an additional five majority-black districts....” ECF 53 at 7. Defendants instead argue that the additional districts drawn in the Illustrative Plan provided by expert Anthony Fairfax are not “sufficiently compact.” *Id.* But

Defendants’ focus on the shape of the districts is misguided, and their factual arguments regarding the Illustrative Plan miss the mark.¹

1. Defendants Misstate the First *Gingles* Precondition Inquiry

In *LULAC*, the Supreme Court explained that the compactness analysis in evaluating a Section 2 injury “embraces different considerations” than in other cases: “‘The first *Gingles* condition refers to *the compactness of the minority population, not to the compactness of the contested district.*’” 548 U.S. at 433 (emphasis added) (quoting *Bush v. Vera*, 517 U.S. 952, 977 (1996) (Kennedy, J., concurring)). In addition, the inquiry should “take into account traditional redistricting principles such as maintaining communities of interest and traditional boundaries.” *Id.* (quoting *Abrams v. Johnson*, 521 U.S. 74, 92 (1997)). Defendants make two significant errors in their recitation of the legal standard. First, Defendants claim that, to satisfy the first *Gingles* precondition, “a district must be geographically compact.” ECF 53 at 9. But this requirement was rejected by the Supreme Court in *LULAC*, which contrasted the equal protection analysis, which does consider geographic compactness, or the shape of the districts, and the Section 2 analysis, which requires only that the minority population be compact. *See LULAC*, 548 U.S. at 433. Thus, although Plaintiffs’ illustrative districts are in fact compact, *see infra* I.A.2, Defendants’ attempt to graft a geographic compactness requirement onto to the first *Gingles* precondition is not supported by the case law.

Second, Defendants seem to believe that it is impermissible to consider race when drawing districts to comport with Section 2. ECF 53 at 10-12. But such a principle conflicts with binding

¹ Defendants assert that if Plaintiffs “can only show that it is possible to draw four, or three [majority-minority districts], they can only proceed to the following preconditions on those four or three.” ECF 53, Opp. Br. at 9. Defendants provide no support of any kind for this statement. In fact, at this stage of the proceedings, Plaintiffs are “not required to proffer the best option for remedying the asserted violation.” *Missouri NAACP*, 894 F.3d at 934.

caselaw in this Circuit. Indeed, the *en banc* Eighth Circuit recognized that such consideration is permissible when it upheld the panel’s decision on the first *Gingles* precondition in *Cottier v. City of Martin*, 604 F.3d 553, 558 (8th Cir. 2010) (*en banc*) (quoting panel decision). In doing so, the *en banc* Court noted with favor the panel’s holding that “*some consideration of race* in fashioning the plans *did not make them impermissible remedies* for a Section 2 violation.” *Id.* (emphasis added). Defendants’ efforts to fashion a rule that race cannot be considered in this process are thus foreclosed by *Cottier*.

2. Plaintiffs’ Illustrative Plan Satisfies the First *Gingles* Precondition Under the Correct Legal Standard

Defendants do not address Plaintiffs’ criticisms of the Board’s redistricting plan. *See* ECF 3 (“Pl. Br.”) at 13-17. Indeed, Defendants cannot do so; the Illustrative Plan drawn by expert Tony Fairfax fares better than the Board’s plan on numerous neutral redistricting criteria, including the number of voting district splits, city splits, landmark splits, and paired incumbents. ECF 3, Pl. Br. Ex. 7 (“Fairfax Report”) at ¶¶ 29-40. Instead, Defendants argue that five of the districts in Plaintiffs’ Illustrative Plan are not sufficiently compact and so cannot satisfy the first *Gingles* precondition.² But a careful review finds that it is the Board’s redistricting plan that flouts the Board’s own redistricting principles.

District 55

District 55 in the Illustrative Plan runs along the Mississippi River in the Upper Delta from approximately Marion to Blytheville. Fairfax Report at B-59. As a result of running along the Mississippi River, the district has a curved eastern edge, which lowers the compactness score for the district. Defendants assert that the resulting low compactness score indicates that this district

² Defendants offer no objection to the other eleven majority-minority districts in the Illustrative Plan.

is racially gerrymandered. Defendants also argue that the inclusion of precincts to the east of District 55 in District 54 is a sign of racial gerrymandering the shape of District 55 ensuring that Blytheville is not split into separate districts. Op. Br. at 13. Neither argument holds water.

Defendants are correct that this district has one of the lowest compactness scores in the Illustrative Plan. But the reason for this compactness score is immediately clear when one looks at the district map: the Mississippi River forms the eastern border of the district. The river does not follow a straight line; it snakes back and forth forming the eastern border of the state, meaning that any district including a portion of the river will necessarily have a lower compactness score than a similar one that does not. *See* Ex. 12 (“Fairfax Resp. Rep.”) at 11 (noting that “Coastal or river-based districts that extend along the water usually have lower than standard compactness measures”). The same could be said of the Board’s redistricting plan: District 34 in the Board’s plan has the fourth lowest Reock and Polsby-Popper compactness measurements, and the worst Convex Hull measurement, of all the districts in the Board’s map precisely because it borders the Mississippi River. *Id.* Similarly, District 55 in the 2011 state House map had a similar configuration and similarly low compactness scores. *Id.* There is nothing suspicious or race-driven about District 55’s low geographic compactness, which is entirely attributable to adjacency to the Mississippi River.

Defendants also argue that the Illustrative Plan excludes voters from District 55 on account of race, because it places precincts near the northern portion of District 55 into the eastern-adjacent District 54. ECF 53 at 13. But as Mr. Fairfax explains, the northern corner of District 55 is drawn to contain the whole city of Blytheville and to avoid splitting that community. Ex. 12, Fairfax Resp. Rep. at 13. In short, the district was drawn specifically to comport with the very redistricting criteria on which the Board relied: it seeks to avoid splitting the community of Blytheville merely

for the purposes of making a more compact district. Defendants point to variations from the population mean, but both District 54 and District 55 are well within the Board's "acceptable margin" of +/-5% population deviation. *See Redistricting Criteria and Goals*, Ark. Bd. of Apportionment, <https://arkansasredistricting.org/about-the-process/redistricting-criteria-and-goals/> (last visited Jan. 26, 2022) (noting that "+/- 5% deviation is considered an acceptable margin"). There is no evidence that these decisions were primarily motivated by race.

District 16

Defendants next focus on District 16 in the Illustrative Plan, arguing that it "stitches together geographically disparate black populations" that "have little in common." ECF 53 at 14. But a review of the socioeconomics of the two major communities in District 16, Pine Bluff and Arkadelphia, reveals many commonalities despite their differences in racial makeup:

- Both cities are younger than the rest of the state
- Both cities have a higher poverty rate than the rest of the state
- Both cities have a lower proportion of married couples with children than the rest of the state
- Both cities' median household incomes are lower than the state's
- Both cities have more renters than the rest of the state
- Both cities' median housing values are lower than rest of the state
- Both have lower percentages of homes built after 2010 than the rest of the state
- Both have higher percentages of households receiving food stamps and SNAP benefits than the rest of the state

See Ex. 12, Fairfax Resp. Rep. at 7. These two cities are exactly the communities of interest that the Board's own redistricting criteria wish to maintain. *See Redistricting Criteria and Goals*, Ark. Bd. of Apportionment, <https://arkansasredistricting.org/about-the-process/redistricting-criteria-and-goals/> (last visited Jan. 26, 2022) (including maintaining "Communities of interest: commonalities of economical, social, political, cultural, ethnic, or religious interests").

Defendants do not consider any of these commonalities. Instead, Defendants rely on Mr. Davis's declaration, which asserts that the two are dissimilar. ECF 53 at 14. However, none of

the criteria Mr. Davis relies upon are redistricting criteria considered by the Board, and their consideration is outweighed by the numerous economic indicators suggesting the strong similarity between the communities. *Compare* Davis. Decl. at ¶ 21 *with* Ex. 12, Fairfax Resp. Rep. at 7.³

District 5

Defendants next attack District 5 of the Illustrative Plan as a racial gerrymander. ECF 53 at 14-15. Defendants have three bases for their claim: the district's inclusion of portions of three cities, the district's compactness scores, and an allegation that the reason for its shape is race. But none of these have merit.

District 5 includes portions of each of Magnolia, El Dorado, and Camden. As Mr. Fairfax explains, an unfortunate fact of any statewide legislative plan is that it will split some cities. Ex 12, Fairfax Resp. Rep. at 3. The Board's own redistricting plan is particularly egregious in this regard; the Board's plan splits multiple midsize and small cities into numerous districts, such as Fayetteville (portions of which are in *seven* of the Board's districts: 18, 19, 20, 21, 22, 23, and 25) and Fairfield Bay (split into three districts by the Board: 41, 42, and 43).⁴ *Id.* And there are multiple districts within the Board's plan that contain portions of three or more cities, including districts 8 (four splits), 10 (three splits), 11 (three splits) and 16 (a whopping *seven* splits). *Id.*

³ Mr. Davis notes that the fastest driving route between Pine Bluff and Arkadelphia to be approximately an hour and a half. Davis Decl. at ¶ 21. This fact bears no relevance to the question of whether the minority community is sufficiently numerous and geographically compact to satisfy the first *Gingles* precondition, and Defendants provide no argument to the contrary. And driving time was not a consideration listed by the Board among its redistricting criteria.

⁴ Fairfield Bay's population is only 2,108, making the Board's decision to split the community into three different state House districts particularly unusual.

Overall, Mr. Fairfax's Illustrative Plan splits *fewer* cities than the Board's plan. *Id.* Defendants' cherry-picking a single example of such splitting is not evidence of impropriety.

Defendants next rely on geographic compactness measurements and argue that District 5 is on the lower end of the Illustrative Plan's compactness scores. ECF 53 at 15. But again, this approach is fundamentally misguided, given that the first *Gingles* precondition does not require geographic compactness. *See LULAC v. Perry*, 548 U.S. at 433; *see also supra* at I.A.1.

Defendants conclude that "the reason for District 5's trio of complex city splits is race." ECF 53 at 15. But this is pure supposition. In fact, the split in El Dorado follows a major road that, when split, makes the district *more* compact. Ex. 12, Fairfax Resp. Rep. at 4. As Mr. Fairfax explains, "[t]his is a common tradeoff when drawing legislative districts in compliance with traditional redistricting criteria." *Id.* Additionally, in Magnolia, a precinct was also split in order to follow a major road in order to make the district more compact. *Id.* However, in Magnolia, the split precinct left additional Black population *out* of District 5, contrary to Defendants' bald assertion that such choices were made for racial reasons. *Id.*⁵

There is no basis for Defendants' assertions, and District 5 is a compact majority-minority district that satisfies the first *Gingles* precondition.

Districts 12 and 48

Defendants only criticisms of Districts 12 and 48 of the Illustrative Plan are that they are not geographically compact, claiming that District 48 "splits Phillips County's population center, Helena-West Helena, from the rest of Phillips County," and that District 12 "assigns the unincorporated areas of Phillips County...to a district dominated by Pine Bluff." ECF 53 at 15-

⁵ Notably, Mr. Fairfax states that the split precinct in El Dorado could be made whole while having District 5 maintain its majority-minority status. *Id.*

16. Once again, Defendants base their arguments on geographic compactness, despite that not being the proper standard by which the Court measures the first *Gingles* precondition. *See LULAC v. Perry*, 548 U.S. at 433. Further, Defendants’ arguments ignore the realities of redistricting. Ensuring that a county’s major city is always contained within a district containing the remainder of that county is “practically an impossibility.” Ex. 12, Fairfax Resp. Rep. at 9. Indeed, the Board’s own plan demonstrates how difficult this is; the Board’s District 98 contains all of Clark County except for the cities of Arkadelphia, the largest city and economic center of Clark County, and Caddo Valley. *Id.* Avoiding these kinds of splits is exceedingly difficult, and overall, the Illustrative Plan provided by Mr. Fairfax performs better than the Board’s redistricting plan in satisfying this criteria. *See* Fairfax Report at ¶¶ 29-40. And both District 12 and 48 have a population variance within the Board’s “acceptable margin” of +/-5%. *See Redistricting Criteria and Goals*, Ark. Bd. of Apportionment, <https://arkansasredistricting.org/about-the-process/redistricting-criteria-and-goals/> (last visited Jan. 26, 2022) (noting that “+/- 5% deviation is considered an acceptable margin”). There is no evidence that these decisions were primarily motivated by race.

In short, none of Defendants’ arguments against the districts in the Illustrative Plan hold water. Nor do Defendants address any of Plaintiffs’ criticisms of the Board’s redistricting plan. *See* ECF 3, Pl. Br. at 13-17. Accordingly, Plaintiffs satisfy the first *Gingles* precondition, and this fulfillment supports a finding that Plaintiffs are likely to succeed on the merits.

3. Plaintiffs’ Illustrative Plan Satisfies the First *Gingles* Precondition Even if It Contains Minor Defects

The Eighth Circuit has recognized numerous times that Plaintiffs, at this initial stage, need not produce a perfect map that fixes all problems, has no objections, and requires absolutely no

adjustments by the Court. Such a requirement would be absurd, and is not the law. Rather, as the Court explained in *Bone Shirt*:

[T]he *Gingles* preconditions are designed to establish liability, and not a remedy. Because *the first Gingles precondition seeks to establish whether a workable solution is possible*, “the Supreme Court [at this stage] requires only a simple majority of eligible voters in the single-member district. The court may consider, at the remedial stage, what type of remedy is possible But *this difficulty should not impede the judge at the liability stage of the proceedings.*”

Bone Shirt, 461 F.3d at 1019 (quoting *Dickinson v. Ind. State Election Bd.*, 933 F.2d 497, 503 (7th Cir. 1991) (emphasis added); see also *Cottier*, 445 F.3d at 1117 (“the ultimate end of the first *Gingles* precondition is to prove that a solution is possible, and not necessarily to present the final solution to the problem”). The Eighth Circuit expressly rejected Defendants’ arguments in *Missouri NAACP*, noting that “at this stage of the proceedings, [a plaintiff] is not required to proffer the best option for remedying the asserted violation.” 894 F.3d at 934. In this case, Plaintiffs have succeeded in demonstrating that it is possible to draw sixteen reasonably compact majority-minority House districts in Arkansas, while the Board’s plan only provides for eleven. Accordingly, Plaintiffs have satisfied the first *Gingles* precondition.

B. The defendants’ arguments on the third *Gingles* precondition lack support in law and fact.⁶⁷

The defendants next argue that the plaintiffs are unlikely to satisfy the third *Gingles* precondition. (ECF 53 at 16-53.) Their argument, however, rests on nothing but air. The defendants offer no substantive evidence to rebut the plaintiffs’ extensive evidence of racially polarized voting in Arkansas, and they rely instead on misstatements of the law and factual claims that find no support in the record.

⁷ Defendants do not contest that Plaintiffs have satisfied the second *Gingles* precondition.

1. The third *Gingles* precondition does not require a plaintiff to prove that racially polarized voting is caused by White racial bias.

The crux of the defendants’ legal argument is that the Court should read a causation requirement into the third *Gingles* precondition where none currently exists. (ECF 53 at 16-38.) That is, the defendants invite this Court to rule that the plaintiffs have the burden of establishing, as a prerequisite for liability under Section 2, that “racially polarized voting is *caused by* white voters’ racial bias.” *Id.* at 17. But there is no such requirement under Section 2.

In the Eighth Circuit, the third *Gingles* precondition “is determined through three inquiries: (1) identifying the minority-preferred candidates; (2) assessing whether the white majority vote [sic] as a bloc to defeat the minority preferred candidate; and (3) resolving whether there were special circumstances such as the minority candidate running unopposed present when minority-preferred candidates won.” *Bone Shirt v. Hazeltine*, 461 F.3d 1011, 1020 (8th Cir. 2006) (cleaned up). The defendants urge a fourth inquiry—whether racially polarized voting “*is caused by* white voters’ racial bias” (ECF 53 at 17)—that the circuit has never adopted.

The defendants claim that the Eighth Circuit “has never addressed the causation question,” (ECF 52. at 23), but that isn’t true. The Eighth Circuit addressed the causation argument explicitly in *Cottier v. City of Martin*, 445 F.3d 1113, 1119 (8th Cir. 2006), and the court rejected it. Though that decision was later vacated on other grounds, *see Cottier v. City of Martin*, 604 F.3d 553, 562 (8th Cir. 2010) (en banc), the en-banc court did not reject that part of the panel’s ruling, and the panel’s analysis of the issue remains persuasive. The Eighth Circuit also faced the issue in *Bone Shirt*, which affirmed a district court decision that addressed the issue explicitly. *See Bone Shirt v. Hazeltine*, 336 F. Supp. 2d 976, 1008 (D.S.D. 2004). The Eighth Circuit’s decision did not

discuss the causation argument explicitly, but the appellants raised it in their opening brief.⁸ And the panel necessarily decided the issue when it expressly agreed with the district court’s analysis of the third *Gingles* precondition. 461 F. 3d at 1020-21. That ruling therefore represents an implicit holding of the case that is binding on this Court.⁹

The defendants also contend that “three circuits [] have adopted the causation test,” (ECF 53 at 20 (mentioning the First, Fifth, and Eleventh circuits)), but that is inaccurate too. None of those circuits require a plaintiff to establish that racially polarized voting is caused by white racial bias, either as part of the *Gingles* preconditions or as a prerequisite for liability under the totality-of-circumstances test.

As to the Eleventh Circuit, the defendants rely on portions of Judge Tjoflat’s opinion in *Nipper v. Smith*, 39 F.3d 1494 (11th Cir. 1994) (en banc), that did not attract a majority—or even a plurality—of the judges of the en-banc court. The pages to which the defendants cite represent only the views of Judges Tjoflat and Anderson.¹⁰ The remaining six judges on the en-banc court did not share those views. Although the defendants represent the cited portions as the “plurality opinion,” (ECF 53 at 25), and suggest that they are part of the holding of the case, subsequent decisions have recognized that they are not. *See, e.g., Johnson v. De Soto Cty. Bd. of Comm’rs*, 72

⁸ See Appellants’ Br., *Bone Shirt v. Hazeltine*, No. 05-4010, (8th Cir. Jan. 30, 2006) at 63-64, *also available at* 2006 WL 357942.

⁹ See generally, Bryan A. Garner et al., *The Law of Judicial Precedent* § 4 at 46 (2016) (describing the elements of a holding); *id.* § 10 at 120-22 (discussing implicit holdings).

¹⁰ To support their argument, the defendants cite pages 1515, 1517, 1519, and 1524 of Judge Tjoflat’s *Nipper* opinion. (ECF 53, Opp. Br. at 17 n.8, 25, 33, 34, 35, 37, and 63.) All of those pages are in Section II of the opinion, in which only Judge Anderson joined. Judge Edmondson, joined by Judges Cox, Birch, and Dubina, concurred only in parts III(A), III(B), and V of the opinion. 39 F.3d at 1547. Judge Hatchett, joined by Judge Kravitch, dissented. *Id.* Judges Black, Carnes, and Barkett recused themselves and did not participate in the decision. *Id.* at 1496 n.*.

F.3d 1556, 1564 n.8 (11th Cir. 1996) (noting that Section II of *Nipper* is “dictum” because it was joined by only two judges); *Ala. State Conf. of the NAACP v. Alabama*, 2:16-cv-731-WKW, ___ F. Supp. 3d ___, 2020 WL 583803, at *13 (M.D. Ala. Feb. 5, 2020) (recognizing that “only those portions of *Nipper* joined in by the four-judge concurrence” are “binding”).

The defendants’ assertion that the Eleventh Circuit’s subsequent decision in *Solomon v. Liberty County Commissioners*, 221 F.3d 1218, 1225 (11th Cir. 2000) (en banc) (“*Solomon IV*”), adopted *Nipper*’s causation requirement also misses its mark. That case says nothing about the third *Gingles* precondition, because the Eleventh Circuit sitting en banc had previously held that the plaintiffs had established all three preconditions as a matter of law. *See Solomon v. Liberty Cty. Comm’rs*, 899 F.2d 1012, 1013 (11th Cir. 1990) (en banc) (“*Solomon II*”). And, in fact, the evidence upon which the Eleventh Circuit concluded that the plaintiffs had satisfied the third *Gingles* preconditions—uncontroverted racial bloc voting analysis—is the same kind of evidence on which the plaintiffs rely here. *See id.* at 1019-21 (Kravitch, J., specially concurring). *Solomon IV* also says nothing about partisanship. Although the Liberty County elections at issue were held on a partisan basis, *see Solomon v. Liberty Cnty., Fla.*, 865 F.2d 1566, 1569 (11th Cir. 1988), *vacated*, 873 F.2d 248 (11th Cir. 1989), neither “partisanship” nor “partisan” appears anywhere in the *Solomon IV* opinion. *Solomon IV* merely affirms the district court’s conclusion, based on the totality of circumstances, that the at-large elections at issue there did not violate Section 2. *Solomon IV*, 221 F.3d at 1220, 1224, 1235. It is unsurprising, then, that the Eleventh Circuit’s most recent vote-dilution decision explains the third *Gingles* precondition but does not require a showing that polarization is caused by racial bias. *See Wright v. Sumter Cnty. Bd. of Elections and Registration*, 979 F.3d 1282, 1304 (11th Cir. 2020). Causation simply isn’t required in the Eleventh Circuit at all.

Causation isn't required in the Fifth Circuit, either. The defendants rely on Judge Higginbotham's decision in *League of United Latin American Citizens v. Clements*, 999 F.2d 831 (5th Cir. 1993) (en banc) ("*LULAC*"), but they once again overstate the holding. The Fifth Circuit held only that the district court erred when it refused to consider the nonracial causes of voting preferences offered by the defendants at trial. 999 F.2d at 850-51. It did not purport to change the third *Gingles* precondition, and that is evident in later decisions of the Fifth Circuit applying the standards in *Gingles*. See, e.g., *Harding v. Cnty. of Dall., Tex.*, 948 F.3d 302, 308 (5th Cir. 2020) (Higginbotham, J.); *League of United Latin Am. Citizens #4552 v. Roscoe Indep. Sch. Dist.*, 123 F.3d 843, 847-48 (5th Cir. 1997) (Higginbotham, J.); *Clark v. Calhoun Cnty., Miss.*, 88 F.3d 1393, 1395 (5th Cir. 1996) (Higginbotham, J.); *Houston v. Lafayette Cnty., Miss.*, 56 F.3d 606, 611-12 (5th Cir. 1995). Thus, while *LULAC* means that courts in the Fifth Circuit must consider a defendant's causation evidence in its totality-of-circumstances analysis, it does not support the defendants' argument here that the plaintiffs must prove White racial bias to establish the third *Gingles* precondition.

The First Circuit's decision in *Uno v. City of Holyoke*, 72 F.3d 973, 980 (1st Cir. 1995) (Selya, J.), likewise stands only for the unremarkable proposition that a defendant may offer causation evidence for a court to consider in its totality-of-circumstances analysis. The First Circuit said so explicitly: "One road that we believe remains open to a court called upon to examine the totality of the circumstances in a vote dilution case is to mull other factors, apart from racial bias, that may have caused the white bloc voting identified in the third *Gingles* precondition." *Id.*; see also *id.* at 983 (the inference of racial vote-dilution created by satisfaction of the *Gingles* preconditions "will endure *unless and until* the defendant adduces credible evidence tending to prove that detected voting patterns can most logically be explained by factors

unconnected to the intersection of race with the electoral system”).¹¹ Subsequent decisions in the First Circuit reflect this understanding. See *Black Pol. Task Force v. Galvin*, 300 F. Supp. 2d 291, 298 (D. Mass. 2004) (three-judge district court) (Selya, J.). The defendants’ statement that the First Circuit “require[s] plaintiffs to prove that white voters vote against minority-preferred candidates because of racial bias,” (ECF 53 at 28), finds no support in *Uno*.

The defendants’ causation argument also finds no support in decisions of the Second, Fourth, and Seventh circuits, all of which have expressly addressed the issue. See *Clerveaux v. E. Ramapo Cent. Sch. Dist.*, 984 F.3d 213, 230-32 (2d Cir. 2021) (Section 2 claims do not require a showing of racial bias but a district court may consider causation evidence in its totality-of-circumstances analysis); *Goosby v. Town Bd. of Hempstead, N.Y.*, 180 F.3d 476, 492-93 (2d Cir. 1999) (same); *Lewis v. Alamance Cnty, N.C.*, 99 F.3d 600, 615 n.12 (4th Cir. 1996) (Luttig, J.) (same); *Milwaukee Branch of the NAACP v. Thompson*, 116 F.3d 1194, 1199 (7th Cir. 1997) (same).

As one court in the Eleventh Circuit recently put it, “Plaintiffs are not required to prove the causes of any racially polarized outcomes as part of their burden of proof on the *Gingles* preconditions,” because “[w]hy black-preferred candidates lost is not part of their burden at this juncture.” *Ala. State Conf. of NAACP*, 2020 WL 583803, at *49. “Rather, the State’s evidence that factors other than race are driving election results will be considered at the totality-of-circumstances stage.” *Id.*

This distinction between a plaintiff’s burden under *Gingles* and a defendant’s opportunity to offer contrary evidence to be considered in the totality-of-circumstances analysis is well-settled

¹¹ The First Circuit stated that such factors “might include, for example, organizational disarray, lack of funds, want of campaign experience, the unattractiveness of particular candidates, or the universal popularity of an opponent.” 72 F.3d at 983 n.4.

and necessary to avoid “convert[ing] the threshold test into precisely the wide-ranging, fact-intensive examination it is meant to precede.” *United States v. Charleston Cnty.*, 365 F.3d 341, 348 (4th Cir. 2004) (Wilkinson, J.) (declining to “expand[] ... the third *Gingles* precondition to ask not merely whether, but also why, voters are racially polarized”); *see also, e.g., Clerveaux*, 984 F.3d at 230 (2d Cir. 2021) (same).

For all of these reasons, the Court should decline the defendants’ invitation to graft a new threshold requirement onto the now well-established *Gingles* preconditions. Rather, the Court should follow binding and persuasive precedent from the Eighth Circuit and elsewhere, all of which says the same thing: the third *Gingles* factor only requires a plaintiff “to demonstrate that the white majority votes sufficiently as a bloc to enable it . . . usually to defeat the minority’s preferred candidate.” *Gingles*, 478 U.S. at 51.

2. The record does not support the defendants’ claim that race plays no role in Arkansas elections.

Even if the role of partisanship were properly considered in assessing the third *Gingles* precondition, the record here does not support the defendants’ assertion that “[t]he reason black voters’ preferred candidates tend to lose partisan elections outside of majority-black districts . . . is unmistakably partisanship.” (ECF 53 at 38.) Indeed, the only way to arrive at that conclusion is by misstating the facts or ignoring the ones that don’t fit the defendants’ narrative.

The record here shows, for example, that Black-preferred candidates lose not only when those candidates are Democrats, *but also when Black voters prefer non-Democrats*. In two of the nine statewide general elections analyzed by the plaintiffs’ expert witness, Dr. Lisa Handley, Black voters supported Libertarian candidates by overwhelming margins. In the 2020 contest for U.S. Senate, over 85 percent of Black voters supported Ricky Dale Harrington, a Black Libertarian, over incumbent Tom Cotton. (ECF 2-9 at 25.) In the 2018 contest for State Treasurer, more than

80 percent of Black voters supported the White Libertarian candidate. (*Id.* at 26.) This support is plainly not based on party, as Black voters in Arkansas do not generally support Libertarian candidates. And yet white voters still voted sufficiently as a bloc to defeat those two Black-preferred candidates. The defendant fails to explain these losses.

Another inconvenient fact for the defendants is the result of the 2018 Democratic gubernatorial primary. White Democrat Jared Henderson received 73 percent of the White vote and defeated Black Democrat Leticia Sanders, who was supported by a majority of the Black vote. (*Id.* at 26.) Voting patterns there can't be explained by partisanship because all voters chose the same party. And yet white voters still voted sufficiently as a bloc to defeat the Black-preferred candidate.

The defendants try to explain that result away by claiming that Sanders was a weak candidate. (ECF 53 at 38-42.) Their only evidence, however, is a news story that fails to support their claim. The story does say that Henderson outraised Sanders by more than fifty-fold.¹² But the fact that a candidate who was outraised by that much still won a majority of the ballots cast by Black voters only underscores the degree of racial polarization here. And the fact that Sanders, despite facing such a massive fundraising disadvantage, still won more than a third of all votes indicates that she was anything but a weak candidate. (ECF 2-9 at 26.) If cash were the measure of candidate quality, Hillary Clinton would have won the presidency by a landslide in 2016.¹³ And

¹² See KUAR, *Democratic Primary For Governor: Jared Henderson and Leticia Sanders*, NPR, May 18, 2020, <https://www.ualrpublicradio.org/2018-05-18/democratic-primary-for-governor-jared-henderson-and-leticia-sanders>.

¹³ See Isaac Arnsdorf, *Trump won with half as much money as Clinton raised*, Politico, Dec. 8, 2016, available at <https://www.politico.com/story/2016/12/trump-clinton-campaign-fundraising-totals-232400>.

the defendants don't explain why, if Sanders were so weak, that weakness was apparent to far more White Democrats than Black ones.

The defendants place a lot of emphasis on White voters' support for Black and White Democrats. (ECF 53 at 39-42.) They say that they might be persuaded that race was at play "if there were some differential between white voters' support for black Democrats and their support for white Democrats. But there's not—none whatsoever." (ECF 53 at 39.) Not so fast. Dr. Handley explains why the absence of a differential is not evidence that party alone explains the vote, but, as she also points out, there is indeed a differential here. (Ex. 13 (Handley Rebuttal) at 3, 7.)

The defendants compare the estimated White vote share received by one 2018 Black Democrat, Anthony Bland, with the estimated White vote share received by one 2018 White Democrat, Jared Henderson, and note that Bland received a slightly greater share of the White vote than Bland did. (ECF 53 at 39-40.) The defendants also compare the estimated White vote share of one 2020 Black Libertarian, Ricky Dale Harrington, with one 2018 White Libertarian, Ashley Ewald, and note that Harrington received a slightly greater share of the White vote than Ewald did. (*Id.* at 40)

This is cherry-picking at its worst. As Dr. Handley points out, these comparisons don't hold up if one looks more broadly. (Ex. 13 (Handley Rebuttal) at 3-4.) The *average* share of the White vote received by all of the statewide White Democrats, according to her analysis, is 19.9 percent. (*Id.*) That is, in fact, *higher* than the White vote share received by Bland, the only statewide Black Democrat in recent years. (*Id.* at 4.) In addition, the *degree* of racial polarization, *i.e.*, the difference between Black and White support for the Black-preferred candidate, was higher for Bland (approximately 73 points) than for any White Democrat in 2018, including Henderson. (*Id.* at 4 n.9.) As the defendants concede, moreover, a similar differential exists in the state

legislative contests that Dr. Handley analyzed. (ECF 53 at 41.) The average White support for White Democratic legislative candidates is higher than the average White support for Black Democratic legislative candidates.

The defendants also overlook the differential in White support for White-preferred candidates. In state legislative contests, the average White vote for White Republicans was 81.4 percent. (Ex. 13(Handley Rebuttal) at 4.) But the average White support for Black Republicans was *more than 30 points lower*: 51.2 percent, barely a majority of white voters. (*Id.*) And when a White independent candidate is a third option alongside Black candidates from both major parties, White voters chose the White candidate over the Black Republican and Black Democrat. (*Id.*) So if a differential tells the tale—and the plaintiffs don’t think it does—then the defendants are telling a fib. Voting patterns in Arkansas are *not* unconnected to race.

As Dr. Handley explains, race and party are “highly correlated explanations for the voting patterns found in recent Arkansas elections” that cannot be untangled by eyeballing election results. (*Id.* at 4.) Indeed, the interrelatedness of race and party is nothing new. It is well studied in the social sciences. And there are statistical techniques available for teasing the two apart under some conditions. But the defendants haven’t done any of that. (*Id.* at 4-7.)

The Plaintiffs, on the other hand, have shown that voting in Arkansas is highly polarized along racial lines. That racial polarization “give[s] rise to an inference that racial bias is operating through the medium of the targeted electoral structure to impair minority political opportunities.” *Uno*, 72 F.3d at 983. *See also Harvell v. Blytheville Sch. Dist. No. 5*, 71 F.3d 1382, 1387 (8th Cir. 1995) (en banc) (“The surest indication of race-conscious politics is a pattern of racially polarized voting.” (quoting *United States v. Marengo Cnty. Comm’n*, 731 F.2d 1546, 1567 (11th Cir. 1984)); *Nipper*, 39 F.3d at 1525 (opinion of Tjoflat, J., joined by one other judge) (stating that “proof of

the second and third Gingles factors will ordinarily create a sufficient inference that racial bias is at work”).

So even if the role of partisanship were properly considered at the preconditions stage, the record before the Court does not support an inference that voting in Arkansas is unconnected to race. It shows just the opposite.

3. The record does not support the defendants’ claim that House Districts 34, 98, and 74 give Black voters a meaningful opportunity to elect candidates of their choice.

The defendants’ final argument is that, even under the well-settled understanding of the third *Gingles* precondition, the Plaintiffs can only satisfy the third *Gingles* precondition as to two of the five additional districts at issue. (ECF 53 at 44-53.) That is, while the Defendants contest the third *Gingles* precondition with respect to the three additional opportunity districts that the Plaintiffs allege can be drawn in the Upper Delta, Southwest Arkansas, and Central Arkansas, respectively (*id.* at 45-53.), the defendants do not dispute that the Plaintiffs have satisfied the third *Gingles* precondition with respect to the two additional districts that they have drawn in the Lower Delta region. (*See* ECF 3 at 4-6.) The Plaintiffs address the three disputed regions below.

i. Upper Delta

The dispute in the Upper Delta region centers on House District 34. The Plaintiffs claim that the Board Plan contains two opportunity districts in the Upper Delta—House Districts 35 and 63—and that an additional opportunity district can be created by “uncracking” the Black population that is split between House Districts 34 and 37. (ECF 3 at 5.) The defendants do not dispute that the plaintiffs can satisfy the third *Gingles* precondition with respect to House District 37, but they argue that House District 34 is a “toss-up” district that precludes the plaintiffs’ claim in this region. (ECF 53 at 48.)

House District 34 has a Black voting-age population of 45.8 percent. (ECF 2-8 at 94.) It is made up of portions of two districts in the Current Plan: House Districts 55 (74.1 percent), and 54 (25.9 percent). (Ex. 15(Core Constituency Report) at 7.) It has one longtime incumbent, Monte Hodges, who is a Black Democrat elected from former House District 55, which had a Black voting-age population of 51.9 percent. (ECF 2-8 at 100, 576.) The new District 34 has an “effectiveness score” of 46.2%, which means that, according to Dr. Handley’s analysis, Black-preferred candidates are unlikely to win in that district. (ECF 2-9 at 18.)

The defendants argue, however, that the effectiveness score of new House District 34 should be adjusted upward based on Hodges’ performance in 2018 in the old House District 55. (ECF 53 at 46-49.) But as Dr. Handley points out, this kind of adjustment rests on several faulty assumptions. First, it assumes that voters in the new district will continue to face an incumbent. Second, it assumes that the new voters in the district will support the incumbent at the same rate as his or her old constituents. And third, it assumes that the racial composition of the new district is the same as the old district. (Ex. 13(Handley Rebuttal) at 9-10.) It is telling that the defendants have failed to cite a single case in which a court has found this kind of adjustment based on such faulty assumptions to be reliable.

And, of course, these assumptions don’t hold here. First, Hodges has already announced that he isn’t running for re-election,¹⁴ and the defendants cite no evidence to suggest that the district would be as effective for a new Black-preferred candidate as it has been for Hodges (as an incumbent). Second, even if Hodges were running, there is no reason to think that the new voters

¹⁴ See George Jared, *State Rep. Monte Hodges to seek First Congressional District Seat*, Talk See George Jared, *State Rep. Monte Hodges to seek First Congressional District Seat*, TALK BUSINESS AND POLITICS, Jan. 4, 2022, available at <https://talkbusiness.net/2022/01/state-rep-monte-hodges-to-seek-first-congressional-district-seat/>.

in House District 34 would vote for him at the same rate as the voters in old House District 55. The effectiveness scores and racial demographics are different between new 34 and old 55, which suggests that the voters swapped in and out vote differently. (ECF 2-9 at 18-19). Given that Hodges only got 52.2 percent of the vote in 2020 in a district that had a Black voting-age population of 51.9 percent, the defendants' prediction, based on their adjusted effectiveness score, that the new House District 37 would even be a "toss-up" is unlikely under these circumstances.

The Court should reject the defendants' unprecedented adjustment as the junk science that it is and conclude, based on Dr. Handley's analysis, that House District 34 is not an opportunity district.

ii. Southwest Arkansas

The dispute in Southwest Arkansas focuses on House District 98. The plaintiffs claim that the Board Plan has no opportunity districts in that region and that one can be created by "uncracking" the Black population split among House Districts 97, 98, and 99. (ECF 3 at 5-6.) The defendants do not dispute that the plaintiffs can satisfy the third *Gingles* precondition with respect to House Districts 97 and 99, but they argue that House District 98, while not safe, would not result in a pattern of usual defeat for Black preferred candidates. (ECF 53 at 49-50.)

House District 98 has a Black voting-age population of 44.2 percent. (ECF 2-8 at 96.) It is made up of portions of five districts from the Current Plan: House Districts 5 (64.0 percent), 6 (22.6 percent), 7 (8.8 percent), 2 (3.6 percent), and 3 (1.0 percent). (Ex. *TK (Core Constituency Report) at 19.) It has one longtime incumbent, David Fielding, who is a Black Democrat elected from current House District 5, which has a Black voting-age population of 52.0 percent. (ECF 2-8 at 98, 578.) The new district has an "effectiveness score" of .448, which means that, according

to Dr. Handley’s analysis, Black-preferred candidates are unlikely to win in that district. (ECF 2-9 at 20.)

The defendants argue, again, that the effectiveness score of new House District 98 should be adjusted upward from .448 to .508 or .509 based on Fielding’s performance in 2018 in the old House District 5. (ECF 53 at 50.) But this again assumes that new-to-Fielding voters, who make up 36.0 percent of the population in the new House District 98, will give him every ounce of the incumbency advantage that he had in his former district. That is unlikely, given that more than a third of the district is new and that the voting patterns and racial demographics of new House District 98 are different than those in old House District 5.

Here, too, the Court should reject the defendants’ adjusted effectiveness score and conclude, based on Dr. Handley’s analysis, that House District 98 is not an opportunity district.

iii. Central Arkansas

The dispute in Central Arkansas is all about House District 74. The plaintiffs claim that the Board Plan contains six opportunity districts in the Central Arkansas region—House Districts 66, 72, 76, 77, 79, and 80—and that an additional opportunity district can be created by “unpacking” some of those and “uncracking” the Black population split between House Districts 74 and 75. (ECF 3 at 4-5.) The defendants do not dispute that the plaintiffs can satisfy the third *Gingles* precondition with respect to House District 75, but they argue that House District 74 is “already an opportunity district” for Black voters. (ECF 53 at 52.)

House District 74, located in Pulaski County, has a Black voting-age population of 21.2 percent and a White voting-age population of 69.3 percent. (ECF 2-8 at 95.) It is currently represented by Tippi McCulloch, a White Democrat who also happens to be the House Minority

Leader. (*Id.* at 577.) According to Dr. Handley, House District 74 has an effectiveness score of 63.2%. (ECF 2-9 at 19.)

The defendants argue that, notwithstanding its relatively low Black voting-age population, House District 74 is an opportunity district based on its effectiveness score alone. (ECF 53 at 51-52.) They offer no evidence or argument that Black voters would *actually* be able to control the district. They simply argue that it's an opportunity district because of its score.

But that's not enough to show that Black voters in House District 74 will be able to elect candidates of their choice. The defendants identify no instance in which Black voters in Arkansas with a similar share of the population have been able to elect a candidate of their choice in a contested election, and they don't identify any districts where Black voters have been able to do so with the regularity required to establish that House District 74 will give Black voters a real opportunity to elect candidates of their choice. Nor do they identify any cases in which a court has found a district of similar composition to be an opportunity district. Taken to its logical end, the defendants' argument that opportunity can be assessed solely on a district's effectiveness score alone would mean that a district with a single Black voter, whose preferred candidate tends to win, would qualify as an opportunity district. Such a rule would be absurd.

The record shows that without a substantial Black population, the White majority will control the district. As Dr. Handley points out, the only districts in which Black voters in Arkansas have consistently been able to elect candidates of their choice in contested elections have been majority-Black. (Ex. 13 (Handley Rebuttal) at 7-9.) "While this does not necessarily mean that only majority Black districts will provide this opportunity—or that all majority Black districts will provide Black voters an opportunity to elect their candidates of choice—it does suggest that a sizeable Black population is required." (*Id.* at 8.)) Dr. Handley's analysis suggests that the Black

voting-age population in House District 74 “is too low for Black voters to make up a significant portion of the voters in the general election.” (*Id.*) As a result, the White majority in the district will be able to elect candidates of its choice “with or without Black support.” (*Id.* at 9.)

Under these circumstances, the Court should conclude that House District 74 is not an opportunity district. (ECF 2-9 at 28).

II. Plaintiffs Should Prevail in the Totality of the Circumstances Inquiry

A. Plaintiffs Have Adequately Proven a Likelihood of Success on Six Senate Factors

Defendants barely contest any of the detailed and voluminous factual findings laid out in the preliminary report of Plaintiffs’ expert Dr. Jay Barth assessing the Senate factors. Nor have they attempted to put forth a competing expert who could try to rebut Dr. Barth’s comprehensive and well-established findings. Instead, Defendants have resorted either to mischaracterizing Dr. Barth’s report or claiming that large swaths of it are irrelevant based on a misreading of what the Senate factors analysis entails. This Court should not credit Defendants’ attempts at misdirection.

1. Senate Factor 2

The defendants argue that the plaintiffs can’t establish the second Senate Factor because “[t]he cause of black and white voters’ divergent preferences is partisanship, not race.” (ECF 53 at 62-63.) But this argument is beside the point. In *Gingles*, the Supreme Court defined racially polarized voting as existing when the election outcome “would have been different depending on whether it had been held among only the white voters or only the black voters,” 478 U.S. at 58, and when “black voters and white voters vote differently.” *Id.* at 53. That definition is binding on this Court.

Dr. Handley’s analysis applies the Supreme Court’s definition of racially polarized voting and found that voting in Arkansas was polarized in every statewide election she analyzed and in

13 of the 17 state legislative elections she analyzed. (ECF 2-9 at 12.) That is clear evidence of racially polarized voting sufficient to satisfy the second Senate Factor.

To the extent that the defendants present non-racial explanations for election results in Arkansas, the Court may consider those separately among the totality of circumstances. However, the defendants' evidence is unpersuasive for the reasons discussed above.

2. Senate Factor 7

a. Representation in State House of Representatives

As Dr. Barth acknowledges in a correction, there are twelve Black members out of 100 total in the Arkansas House of Representatives, and not ten as he had previously stated in his initial report. Ex. 14, Barth Suppl. Report at ¶ 1. Still, as Defendants acknowledge, *see* ECF 53 at 66, Black Arkansans are underrepresented in the state House, given that they make up 12% of the chamber but 16.5% of the state's total population, 15.2% of the state's BVAP, and 15.5% of the state's BCVAP. Both parties agree on the facts: Black Arkansans are underrepresented in the state House.

In arguing that this Black representation gap in the state House is somehow insufficiently large to satisfy Senate Factor 7, Defendants cite only one case, in which the district court noted in its findings of fact that Black people made up 28.5% of the Boards of Directors but 34% of the city-wide total population. *Little Rock Sch. Dist. v. Pulaski Cty. Special Sch. Dist. No. 1* (“*LRSD*”), 831 F. Supp. 1453, 1460 (E.D. Ark. 1993). *LRSD* is unavailing for three different reasons.

First, Defendants neglect to disclose that, in *LRSD*, there was essentially no gap at all between the percentage of Black members on the Boards of Directors (28.5%) and the city-wide BVAP (28%). *See id.* If anything, when using BVAP—which Defendants themselves argue is the correct metric for assessing adequate representation levels in this case, *see* ECF 53 at 56-57—

Black residents in *LRSD* were overrepresented on the boards. Here, by contrast, Black Arkansans are significantly underrepresented when comparing the percentage of Black state House members (12%) and the statewide BVAP (15.2%).

Second, the district court in *LRSD* did not even arrive at a decision as it pertains to Senate Factor 7. *See* 831 F. Supp. 1453, 1467 (E.D. Ark. 1993). Defendants' citation is to the Court's findings of fact in that case; the Court made no legal determination as to Senate Factor 7 in the case. *Id.* at 1460. Third, when the Eighth Circuit affirmed the district court's decision, the Court never mentioned any comparison between the Black city-wide population and the percentage of Black representation on the Boards. *Little Rock Sch. Dist. v. Pulaski Cty. Special Sch. Dist. No. 1*, 56 F.3d 904, 911 (8th Cir. 1995). Instead, in its discussion of Senate Factor 7, the panel relied on the fact that both Black candidates that ran against white candidates in Little Rock School District races had won and that Black candidates won most of the exogenous elections at issue—facts that are not at issue here. *Id.* As such, Defendants' lone authority to contest the state House representation gap is plainly distinguishable from the case here.

Finally, as Dr. Barth notes in his supplemental report, only two Black candidates have ever won election in non-majority-Black state House districts since at least the late 19th Century. Ex. 14, Barth Suppl. Report at ¶ 2. This Court has previously found that Senate Factor 7 “points strongly in plaintiffs’ favor” in a case where “[o]nly in majority-black districts have black candidates been elected to the Arkansas General Assembly.” *Jeffers v. Clinton*, 730 F. Supp. 196, 213 (E.D. Ark. 1989). Given that the record here is substantially similar to the record in 1989, and that “the overwhelming majority of African-American representatives in the [Arkansas] Legislature come from majority-minority districts,” *Milligan v. Merrill* (“*Milligan*”), No. 2:21-cv-1291-AMM, slip op. at 181 (N.D. Ala. Jan. 24, 2022), the minimal representation of Black

candidates in non-majority-Black state House districts further weighs in favor of Plaintiffs’ Senate Factor 7 argument.

b. *Representation in other offices*

Defendants do not contest the glaring fact that Black Arkansans are severely underrepresented in statewide office, all levels of the state judiciary, the United States Senate, the United States House of Representatives, mayorships, and other local offices. *See* Barth Report at ¶¶ 112-22. Defendants instead argue only that all that data is irrelevant because this Court must consider only “the office in question” under Senate Factor 7. ECF 53 at 64.

Defendants ignore multiple cases in this Circuit that, in fact, look at the rates of election of the minority population to other offices across the state in evaluating Senate Factor 7. *See, e.g., See Little Rock School Dist.*, 56 F.3d at 911 (evaluating “‘exogenous’ elections”— those not concerning the challenged school board at issue—in assessment of Senate Factor 7); *Jeffers*, 730 F. Supp. at 213 (evaluating, in assessing Senate Factor 7 in challenge to redistricting plan for Arkansas General Assembly, the extent to which Black people have been elected to “county-wide constitutional offices . . . city councils, school boards, and quorum courts”). The same is true in other federal courts of appeals. *See, e.g., NAACP v. Fordice*, 252 F.3d 361, 370 (5th Cir. 2001) (noting “the critical evidentiary reality that the exogenous character of . . . elections does not render them nonprobative”); *U.S. v. Marengo County Commission*, 731 F.2d 1546, 1551-52, 1572 (11th Cir. 1984). And in a decision that came down just days ago enjoining Alabama’s newly passed congressional map on Section 2 grounds, the unanimous three-judge panel similarly relied on elections to statewide and other offices in Alabama in making its finding on Factor 7. *See Milligan*, slip op. at 181 (stating that Black underrepresentation in statewide office and in the state legislature was significant in evaluating Senate Factor 7 for congressional map). The significant

underrepresentation of Black Arkansans in all levels of elected office in the State is thus plainly relevant and strongly weighs in favor of Plaintiffs’ case for Senate Factor 7.

3. Senate Factor 6

Defendants’ Senate Factor 6 argument rests principally on several mischaracterizations of Dr. Barth’s findings related to racial appeals in the modern era. First, Defendants claim that the “only” examples of “anti-black racial appeal[s]” in Dr. Barth’s report are the examples related to former President Obama and Representative Hill’s “Congressional Black Caucus” remark. ECF 53 at 70. Defendants miss several others. Dr. Barth detailed how a radio advertisement targeting Black stations attacked Hill’s opponent by playing dialogue of Black women claiming that “white Democrats will be lynching Black folks again”—an explicit racial appeal. ECF 3 at 31-32; Barth Report at ¶ 107. Dr. Barth further identified three elected officials and/or candidates for public office in Arkansas who, between 2015 and 2020, used racial epithets in communications that were either public or released to the public, as well as a current candidate for Lieutenant Governor who regularly employs racialized rhetoric on social media. ECF 3 at 32; Barth Report at ¶ 109. Dr. Barth also noted the “Oprah” radio ad on behalf of Mike Huckabee’s 1996 campaign for U.S. Senate, which received criticism for triggering racial stereotypes. Barth Report at ¶ 102. Defendants simply ignored these many other examples of anti-Black racial appeals in recent campaigns.

Second, Defendants try to cast Hill’s explicit racial appeal as to his Black opponent in his 2020 congressional race, Joyce Elliott, as an “anodyne remark” that “did not emphasize his opponent’s race.” ECF 53 at 70. In the statement in question, Hill emphasized that Elliott, if elected, would “be a member of the Congressional Black Caucus.” ECF 3 at 31. Defendants seem to suggest that—because Hill in that same statement also mentioned that Elliott would vote for Nancy Pelosi for Speaker of the House—his comment had nothing to do with race, and that he was

instead trying to emphasize the Congressional Black Caucus’ “relatively liberal positions.” ECF 53 at 70. Yet as Dr. Barth notes in his supplemental report, the Congressional Black Caucus is neither partisan nor particularly liberal; the Caucus has had four Republican members, including one as recently as 2019. Ex. 14, Barth Suppl. Report at ¶ 4. If Hill had wanted to state that Elliott was too far-left, he could have said just that, and/or referenced the Congressional Progressive Caucus, which is Congress’ caucus dedicated to liberal policies. *See id.* Hill instead chose specifically to mention Elliot’s race—an explicit racial appeal. Indeed, Hill’s statement came under fire from several Republicans at the time for its racialized rhetoric. *See id.*

Third, Defendants suggest that the several ads related to President Obama are not racial appeals because they contain no racialized rhetoric. ECF 53, at 70. Yet Defendants divorce these advertisements from their necessary context; Dr. Barth’s report makes clear that there is both quantitative and qualitative data indicating “that Arkansas voters were race-conscious in their attitudes regarding Obama.” Barth Report at ¶¶ 103-04. In his supplemental report, Dr. Barth includes another piece of quantitative data: an American National Election Studies empirical study that determined that Arkansas “showed exceptionally high levels of racial resentment compared to other states for the entire Obama [presidency]—2008, 2012, and 2016.” Barth. Suppl. Report at ¶ 5. In this context, the advertisements at issue constitute racial appeals.

4. Senate Factor 3

Defendants do not contest that Arkansas has majority-vote requirements in its state House primary races or that Arkansas’s state House races take place just as often in non-presidential years as they do in presidential years, which disproportionately depresses Black turnout. [ECF](#) 53 at 66-67; *see also* Barth Rep. ¶ 45. Instead Defendants, as they did with Senate Factor 7, argue that Senate Factor 3 should pertain only to electoral procedures that affect state House elections, such

that Plaintiffs’ evidence about at-large elections, and majority-vote requirements and off-cycle elections for other offices in Arkansas, is irrelevant. ECF 53 at 66-68.

In doing so, Defendants ignore the plain text of the Senate Report, which requires that movants demonstrate “the extent to which *the State or political subdivision* has used voting practices or procedures that tend to enhance the opportunity for discrimination against the minority group.” *Gingles*, 478 U.S. at 45 (emphasis added). Defendants similarly ignore the fact that courts in this Circuit analyzing Senate Factor 3 have often examined voting practices and procedures that affect other types of elections. *See, e.g., Jeffers*, 730 F. Supp. at 212 (noting, in assessing Senate Factor 3 in challenge to redistricting plan for Arkansas General Assembly, that “many other public offices in Arkansas” other than General Assembly have majority-vote requirements); *Buckanaga v. Sisseton Indep. Sch. Dist.*, No. 54-5, 804 F.2d 469, (8th Cir. 1986) (evaluating, in Section 2 challenge to South Dakota local public school district, voting practices and procedures across the state). Indeed, the Eighth Circuit recently rejected Defendants’ argument in explicit terms, upholding the district court’s decision to evaluate “statewide data or expert testimony applying general data to the district” being challenged as it pertains to Senate Factor 3. *Mo. State Conf. of the NAACP v. Ferguson-Florissant Sch. Dist.*, 894 F.3d 924, 940 (8th Cir. 2018).

Finally, Defendants suggest that because some Black candidates do well in state House primaries, therefore the majority-vote requirement in those primaries does not have a discriminatory effect. ECF 53 at 67. Regardless of whether or not Defendants are correct about the primary success of Black candidates, it is irrelevant. The key question as it pertains to Senate Factor 3 is whether or not Black-preferred candidates would perform better without majority-vote requirements than they do with majority-vote requirements. As Dr. Barth’s supplemental report makes clear, Little Rock’s decision to move away from majority-vote requirements “has enhanced

Black representation in the city's government," and that there is "empirical evidence that eliminating majority-vote requirements can benefit Black candidates in Arkansas." Ex. 14, Barth Suppl. Report at ¶ 9. With this proper frame, there is no question that majority-vote requirements have a dilutive impact in Arkansas.

5. Senate Factors 1 and 5

Defendants do not challenge any of Dr. Barth's detailed factual findings in Senate Factors 1 and 5. They appear to acknowledge Arkansas's "long and sordid history of official discrimination against African Americans" as it pertains to the first Senate factor. ECF 53 at 71. Defendants also concede, as it pertains to Senate Factor 5, that Plaintiffs adequately "addressed" the fact that Black Arkansans bear the effects of discrimination across many core areas of life. *Id.* Defendants could not meaningfully contest these things, given that this Court on multiple occasions has taken judicial notice of the first and fifth Senate factors as they pertain to Black people in Arkansas. *See Jeffers*, 730 F. Supp. at 210; *Smith v. Clinton*, 687 F. Supp. 1310, 1317 (E.D. Ark.) (three-judge district court) *aff'd* 488 U.S. 988 (1988) (mem.); *see* ECF 3 at 19, 26.

Instead, Defendants argue that, for each factor, Plaintiffs have failed to show "some kind of nexus" between official discrimination or "depressed socioeconomic status and the ability to participate in the political process." ECF 53 at 71. Defendants ignore the Eighth Circuit's clear finding that "once lower socio-economic status of blacks has been shown, there is no need to show the causal link of this lower status on political participation." *Whitfield v. Dem. Party of State of Ark.*, 890 F.2d 1423, 1431 (8th Cir. 1989) (internal quotation marks and alterations omitted); *see also* S. Rep. No. 97-417, at 29 n.114 (1982) (finding that where disparities from past discrimination are met, "and where the level of black participation in politics is depressed, plaintiffs need not

prove any further causal nexus between their disparate socio-economic status and the depressed level of political participation.”).¹⁵

Even if this binding Eighth Circuit precedent did not apply, Dr. Barth’s report documents the precise nexus Defendants describe. In his discussion of Senate Factor 1, Dr. Barth notes how the official discrimination in voting procedures led to “consistently inferior public services for African Americans such as inequitable segregated schools.” Barth Report at ¶¶ 16, 30. In his supplemental report, Dr. Barth makes clear that school segregation remains a substantial problem in Arkansas. As of 2014, there were still 14 school districts that remained under involuntary oversight by federal courts because of inadequate desegregation as well as two districts that remained in voluntary federal court orders for purposes of desegregation. Ex. 14, Barth Suppl. Report at ¶ 6. School segregation in Arkansas has actually gotten much worse in recent years. *Id.* ¶ 7.

In his discussion of Senate Factor 5 Dr. Barth repeatedly makes clear that “the well-educated, the healthy, and the economically vibrant [are] more likely to participate in elections and in other democratic activities”; by contrast, those who have fewer educational opportunities, poorer health, less wealth, and more interaction with the criminal justice system face significant “voter costs” that make it much harder to engage in the political process. Barth Report at ¶¶ 65-66, 71, 76, 83-87; Ex. 14, Barth Suppl. Report at ¶ 8.

¹⁵ Strangely, Defendants also claim that Dr. Barth’s report does not contain evidence that Black “turnout [] is lower than that of whites.” ECF 53, Opp. Br. at 72. In fact, Dr. Barth’s report makes plain that “Black Arkansans have even lower rates of voting” than the statewide average, and that the “low participation rates by Black Arkansas is a clear legacy of the long history of official state-sanctioned attempts to limit Black political power.” Barth Report at ¶ 33.

The nexus, in other words, is quite clear: centuries of official discrimination against Black Arkansans resulted in significant socioeconomic disparities among the Black population, which in turn has a direct negative impact on political participation and voter turnout. This nexus, made plain in Dr. Barth's initial and supplemental reports, is more than sufficient to satisfy Senate Factors 1 and 5.

B. Proportionality

1. Total population is a relevant metric in the proportionality analysis.

First, Defendants are incorrect that there is clear guidance—either from the Supreme Court or Eighth Circuit—as to whether total population, BVAP, or BCVAP must guide the proportionality inquiry. Defendants rely heavily on *Johnson v. De Grandy*, 512 U.S. 997 (1994), for the proposition that courts must use “voting-age population, not total population” for the proportionality analysis. ECF 53 at 56-57. Yet in *Johnson*, the Supreme Court explicitly said that it “need not choose” between using total population or voting-age population in conducting the proportionality analysis. 512 U.S. at 1021 n.18. The other case on which Defendants principally rely, *African American Voting Rights Legal Defense Fund, Inc. v. Villa*, acknowledges that “*Johnson* refuses to resolve the issue of what is the relevant population in a vote dilution claim” and “refus[es] to hold that it [voting-age population] is *the only* relevant population” for the proportionality analysis. 54 F.3d 1345, 1352 (8th Cir. 1995). While *Villa* states that “*Johnson* instructs us to look to voting age population” for the proportionality analysis, it never states that it is improper also to look at total population or citizen voting-age population. *Id.* To wit, two years later, the Eighth Circuit—consistent with *Villa*'s finding that voting-age population is *a* relevant but not necessarily the *only* relevant metric for proportionality purposes—evaluated proportionality by using both total population and voting-age population. *Stabler v. Cty. of Thurston, Neb.*, 129 F.3d 1015, 1022 (8th Cir. 1997). Later, the Supreme Court in *LULAC v. Perry*

used citizen voting-age population data to evaluate proportionality—without any indication that it was foreclosed from looking at total population or required to use voting-age population. 548 U.S. at 438.

Try as they might, Defendants cannot find any binding authority mandating that a court use any one of these metrics. As such, Plaintiffs in their initial brief suggested that all three metrics—Black total population (16.5% Black statewide), BVAP (15.2%), and BCVAP (15.5%)—were all relevant for the proportionality analysis. ECF 3 at 34. The holdings in *Johnson*, *Villa*, and *LULAC v. Perry* only make that clearer. *See also Milligan*, slip op. at 194 (using total population in its proportionality analysis).

2. Plaintiffs prevail in the proportionality inquiry because Defendants have only 11 Black “opportunity districts.”

Plaintiffs do not disagree with Defendants that, in the proportionality analysis, this Court may consider districts that will actually perform for Black-preferred candidates even if those districts are not majority-Black. *See* ECF 53 at 57-59. Plaintiffs note only that binding precedent relies on majority-Black districts for this analysis and courts must conduct a rigorous analysis for determining the effectiveness of non-majority-Black districts. *See Johnson*, 512 U.S. at 1014 n.11 (“‘Proportionality’ as the term is used here links the number of *majority-minority voting districts* to minority members’ share of the relevant population.”) (emphasis added); *Stabler*, 129 F.3d at 1021 (same); Ellen Katz et al., *Documenting Discrimination in Voting: Judicial Findings Under Section 2 of the Voting Rights Act Since 1982*, 39 U. Mich. J. L. Ref. 643, 730-31 (2006) (“*De Grandy* spoke of proportionality as involving districts with a ‘clear majority’ of minority voters. Some courts assessing proportionality have consequently refused to consider the presence of ‘opportunity’ or ‘coalition’ districts, or districts with a majority minority population where low voter turnout or other factors are *not effective*.”) (emphasis added).

The Board Plan has only 11 majority-Black districts. However, Defendants claim that four other non-majority-Black districts—House Districts 34, 49, 74, and 98—are sufficiently effective for Black voters to elect the candidates of their choice. ECF 53 at 59-62. As such, Defendants claim that the House plan has 15 opportunity districts for purposes of the proportionality analysis.

Plaintiffs discussed three of these districts—House Districts 34, 74, and 98—in Section B.I.3 and re-incorporate their arguments above. House District 34 has a 45.8% BVAP, and Dr. Handley estimates that it has an effectiveness score of 46.2%, meaning that Black-preferred candidates are unlikely to win in the district. Pl. Br. Ex. 8 (“Handley Report”) at 18. In arguing that House District 34 is in fact an opportunity district, Defendants note that its representative, Monte Hodges is a Black incumbent who won in the former House District 55. ECF 53 at 59. Yet Hodges is not running for re-election in the district, meaning that the district’s Black voters will not benefit from his incumbent advantage.¹⁶ See Ex. 13, Handley Suppl. Report at 10. The BVAP in the new House District 34 is more than six points lower than the BVAP in old House District 55, meaning that the new district is much less friendly for Black-preferred candidates. See *id.* Further, Hodges won the old House District 55 by just 4% in 2020. See *id.* Given the tight 2020 margin, Hodges’ decision not to run for re-election, and the sizeable drop in BVAP, House District in the Board’s plan is unlikely to perform for Black-preferred candidates

House District 74 has a 21.2% BVAP, and Dr. Handley estimates that it has an effectiveness score of 63.2%. Handley Report at 19. A relatively high effectiveness score alone cannot create an opportunity district. House District 74 has a very low BVAP, with white voters

¹⁶ See Ryan Tarinelli, *Democrat Hodges announces plan to run for 1st Congressional District*, Arkansas Democrat-Gazette, (Jan. 4, 2022) <https://www.arkansasonline.com/news/2022/jan/04/democrat-hodges-announces-plans-to-run-for-1st-con/>.

vastly outnumbering Black voters, meaning that Black voters will have little to no chance to nominate their candidate of choice in a primary election, and thus have a preferred candidate win in a general election. Section 2 requires that Black voters have an opportunity to elect their preferred candidate of choice in primary elections as well as general elections. *See, e.g., Whitfield*, 890 F.2d at 1427-84; *Bone Shirt v. Hazeltine*, 336 F. Supp. 2d 976, 1034 (D.S.D. 2004) (evaluating racial polarization evidence in “interracial primary house elections”); *NAACP, Inc. v. City of Niagara Falls, N.Y.*, 65 F.3d 1002, 1010-11 (2d Cir. 1995); *Pope v. City of Albany*, 94 F. Supp. 3d 302, 337 (N.D.N.Y. 2015). House District 74’s White majority will be able to elect candidates of its choice “with or without Black support,” which is antithetical to the very foundation of a Black opportunity district. Ex. 13, Handley Suppl Report at 9.

House District 98 has a 44.2% BVAP, and Dr. Handley estimates that it has an effectiveness score of 45%, meaning that Black-preferred candidates are unlikely to win in the district. Handley Report at 20. Even if Representative Fielding, the Black incumbent in this district, runs for reelection, this new district will include only 64% of the population of his old district, dramatically reducing his incumbency advantage. *See* Ex. 13, Handley Suppl. Report at 11. House District 98 also has a much lower BVAP than Fielding’s previous district. *See id.* If Fielding does not run, this district is almost unwinnable for Black-preferred candidates, with a Black vote share well below 50%.

Finally, House District 49 has a 14.6% BVAP and Dr. Handley estimates that it has an effectiveness score of 53.1%. Handley Report at 19. As Defendants make clear, House District 49 is not a majority-minority district even when combining the BCVAP and Hispanic citizen voting-age population percentages. ECF 53 at 60-61. As Dr. Handley’s analysis makes clear, similar to House District 74, the BVAP in this district is so small such that if White voters support

any candidate not preferred by Black voters, that candidate will win, “regardless of which candidate Black residents in the district support.” Ex. 13, Handley Supple. Report at 8.

III. Section 2 of the Voting Rights Act Contains a Private Right of Action

In its January 20, 2022 order, ECF 55, this court requested that the parties address whether private right of action questions are considered jurisdictional in the Eighth Circuit and whether Section 2 of the VRA contains such a private right of action. The Supreme Court has established that whether a statute contains a private right of action is not jurisdictional. *Verizon Maryland, Inc. v. Pub. Serv. Comm’n of Maryland*, 535 U.S. 635, 642–43 (2002) (“[I]t is firmly established in our cases that the absence of a valid (as opposed to arguable) cause of action does not implicate subject-matter jurisdiction, *i.e.*, the courts’ statutory or constitutional *power* to adjudicate the case.”) (quoting *Steel Co. v. Citizens for Better Environment*, 523 U.S. 83, 89 (1998)). As such, by failing to raise it, Defendants have waived any potential argument and the Court need not reach whether Section 2 contains a private right of action.

Even if this Court were to find that the question implicates its subject matter jurisdiction, decades of Supreme Court case law, Congressional intent, the structure of the VRA and the position of the U.S. Department of Justice all confirm that there is a private right of action under Section 2 of the VRA.

If this Court were to hold that Section 2 does not allow cases brought by private litigants it would go against decades of binding jurisprudence and be the first court in the nation to do so. *See e.g., Milligan*, slip op. at 208-209 (recognizing a private right of action because “no federal court anywhere ever has held that Section Two does not provide a private right of action” and doing so “would work a major upheaval in the law”). Defendants will be able to cite no cases in which a court has dismissed a challenge under Section 2 because it was brought by a private party, because no such case exists. Instead, there have been hundreds of cases brought by private litigants under

Section 2, including before the Supreme Court. *See, e.g., LULAC v. Perry*, 548 U.S. at 399; *Houston Lawyers' Ass'n v. Att'y Gen.*, 501 U.S. 419 (1991); *Gingles*, 478 U.S. at 30; *Chisom v. Roemer*, 501 U.S. 380 (1991). *See also Brnovich v. Democratic Nat'l Comm.*, 141 S. Ct. 2321, 2333 n.5 (2021) (collecting the “steady stream” of Section 2 cases the Court has heard, including those brought by private plaintiffs); *Milligan*, slip op. at 207-208 (listing “numerous Section Two cases brought by private plaintiffs”).

Furthermore, while the Supreme Court has not addressed an express challenge to Section 2's private right of action, it has decided a “close cousin” to this issue in *Morse v. Republican Party of Virginia*, 517 U.S. 186 (1996). *Milligan*, slip op. at 208. In *Morse*, the Court found that Section 10 of the VRA provides a private right of action in part based on its reasoning that Section 2 of the VRA provides such a right. 517 U.S. at 232; *see also Milligan*, slip op. at 208-209 (noting that five justices on the Court concurred in that reasoning and that a “ruling that Section Two does not provide a private right of action would badly undermine the rationale offered by the Court in *Morse*”). The Court's longstanding precedent recognizing that private parties may enforce Section 2 permits no other outcome here.

In addition to decades of precedent, Congressional intent clearly points to a private right of action under Section 2. In *Morse*, the Supreme Court specifically concluded that “*the existence of the private right of action under Section 2 ... has been clearly intended by Congress since 1965.*” 517 U.S. at 232 (emphasis added). The Report of the Senate Judiciary Committee accompanying the 1982 Amendments to the Voting Rights Act expressly “reiterate[s] the existence of the private right of action under Section 2, as has been clearly intended by Congress since 1965.” S. Rep. No. 97-417, at 30 (1982). The 1982 Senate Report is “oft-cited” by the Supreme Court when interpreting the VRA. *Brnovich*, 141 S. Ct. at 2332-33. In fact, Defendants admit both that it is the

“‘authoritative source’ on the meaning of the cryptically amended Section 2,” ECF 53 at 34 (citing *Gingles*, 478 U.S. at 43 n.7), and that the “Supreme Court long ago mandated courts not just consider but follow Section 2’s legislative history.” *Id.* As the Defendants note, “[l]ike it or not, courts in Section 2 cases work under the Senate Report’s shadow.” ECF 53 at 34 (citing *Brnovich*, 141 S. Ct. at 2336). The House Committee Report accompanying the 1982 Amendments similarly recognizes the existence of a private cause of action under Section 2 and is similarly frequently relied upon by the Supreme Court. H.R. Rep. No. 97-227, at 32 (1981) (“It is intended that citizens have a private cause of action to enforce their rights under Section 2”); *see also, e.g., Brnovich*, 141 S. Ct. at 2332 (relying on the 1981 House Report).

When holding that Section 10 of the VRA contains an implied private right of action, the *Morse* Court noted that such a determination of whether a provision of the VRA authorizes a private right of action “must take into account” the legal context in which the statute was enacted. 517 U.S. at 230-31 (citing *Cannon v. Univ. of Chicago*, 441 U.S. 677, 689-99 (1979)). “[D]uring the 1960’s”—when Congress enacted the VRA—the Supreme Court had “consistently found” that statutes contained a private right of action “notwithstanding the absence of an express direction from Congress.” *Id.* Indeed, “[t]he Voting Rights Act itself was passed one year after [the] Court’s decision in *J.I. Case Co. v. Borak*, 377 U.S. 426, (1964), which applied a highly liberal standard for finding private remedies.” *Id.* Given this legal context, it is not surprising that Congress did not contain an express grant of a private right of action for Section 2. *See also Allen v. State Board of Elections*, 393 U.S. 544, 555-557 (1969) (holding that Section 5 of the VRA was privately enforceable without an express grant). Nor it is surprising that Congress did not add an express grant of a private right of action to Section 2 when the VRA was amended in 1982. “Congress is presumed to be aware of an administrative or judicial interpretation of a statute and to adopt that

interpretation when it re-enacts a statute without change.” *Lorillard v. Pons*, 434 U.S. 575, 580 (1978). Because there has never been a case denying a private right of action under Section 2, Congress is assumed to have been “aware of this unanimous precedent” at the time it adopted the amendments. *Tex. Dep’t of Hous. & Cmty. Affairs v. Inclusive Cmty. Project, Inc.*, 576 U.S. 519, 536 (2015).

While the text of the VRA does not expressly provide for private enforcement of Section 2, the structure of the Act also makes clear that it permits actions by private plaintiffs. For example, Section 14(c) allows for “the prevailing party, other than the United States” to seek attorney’s fees “[i]n any action or proceeding to enforce the voting guarantees of the fourteenth or fifteenth amendment.” 52 U.S.C. § 10310(e). This availability of attorney’s fees necessarily presupposes that a private right of action is available to enforce the provisions of the VRA, including Section 2, whose original language “elaborates upon that of the Fifteenth Amendment.” *City of Mobile v. Bolden*, 446 U.S. 55, 60 (1980). Moreover, Section 3 provides for certain remedies in actions brought by “the Attorney General *or an aggrieved person* . . . under any statute to enforce the voting guarantees of the fourteenth or fifteenth amendment.” 52 U.S.C. § 10302(a), (c) (emphasis added). It is clear that Congress did not intend Section 3 provide a remedy for aggrieved persons to enforce the voting guarantees of the Reconstruction Amendments if the same plaintiffs could not also bring actions under Section 2.

Finally, the Department of Justice, which if there were no private right of action would be the only entity able to bring cases under Section 2, also holds the view that the Section 2 creates a private remedy for any “aggrieved person,” not merely for the federal government. Statement of

Interest of the United States, *LULAC v. Abbott*, No. 3:21-cv-259 (DCG-JES-JVB) (W.D. Tex. Nov. 30, 2021).

IV. The Other Preliminary Injunction Factors Weigh Heavily in Favor of a Preliminary Injunction

A. Plaintiffs will suffer irreparable harm absent an injunction.

The Arkansas Board of Apportionment approved maps that fail to comply with the Voting Rights Act. Without preliminary relief, Plaintiffs and their members face an election cycle where their votes will be diluted. “And once the election occurs, there can be no do-over and no redress.” *League of Women Voters of N. Carolina v. North Carolina*, 769 F.3d 224, 247 (4th Cir. 2014); *see also Milligan*, slip op. at 197. There is no question that the “holding of an upcoming election in a manner that will violate the Voting Rights Act constitutes irreparable harm” to Plaintiffs and their members. *United States v. Berks Cnty., Pa.*, 250 F. Supp. 2d 525, 540 (E.D. Pa. 2003); *see also, e.g., Flores v. Town of Islip*, 382 F. Supp. 3d 197, 228 (E.D.N.Y. 2019) (“An abridgement or dilution of the right to vote constitutes irreparable harm.”) (internal quotation marks and alterations omitted); *NAACP, Spring Valley Branch v. E. Ramapo Central Sch. Dist.*, 464 F. Supp. 3d 587, 593 (S.D.N.Y. 2020) (“In a vote dilution case, ‘[a] restriction on the fundamental right to vote ... constitutes irreparable injury.’”); *League of Women Voters*, 769 F. 3d at 247 (“Courts routinely deem restrictions on fundamental voting rights irreparable injury. ... And discriminatory voting procedures in particular are ‘the kind of serious violation of the Constitution and the Voting Rights Act for which courts have granted immediate relief.’”) (citing *Obama for Am. v. Husted*, 697 F.3d 423, 436 (6th Cir.2012); *Williams v. Salerno*, 792 F.2d 323, 326 (2d Cir.1986); *Alternative Political Parties v. Hooks*, 121 F.3d 876 (3d Cir.1997); *United States v. City of Cambridge*, 799 F.2d 137, 140 (4th Cir. 1986)); ECF 3at 34-36.

Defendants do not contest this fact, arguing only that Plaintiffs have not suffered irreparable harm here because the Board plan complies with the VRA. ECF 53 at 73. Defendants' argument on irreparable harm thus necessarily depends on Defendants prevailing on the merits arguments. Both parties appear to agree that if the Board plan is likely to violate Section 2—as Plaintiffs have clearly shown—then Plaintiffs will suffer irreparable harm absent a preliminary injunction.

B. The equities and public interest weigh in favor of a preliminary injunction.

Instead, Defendants argue that potential administrative inconveniences they might incur due to issuance of a preliminary injunction means that the balance of the equities and public interest weighs in their favor. Put simply, administrative burdens are “minor when balanced against the right to vote, a right that is essential to an effective democracy.” *United States v. Georgia*, 892 F. Supp. 2d 1367, 1377 (N.D. Ga. 2012); *see also Georgia State Conf. of the NAACP*, 118 F. Supp. 3d 1338, 1347 (N.D. Ga. 2015) (granting injunction under Section 2 because “the harm [plaintiffs] would suffer by way of vote dilution outweighs” administrative harm); *Johnson v. Mortham*, 926 F. Supp. 1540, 1542 (N.D. Fla. 1996) (“[T]he mere administrative inconvenience the [state Legislature and] elections officials will face in redistricting simply cannot justify denial of Plaintiffs’ fundamental rights.”).

As explained above, Plaintiffs are likely to succeed on the merits to show that the Board’s map will cause vote dilution in violation of Section 2. Defendants spend much of their brief claiming that this exceedingly strong public interest is outweighed by the “impact on Arkansas’s election deadlines.” *See* ECF 53 at 73-77. They also briefly mention the risks of voter confusion and deterrence and the reliance interests of candidates. ECF 53 at 77. However, as explained below, the impact of a preliminary injunction at this time to the State’s administrative deadlines is minimal, and those deadlines are insufficient to justify the denial of Plaintiffs’ fundamental rights.

Furthermore, any voter confusion or deterrence is highly speculative given the timeliness of Plaintiffs' challenge, the fact that a preliminary injunction will not affect all districts, and the weak reliance interests of candidates who may still be able to continue with their candidacies. Indeed, later remediation for elections based on unlawful House districts would cause far worse voter confusion, candidate inconvenience, and disruption to the State's election administration.

Defendants rely on the Supreme Court's decision in *Purcell v. Gonzalez*, 549 U.S. 1 (2006), to claim that the administrative deadlines they list justify holding the upcoming House elections using an unlawful and dilutive map. *See* ECF 53 at 73. However, the factual circumstances at issue in *Purcell* are absent here for two main reasons.

First, the 2022 elections in Arkansas are much farther away in time than the election at issue in *Purcell*. In *Purcell*, the Supreme Court vacated the mid-October Court of Appeals ruling "given the imminence of the [November] election." 549 U.S. at 5. Here, however, the 2022 primary and general elections are still many months away. Indeed, Defendants appear to contemplate that a preliminary injunction remedy would not prevent it from properly administering the 2022 election. Defendants have expressly stated that this Court has "the power to modify [the filing period] if necessary to accommodate a change in the districting map" for state House elections. ECF 48 at 16:13-16.¹⁷ And Defendants also concede that finalizing absentee ballots may take *up to* three weeks, which the existing period between March 10 and April 7 can accommodate. *See* ECF 53 at 75. As such, contrary to the Defendants' claims, no "impending election is

¹⁷ Courts have "broad equitable power to delay certain aspects of the electoral process if necessary." *Larios v. Cox*, 305 F. Supp. 2d, 1335, 1342 (N.D. Ga. 2004) (quoting *Minn. State Senate v. Beens*, 406 U.S. 187, 201 (1972)) ("[T]he district court has the power appropriately to extend the time limitations imposed by state law."); *see also Thomas v. Bryant*, 919 F. 3d 298, 316 (5th Cir. 2019) (extending the candidate filing deadline for any districts where lines are redrawn).

imminent,” nor is the State’s “election machinery already in progress.” ECF 60, Defs.’ Br. Supp. Mot. Quash at 74 (citing *Reynolds v. Sims*, 377 U.S. 533, 585 (1964); *see also Milligan*, slip op. at 200 (finding, on January 25, 2022, that Alabama’s 2022 primary and general elections “are not imminent” and that, even if they were, “it is not necessary that we allow those elections to proceed on the basis of an unlawful plan.”). The several weeks, and in some cases months, before these deadlines provide a buffer during which the Board can re-draw the House map and allow for the completion of these administrative tasks.

Defendants also underestimate the abilities of this Court and the Board’s staff. While Plaintiffs agree that a remedial plan cannot be drawn “overnight,” it is not uncommon for States to re-draw maps in considerably less time than that required for initial maps. *See* ECF 53 at 76; *see Common Cause v. Rucho*, 284 F. Supp. 3d 780, 783 (noting the prior grant of 15 days between the date of the order and the day to submit new plans); *Milligan*, slip op. at 6 (14 days); *Thomas v. Bryant*, 919 F. 3d 298, 312-13 (5th Cir. 2019) (19 days); *Larios v. Cox*, 305 F. Supp. 2d 1335, 1336 (N.D. Ga. 2004) (20 days); *Pope v. Cnty. of Albany*, 94 F. Supp. 3d 302, 352 (N.D.N.Y. 2015) (21 days); *North Carolina v. Covington*, 138 S. Ct. 2548, 2550 (2018) (one month). The Board and its staff are already well-versed in the intricacies of the State’s current population and geography; their software is primed and ready to create a new map that complies with Section 2. And while Defendants state that the initial map-drawing process took weeks, this included a month-long public comment period and technical corrections. ECF 60 at 76. Armed with this experience and knowledge, the Board can more readily implement the changes required for the remedial map to comply with federal law.

This Court has already demonstrated that it is prepared to give this case careful consideration and decide appropriate relief on an expedited schedule. Plaintiffs have submitted

substantial expert analysis, and the Court will hear discussion of both Plaintiffs’ and Defendants’ evidence during a multi-day hearing next week. There is no reason to expect that this Court will not be able to meaningfully consider the evidence presented to it and rule on this motion with sufficient time for the Board to re-draw, candidates to campaign, and voters to exercise their rights. *See Milligan*, slip op. at 204 (“We have proceeded with all deliberate speed so as not to deprive plaintiffs of an opportunity for a timely remedy, and now the state must do the same.”).

Second, Plaintiffs in this litigation moved much more quickly than the movants in *Purcell*. The *Purcell* plaintiffs waited a full year after preclearance to file their lawsuit. *Purcell*, 549 U.S. at 5. Here, by contrast, Plaintiffs filed their complaint and motion for a preliminary injunction on the same day that the House map became effective, December 29, 2021. *See* Docs. 1-3. Defendants admit that corrections were made to the map up until that date, when the maps “were made official.” ECF 60 at 76. Unlike the *Purcell* plaintiffs who waited a full year to file a lawsuit, Plaintiffs here filed, quite literally, as soon as possible. Defendants’ position that this timing bars Plaintiffs from seeking relief for the 2022 election would permit the state to draw and employ *any* redistricting plan—lawful or not—with impunity for at least one election cycle. Such a position is antithetical to the public interest. Defendants cannot invoke *Purcell* in order to place the redistricting process out of judicial oversight altogether. *See Milligan*, slip op. at 201 (agreeing that “[i]t can’t always be too late or too soon” to challenge the redistricting process).

In short, Defendants cannot hide behind purported administrative deadlines and doubtful claims of inconvenience to candidates and voters. The public interest lies squarely in protecting the right to vote, *see Reynolds*, 377 U.S. at 555, and complying with federal law, *League of Women Voters of Mo. v. Ashcroft*, 336 F. Supp. 3d 998, 1006-07 (W.D. Mo. 2018). The balance of the

equities and public interest thus weigh heavily against Defendants and in favor of enjoining the unlawful map for election to the Arkansas House of Representatives.

CONCLUSION

For the reasons set forth above, Plaintiffs respectfully request that the Court grant their motion for preliminary injunction and order the following relief: (1) enjoin Defendants from using the Board Plan for elections for the Arkansas House in 2022; and (2) enjoin Defendants from failing to hold elections for the Arkansas House in 2022 using a plan that complies with Section 2.

Dated: January 26, 2022

Respectfully submitted,

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Expert Rebuttal of Anthony E. Fairfax
to the
Declaration of Andy Davis
January 26, 2022

A. Introduction

I have been retained by counsel to determine whether it is possible to draw an Illustrative Plan with additional majority-Black House districts in the State of Arkansas. This additional report serves as a response to Mr. Andy Davis' report (dated January 19, 2022), which evaluated my initial December 29, 2021 expert report and Illustrative Plan.

B. Background

The Arkansas Board of Apportionment ("BOA" or "Board"), comprised of the Governor, the Secretary of State, and the Attorney General, is charged with redrawing the boundaries of the state's 100 House of Representatives districts ("HDs") following each federal decennial Census.

The BOA adopted its final plan for the state House (the "Board Plan") on November 29, 2021. It filed the plan with the Secretary of State on the same day, and the plan became effective under Arkansas law on December 29, 2021.

On December 29, 2021, I submitted a preliminary expert report for this case that presented my finding that the minority population in the State of Arkansas was sufficiently large and geographically compact to constitute five additional majority-Black districts. On January 19, 2022, Mr. Davis submitted his evaluation of my preliminary expert report (the "Davis Declaration").

C. Summary of Andy Davis' Findings and Response

The Davis Declaration and Defendants' opposition brief make several claims pertaining to the districts proposed in my Illustrative Plan. I have considered the issues raised by Mr. Davis and Defendants' brief. As explained more fully below, it remains my expert opinion that five additional majority-Black House districts can be drawn consistent with the redistricting policies established by the BOA and the requirements of federal law.

A summary of the issues raised by Mr. Davis and the Defendants' brief includes the following:

Defendants allege that House District 5 is non-compact and racially gerrymandered. The Davis Declaration also claims that this district is underpopulated, splits multiple cities and school districts, and splits a precinct, potentially along racial lines.

Defendants allege that House District 16 is non-compact. The Davis Declaration also claims that the district improperly combines Arkadelphia and Pine Bluff into the same district despite the cities having no apparent commonality, splits school districts, creates long drive times within the district, and would require a representative of the district to drive outside the district to go from Arkadelphia to Pine Bluff.

Defendants allege that House District 12 is non-compact. The Davis Declaration also claims there is a high population deviation, critiques the district as not following a "major highway or navigation system," claims Helena-West Helena should have been contained within the district,

notes split school districts, and claims that split cities would reduce the voting power of the county.

Defendants allege that House District 48 is non-compact. The Davis Declaration faults the district for splitting the Philips County seat out of the district, claims there is no highway connection within the district, posits that a representative would have to drive through House District 12 to get to parts of House District 48, and claims that the proposal would place the current incumbent in another district.

Defendants allege that House District 55 is racially gerrymandered. The Davis Declaration claims that the district has an odd shape, notes that the district crosses over an interstate highway, and argues it failed to add a couple of precincts that would reduce the population deviation of the district.

As described below, none of these districts is racially gerrymandered or impermissibly non-compact. Moreover, many of the other issues raised by the Davis Declaration are not among the principles identified by the BOA as the bases upon which the redistricting plans would be considered, analyzed and adopted. Additionally, a close examination shows that the Illustrative Plan continues to perform better on the key redistricting principles identified by the BOA, and the Board Plan suffers from many of the same purported deficiencies identified by Mr. Davis.

I will now present the “claims” Mr. Davis made concerning initial report and certain districts in the Illustrative Plan, and provide my responses to each.

D. Response to Mr. Davis’ Claims Regarding Illustrative Plan’s District 5

Claim: “District 5 is overpopulated by 2.97% and the adjacent districts are all underpopulated . . . Why not balance the numbers to achieve one vote one person? Other surrounding districts, including Districts 3, 8, 16, and 19, are all also underpopulated.”¹

The Board of Apportionment’s redistricting criteria² (the “BOA Guidelines”) for one person, one vote states: “One person, one vote: balancing of each of the legislative districts every ten years, after the Federal Census, so that they are “substantially equal” (generally +/-5% deviation).”

The BOA Guidelines set +/- 5% of the ideal population size as the acceptable range for the districts. All of the House districts in the Illustrative Plan, including HDs 3, 8, 16, and 19, are within the BOA Guidelines’ standard for one person, one vote.

In addition, it appears that the Board Plan has removed a House district from a location where population lagged in growth compared to the rest of the state and placed it in a higher growth area; specifically, the Board Plan removes a district in the southern part of the state and adds a district to the Benton County area. For the Illustrative Plan, I decided not to do so to enable me to meet the BOA Guidelines’ goal of keeping incumbents within separate districts.

¹ Davis Decl., ¶ 10.

² <https://arkansasredistricting.org/about-the-process/redistricting-criteria-and-goals/>

If I removed a district in the southern area of the state, the remaining districts would easily be able to divide up the population with one fewer district in the region. In the Illustrative Plan, I prioritized keeping all incumbents within a district over reducing population deviation even further, beyond the acceptable range set by the BOA and permitted by federal law. It is also important to remember that this is an Illustrative Plan that is only one of many configurations; I am confident that an alternative plan could be created by removing a district in the south or nearby region, thus leading to lower population deviations in this southern area of the state, while still adding five majority-Black districts if the BOA determined that reducing population deviation was more important than preventing the matching of incumbents.

Claim: “The cities of Magnolia, El Dorado, and Camden are all split. The boundary of El Dorado is split into three different districts: Districts 6, 5, and 7.”³

Splitting multiple cities is fairly common in redistricting plans. When developing a statewide legislative plan, there are occasions where cities are split by two or more districts to prioritize other traditional redistricting criteria. Indeed, the BOA Guidelines seek to minimize the number of split cities, but do not preclude splitting cities across multiple districts where appropriate in consideration of the other redistricting priorities.

That said, the Illustrative Plan splits fewer cities than the Board Plan at issue here, as well as the 2011 and 2001 redistricting plans.⁴ The Board Plan has multiple midsize to small cities that are split by several districts. On the high end, the Board Plan splits Fayetteville into seven districts (HDs 18, 19, 20, 21, 22, 23, and 25). Even a small city like Fairfield Bay, with a population of only 2,108 people, was split by three districts (HDs 41, 42, and 43) in the Board Plan.

Also, there are several districts within the Board Plan that split three or more cities—for example, HDs 8 (4 splits), 10 (3 splits), 11 (3 splits), and 16 (7 splits). The Board Plan also has a district that is in the same vicinity as HD 5 in the Illustrative Plan that has five split cities (HD 98).

Splitting cities is fairly common and largely unavoidable, and is not and should not be enough to disregard a particular district or plan.

Claim: “District 5 splits multiple school districts. Most notable is the El Dorado School District is split into three different House districts, Districts 6, 5, and 7.”⁵

First, the BOA Guidelines do not include any requirement that school districts be kept intact. Second, like municipal boundaries, it is difficult to keep every school district wholly contained within a House district. Once again, the Board Plan has several school districts that are split between multiple House districts. Overall, the Board Plan splits 183 school districts.⁶ As with the split cities, there are school districts that are split in the Board Plan that are in the same vicinity of HD5 in the Illustrative Plan. Under the Board Plan, Harmony Grove School District is split

³ Davis Decl., ¶ 11.

⁴ See Fairfax December 29, 2021 Expert Report, ECF 2-7, at Appendix C (city split reports), and Appendix B to this report.

⁵ Davis Decl., ¶ 12.

⁶ See Communities of Interest Cities report from the original Fairfax December 29, 2021 Expert Report

across seven districts (HDs 29, 82, 83, 89, 90, 96, and 98). Other split school districts include: the Drew Central School Districts, split between four districts (HDs 93, 94, 95, and 96); the Bauxite School District, split between three House districts (HDs 29, 82, and 92); and the Beebe School District, split between four House districts (HDs 57, 58, 59, and 60).

Splitting multiple school districts within a plan is fairly common and largely unavoidable. School district splits are not and should not be a reason to disregard a particular district or plan.

Claim: “The illustrative map District 5 includes portions of three major south Arkansas cities, but not all of any of them. All three cities are split into multiple House districts. In terms of representation, this means that none of the cities have a single representative to be their champion in the capitol. Rather, all three cities will have one representative that will need to try and balance the issues of constituents in each city even if they are different. Each city will also have a second or third representative who primarily represents the more rural portions of their county and two other counties.”⁷

As previously covered in the response above, splitting some cities is common and often unavoidable. There is a BOA Guideline related to minimizing city splits, but a plan including several splits cities is not disqualifying. This is evidenced by the Board Plan, which has more city splits than does the Illustrative Plan. Having multiple representatives for portions of a particular city is fairly common and would also occur under the Board Plan.

Claim: “The area of Union County and El Dorado included in District 5 has a VAP Black of 50.07%. This includes the three rural precincts that have been split on census block lines as well as a split of a precinct that is entirely in the El Dorado municipal boundary. A precinct split in a municipal boundary may be necessary to adjust population numbers. However, in this case, it is the only split in the city. If this split is eliminated, then the VAP of the Union County precincts in District 5 falls from 50.07% to 49.53% based on the Board’s data.”⁸

The implication of this claim is that a precinct was split with a racial-predominated intent with the white population left out of HD 5. This is not the case. The split in El Dorado was to follow a major road that, when split, makes the district more compact. This is a common tradeoff when drawing legislative districts in accordance with traditional redistricting criteria.

Another example of splitting a precinct in favor of compactness can be seen by looking at another area, Magnolia. In Magnolia, under the Illustrative Plan, a precinct (Ward 2) was also split to follow a major road to make the district more compact. In Magnolia, the split precinct left additional Black population out of HD 5. The Magnolia precinct portion that was removed also contains more population than the El Dorado precinct (333 persons versus 446). This split criticized by the Davis Declaration was made to prioritize compactness, not to boost the minority population. Moreover, if the BOA determined that prioritizing avoiding the precinct split over improving compactness was desired, I am confident that the split precinct in El Dorado could be made whole, and HD 5 could be reconfigured in other ways to retain its majority-Black status.

⁷ Davis Decl., ¶ 13.

⁸ Davis Decl., ¶ 16.

Claim: “One goal of the Board of Apportionment was to minimize new ballot creation by county clerks—recognizing the amount of effort that takes, the reduced time to work due to the delayed data release, and the changes the electorate must adjust to (new voting precinct, for instance). It is notable that to reach El Dorado and include parts of it in District 5, the map splits three precincts in Union County outside of the El Dorado Municipal Boundary. The precincts have populations of 362, 674, and 1,689. It is especially egregious in the two smaller populated districts.”⁹

Minimizing political subdivisions, including precincts, is one goal of the BOA Guidelines. Sometimes it is necessary to split a precinct, however, to achieve other traditional redistricting goals. As with other precinct splits, each of the mentioned precincts was split in the Illustrative Plan to make HD 5 more compact. Notably, the Board Plan splits almost three times the number of precincts as the Illustrative Plan. The Board Plan splits 282 precincts while the Illustrative Plan splits only 98.

HD 5 could be drawn in several alternative ways. In particular, Mt Holly, Lisbon, Ward 1, and Ward 3 precincts could be made whole with an addition of a slight modification to HD 5. The resulting district would be more compact while maintaining its status as a majority-Black House district (*see* Figure 1 below). This change to HD 5 would improve compactness scores, bringing the metrics to .33, .15, .54 for Reock, Polsby-Popper, and Convex Hull, respectively. The Any Part Black Voting Age Population (“APBVAP”) would be 52.95%, and the Black Citizen Voting Age Population (“BCVAP”) for the modified district would be 50.02%.

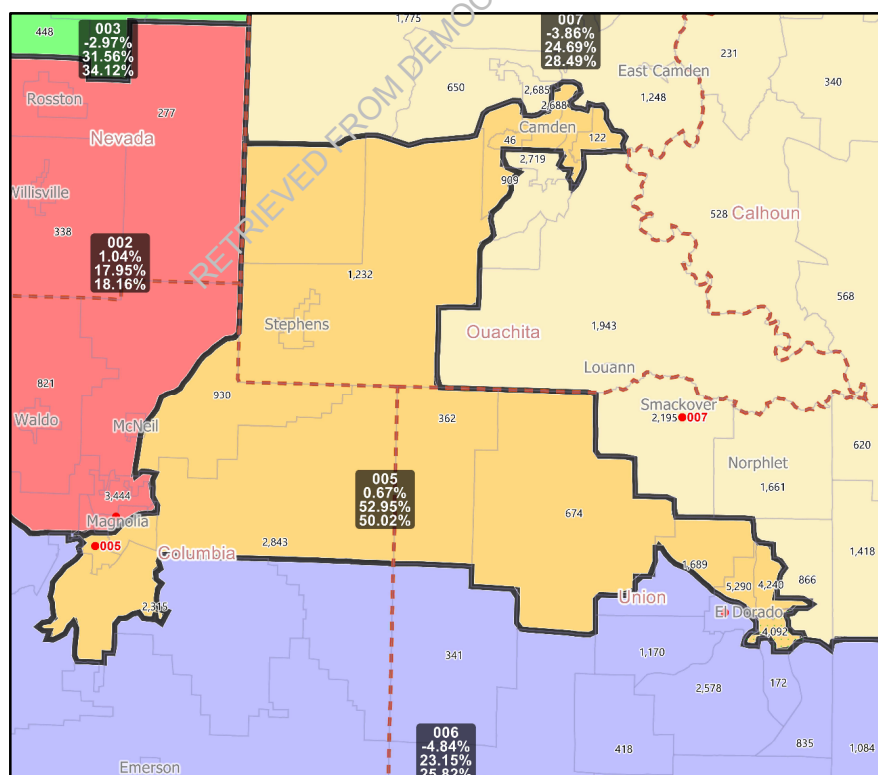


Figure 1 – Alternative Illustrative HD5 with Additional Whole Precincts

⁹ Davis Decl., ¶ 15.

E. Response to Mr. Davis' Claims Regarding Illustrative Plan's District 16

*Claim: "Plaintiffs' proposed District 16 is underpopulated by 1,293, or -4.29%"*¹⁰

As noted above, all of the House districts in the Illustrative Plan, including HD 16, are within the BOA Guidelines range of population deviation of +/-5%.

*Claim: "[Plaintiffs' proposed HD 16] splits Arkadelphia by assigning the two southernmost precincts to District 16. Splits Pine Bluff by assigning a random-looking, non-compact shape of precincts to District 16. The population of Pine Bluff has been split into six House districts. As discussed above with regard to Plaintiffs' proposed Illustrative Plan for District 5, in terms of representation, this would mean that none of the cities would have a single representative to be their champion in the capitol."*¹¹

As described above, for statewide legislative plans, there are occasions where cities are split by two or more districts. To reiterate, the Illustrative Plan splits fewer cities and into fewer pieces than the Board Plan.

The Board Plan has multiple midsize to small cities that are split by several districts, including Fayetteville, which is split by seven districts (HDs 18, 19, 20, 21, 22, 23, and 25). Even a small city like Fairfield Bay, with a population of only 2,108 people, was split by three districts (HDs 41, 42, and 43) in the Board Plan. These city splits within the Board Plan would similarly result in numerous cities lacking "a single representative to be their champion in the capitol."

*Claim: "Splits Pine Bluff and Arkadelphia school districts among others in the unincorporated areas. Overall, the map splits the Arkadelphia School District into three House districts."*¹²

As previously mentioned, there is no requirement in the BOA Guidelines to keep school districts whole, and it is difficult to keep school districts wholly contained within a House district while meeting the redistricting principles in the BOA Guidelines. Moreover, the Board Plan has several school districts that are split by multiple House districts. The worst example is Harmony Grove School District, which is split across seven districts (HDs 29, 82, 83, 89, 90, 96, and 98).

*Claim: "Most any Arkansan would say that Arkadelphia and Pine Bluff are dissimilar communities. Pine Bluff is considered the metropolitan capital of the Arkansas southeast, a hub for the row crop industry in much of the Arkansas Delta. On the banks of the Arkansas Delta, it is suited for barge traffic of commodities coming up from the Mississippi. Arkadelphia, by contrast, is considered a central town of the Arkansas southwest, sitting on I-30 halfway between Little Rock and Texarkana."*¹³

Rather than addressing any BOA Guideline or traditional redistricting principle, this critique is based on apparent perceptions of the character of certain regions and cities. Regardless, the Davis Declaration is incorrect that Arkadelphia and Pine Bluff are dissimilar. In fact, the cities

¹⁰ Davis Decl., ¶ 18.

¹¹ Davis Decl., ¶ 19.

¹² Davis Decl., ¶ 20.

¹³ Davis Decl., ¶ 21.

have a number of common socioeconomic attributes. For instance, although Arkadelphia and Pine Bluff have different racial makeup, they are more similar to each other in several socioeconomic characteristics (*see* Table 1) than either is to the rest of the state:

- Both cities are younger than the rest of the state
- Both cities have a higher poverty rate than the rest of the state
- Both cities have a lower proportion of married couples with children than the rest of the state
- Both cities' median household incomes are lower than the state's
- Both cities have more renters than the rest of the state
- Both cities' median housing values are lower than rest of the state
- Both have lower percentages of homes built after 2010 than the rest of the state
- Both have higher percentages of households receiving food stamps and SNAP benefits than the rest of the state

Table 1 – Socioeconomic Comparison Between Arkansas, Arkadelphia, and Pine Bluff

City/State	White	Black	Median Age	Poverty All Persons%	Married Couples w/ Children%
Arkadelphia	60.74%	32.28%	23.90	29.02	21.06%
Pine Bluff	20.28%	76.57%	35.50	26.81	13.67%
Arkansas	76.72%	15.32%	38.10	17.05	27.04%
City/State	Med HH Inc	Median Housing Values	Occupied Rent%	Housing Units Built After 2010	HH_W/Food Stamp/ SNAP benefits
Arkadelphia	\$33,133	\$121,200	61.32%	7.5%	15.73%
Pine Bluff	\$34,723	\$75,500	47.20%	7.5%	23.66%
Arkansas	\$47,597	\$127,800	34.42%	16.4%	12.05%

Source: U.S. Census Bureau 2019 5-Yr American Community Survey

Claim: “Arkadelphia is in timber country on the banks of the Ouachita River that is more suited for anglers, boaters, and tourism. Arkadelphia is the lake region of the southwest, just south of the Ouachita Mountains and Lake DeGray, Lake Ouachita, and Lake Hamilton. There is not a geographic feature or highway connecting the two cities. There is not a major east west route that would enable a representative from one town to easily traverse to the other. Google Maps shows both the most direct and the fastest routes between the two cities to be outside of the district, and the drive would take an hour and a half, which is a lot for one district in a State with 100 of them, especially in light of the fact that the two farthest points in the entire State from each other (diagonally opposite corner to opposite corner) are only 5 hours apart.”¹⁴

First, minimizing drive time is not a BOA Guideline nor a traditional redistricting principle. The inclusion of major roads throughout the district is also not a requirement under the BOA Guidelines or traditional redistricting principles, and is also often not feasible depending on the geography of a particular region. Verifying the analysis that Mr. Davis performed using Google Maps does show a drive time from Pine Bluff to Arkadelphia of approximately one-and-a-half hours. However, Google Maps estimates that in HD 62 in the Board Plan (another majority-Black district), it would take approximately two hours and twenty minutes to go from its northernmost city of Wheatley to the southernmost Arkansas City.

Claim: “I evaluated what the population of the district would be if Arkadelphia and Clark County (the three precincts most extreme west of the district) were removed. This results in a population that is too low—15%. Let us add population in Cleveland and Jefferson Counties where the district already shares a split with other districts and is more like the southeast Arkansas community. Many more precincts are needed in Cleveland and Jefferson counties (the parts of Jefferson County currently in their District 11), including most precincts around the City of Pine Bluff, all of the City of Rison (Cleveland County), and all the precincts in Cleveland County east of Rison. The result is a variance of -3.16% and a VAP Black of 47.15%.”¹⁵

It is unclear what Davis seeks to show in this scenario. Removing precincts in most redistricting plans can yield a significant decrease in population. There are many districts in the Board Plan where the removal of three or fewer precincts would cause a population deviation of 15%. In fact, there are 25 precincts that have more than 5,000 persons. Removing just one of these precincts would reduce a district’s population by approximately 16%.

F. Response to Mr. Davis’ Claims Regarding Illustrative Plan’s District 12

Claim: “Plaintiffs’ proposed District 12 has a population variance of -4.98%, which is high and may be outside acceptable limits. It stretches from the Mississippi River to the border of Pulaski County without following a major highway or navigation system.”¹⁶

The Illustrative Plan’s District 12 complies with the BOA Guidelines for one person, one vote. The BOA Guidelines set the permitted population deviation at +/-5% of the ideal population,¹⁷ and federal courts have held that a 10% overall plan deviation is acceptable.¹⁸ While it may be

¹⁴ Davis Decl., ¶ 21.

¹⁵ Davis Decl., ¶ 24.

¹⁶ Davis Decl., ¶ 26.

¹⁷ <https://arkansasredistricting.org/about-the-process/equal-population/>

¹⁸ See *Gaffney v. Cummings*, 412 U.S. 735 (1973).

preferable for a district to follow a major highway, as noted above, this is not included in the BOA Guidelines. Complying with the criteria in the BOA Guidelines requires drawing district lines that do not follow highways.

Claim: “Also, particularly egregious, proposed District 12 splits the municipal center of Phillips County out of the unincorporated areas of Phillips County (assigning Helena-West Helena to District 48) and assigns that unincorporated area to a district dominated by Pine Bluff, which is three counties away with little community connection.”¹⁹

During the redistricting process, there are many times that a county’s major city is not contained within the district that contains the remainder of the county. Preventing this from happening is practically an impossibility given the one person, one vote requirement and the other principles in the BOA Guidelines.

This is evidenced by a similar situation in the Board Plan. The Board Plan’s HD 98 contains all of Clark County except for the cities of Arkadelphia and Caddo Valley and surrounding areas (see Figure 3). Arkadelphia is the largest city in Clark County, with approximately half of the county population (10,380 persons of 21,446), and is economically critical to the county. In the Board Plan, Arkadelphia is split out of Clark County and instead contained within HD 90. As an alternative, the Board Plan could have included Arkadelphia and Caddo Valley in HD 89, thereby wholly containing Clark County in the district, by dropping Pike County (10,171 persons) from the district. However, the Board decided differently.

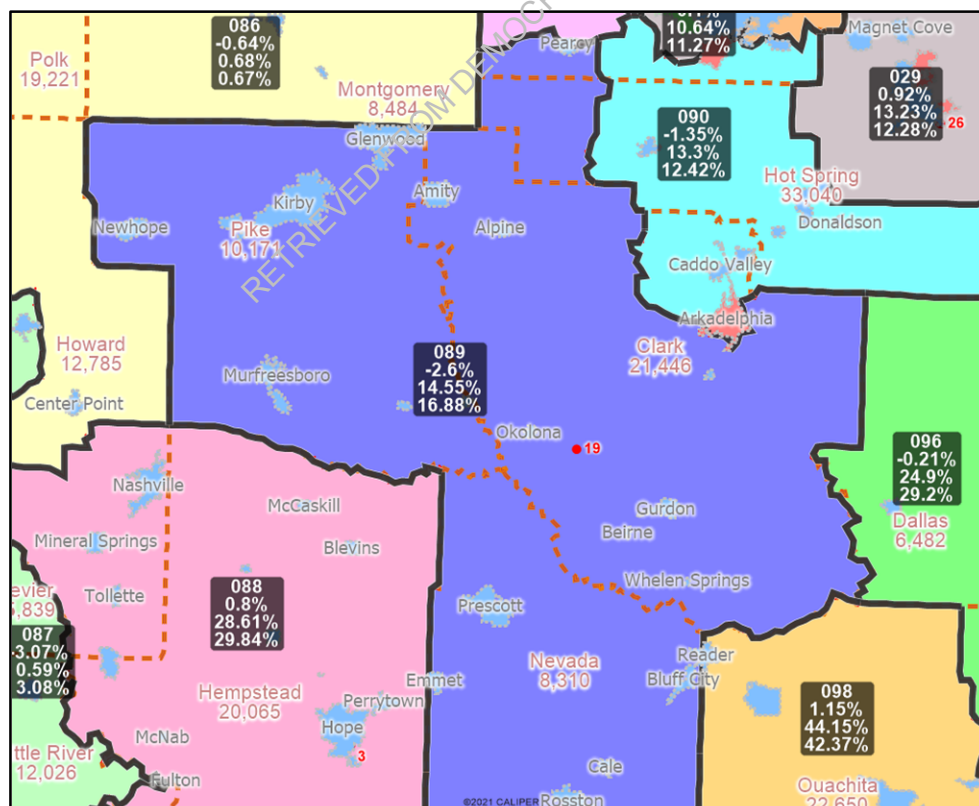


Figure 3 - Board Plan HD89

¹⁹ Davis Decl., ¶ 26.

Claim: “[Proposed HD 12] splits the municipal boundaries of Pine Bluff and the school district boundaries for Pine Bluff Dollarway, Helena-West Helena, and DeWitt, among others.”²⁰

As mentioned previously, avoiding city splits and wholly containing school districts within each House district is extremely difficult. Thus, many times municipal boundaries and school districts must fall in two or more districts to meet other redistricting goals. This is borne out by the Board Plan, which splits more cities and school districts than the Illustrative Plan.

Claim: “This district also splits Pine Bluff. However, the district population inside of the incorporated boundary of the city is 10,320, or approximately one-third, of the voting power of the entire district that spans three counties in addition to Jefferson County, which is the home county of Pine Bluff.”²¹

As described in the above sections, splitting some cities that are relatively large is not uncommon for a statewide legislative plan. Indeed, the Board Plan splits more cities than the Illustrative Plan.

G. Response to Mr. Davis’ Claims Regarding Illustrative Plan’s District 48

Claim: “As stated, the way Districts 12 and 48 (Doc. No. 2-7 at 86) are drawn split the county seat and city center of Phillips County out of the district with the unincorporated area of the county and pair them with a much larger population in Jefferson County.”²²

This was addressed in the section above discussing District 12.

Claim: “Also very egregious is the lack of reasonable connection from Helena-West Helena to the rest of District 48. While the district is all contiguous in colors on the map, there is no highway connection from Helena to District 48 that does not exit District 48. A representative of District 48 from Helena would have to travel through District 12 to get access the remainder of their district.”²³

Although there may not be any major highways, there are streets that connect Helena-West Helena to HD 48 in Lee County. It is often not possible to draw a district with major highways that connect all parts of a district. Neither the BOA Guidelines nor traditional redistricting principles require a district to have a self-contained highway system.

Claim: “Also notable in District 48 is the population base. Helena-West Helena is in a separate county from all other precincts in District 48; however, at 9,589, it has a greater population than all of Lee County to the north. The VAP Black in Helena-West Helena alone is 72.77% (Black only data). The population of Helena (9,589) is also larger than the population of Marianna, Clarendon, and Augusta combined. Each of these cities is the county seat of their respective counties. But their combined vote could be lower than the vote of a city (Helena) that is not even

²⁰ Davis Decl., ¶ 27.

²¹ Davis Decl., ¶ 28.

²² Davis Decl., ¶ 30.

²³ Davis Decl., ¶ 31.

in a district with its own county. The population of Helena-West Helena is even greater than the population of those three counties and Brinkley combined.”²⁴

As previously mentioned, to meet other redistricting goals, it is common to place one or more cities in adjacent districts. The Board Plan also includes several examples of this.

*Claim: “Lastly, the current representative of Helena-West Helena is resident of Marvel, Arkansas. Under Plaintiffs’ proposed plan, he would be drawn into District 12, therefore removing him from the core of his district and placing him in a district which has a population center that is closer to Little Rock than it is to his home county.”*²⁵

Avoiding the pairing of incumbents is one of the BOA Guidelines, and the Illustrative Plan performs far better than the Board Plan on this metric (two incumbents paired versus 11 incumbents paired, respectively).²⁶ Aside from that goal, it is uncommon and not required to consider other effects a proposed plan may have on a particular incumbent. Ensuring an incumbent maintains representation of a particular district is neither a BOA Guideline nor a traditional redistricting principle.

H. Response to Mr. Davis’ Claims Regarding Illustrative Plan’s District 55

*Claim: “District 55 in Plaintiffs’ Illustrative Plan (Doc. No. 2-7 at 93) is an extremely oddly shaped district. It is only one precinct wide nearly the entire length of the district that runs from Missouri to Mississippi. The east boundary is the Mississippi River. And the west boundary is a jagged line following precinct lines. In this area of the State, the most and maybe only geographic feature recognizable to all voters is I-55. The District 5 boundary crosses back and forth across I-55 in a manner that voters will not be able to follow, and for nearly its entire length, is simply a narrow strip.”*²⁷

These critiques of the shape of HD 55 are easily explained by the presence of the Mississippi River. Coastal or river-based districts that extend along the water usually have lower compactness measures than other districts.²⁸ Many times, river districts like HD 55 are slender land areas that lie along the waterway and include the meandering and jagged shorelines that accompany standard geographies on the water.

The slender long land area lowers the compactness measurements, specifically dispersion measurements such as Reock. Also, the boundaries of jurisdiction may impact compactness measures for districts. The meandering coastal lines along the Mississippi River increase the perimeter and lower compactness scores, such as Polsby-Popper.

An example of the effect of a coastal district on compactness can be seen in Board Plan’s parallel district, HD 34. HD 34 has the fourth-lowest compactness measurement (out of the 100 districts)

²⁴ Davis Decl., ¶ 32.

²⁵ Davis Decl., ¶ 33.

²⁶ See Fairfax December 29, 2021 Expert Report, ECF 2-7, at ¶ 38.

²⁷ Davis Decl., ¶¶ 34, 35.

²⁸ See Duchin, Moon & Tenner, B. E., *Discrete Geometry for Electoral Geography* (August 15, 2018), available at <https://arxiv.org/abs/1808.05860>.

in the Board Plan when measured under Reock and Polsby-Popper. It has the worst compactness measure for Convex Hull.

In 2011, the parallel district (HD 55) had a similar configuration and similarly low compactness measurements. HD 55 in 2011 had the sixth-lowest compactness measure for Reock, the third-lowest for Polsby-Popper, and the seventeenth-lowest for Convex Hull. Even in 2001, HD 55, with a similar configuration, had the fourth-lowest compactness measure for Reock and the fifth-lowest for Polsby-Popper and Convex Hull.

The critique that HD 55 crisscrosses I-55 similarly misses the bigger picture. While the Board Plan follows the interstate along a straight line, it does so by splitting multiple precincts. It is important to note that the BOA's splitting of multiple precincts and following the interstate along a straight line adds to this lowering of the compactness measures. However, HD 55 in the Illustrative Plan uses whole precincts. These irregular-shaped precincts along the western edge of the district lower the compactness score for HD 55. Further, the precincts themselves encompass land on both sides of the interstate; the Illustrative Plan merely follows those precinct lines rather than split through them to accommodate a road, as the Board Plan does.

Also, it is notable that the three precincts that cross over the interstate in Mississippi County (precincts 54 and 46) in the Illustrative Plan are majority White and were added to increase the thickness of HD 55, and thus its compactness.

Contrary to the claims in the Davis Declaration, the Illustrative Plan's HD 55 is not unusual and actually carries forward a district configuration that is similar to the 2011 and 2001 plans. Both the 2011 and the 2011 plans crossed Interstate 55 (*see* Figures 4 to 6).

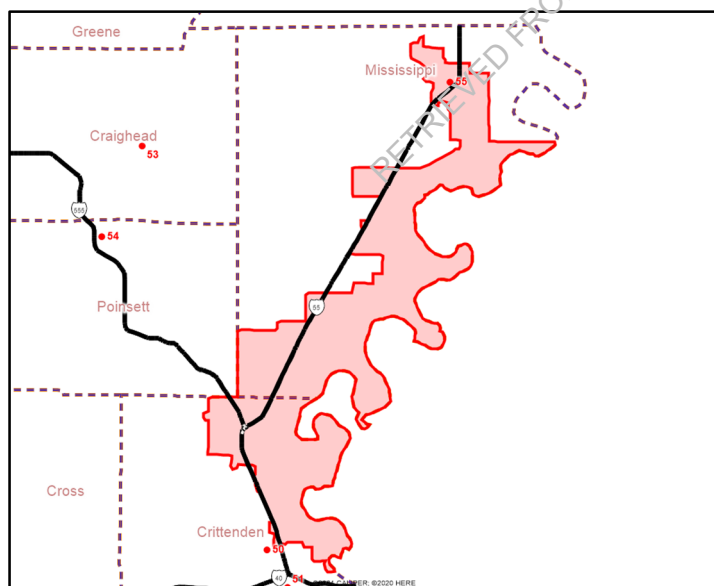


Figure 4 – Illustrative HD 55

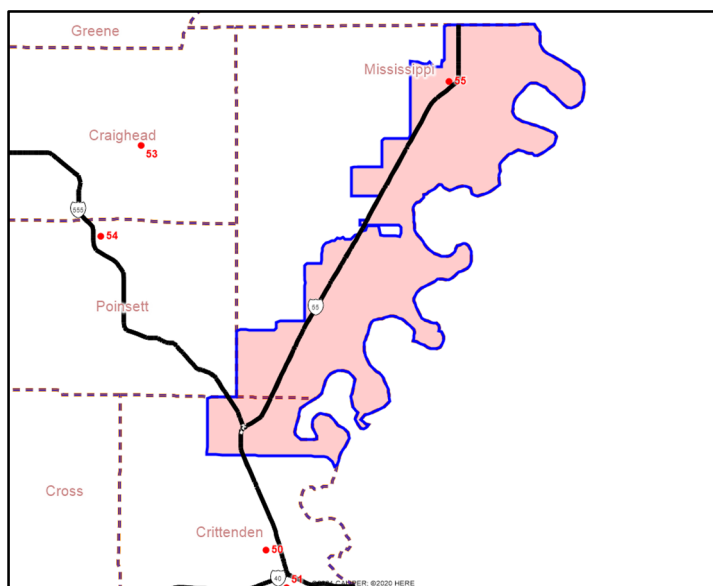


Figure 5 – 2011 Plan HD 55

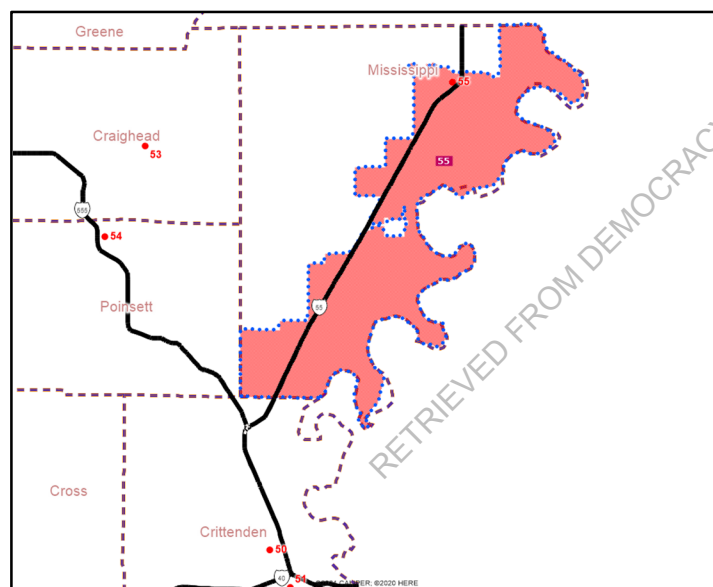


Figure 6 – 2001 Plan HD 55

*Claim: "The most egregious shape in District 55 is its most northern point, which nearly cuts two precincts of District 54 from itself. Only one highway connects these two separate sections of District 54. The distance from the northern edge of District 55 to the state line is 1.25 miles. There are three census blocks across that span with a total population in those blocks of zero people. District 54 sits both east and west of District 55. In other words, the really thin piece of District 54 that stretches over District 55 to grab the precincts to its east is only 1.25 miles wide, and no one lives there."*²⁹

The northern corner of HD 55 was drawn so the district can wholly contain, and avoid splitting, the city of Blytheville. An alternative option could be to split Blytheville closer to what is

²⁹ Davis Decl., ¶ 36.

presented in the 2011 plan. This should not impact the continued creation of a majority-Black district with the slight modification of other areas of the district.

*Claim: "Considering that District 55 is underpopulated by 1,072 with a -3.56% variance, and District 54 is overpopulated by 1,462 with a 4.85% variance, why isolate these two precincts of District 54 to the east of District 55? The combined population of these two precincts in question is 1,875. If these two precincts are moved into District 55, then 55 has an improved variance of 2.67% and 54 has improved variance of -1.37% and no longer has two nearly disconnected precincts. This improves compactness."*³⁰

First, the variances in the Illustrative Plan are within the acceptable population variance under the BOA Guidelines and well below the 10% variance allowed by federal courts. Second, the difference between the 2.57 and -3.6% from the ideal population size is approximately 1%, which is not substantially different. Last, practically any majority-Black district that is approximately 50% Black has a precinct that, when included or removed, will lower it below the 50% majority threshold.

I. Conclusion

First, as a general comment, the Davis Declaration critiques the Illustrative Plan on many bases that are not relevant under the BOA Guidelines or federal law. While the BOA Guidelines require minimizing the splits of political subdivisions, they do not address decreasing the drive time through a district, ensuring that major highways exist in all districts, or guaranteeing that a particular representative will not have to drive outside his or her district to reach another portion of it.

This is not to diminish the importance of those issues. In fact, as noted above, the Illustrative Plan performs better on both the criteria under the BOA Guidelines and many of the additional concepts raised by Mr. Davis. The BOA Guidelines, traditional redistricting principles, and federal law impose a number of requirements on a map drawer, which sometimes means sacrificing other desirable aspects of a potential district or plan to ensure compliance with the actual redistricting requirements.

In sum, the Illustrative Plan meets all of the redistricting criteria established by the BOA, does better than the Board Plan on most of those criteria, and even does better than the Board Plan on many of the ancillary issues raised by the Davis Declaration.

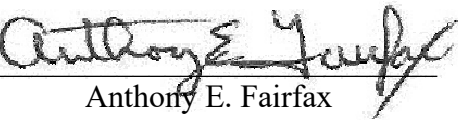
Furthermore, the Illustrative Plan is only one of many examples of plans that can be developed. There are modifications, some only slight, that could be made to the districts in the Illustrative Plan to address many of the concepts raised by Mr. Davis while still achieving the same number of majority-Black districts.

Despite Mr. Davis' claims, I continue to be of the opinion that the Black population in the State of Arkansas is sufficiently large and geographically compact to constitute sixteen majority-Black single-member House districts that would likely be able to elect their candidates of choice.

³⁰ Davis Decl., ¶ 37.

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

Executed on January 26, 2022


Anthony E. Fairfax

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Appendix A

Board of Apportionment House Plan City Split Examples

Board of Apportionment House Plan School District Split Examples

RETRIEVED FROM DEMOCRACYDOCKET.COM

User: Tony Fairfax

Plan Name: AR HD BOA Final

Plan Type: House Districts

Communities of Interest (Landscape, 11x8.5)

Sunday, January 23, 2022

11:05 PM

City/Town	District	Population	%
Arkadelphia AR	089	0	0.0
Arkadelphia AR	090	10,380	100.0
Caddo Valley AR	090	595	100.0
Fairfield Bay AR	041	161	7.6
Fairfield Bay AR	042	1,228	58.3
Fairfield Bay AR	043	719	34.1
Fayetteville AR	018	8,497	9.0
Fayetteville AR	019	6,187	6.6
Fayetteville AR	020	25,834	27.5
Fayetteville AR	021	29,499	31.4
Fayetteville AR	022	20,013	21.3
Fayetteville AR	023	2,745	2.9
Fayetteville AR	025	1,174	1.3

Communities of Interest (Landscape, 11x8.5)

AR HD BOA Final

City/Town **-- Listed by District**

Population %

District 018

Fayetteville AR (part)	8,497	9.0
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District 018 Totals **8,497**

District 019

Fayetteville AR (part)	6,187	6.6
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District 019 Totals **6,187**

District 020

Fayetteville AR (part)	25,834	27.5
------------------------	--------	------

District 020 Totals **25,834**

District 021

Fayetteville AR (part)	29,499	31.4
------------------------	--------	------

District 021 Totals **29,499**

District 022

Fayetteville AR (part)	20,013	21.3
------------------------	--------	------

District 022 Totals **20,013**

Communities of Interest (Landscape, 11x8.5)

AR HD BOA Final

	Population	%
<i>District 023</i>		
Fayetteville AR (part)	2,745	2.9
District 023 Totals	2,745	
<i>District 025</i>		
Fayetteville AR (part)	1,174	1.3
District 025 Totals	1,174	
<i>District 041</i>		
Fairfield Bay AR (part)	161	7.6
District 041 Totals	161	
<i>District 042</i>		
Fairfield Bay AR (part)	1,228	58.3
District 042 Totals	1,228	
<i>District 043</i>		
Fairfield Bay AR (part)	719	34.1
District 043 Totals	719	

Communities of Interest (Landscape, 11x8.5)

AR HD BOA Final

	Population	%
<i>District 089</i>		
Arkadelphia AR (part)	0	0.0
District 089 Totals		
<i>District 090</i>		
Arkadelphia AR (part)	10,380	100.0
Caddo Valley AR	595	100.0
District 090 Totals	10,975	

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Communities of Interest (Landscape, 11x8.5)

AR HD BOA Final

Summary Statistics

Number of City/Town not split	1
Number of City/Town split	3
Number of City/Town split in 2	1
Number of City/Town split in 3	1
Number of City/Town split in 4	0
Number of City/Town split in 5	0
Number of City/Town split in 6	0
Number of City/Town split in 7	1
Total number of splits	12

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User: Tony Fairfax

Plan Name: AR HD BOA Final

Plan Type: House Districts

Communities of Interest (Landscape, 11x8.5)

Sunday, January 23, 2022

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School Districts	District	Population	%
Bauxite School District	029	1,478	21.5
Bauxite School District	082	3,469	50.5
Bauxite School District	092	1,928	28.1
Drew Central School District	093	380	6.2
Drew Central School District	094	5,790	93.8
Drew Central School District	095	1	0.0
Drew Central School District	096	0	0.0
Harmony Grove School District	029	4,142	70.8
Harmony Grove School District	082	861	14.7
Harmony Grove School District	083	847	14.5
Harmony Grove School District	089	87	1.9
Harmony Grove School District	090	0	0.0
Harmony Grove School District	096	1,342	29.8
Harmony Grove School District	098	3,070	68.2

Communities of Interest (Landscape, 11x8.5)

AR HD BOA Final

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Communities of Interest (Landscape, 11x8.5)

AR HD BOA Final

School Districts **-- Listed by District**

Population %

District 029

Bauxite School District (part)	1,478	21.5
Harmony Grove School District (part)	4,142	70.8

District 029 Totals **5,620**

District 082

Bauxite School District (part)	3,469	50.5
Harmony Grove School District (part)	861	14.7

District 082 Totals **4,330**

District 083

Harmony Grove School District (part)	847	14.5
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District 083 Totals **847**

District 089

Harmony Grove School District (part)	87	1.9
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District 089 Totals **87**

Communities of Interest (Landscape, 11x8.5)

AR HD BOA Final

	Population	%
District 090		
Harmony Grove School District (part)	0	0.0
District 090 Totals		
District 092		
Bauxite School District (part)	1,928	28.1
District 092 Totals		
	1,928	
District 093		
Drew Central School District (part)	380	6.2
District 093 Totals		
	380	
District 094		
Drew Central School District (part)	5,790	93.8
District 094 Totals		
	5,790	
District 095		
Drew Central School District (part)	1	0.0
District 095 Totals		
	1	

Communities of Interest (Landscape, 11x8.5)

AR HD BOA Final

	Population	%
<i>District 096</i>		
Drew Central School District (part)	0	0.0
Harmony Grove School District (part)	1,342	29.8
District 096 Totals	1,342	
<i>District 098</i>		
Harmony Grove School District (part)	3,070	68.2
District 098 Totals	3,070	

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Communities of Interest (Landscape, 11x8.5)

AR HD BOA Final

Summary Statistics

Number of School Districts not split	0
Number of School Districts split	3
Number of School Districts split in 2	0
Number of School Districts split in 3	1
Number of School Districts split in 4	1
Number of School Districts split in 5	0
Number of School Districts split in 6	0
Number of School Districts split in 7	1
Total number of splits	14

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Appendix B

2001 House District Plan City Split

2001 House District Plan Compactness Measures

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User: Tony Fairfax

Plan Name: AR 2001 House Plan

Plan Type: State House Districts

Communities of Interest (Landscape, 11x8.5)

Tuesday, January 25, 2022

4:14 PM

Census Place	District	Population	%
0500250	060	27	100.0
0500580	027	2	1.5
0500580	029	89	89.5
0500580	031	9	9.0
0500700	073	3	100.0
0500940	015	7	100.0
0500970	083	424	100.0
0501030	014	8	100.0
0501060	091	55	100.0
0501150	011	50	100.0
0501210	083	17	28.5
0501210	084	43	71.5
0501270	058	3	100.0
0501360	023	52	100.0
0501457	054	4	100.0
0501540	020	0	0.2
0501540	023	8	99.8
0501870	020	209	100.0
0501990	012	5	100.0
0502380	002	207	100.0
0502470	082	140	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0502590	061	179	100.0
0502590	070	0	0.0
0502680	051	6	100.0
0502740	057	42	100.0
0502860	048	975	100.0
0503040	095	180	49.8
0503040	098	181	50.2
0503280	049	239	100.0
0503280	058	0	0.0
0503430	008	6	100.0
0503640	063	3,492	74.0
0503640	066	0	0.0
0503640	067	1,229	26.0
0503940	055	11	100.0
0504030	072	801	100.0
0504090	027	391	95.8
0504090	028	0	0.0
0504090	029	17	4.2
0504180	076	266	100.0
0504420	005	34	99.9
0504420	007	0	0.1
0504540	091	21	100.0
0504600	049	227	100.0
0504720	058	38	100.0
0504840	098	18,557	94.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0504840	099	6	0.0
0504840	100	1,190	6.0
0504900	085	51	100.0
0504960	061	54	100.0
0505260	021	136	100.0
0505290	027	2	0.0
0505290	028	7,000	93.4
0505290	029	495	6.6
0505320	096	20	0.2
0505320	098	85	0.6
0505320	099	12,971	98.5
0505320	100	91	0.7
0505440	085	114	100.0
0505560	091	179	100.0
0505740	094	4,010	100.0
0505740	095	0	0.0
0505920	060	24	100.0
0505980	086	23	100.0
0506040	080	28	100.0
0506340	055	5	100.0
0506610	076	35	100.0
0506700	073	93	100.0
0506730	022	8	100.0
0507030	003	25	100.0
0507150	091	3	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0507210	061	0	0.0
0507210	084	29	100.0
0507270	005	67	100.0
0507330	055	521	50.3
0507330	077	515	49.8
0507450	003	76	100.0
0507540	062	28	100.0
0507630	074	162	100.0
0507720	084	108	100.0
0508260	058	22	100.0
0508290	004	17	100.0
0508440	067	246	100.0
0508665	082	46	100.0
0508950	051	110	100.0
0509100	076	87	100.0
0509460	029	2,565	100.0
0509550	004	23	100.0
0509790	081	0	0.0
0509790	086	107	100.0
0509880	055	31	100.0
0510300	015	0	0.0
0510300	042	0	0.0
0510300	048	6,262	100.0
0510360	020	84	100.0
0510450	051	56	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0510480	003	27	100.0
0510570	071	83	100.0
0510600	007	42	100.0
0510720	005	221	43.3
0510720	007	290	56.7
0510780	038	116	100.0
0510900	058	54	100.0
0511410	076	184	99.8
0511410	077	0	0.2
0511500	015	200	100.0
0511830	019	18	100.0
0511890	060	31	100.0
0511920	074	41	100.0
0512190	067	0	0.0
0512190	084	36	100.0
0512280	072	25	30.4
0512280	082	57	69.6
0512340	099	4,228	98.4
0512340	100	71	1.6
0512520	083	747	100.0
0512820	099	9	2.4
0512820	100	378	97.6
0513120	067	150	100.0
0513300	067	294	100.0
0513472	080	299	54.7

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0513472	082	247	45.3
0513540	057	19	100.0
0513570	087	19	100.0
0513750	005	157	100.0
0513990	051	36	100.0
0514140	069	637	100.0
0514260	070	332	100.0
0514500	069	92	100.0
0514770	073	12	100.0
0514860	036	339	100.0
0514950	051	23	100.0
0515100	059	120	100.0
0515190	042	107	0.8
0515190	045	7,738	54.5
0515190	046	6,355	44.8
0515190	060	0	0.0
0515310	061	95	100.0
0515460	079	76	100.0
0515490	081	460	100.0
0515550	051	19	100.0
0515700	022	33	100.0
0515790	015	27	100.0
0515940	054	18	100.0
0516240	009	119	100.0
0516930	071	92	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0517140	023	23	100.0
0517290	047	105	100.0
0517320	061	125	100.0
0517380	061	89	100.0
0517410	079	16	100.0
0517740	100	217	100.0
0518010	079	26	100.0
0518100	023	7	100.0
0518160	077	48	100.0
0518370	084	29	100.0
0518490	021	197	100.0
0518520	009	0	0.0
0518520	012	32	100.0
0518550	014	42	100.0
0518640	014	23	100.0
0518790	014	53	100.0
0518850	086	57	100.0
0518940	058	184	100.0
0518970	023	30	100.0
0519450	019	12	100.0
0519600	070	52	100.0
0519990	011	68	100.0
0519990	012	0	0.0
0520200	083	221	100.0
0520230	077	53	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0520320	054	131	100.0
0520440	007	18	100.0
0520470	027	3,330	100.0
0520830	053	1,011	99.8
0520830	054	2	0.2
0520920	074	41	100.0
0520950	013	15	100.0
0521070	006	1,336	99.9
0521070	007	1	0.1
0521190	089	404	100.0
0521430	093	0	0.0
0521430	097	686	97.8
0521430	099	0	0.0
0521430	100	15	2.2
0521580	004	18	100.0
0521610	003	38	99.5
0521610	020	0	0.5
0521730	015	76	100.0
0521820	047	83	100.0
0522120	077	319	100.0
0522180	012	33	100.0
0522240	091	279	100.0
0522360	082	40	100.0
0522450	086	10	100.0
0522660	059	108	23.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0522660	070	362	77.0
0523140	051	13	100.0
0523170	088	2,357	100.0
0523290	088	9,795	25.1
0523290	089	1,813	4.7
0523290	092	27,215	69.9
0523290	093	9	0.0
0523290	094	0	0.0
0523290	097	124	0.3
0523320	008	27	100.0
0523680	086	44	100.0
0523800	056	10	100.0
0524010	086	38	100.0
0524220	008	104	100.0
0524250	002	57	100.0
0524430	051	123	27.1
0524430	052	332	72.9
0524550	062	0	0.0
0524550	063	20,702	27.7
0524550	064	25,681	34.4
0524550	065	28,234	37.8
0524550	066	2	0.0
0524550	067	0	0.0
0524550	083	43	0.1
0524640	002	30	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0524670	009	12	100.0
0524700	030	244	100.0
0524700	031	0	0.0
0524760	060	6	100.0
0525030	071	46	100.0
0525060	014	19	100.0
0525180	026	59	100.0
0525360	003	5	100.0
0525750	095	514	100.0
0525780	004	15	100.0
0525900	049	37	100.0
0526050	081	637	100.0
0526110	095	80	100.0
0526290	100	225	100.0
0526440	049	14	100.0
0526710	042	350	4.3
0526710	043	7,828	95.7
0526800	086	7	100.0
0526980	012	11	100.0
0527010	021	30	100.0
0527040	054	9	100.0
0527310	023	44	100.0
0527670	089	1,752	100.0
0527700	077	91	100.0
0527730	011	36	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0527790	011	43	100.0
0527970	022	166	100.0
0528270	042	0	0.0
0528270	043	2,657	99.6
0528270	044	9	0.4
0528360	100	220	100.0
0528510	047	421	100.0
0528600	091	92	100.0
0528660	088	1,345	100.0
0528720	079	5	100.0
0528780	062	0	0.0
0528780	067	643	100.0
0528810	059	302	100.0
0528990	049	20	100.0
0529020	058	17	100.0
0529080	071	13	100.0
0529140	020	11	100.0
0529200	020	73	100.0
0529230	047	50	100.0
0529290	062	38	100.0
0529500	009	68	100.0
0529650	008	48	100.0
0529920	080	71	100.0
0529920	082	0	0.0
0530310	008	10	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0530400	056	67	100.0
0530460	085	893	100.0
0530490	062	43	100.0
0530520	069	48	100.0
0530640	028	1,950	100.0
0530700	022	26	100.0
0530790	061	14	100.0
0530880	052	13	100.0
0530940	014	76	100.0
0530940	015	0	0.0
0531090	059	294	100.0
0531150	070	66	100.0
0531180	013	266	100.0
0531390	018	0	0.0
0531390	019	0	0.0
0531390	027	164	100.0
0531540	008	18	100.0
0531900	057	14	100.0
0532080	059	19	100.0
0532140	050	276	100.0
0532200	099	67	6.0
0532200	100	1,059	94.0
0532257	080	240	100.0
0532257	082	0	0.0
0532470	090	5	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0532710	047	373	100.0
0532800	051	13	100.0
0533190	003	253	100.0
0533310	021	63	100.0
0533370	071	328	98.0
0533370	082	7	2.0
0533375	054	6	100.0
0533400	024	7,367	46.2
0533400	025	8,584	53.8
0533400	030	13	0.1
0533482	030	1,998	72.3
0533482	031	767	27.7
0533490	060	29	100.0
0533580	073	108	100.0
0533760	052	74	100.0
0533820	015	14	100.0
0533850	011	7	25.0
0533850	014	22	75.0
0533910	057	13	100.0
0533940	062	16	100.0
0533970	090	42	100.0
0534090	008	48	100.0
0534150	073	24	99.6
0534150	080	0	0.4
0534720	058	11	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0534750	039	1,201	4.6
0534750	042	100	0.4
0534750	043	3,316	12.6
0534750	044	21,679	82.4
0534750	048	2	0.0
0534900	090	7	100.0
0535040	054	88	100.0
0535140	054	19	100.0
0535170	009	4	100.0
0535500	092	38	0.8
0535500	093	4,497	99.2
0535650	055	14	100.0
0535710	074	2,711	7.6
0535710	075	30,648	85.4
0535710	076	2,542	7.1
0536040	049	160	100.0
0536130	007	36	100.0
0536310	077	20	100.0
0536430	050	644	100.0
0536550	015	77	100.0
0536670	066	1,575	100.0
0536880	010	31	100.0
0537240	079	10	100.0
0537300	069	75	100.0
0537660	079	49	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0537720	052	7	100.0
0537780	076	176	100.0
0537930	024	1,225	87.0
0537930	026	183	13.0
0538050	081	214	100.0
0538110	013	150	100.0
0538170	012	23	100.0
0538290	069	148	100.0
0538890	067	148	100.0
0539010	077	101	100.0
0539040	086	11	100.0
0539310	019	16	100.0
0539370	056	47	100.0
0539460	086	16	100.0
0539520	059	17	100.0
0539640	004	41	100.0
0539670	013	11	100.0
0539970	087	69	100.0
0540120	096	2,380	51.7
0540120	098	2,215	48.1
0540120	099	11	0.2
0541000	027	1	0.0
0541000	029	0	0.0
0541000	031	1,514	1.1
0541000	032	21,958	15.9

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0541000	033	27,776	20.1
0541000	034	22,644	16.4
0541000	035	27,404	19.8
0541000	036	6,777	4.9
0541000	037	25,049	18.1
0541000	038	5,327	3.9
0541090	021	122	100.0
0541270	069	83	100.0
0541420	015	188	100.0
0541450	026	33	100.0
0541630	007	8	100.0
0541720	094	8,090	98.0
0541720	095	164	2.0
0542170	055	40	100.0
0542260	073	65	100.0
0542350	039	942	98.2
0542350	040	18	1.8
0542410	003	19	100.0
0542500	057	51	100.0
0542560	079	9	100.0
0542770	012	70	100.0
0543070	003	9	100.0
0543100	005	40	100.0
0543220	049	26	100.0
0543280	051	18	39.4

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0543280	052	28	60.6
0543310	084	44	100.0
0543370	073	15	100.0
0543460	004	94	42.7
0543460	005	126	57.3
0543610	026	601	100.0
0543670	082	35	100.0
0543820	077	175	100.0
0543880	062	53	100.0
0544120	052	123	100.0
0544150	055	7	100.0
0544180	053	3,726	98.3
0544180	054	65	1.7
0544210	056	76	100.0
0544240	079	32	100.0
0544300	090	36	100.0
0544420	013	41	100.0
0544600	041	6,702	98.9
0544600	042	72	1.1
0544750	042	385	99.3
0544750	045	3	0.7
0544780	080	31	100.0
0545080	071	143	100.0
0545170	022	130	100.0
0545200	060	64	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0545500	062	8	100.0
0546040	021	81	100.0
0546100	073	14	100.0
0546190	011	3	100.0
0546400	076	130	100.0
0546580	009	1	0.3
0546580	010	300	99.7
0546670	009	9	100.0
0546730	072	91	100.0
0546910	051	18	100.0
0546970	060	246	100.0
0547030	084	29	100.0
0547300	087	55	100.0
0547390	081	1,982	100.0
0547450	030	120	100.0
0547540	071	156	100.0
0547690	022	32	100.0
0547900	071	79	100.0
0548020	047	54	100.0
0548200	083	658	100.0
0548290	023	31	100.0
0548560	021	159	100.0
0549010	073	47	100.0
0549580	058	412	100.0
0549820	079	6	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0550000	082	62	99.2
0550000	086	0	0.8
0550030	022	22	100.0
0550060	007	66	100.0
0550240	009	204	100.0
0550450	015	289	0.7
0550450	036	4	0.0
0550450	038	21	0.1
0550450	039	7,572	17.6
0550450	040	23,935	55.6
0550450	041	9,941	23.1
0550450	042	449	1.0
0550450	043	846	2.0
0550810	091	104	100.0
0551060	078	950	100.0
0551060	079	0	0.0
0551080	003	1	100.0
0551290	022	17	100.0
0551350	002	15	100.0
0551410	073	5	100.0
0551500	079	0	0.2
0551500	080	27	99.8
0551530	020	22	100.0
0551560	061	58	100.0
0552160	085	35	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0552430	060	72	100.0
0552580	055	111	27.3
0552580	077	294	72.7
0552880	071	152	100.0
0552880	082	0	0.0
0552940	003	8	100.0
0552970	083	613	100.0
0553150	051	60	100.0
0553240	058	17	100.0
0553390	078	9,632	100.0
0553390	079	1	0.0
0553480	084	127	100.0
0553510	012	11	100.0
0553555	027	972	49.0
0553555	036	1,012	51.0
0553600	057	55	100.0
0553900	003	3	100.0
0553990	057	24	100.0
0554140	079	23	100.0
0554200	098	1,411	100.0
0554620	026	52	100.0
0554650	060	12	100.0
0554680	003	39	100.0
0554710	060	137	100.0
0555130	079	124	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0555280	086	61	100.0
0555310	010	28	0.1
0555310	011	160	0.7
0555310	016	16,869	72.6
0555310	017	6,184	26.6
0555310	018	3	0.0
0555580	071	41	100.0
0555610	024	3,423	94.6
0555610	025	24	0.7
0555610	030	172	4.8
0555970	061	42	100.0
0556270	072	64	100.0
0556480	060	29	100.0
0556540	080	206	100.0
0556600	079	7	100.0
0556720	073	35	100.0
0556750	012	12	100.0
0556990	061	0	0.0
0556990	068	3,803	100.0
0557050	073	3	100.0
0557080	019	5	100.0
0557125	095	599	100.0
0557170	087	81	100.0
0557230	019	30	100.0
0557260	020	185	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0557890	086	27	100.0
0557950	047	9	10.7
0557950	059	73	89.3
0558160	067	0	0.5
0558160	084	49	99.5
0558250	073	56	99.9
0558250	080	0	0.1
0558280	080	31	100.0
0558400	005	69	100.0
0558490	079	31	100.0
0558580	018	140	100.0
0558880	012	1	100.0
0559180	079	0	0.6
0559180	080	28	99.5
0559480	010	75	100.0
0560020	026	254	100.0
0560110	024	2,979	99.5
0560110	030	15	0.5
0560380	051	4	100.0
0560410	094	8,702	22.5
0560410	095	1,124	2.9
0560410	096	23,242	60.0
0560410	098	268	0.7
0560410	099	5,383	13.9
0560590	052	34	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0560770	059	248	100.0
0561040	003	112	100.0
0561460	083	5	100.0
0561640	058	6	100.0
0561670	061	0	0.0
0561670	068	13,123	100.0
0561940	012	9	100.0
0561970	079	7	100.0
0562030	086	7	52.9
0562030	090	6	47.1
0562060	090	4	100.0
0562150	082	68	100.0
0562210	028	0	0.0
0562210	029	976	100.0
0562240	082	113	100.0
0562900	015	249	100.0
0562900	018	0	0.0
0562960	084	13	100.0
0563020	049	0	0.0
0563020	050	5,325	100.0
0563110	073	4	100.0
0563470	027	247	99.9
0563470	031	0	0.1
0563470	035	0	0.0
0563710	019	72	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0563740	011	3	100.0
0563800	039	1,233	6.3
0563800	040	3,647	18.6
0563800	042	2	0.0
0563800	043	14,688	75.1
0563980	070	70	100.0
0564280	071	0	0.0
0564280	082	55	100.0
0564370	097	2,004	100.0
0564370	100	1	0.0
0564730	007	137	100.0
0564910	073	16	100.0
0565480	086	3	100.0
0565900	019	24	100.0
0566080	089	199	0.5
0566080	092	2	0.0
0566080	093	19,601	47.0
0566080	094	21,362	51.2
0566080	095	149	0.4
0566080	097	404	1.0
0566080	099	17	0.0
0566200	100	51	100.0
0566320	004	58	100.0
0566440	010	118	100.0
0566860	005	81	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0567250	073	61	100.0
0567370	008	18	100.0
0567490	014	127	100.0
0567520	084	49	100.0
0567550	079	5	100.0
0567730	072	96	100.0
0567760	100	95	100.0
0567940	086	26	100.0
0568060	053	65	100.0
0568330	018	0	0.0
0568330	036	1,222	100.0
0568360	058	15	100.0
0568660	004	18	100.0
0568810	001	23,384	99.6
0568810	002	95	0.4
0569050	008	30	100.0
0569230	010	12	77.4
0569230	012	3	22.6
0569350	008	9	100.0
0569500	021	33	100.0
0569740	093	0	0.0
0569740	097	1,334	100.0
0569830	019	0	0.0
0569830	028	2,376	100.0
0569830	029	0	0.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0570010	056	154	100.0
0570100	058	66	100.0
0570220	019	63	95.0
0570220	027	0	0.6
0570220	028	3	4.3
0570340	058	10	100.0
0570430	054	220	100.0
0570540	046	75	23.4
0570540	047	245	76.6
0570700	056	50	100.0
0570760	014	5	100.0
0571390	086	10	100.0
0571480	063	3	0.1
0571480	065	143	2.5
0571480	066	5,451	97.2
0571480	083	14	0.3
0571510	022	5	100.0
0571900	055	14	100.0
0571960	047	350	100.0
0572140	082	33	100.0
0572230	011	9	100.0
0572320	056	4	100.0
0572350	005	65	100.0
0572380	062	119	100.0
0572890	073	313	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0573130	048	1,270	100.0
0573310	008	109	100.0
0573370	003	25	100.0
0573550	012	2	100.0
0573940	056	44	100.0
0574000	058	8	100.0
0574270	009	332	100.0
0574330	090	15	100.0
0574360	087	121	54.6
0574360	088	100	45.4
0574450	013	133	100.0
0574540	053	4,818	91.4
0574540	054	455	8.6
0574660	049	21	100.0
0574840	051	59	100.0
0574930	020	6	100.0
0575170	017	149	31.0
0575170	018	332	69.0
0575500	022	45	100.0
0575560	051	0	0.5
0575560	052	17	99.5
0575570	083	1	0.7
0575570	084	110	99.3
0575740	080	9	100.0
0575770	003	40	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place	District	Population	%
0575860	009	31	100.0
0575890	012	20	100.0
0575920	055	50	100.0
0575980	002	38	100.0
0576010	010	14	100.0
0576010	012	0	0.0
0576190	087	73	100.0
0576250	002	31	100.0
0576730	018	0	0.0
0576730	027	747	100.0
0576820	046	1,087	100.0
0576970	018	107	99.8
0576970	036	0	0.2
0577090	057	176	100.0
0577330	086	54	100.0
0577600	086	16	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Census Place **-- Listed by District**

Population %

District 001

0568810 (part)	23,384	99.6
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District 001 Totals **23,384**

District 002

0502380	207	100.0
0524250	57	100.0
0524640	30	100.0
0551350	15	100.0
0568810 (part)	95	0.4
0575980	38	100.0
0576250	31	100.0

District 002 Totals **473**

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Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 003		
0507030	25	100.0
0507450	76	100.0
0510480	27	100.0
0521610 (part)	38	99.5
0525360	5	100.0
0533190	253	100.0
0542410	19	100.0
0543070	9	100.0
0551080	1	100.0
0552940	8	100.0
0553900	3	100.0
0554680	39	100.0
0561040	112	100.0
0573370	25	100.0
0575770	40	100.0
District 003 Totals	680	
District 004		
0508290	17	100.0
0509550	23	100.0
0521580	18	100.0
0525780	15	100.0
0539640	41	100.0
0543460 (part)	94	42.7
0566320	58	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
0568660	18	100.0
District 004 Totals	284	
District 005		
0504420 (part)	34	99.9
0507270	67	100.0
0510720 (part)	221	43.3
0513750	157	100.0
0543100	40	100.0
0543460 (part)	126	57.3
0558400	69	100.0
0566860	81	100.0
0572350	65	100.0
District 005 Totals	860	
District 006		
0521070 (part)	1,336	99.9
District 006 Totals	1,336	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 007		
0504420 (part)	0	0.1
0510600	42	100.0
0510720 (part)	290	56.7
0520440	18	100.0
0521070 (part)	1	0.1
0536130	36	100.0
0541630	8	100.0
0550060	66	100.0
0564730	137	100.0
District 007 Totals	598	
District 008		
0503430	6	100.0
0523320	27	100.0
0524220	104	100.0
0529650	48	100.0
0530310	10	100.0
0531540	18	100.0
0534090	48	100.0
0567370	18	100.0
0569050	30	100.0
0569350	9	100.0
0573310	109	100.0
District 008 Totals	427	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 009		
0516240	119	100.0
0518520 (part)	0	0.0
0524670	12	100.0
0529500	68	100.0
0535170	4	100.0
0546580 (part)	1	0.3
0546670	9	100.0
0550240	204	100.0
0574270	332	100.0
0575860	31	100.0
District 009 Totals	780	
District 010		
0536880	31	100.0
0546580 (part)	300	99.7
0555310 (part)	28	0.1
0559480	75	100.0
0566440	118	100.0
0569230 (part)	12	77.4
0576010 (part)	14	100.0
District 010 Totals	578	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 011		
0501150	50	100.0
0519990 (part)	68	100.0
0527730	36	100.0
0527790	43	100.0
0533850 (part)	7	25.0
0546190	3	100.0
0555310 (part)	160	0.7
0563740	3	100.0
0572230	9	100.0
District 011 Totals	379	

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Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
<i>District 012</i>		
0501990	5	100.0
0518520 (part)	32	100.0
0519990 (part)	0	0.0
0522180	33	100.0
0526980	11	100.0
0538170	23	100.0
0542770	70	100.0
0553510	11	100.0
0556750	12	100.0
0558880	1	100.0
0561940	9	100.0
0569230 (part)	3	22.6
0573550	2	100.0
0575890	20	100.0
0576010 (part)	0	0.0
District 012 Totals	232	
<i>District 013</i>		
0520950	15	100.0
0531180	266	100.0
0538110	150	100.0
0539670	11	100.0
0544420	41	100.0
0574450	133	100.0
District 013 Totals	616	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 014		
0501030	8	100.0
0518550	42	100.0
0518640	23	100.0
0518790	53	100.0
0525060	19	100.0
0530940 (part)	76	100.0
0533850 (part)	22	75.0
0567490	127	100.0
0570760	5	100.0
District 014 Totals	375	
District 015		
0500940	7	100.0
0510300 (part)	0	0.0
0511500	200	100.0
0515790	27	100.0
0521730	76	100.0
0530940 (part)	0	0.0
0533820	14	100.0
0536550	77	100.0
0541420	188	100.0
0550450 (part)	289	0.7
0562900 (part)	249	100.0
District 015 Totals	1,127	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 016		
0555310 (part)	16,869	72.6
District 016 Totals	16,869	
District 017		
0555310 (part)	6,184	26.6
0575170 (part)	149	31.0
District 017 Totals	6,333	
District 018		
0531390 (part)	0	0.0
0555310 (part)	3	0.0
0558580	140	100.0
0562900 (part)	0	0.0
0568330 (part)	0	0.0
0575170 (part)	332	69.0
0576730 (part)	0	0.0
0576970 (part)	107	99.8
District 018 Totals	582	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 019		
0511830	18	100.0
0519450	12	100.0
0531390 (part)	0	0.0
0539310	16	100.0
0557080	5	100.0
0557230	30	100.0
0563710	72	100.0
0565900	24	100.0
0569830 (part)	0	0.0
0570220 (part)	63	95.0
District 019 Totals	240	
District 020		
0501540 (part)	0	0.2
0501870	209	100.0
0510360	84	100.0
0521610 (part)	0	0.5
0529140	11	100.0
0529200	73	100.0
0551530	22	100.0
0557260	185	100.0
0574930	6	100.0
District 020 Totals	590	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
<i>District 021</i>		
0505260	136	100.0
0518490	197	100.0
0527010	30	100.0
0533310	63	100.0
0541090	122	100.0
0546040	81	100.0
0548560	159	100.0
0569500	33	100.0
District 021 Totals	821	
<i>District 022</i>		
0506730	8	100.0
0515700	33	100.0
0527970	166	100.0
0530700	26	100.0
0545170	130	100.0
0547690	32	100.0
0550030	22	100.0
0551290	17	100.0
0571510	5	100.0
0575500	45	100.0
District 022 Totals	484	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
<i>District 023</i>		
0501360	52	100.0
0501540 (part)	8	99.8
0517140	23	100.0
0518100	7	100.0
0518970	30	100.0
0527310	44	100.0
0548290	31	100.0
District 023 Totals	195	
<i>District 024</i>		
0533400 (part)	7,367	46.2
0537930 (part)	1,225	87.0
0555610 (part)	3,423	94.6
0560110 (part)	2,979	99.5
District 024 Totals	14,994	
<i>District 025</i>		
0533400 (part)	8,584	53.8
0555610 (part)	24	0.7
District 025 Totals	8,608	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
<i>District 026</i>		
0525180	59	100.0
0537930 (part)	183	13.0
0541450	33	100.0
0543610	601	100.0
0554620	52	100.0
0560020	254	100.0
District 026 Totals	1,182	
<i>District 027</i>		
0500580 (part)	2	1.5
0504090 (part)	391	95.8
0505290 (part)	2	0.0
0520470	3,330	100.0
0531390 (part)	164	100.0
0541000 (part)	1	0.0
0553555 (part)	972	49.0
0563470 (part)	247	99.9
0570220 (part)	0	0.6
0576730 (part)	747	100.0
District 027 Totals	5,856	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 028		
0504090 (part)	0	0.0
0505290 (part)	7,000	93.4
0530640	1,950	100.0
0562210 (part)	0	0.0
0569830 (part)	2,376	100.0
0570220 (part)	3	4.3
District 028 Totals	11,329	
District 029		
0500580 (part)	89	89.5
0504090 (part)	17	4.2
0505290 (part)	495	6.6
0509460	2,565	100.0
0541000 (part)	0	0.0
0562210 (part)	976	100.0
0569830 (part)	0	0.0
District 029 Totals	4,142	
District 030		
0524700 (part)	244	100.0
0533400 (part)	13	0.1
0533482 (part)	1,998	72.3
0547450	120	100.0
0555610 (part)	172	4.8

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
0560110 (part)	15	0.5
District 030 Totals	2,562	
District 031		
0500580 (part)	9	9.0
0524700 (part)	0	0.0
0533482 (part)	767	27.7
0541000 (part)	1,514	1.1
0563470 (part)	0	0.1
District 031 Totals	2,290	
District 032		
0541000 (part)	21,958	15.9
District 032 Totals	21,958	
District 033		
0541000 (part)	27,776	20.1
District 033 Totals	27,776	
District 034		
0541000 (part)	22,644	16.4
District 034 Totals	22,644	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 035		
0541000 (part)	27,404	19.8
0563470 (part)	0	0.0
District 035 Totals	27,404	
District 036		
0514860	339	100.0
0541000 (part)	6,777	4.9
0550450 (part)	4	0.0
0553555 (part)	1,012	51.0
0568330 (part)	1,222	100.0
0576970 (part)	0	0.2
District 036 Totals	9,354	
District 037		
0541000 (part)	25,049	18.1
District 037 Totals	25,049	
District 038		
0510780	116	100.0
0541000 (part)	5,327	3.9
0550450 (part)	21	0.1
District 038 Totals	5,464	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
<i>District 039</i>		
0534750 (part)	1,201	4.6
0542350 (part)	942	98.2
0550450 (part)	7,572	17.6
0563800 (part)	1,233	6.3
District 039 Totals	10,948	
<i>District 040</i>		
0542350 (part)	18	1.8
0550450 (part)	23,935	55.6
0563800 (part)	3,647	18.6
District 040 Totals	27,600	
<i>District 041</i>		
0544600 (part)	6,702	98.9
0550450 (part)	9,941	23.1
District 041 Totals	16,643	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 042		
0510300 (part)	0	0.0
0515190 (part)	107	0.8
0526710 (part)	350	4.3
0528270 (part)	0	0.0
0534750 (part)	100	0.4
0544600 (part)	72	1.1
0544750 (part)	385	99.3
0550450 (part)	449	1.0
0563800 (part)	2	0.0
District 042 Totals	1,465	
District 043		
0526710 (part)	7,828	95.7
0528270 (part)	2,657	99.6
0534750 (part)	3,316	12.6
0550450 (part)	846	2.0
0563800 (part)	14,688	75.1
District 043 Totals	29,335	
District 044		
0528270 (part)	9	0.4
0534750 (part)	21,679	82.4
District 044 Totals	21,688	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
<i>District 045</i>		
0515190 (part)	7,738	54.5
0544750 (part)	3	0.7
District 045 Totals	7,741	
<i>District 046</i>		
0515190 (part)	6,355	44.8
0570540 (part)	75	23.4
0576820	1,087	100.0
District 046 Totals	7,517	
<i>District 047</i>		
0517290	105	100.0
0521820	83	100.0
0528510	421	100.0
0529230	50	100.0
0532710	373	100.0
0548020	54	100.0
0557950 (part)	9	10.7
0570540 (part)	245	76.6
0571960	350	100.0
District 047 Totals	1,690	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
<i>District 048</i>		
0502860	975	100.0
0510300 (part)	6,262	100.0
0534750 (part)	2	0.0
0573130	1,270	100.0
District 048 Totals	8,509	
<i>District 049</i>		
0503280 (part)	239	100.0
0504600	227	100.0
0525900	37	100.0
0526440	14	100.0
0528990	20	100.0
0536040	160	100.0
0543220	26	100.0
0563020 (part)	0	0.0
0574660	21	100.0
District 049 Totals	744	
<i>District 050</i>		
0532140	276	100.0
0536430	644	100.0
0563020 (part)	5,325	100.0
District 050 Totals	6,245	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 051		
0502680	6	100.0
0508950	110	100.0
0510450	56	100.0
0513990	36	100.0
0514950	23	100.0
0515550	19	100.0
0523140	13	100.0
0524430 (part)	123	27.1
0532800	13	100.0
0543280 (part)	18	39.4
0546910	18	100.0
0553150	60	100.0
0560380	4	100.0
0574840	59	100.0
0575560 (part)	0	0.5
District 051 Totals	558	
District 052		
0524430 (part)	332	72.9
0530880	13	100.0
0533760	74	100.0
0537720	7	100.0
0543280 (part)	28	60.6
0544120	123	100.0
0560590	34	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
0575560 (part)	17	99.5
District 052 Totals	628	
District 053		
0520830 (part)	1,011	99.8
0544180 (part)	3,726	98.3
0568060	65	100.0
0574540 (part)	4,818	91.4
District 053 Totals	9,620	
District 054		
0501457	4	100.0
0515940	18	100.0
0520320	131	100.0
0520830 (part)	2	0.2
0527040	9	100.0
0533375	6	100.0
0535040	88	100.0
0535140	19	100.0
0544180 (part)	65	1.7
0570430	220	100.0
0574540 (part)	455	8.6
District 054 Totals	1,017	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
<i>District 055</i>		
0503940	11	100.0
0506340	5	100.0
0507330 (part)	521	50.3
0509880	31	100.0
0535650	14	100.0
0542170	40	100.0
0544150	7	100.0
0552580 (part)	111	27.3
0571900	14	100.0
0575920	50	100.0
District 055 Totals	804	
<i>District 056</i>		
0523800	10	100.0
0530400	67	100.0
0539370	47	100.0
0544210	76	100.0
0570010	154	100.0
0570700	50	100.0
0572320	4	100.0
0573940	44	100.0
District 056 Totals	452	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 057		
0502740	42	100.0
0513540	19	100.0
0531900	14	100.0
0533910	13	100.0
0542500	51	100.0
0553600	55	100.0
0553990	24	100.0
0577090	176	100.0
District 057 Totals	394	
District 058		
0501270	3	100.0
0503280 (part)	0	0.0
0504720	38	100.0
0508260	22	100.0
0510900	54	100.0
0518940	184	100.0
0529020	17	100.0
0534720	11	100.0
0549580	412	100.0
0553240	17	100.0
0561640	6	100.0
0568360	15	100.0
0570100	66	100.0
0570340	10	100.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
0574000	8	100.0
District 058 Totals	863	
District 059		
0515100	120	100.0
0522660 (part)	108	23.0
0528810	302	100.0
0531090	294	100.0
0532080	19	100.0
0539520	17	100.0
0557950 (part)	73	89.3
0560770	248	100.0
District 059 Totals	1,181	

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Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 060		
0500250	27	100.0
0505920	24	100.0
0511890	31	100.0
0515190 (part)	0	0.0
0524760	6	100.0
0533490	29	100.0
0545200	64	100.0
0546970	246	100.0
0552430	72	100.0
0554650	12	100.0
0554710	137	100.0
0556480	29	100.0
District 060 Totals	677	
District 061		
0502590 (part)	179	100.0
0504960	54	100.0
0507210 (part)	0	0.0
0515310	95	100.0
0517320	125	100.0
0517380	89	100.0
0530790	14	100.0
0551560	58	100.0
0555970	42	100.0
0556990 (part)	0	0.0

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
0561670 (part)	0	0.0
District 061 Totals	656	
District 062		
0507540	28	100.0
0524550 (part)	0	0.0
0528780 (part)	0	0.0
0529290	38	100.0
0530490	43	100.0
0533940	16	100.0
0543880	53	100.0
0545500	8	100.0
0572380	119	100.0
District 062 Totals	305	
District 063		
0503640 (part)	3,492	74.0
0524550 (part)	20,702	27.7
0571480 (part)	3	0.1
District 063 Totals	24,197	
District 064		
0524550 (part)	25,681	34.4
District 064 Totals	25,681	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
<i>District 065</i>		
0524550 (part)	28,234	37.8
0571480 (part)	143	2.5
District 065 Totals	28,377	
<i>District 066</i>		
0503640 (part)	0	0.0
0524550 (part)	2	0.0
0536670	1,575	100.0
0571480 (part)	5,451	97.2
District 066 Totals	7,028	
<i>District 067</i>		
0503640 (part)	1,229	26.0
0508440	246	100.0
0512190 (part)	0	0.0
0513120	150	100.0
0513300	294	100.0
0524550 (part)	0	0.0
0528780 (part)	643	100.0
0538890	148	100.0
0558160 (part)	0	0.5
District 067 Totals	2,710	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 068		
0556990 (part)	3,803	100.0
0561670 (part)	13,123	100.0
District 068 Totals	16,926	
District 069		
0514140	637	100.0
0514500	92	100.0
0530520	48	100.0
0537300	75	100.0
0538290	148	100.0
0541270	83	100.0
District 069 Totals	1,083	
District 070		
0502590 (part)	0	0.0
0514260	332	100.0
0519600	52	100.0
0522660 (part)	362	77.0
0531150	66	100.0
0563980	70	100.0
District 070 Totals	882	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
<i>District 071</i>		
0510570	83	100.0
0516930	92	100.0
0525030	46	100.0
0529080	13	100.0
0533370 (part)	328	98.0
0545080	143	100.0
0547540	156	100.0
0547900	79	100.0
0552880 (part)	152	100.0
0555580	41	100.0
0564280 (part)	0	0.0
District 071 Totals	1,133	
<i>District 072</i>		
0504030	801	100.0
0512280 (part)	25	30.4
0546730	91	100.0
0556270	64	100.0
0567730	96	100.0
District 072 Totals	1,077	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
<i>District 073</i>		
0500700	3	100.0
0506700	93	100.0
0514770	12	100.0
0533580	108	100.0
0534150 (part)	24	99.6
0542260	65	100.0
0543370	15	100.0
0546100	14	100.0
0549010	47	100.0
0551410	5	100.0
0556720	35	100.0
0557050	3	100.0
0558250 (part)	56	99.9
0563110	4	100.0
0564910	16	100.0
0567250	61	100.0
0572890	313	100.0
District 073 Totals	874	
<i>District 074</i>		
0507630	162	100.0
0511920	41	100.0
0520920	41	100.0
0535710 (part)	2,711	7.6
District 074 Totals	2,955	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 075		
0535710 (part)	30,648	85.4
District 075 Totals	30,648	
District 076		
0504180	266	100.0
0506610	35	100.0
0509100	87	100.0
0511410 (part)	184	99.8
0535710 (part)	2,542	7.1
0537780	176	100.0
0546400	130	100.0
District 076 Totals	3,420	
District 077		
0507330 (part)	515	49.8
0511410 (part)	0	0.2
0518160	48	100.0
0520230	53	100.0
0522120	319	100.0
0527700	91	100.0
0536310	20	100.0
0539010	101	100.0
0543820	175	100.0
0552580 (part)	294	72.7
District 077 Totals	1,616	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 078		
0551060 (part)	950	100.0
0553390 (part)	9,632	100.0
District 078 Totals	10,582	
District 079		
0515460	76	100.0
0517410	16	100.0
0518010	26	100.0
0528720	5	100.0
0537240	10	100.0
0537660	49	100.0
0542560	9	100.0
0544240	32	100.0
0549820	6	100.0
0551060 (part)	0	0.0
0551500 (part)	0	0.0
0553390 (part)	1	0.0
0554140	23	100.0
0555130	124	100.0
0556600	7	100.0
0558490	31	100.0
0559180 (part)	0	0.6
0561970	7	100.0
0567550	5	100.0
District 079 Totals	427	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 080		
0506040	28	100.0
0513472 (part)	299	54.7
0529920 (part)	71	100.0
0532257 (part)	240	100.0
0534150 (part)	0	0.4
0544780	31	100.0
0551500 (part)	27	99.8
0556540	206	100.0
0558250 (part)	0	0.1
0558280	31	100.0
0559180 (part)	28	99.5
0575740	9	100.0
District 080 Totals	970	
District 081		
0509790 (part)	0	0.0
0515490	460	100.0
0526050	637	100.0
0538050	214	100.0
0547390	1,982	100.0
District 081 Totals	3,293	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 082		
0502470	140	100.0
0508665	46	100.0
0512280 (part)	57	69.6
0513472 (part)	247	45.3
0522360	40	100.0
0529920 (part)	0	0.0
0532257 (part)	0	0.0
0533370 (part)	7	2.0
0543670	35	100.0
0550000 (part)	62	99.2
0552880 (part)	0	0.0
0562150	68	100.0
0562240	113	100.0
0564280 (part)	55	100.0
0572140	33	100.0
District 082 Totals	903	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
<i>District 083</i>		
0500970	424	100.0
0501210 (part)	17	28.5
0512520	747	100.0
0520200	221	100.0
0524550 (part)	43	0.1
0548200	658	100.0
0552970	613	100.0
0561460	5	100.0
0571480 (part)	14	0.3
0575570 (part)	1	0.7
District 083 Totals	2,743	
<i>District 084</i>		
0501210 (part)	43	71.5
0507210 (part)	29	100.0
0507720	108	100.0
0512190 (part)	36	100.0
0518370	29	100.0
0543310	44	100.0
0547030	29	100.0
0553480	127	100.0
0558160 (part)	49	99.5
0562960	13	100.0
0567520	49	100.0
0575570 (part)	110	99.3
District 084 Totals	666	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 085		
0504900	51	100.0
0505440	114	100.0
0530460	893	100.0
0552160	35	100.0
District 085 Totals	1,093	
District 086		
0505980	23	100.0
0509790 (part)	107	100.0
0518850	57	100.0
0522450	10	100.0
0523680	44	100.0
0524010	38	100.0
0526800	7	100.0
0539040	11	100.0
0539460	16	100.0
0550000 (part)	0	0.8
0555280	61	100.0
0557890	27	100.0
0562030 (part)	7	52.9
0565480	3	100.0
0567940	26	100.0
0571390	10	100.0
0577330	54	100.0
0577600	16	100.0
District 086 Totals	517	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
<i>District 087</i>		
0513570	19	100.0
0539970	69	100.0
0547300	55	100.0
0557170	81	100.0
0574360 (part)	121	54.6
0576190	73	100.0
District 087 Totals	418	
<i>District 088</i>		
0523170	2,357	100.0
0523290 (part)	9,795	25.1
0528660	1,345	100.0
0574360 (part)	100	45.4
District 088 Totals	13,597	
<i>District 089</i>		
0521190	404	100.0
0523290 (part)	1,813	4.7
0527670	1,752	100.0
0566080 (part)	199	0.5
District 089 Totals	4,168	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
<i>District 090</i>		
0532470	5	100.0
0533970	42	100.0
0534900	7	100.0
0544300	36	100.0
0562030 (part)	6	47.1
0562060	4	100.0
0574330	15	100.0
District 090 Totals	115	
<i>District 091</i>		
0501060	55	100.0
0504540	21	100.0
0505560	179	100.0
0507150	3	100.0
0522240	279	100.0
0528600	92	100.0
0550810	104	100.0
District 091 Totals	733	
<i>District 092</i>		
0523290 (part)	27,215	69.9
0535500 (part)	38	0.8
0566080 (part)	2	0.0
District 092 Totals	27,255	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 093		
0521430 (part)	0	0.0
0523290 (part)	9	0.0
0535500 (part)	4,497	99.2
0566080 (part)	19,601	47.0
0569740 (part)	0	0.0
District 093 Totals	24,107	
District 094		
0505740 (part)	4,010	100.0
0523290 (part)	0	0.0
0541720 (part)	8,090	98.0
0560410 (part)	8,702	22.5
0566080 (part)	21,362	51.2
District 094 Totals	42,164	
District 095		
0503040 (part)	180	49.8
0505740 (part)	0	0.0
0525750	514	100.0
0526110	80	100.0
0541720 (part)	164	2.0
0557125	599	100.0
0560410 (part)	1,124	2.9
0566080 (part)	149	0.4
District 095 Totals	2,810	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 096		
0505320 (part)	20	0.2
0540120 (part)	2,380	51.7
0560410 (part)	23,242	60.0
District 096 Totals	25,642	
District 097		
0521430 (part)	686	97.8
0523290 (part)	124	0.3
0564370 (part)	2,004	100.0
0566080 (part)	404	1.0
0569740 (part)	1,334	100.0
District 097 Totals	4,552	
District 098		
0503040 (part)	181	50.2
0504840 (part)	18,557	94.0
0505320 (part)	85	0.6
0540120 (part)	2,215	48.1
0554200	1,411	100.0
0560410 (part)	268	0.7
District 098 Totals	22,717	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

	Population	%
District 099		
0504840 (part)	6	0.0
0505320 (part)	12,971	98.5
0512340 (part)	4,228	98.4
0512820 (part)	9	2.4
0521430 (part)	0	0.0
0532200 (part)	67	6.0
0540120 (part)	11	0.2
0560410 (part)	5,383	13.9
0566080 (part)	17	0.0
District 099 Totals	22,692	
District 100		
0504840 (part)	1,190	6.0
0505320 (part)	91	0.7
0512340 (part)	71	1.6
0512820 (part)	378	97.6
0517740	217	100.0
0521430 (part)	15	2.2
0526290	225	100.0
0528360	220	100.0
0532200 (part)	1,059	94.0
0564370 (part)	1	0.0
0566200	51	100.0
0567760	95	100.0
District 100 Totals	3,613	

Communities of Interest (Landscape, 11x8.5)

AR 2001 House Plan

Summary Statistics

Number of Census Place not split	413
Number of Census Place split	106
Number of Census Place split in 2	78
Number of Census Place split in 3	15
Number of Census Place split in 4	5
Number of Census Place split in 5	3
Number of Census Place split in 6	1
Number of Census Place split in 7	2
Number of Census Place split in 8	1
Number of Census Place split in 9	0
Number of Census Place split in 10	1
Total number of splits	274

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User: Tony Fairfax

Plan Name: AR 2001 House Plan

Plan Type: State House Districts

Measures of Compactness Report

Sunday, January 23, 2022

1:12 PM

	Reock	Polsby-Popper	Area/Convex Hull
Sum	N/A	N/A	N/A
Min	0.15	0.10	0.54
Max	0.62	0.65	0.98
Mean	0.42	0.31	0.75
Std. Dev.	0.10	0.11	0.09
District	Reock	Polsby-Popper	Area/Convex Hull
001	0.39	0.19	0.70
002	0.28	0.12	0.67
003	0.48	0.29	0.79
004	0.40	0.20	0.78
005	0.28	0.12	0.60
006	0.43	0.31	0.67
007	0.35	0.10	0.55
008	0.41	0.22	0.74
009	0.54	0.36	0.84
010	0.29	0.17	0.62
011	0.43	0.32	0.80

Measures of Compactness Report

AR 2001 House Plan

	Reock	Polsby-Popper	Area/Convex Hull
Sum	N/A	N/A	N/A
Min	0.15	0.10	0.54
Max	0.62	0.65	0.98
Mean	0.42	0.31	0.75
Std. Dev.	0.10	0.11	0.09

District	Reock	Polsby-Popper	Area/Convex Hull
012	0.24	0.11	0.59
013	0.42	0.30	0.80
014	0.33	0.22	0.69
015	0.56	0.33	0.82
016	0.53	0.32	0.83
017	0.26	0.26	0.71
018	0.24	0.17	0.60
019	0.51	0.38	0.80
020	0.52	0.28	0.84
021	0.44	0.33	0.86
022	0.34	0.40	0.79
023	0.49	0.27	0.77
024	0.49	0.26	0.73
025	0.43	0.29	0.76

Measures of Compactness Report

AR 2001 House Plan

	Reock	Polsby-Popper	Area/Convex Hull
Sum	N/A	N/A	N/A
Min	0.15	0.10	0.54
Max	0.62	0.65	0.98
Mean	0.42	0.31	0.75
Std. Dev.	0.10	0.11	0.09

District	Reock	Polsby-Popper	Area/Convex Hull
026	0.42	0.32	0.71
027	0.36	0.37	0.81
028	0.40	0.26	0.79
029	0.32	0.16	0.60
030	0.49	0.32	0.72
031	0.39	0.24	0.72
032	0.47	0.27	0.70
033	0.28	0.26	0.72
034	0.15	0.20	0.54
035	0.44	0.28	0.73
036	0.46	0.40	0.84
037	0.19	0.27	0.68
038	0.18	0.20	0.54
039	0.30	0.30	0.67

Measures of Compactness Report

AR 2001 House Plan

	Reock	Polsby-Popper	Area/Convex Hull
Sum	N/A	N/A	N/A
Min	0.15	0.10	0.54
Max	0.62	0.65	0.98
Mean	0.42	0.31	0.75
Std. Dev.	0.10	0.11	0.09

District	Reock	Polsby-Popper	Area/Convex Hull
040	0.51	0.40	0.80
041	0.36	0.24	0.68
042	0.44	0.17	0.64
043	0.51	0.36	0.82
044	0.55	0.51	0.89
045	0.51	0.29	0.72
046	0.34	0.25	0.78
047	0.44	0.25	0.76
048	0.45	0.25	0.76
049	0.40	0.17	0.75
050	0.58	0.38	0.82
051	0.41	0.22	0.71
052	0.49	0.25	0.79
053	0.42	0.38	0.86

Measures of Compactness Report

AR 2001 House Plan

	Reock	Polsby-Popper	Area/Convex Hull
Sum	N/A	N/A	N/A
Min	0.15	0.10	0.54
Max	0.62	0.65	0.98
Mean	0.42	0.31	0.75
Std. Dev.	0.10	0.11	0.09

District	Reock	Polsby-Popper	Area/Convex Hull
054	0.35	0.20	0.67
055	0.23	0.13	0.56
056	0.46	0.65	0.98
057	0.39	0.26	0.77
058	0.34	0.23	0.71
059	0.61	0.51	0.88
060	0.35	0.31	0.71
061	0.40	0.32	0.79
062	0.49	0.50	0.84
063	0.33	0.31	0.69
064	0.40	0.56	0.88
065	0.51	0.59	0.85
066	0.42	0.44	0.83
067	0.50	0.42	0.83

Measures of Compactness Report

AR 2001 House Plan

	Reock	Polsby-Popper	Area/Convex Hull
Sum	N/A	N/A	N/A
Min	0.15	0.10	0.54
Max	0.62	0.65	0.98
Mean	0.42	0.31	0.75
Std. Dev.	0.10	0.11	0.09

District	Reock	Polsby-Popper	Area/Convex Hull
068	0.43	0.40	0.69
069	0.49	0.45	0.83
070	0.39	0.30	0.71
071	0.49	0.46	0.84
072	0.43	0.26	0.74
073	0.30	0.17	0.56
074	0.51	0.42	0.81
075	0.55	0.50	0.81
076	0.54	0.59	0.90
077	0.35	0.29	0.76
078	0.45	0.45	0.85
079	0.62	0.30	0.84
080	0.48	0.32	0.77
081	0.52	0.38	0.76

Measures of Compactness Report

AR 2001 House Plan

	Reock	Polsby-Popper	Area/Convex Hull
Sum	N/A	N/A	N/A
Min	0.15	0.10	0.54
Max	0.62	0.65	0.98
Mean	0.42	0.31	0.75
Std. Dev.	0.10	0.11	0.09

District	Reock	Polsby-Popper	Area/Convex Hull
082	0.28	0.20	0.58
083	0.29	0.17	0.62
084	0.35	0.18	0.54
085	0.46	0.26	0.74
086	0.42	0.22	0.75
087	0.57	0.39	0.83
088	0.49	0.28	0.74
089	0.43	0.33	0.83
090	0.39	0.37	0.85
091	0.46	0.38	0.84
092	0.48	0.38	0.80
093	0.46	0.55	0.89
094	0.26	0.27	0.65
095	0.52	0.35	0.84

Measures of Compactness Report

AR 2001 House Plan

	Reock	Polsby-Popper	Area/Convex Hull
Sum	N/A	N/A	N/A
Min	0.15	0.10	0.54
Max	0.62	0.65	0.98
Mean	0.42	0.31	0.75
Std. Dev.	0.10	0.11	0.09

District	Reock	Polsby-Popper	Area/Convex Hull
096	0.46	0.45	0.79
097	0.38	0.21	0.66
098	0.34	0.32	0.83
099	0.45	0.32	0.76
100	0.54	0.34	0.84

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Measures of Compactness Report

AR 2001 House Plan

Measures of Compactness Summary

Reock	The measure is always between 0 and 1, with 1 being the most compact.
Polsby-Popper	The measure is always between 0 and 1, with 1 being the most compact.
Area / Convex Hull	The measure is always between 0 and 1, with 1 being the most compact.

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Appendix C

House District 5 Modification of Illustrative Plan

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User: Tony Fairfax

Plan Name: AR House Illustrative Rebuttal Test

Plan Type: AR HD Plan

Measures of Compactness Report

Friday, January 21, 2022

11:28 PM

	Reock	Polsby-Popper	Area/Convex Hull
Sum	N/A	N/A	N/A
Min	0.33	0.15	0.54
Max	0.33	0.15	0.54
Mean	0.33	0.15	0.54
Std. Dev.			

District	Reock	Polsby-Popper	Area/Convex Hull
005	0.33	0.15	0.54

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Measures of Compactness Report

AR House Illustrative Rebuttal

Measures of Compactness Summary

Reock	The measure is always between 0 and 1, with 1 being the most compact.
Polsby-Popper	The measure is always between 0 and 1, with 1 being the most compact.
Area / Convex Hull	The measure is always between 0 and 1, with 1 being the most compact.

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Rebuttal Report of Dr. Lisa Handley

I. Definition of racially polarized voting

In *Thornburg v. Gingles* the U.S. Supreme Court defined voting as racially polarized when the election outcome “would have been different depending on whether it had been held among only the white voters or only the black voters,”¹ and when “black voters and white voters vote differently.”² Evidence relating to the degree of racial polarization is the foundation of two of the three *Gingles* preconditions: it is required to determine whether the minority group is politically cohesive and whether whites are voting sufficiently as a bloc to usually defeat minority-preferred candidates. Estimating the percentage of Black and white voters supporting competing candidates is essential for determining who the Black-preferred candidates are, how cohesive Black voters are in support of these candidates, and whether whites are voting as a bloc against Black-preferred candidates in recent Arkansas elections.

Contrary to Dr. Lockerbie’s contention that I “assumed” voting was racially polarized, I conducted a statistical analysis of voting patterns using the three standard statistical techniques applied by experts in voting rights cases to estimate voting patterns by race.³ My analysis demonstrates that Black voters are cohesive and that white voters do not support the candidates preferred by Black voters. The evidence is clear that Black voters and white voters vote differently and that the winners of recent elections would have been different depending on whether they were held among only the white voters or only the Black voters.

II. Lack of evidence to support Dr. Lockerbie’s argument

Dr. Lockerbie does not conduct any analyses to support his claim that voting patterns are the result of party rather than race. Instead of carrying out an analysis to demonstrate whether

¹ *Thornburg v. Gingles*, 478 U.S. 30, 58 (1986).

² *Thornburg v. Gingles*, 478 U.S. 30, 53 (1986).

³ Justin de Benedictis-Kessner, “Evidence in Voting Rights Litigation: Producing Accurate Estimates of Racial Voting Patterns,” *Election Law Journal*, vol.14 (4), 2015, 361-382, page 363. This article includes a comprehensive listing of Voting Rights Act cases (1985-2014) and the statistical methods used in these cases to estimate voting patterns by race. (Table A1 of the Appendix).

party is playing a mediating role between race and voting behavior (and therefore explains partisan choices), Dr. Lockerbie assumes that the difference in party preference can be explained by party alone simply because Black voters usually support Democrats and white voters usually support Republicans in general elections. He makes the additional assumption that because white voters are no more likely to support white Democrats than Black Democrats, this means that party explains the vote rather than race. Dr. Lockerbie's "eyeballing the data approach" ignores:

- (1) in several recent Arkansas general elections, Black voters supported Libertarian candidates;
- (2) the only recent statewide Democratic primary that included a Black candidate was racially polarized;
- (3) similar support levels among white voters for Black and White Democrats does not mean that party rather than race explains voting patterns, especially in a state where no Democrat is likely to win statewide office;
- (4) the role played by race in a voter's choice of which party to support.

III. Role of race and party in explaining vote choice

Dr. Lockerbie contends that the very divergent voting pattern of Blacks and whites is not "racially driven" but a consequence of the partisan choices of Black and white voters.⁴ His argument in support of this assertion is that Black voters support Democrats and white voters support Republicans, regardless of the race of the candidates.

Black support for candidates who are not Democrats In two of the nine general elections I examined, the vast majority of Black voters supported Libertarian candidates: in the 2020 race against incumbent US. Senator Tom Cotton, more than 85% of Black voters cast their votes for Ricky Dale Harrington, the Black Libertarian candidate; in the 2018 contest for State Treasurer, more than 80% of Black voters supported the white Libertarian candidate, Ashley Ewald. This support cannot be based on party as Black voters do not generally support Libertarian candidates

⁴ Section 2 of the Voting Rights Act was amended in 1982 to remove intent from a vote dilution or vote denial investigation. Arguing that the divergent voting patterns of Black and white voters is explained by party and not race is bringing intent into the inquiry. Positing race or party as an either-or proposition ignores the connection between attitudes about race and partisan vote choice.

(e.g., Black support for Libertarian candidates was very low in 2018 election contests for Governor, Lieutenant Governor, Attorney General, Secretary of State; and in the 2016 election contest for U.S. Senate). These two Black-preferred Libertarian candidates were not supported by a majority of white voters and lost both their elections to the white-preferred white candidates.

Polarized voting in the Democratic primary Voting patterns in primary elections cannot be explained by party because all of the voters have chosen to participate in the same party primary. There was only one recent statewide Democratic primary that included a Black candidate, the 2018 gubernatorial primary.⁵ More than 73% of the white voters who chose to vote in the Democratic primary⁶ cast their votes for the white candidate, Jared Henderson. A majority of Black voters supported his Black opponent, Leticia Sanders. Nevertheless, Henderson won the Democratic nomination but went on to lose the general election as discussed above.

White support for Black and White Democrats and Republicans White voters' lack of support for white Democrats as well as Black Democrats is not evidence that party rather than race explains the vote, as Dr. Lockerbie contends. It merely means that Black Democrats may not have been specifically targeted for defeat over and above white Democrats. But this is not surprising in Arkansas where Democrats are increasingly unlikely to win statewide elections.⁷

In addition, support among voters for Black Democrats and White Democrats is not the same. Dr. Lockerbie compares the estimated white vote share received by the one Black Democrat, Anthony Bland, in a recent statewide general election to the white vote share received by recent white Democratic candidates. Only one white Democrat received fewer white votes in recent elections than Bland: Jared Henderson, who ran for Governor the same year that Bland ran for Lieutenant Governor (2018). The average percentage of the white vote received by statewide

⁵ The recent state legislative Democratic primaries analyzed only included Black candidates. Black and white voters supported the same candidates – all incumbents (although Springer in District 34 had only been an incumbent for a couple of months) – in these contests.

⁶ The choice of whether to vote in Democratic or Republican primaries is polarized: Black primary voters are much more likely than white voters to choose to vote in Democratic primaries.

⁷ Arkansas last elected Democrats to statewide office in 2010.

white Democratic candidates is 19.9;⁸ Bland garnered 17.5 percent of the white vote.⁹ As Dr. Lockerbie acknowledges in his report, this difference in mean white support for Black Democrats and White Democrats is also found in state legislative elections (Lockerbie Report, page 4).

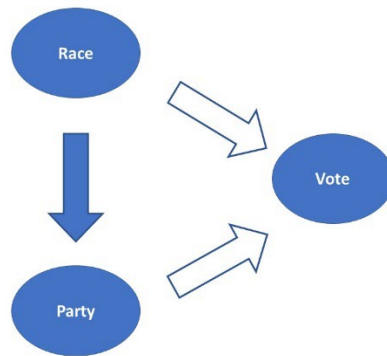
Dr. Lockerbie does not discuss the difference in white support for Black and white Republicans. White voters had the option of voting for a white Republican in all statewide contests I examined but not in all state legislative elections. The average white vote for white Republicans in the state legislative contests I analyzed was 81.4%, but for Black Republicans the average was 51.2%. Moreover, when a white independent was available as a third option when faced with Black candidates for both major parties, white voters chose the white candidate rather than vote for either Black candidate.

Interrelationship between party and race Arguing that party, not race, accounts for the very different vote choices of Black and white voters suggests that the two variables – race and party – are competing options, but they are in fact highly correlated explanations for the voting patterns found in recent Arkansas elections.¹⁰ The unsurprising fact that Black and white voters often support candidates from different parties does nothing to demonstrate that party rather than race explains voters’ preferences. This simplistic observation ignores the role that race plays in explaining partisan identification and a voter’s support for one party’s candidates over the other party’s candidates. The outlined arrows in the diagram below illustrate the argument being made; the solid arrow indicates the relationship being ignored in the contention that party, not race, explains vote choices.

⁸ Like Dr. Lockerbie, I will summarize using “ei rxc” estimates when possible and “ei 2x2” estimates when ei rxc estimates are not available.

⁹ Moreover, the difference between white support and Black support for Bland was larger than for any of the other Democratic candidates that ran statewide in 2018, including Henderson. The gap between Black support and white support for Bland was 73.1; the gaps between Black and white support for the other Democratic candidates in 2018 were 72.3 (Governor), 70.7 (Attorney General) and 69.5 (Secretary of State).

¹⁰ Racially polarized voting patterns that rest on the alignment of race, party and ideology has been referred to as *conjoined polarization*. Bruce Cain and Emily Zhang, “Blurred Lines: Conjoined Polarization and Voting Rights, *Ohio State Law Journal*, 77 (4): 2016.



Social science research reveals the significant role that race, racial attitudes, and racial policy preferences play in dictating individuals' partisan preferences.¹¹ The relationship between racial attitudes and partisan affiliation is especially strong in the South, where the partisan affiliations of white voters and Black voters have fluctuated directly with the racial policies embraced by the Democratic and Republican parties. Researchers have traced Southern realignment – the shift of white voters from overwhelming support for the Democratic party to nearly equally strong support for the Republican party – to the Democratic party's support for civil rights legislation beginning in the 1960s.¹² According to a recent study by two Princeton economists, "[u]sing newly available data, we conclude that defection among racially conservative whites just after Democrats introduce sweeping Civil Rights legislation explains virtually all of the party's losses in the region."¹³

¹¹ See, for example, Edward Carmines and James Stimson, *Issue Evolution: Race and the Transformation of American Politics*. Princeton, NJ: Princeton University Press, 1989; Maruice Mangum, "The Racial Underpinnings of Party Identification and Political Ideology," *Social Science Quarterly* vol. 94 (5): 2013; Carlos Algara and Isaac Hale, "Racial Attitudes and Political Cross-Pressures in Nationalized Elections: The Case of the Republican Coalition in the Trump Era," *Electoral Studies*, vol. 68: December 2020.

¹² See, for example, Carmines and Stimson, 1989; J. Morgan Kousser, "The Immutability of Categories and the Reshaping of Southern Politics," *Annual Review of Political Science* vol. 13: 2010; Ilyana Kuziemko and Ebonya Washington, "Why did the Democrats Lose the South? Bringing New Data to an Old Debate," *American Economic Review*, vol. 108 (10): October 2018.

¹³ Kuziemko and Washington, 2018, p. 2865.

The differences in attitudes on racial issues between Republican and Democrats persist today.¹⁴ A recently published study of racial attitudes by the Pew Research Center reports several examples of differences in racial attitudes between Democrats and Republicans, including:

- (1) the need for increased attention to the history of slavery and racism – Republicans are far more likely than Democrats to say increased attention to these issues is bad for the country;
- (2) the need to ensure equal rights for all Americans – Republicans think only a little (47%) or nothing (30%) needs to be done to ensure equal rights for all Americans, Democrats (74%) agree that a lot more needs to be done to achieve racial equality; and
- (3) the progress made thus far towards racial equality – Republicans (71%) are much more likely than Democrats (29%) to say the nation has made a lot of progress toward racial equality over the past half-century.¹⁵

Similarly, a Harvard political economist and his colleagues recently reported finding “a stark partisan gap among white respondents, particularly in the perceived causes of racial inequities and what should be done about them. White Democrats and Black respondents are much more likely to attribute racial inequities to adverse past and present circumstances and want to act on them with race-targeted and general redistribution policies. White Republicans are more likely to attribute racial gaps to individual actions.”¹⁶

Dr. Lockerbie conducted no analysis to assess the relative roles of race and party in explaining vote choice. His “eyeballing the data” approach should certainly have alerted him to

¹⁴ The gap is actually increasing, but primarily due to the more liberal attitudes of Democrats. Robert Griffin, Mayesha Quasem, John Sides, and Michael Tesler, “Racing Apart: Partisan Shifts on Racial Attitudes Over the Last Decade,” A Research Report from the Democracy Fund Voter Study Group, October 2021.

¹⁵ See “Deep Divisions in Americans’ Views of Nation’s Racial History – and How to Address It,” Report of the Pew Research Center, August 12, 2021.

¹⁶ Alberto Alesina, Matteo Ferroni, and Stephanie Stantcheva, “Perceptions of Racial Gaps, Their Causes, and Ways to Reduce Them,” National Bureau of Economic Research Working Papers Series, October 2021.

the high correlation between the two variables. Treating the variables as competing explanations for vote choice ignores the interrelationship between those factors and the role race plays in partisan identification. In other words, race has both a direct effect and an indirect effect, with party playing a mediating role between race and vote choice. Social scientists have long been aware that failing to account for the possibility of mediation can produce biased conclusions about causation, and they have begun to develop statistical techniques to reduce or eliminate this bias under certain conditions.¹⁷ Dr. Lockerbie does no statistical analysis at all, let alone attempt any of these corrective techniques, and fails even to acknowledge the likely bias in his conclusions.

IV. Providing Black voters with an opportunity to elect their candidates of choice

A district-specific, functional analysis is required to determine whether a district provides minority voters with an opportunity to elect their candidates of choice – or, in a slightly more complicated process, if a proposed district is likely to provide this opportunity if it is enacted. I utilize a two-component assessment based on: (1) the demographic composition of the district and (2) the voting patterns of minority and white voters in that district. Both components must be satisfied for me to consider a district likely to provide minority voters with an opportunity to elect their candidates of choice.

Demographic composition of district There is no single universal or statewide target, such as 50% or 55% Black, that can be used to ascertain if a district provides minority voters with an opportunity to elect their candidates of choice. The minority population needed to create an "effective" minority district – that is, one that is likely to elect minority voters' preferred candidates to office – varies depending on the voting patterns of minorities and whites in the specific location of the district. This is the reason the Court requires a district-specific, functional analysis. However, unless voting is not racially polarized (in which case no effective minority districts need be drawn), districts must have a sizeable minority population if minority voters are going to play a decisive role in electing their candidates of choice to office. In Arkansas, where voting is consistently and markedly racially polarized, the only state house districts in which

¹⁷ See, for example, Avidit Acharya, Matthew Blackwell, and Maya Sen, "Explaining causal findings without bias: Detecting and assessing direct effects," *American Political Science Review* 110 (3): 2016.

Black voters have consistently been able to elect their candidates of choice in contested elections have been majority Black districts. While this does not necessarily mean that only majority Black districts will provide this opportunity – or that all majority Black districts will provide Black voters an opportunity to elect their candidates of choice – it does suggest that a sizeable Black population is required.

The election of Jay Richardson, a Black Democrat, to represent Old District 78 is not evidence that this district provides Black voters with an opportunity to elect their candidates of choice.¹⁸ As Dr. Lockerbie points out, the district had an effectiveness score of .549, but it also had a BVAP of less than 15%. While it is likely that most Black voters in the district voted for Richardson,¹⁹ they could not have provided enough support to elect Richardson (or any other candidate) had non-Black voters supported a different candidate.²⁰ The candidates preferred by non-Black voters will inevitably succeed in winning this district because there are simply not enough Black voters to have a decisive impact on who wins. Proposed State House District 49 has approximately the same BVAP as Richardson’s old district. If he runs for re-election and non-Black voters support him, Richardson will most likely win (92% of the population of his old district resides in the new district). However, if non-Black voters decline to support Richardson, he will lose, regardless of which candidate Black residents in the district support.

Another state house district Dr. Lockerbie suggests I should have listed as a Black opportunity district in the 2010 plan is State House District 33, with an effectiveness score of .679 but a BVAP of only 25.5%. The same observations apply to this district: the BVAP is too low for Black voters to make up a significant portion of the voters in the general election in this

¹⁸ In my original report, I refer to Current, Proposed, and Illustrative districts for the district configurations under the 2010 state house plan, the plan proposed by the Reapportionment Board in 2021, and the illustrative plan put forward by Plaintiffs. Here, I refer to districts under the 2010 plan as “Old” but retain the use of Proposed and Illustrative districts to refer to the recently enacted plan and the illustrative plan.

¹⁹ The voting patterns in House District 78 elections were not analyzed as the district does not overlap with one of the additional Black opportunity districts offered in the Illustrative Plan compared to the Proposed Plan.

²⁰ The demographic composition of House District 78 was diverse: the 2019 citizen voting age population of the district was 54.3% white, 17.8% Hispanic, 18.1% Black. Fairfax Report, ECF 2-8 at 100.

district. The preferred candidate of White voters prevailed in the old district and white voters will continue to elect their candidates of choice with or without Black support in Proposed District 74. (Slightly over 76% of old District 33 is in Proposed District 74, and the BVAP in the new district is lower at 21.2%.)

There are two additional state house districts under the 2010 plan with effectiveness scores greater than .50: State House Districts 85 and 86. Neither of these districts have BVAPs of even 10% but the effectiveness score of District 85 is .563 and the score in District 86 is .689. These districts were not discussed by Dr. Lockerbie. But the same point can be made: Black voters are not able to impact who is elected in either district. (Both of these districts, like Old District 33 discussed above, elect white Democrats to the legislature.) Both the effectiveness score and the racial composition of the districts must be considered in determining whether a district is likely to provide Black voters with an opportunity to elect their candidates of choice.

Effectiveness score of district Because no elections have taken place in the proposed/illustrative districts, the percentage of votes a Black-preferred candidate is likely to receive must be estimated. Recompiling election results from previous elections to conform with the boundaries of proposed districts is the conventional approach to making this determination. The best election contests to use for this purpose are recent statewide elections that included a viable major party minority candidate supported by minority voters but not by white voters. Statewide candidates are the only candidates appropriate for this exercise because all voters – those in every old district as well as every proposed district – had the opportunity to turn out to vote for the election and to vote for one of the candidates competing.²¹ There is only one recent statewide general election in Arkansas that satisfies these conditions: the 2018 race for Lieutenant Governor, in which Black Democrat Anthony Bland ran. He received overwhelming support from Black voters but less than 20% of white voters cast their votes for him.

²¹ State legislative elections are conventionally not used for recompilation purposes. This is because the exercise requires either adding the vote totals of different legislative candidates running in different districts among different sets of voters to produce a “composite” candidate or, as Dr. Lockerbie has done, projecting the votes of a candidate that ran in one district onto voters that were not in that district and did not cast a vote for the candidate.

Adjusted effectiveness scores Dr. Lockerbie offers effectiveness scores “adjusted” upward based on the support for the incumbent legislators in the previously existing districts compared to Bland’s support in 2018. This adjustment necessarily rests on faulty assumptions. First, there is an assumption that the voters in the proposed district will be presented with an incumbent, and the advantages that come with that, such as name recognition. Second, it assumes that the new voters in the proposed district (that is, residents drawn into the proposed district that resided in districts other than the one from which the incumbent was elected) will support this candidate at a rate comparable to the incumbent’s old constituents. Third, it assumes the racial composition of the new district is the same as that of the old district. The “bonus” points being awarded for the votes received by the incumbent representative over those received by Bland rests on both the racial composition and the voting patterns of Black and white voters in the old district. If the racial composition of the new district is not the same, the bonus should not be the same. I will examine each of these assumptions in relation to the district scores adjusted by Dr. Lockerbie.

Dr. Lockerbie adjusted the effectiveness score I reported for Proposed District 34 from 45.84 up to 51.91 based on Representative Monte Hodges’ vote in Old District 55 in 2018 compared to Bland’s vote in this district. He argues that this adjustment indicates Hodges should win Proposed District 34 “handily with 57.7% of the vote.”²² There are several problems with his prediction. First, since Hodges has announced plans not to run for re-election in Proposed District 34, there will be no incumbent running in the district and one cannot assume a non-incumbent will experience the same level of support as an incumbent. Second, there is no guarantee that the new voters in the district – more than 25% of the population of Proposed District 34 were residents of districts other than Old District 55 – will support Hodges at the same rate as voters of Old District 55 even if he were to run for re-election. The rate cited by Dr. Lockerbie is overly optimistic in any case: Hodges garnered only 52.2% of the vote in 2020 against the same Black Republican (Gary Tobar) he defeated in 2018 with 61.7% of the vote. Third, the BVAP has declined considerably: old District 55 had a 51.9% BVAP; newly drawn District 34 has a BVAP of only 45.8%. Fourth, providing Black voters with an opportunity to elect their candidates of choice does not mean simply being able to re-elect a popular Black

²² Lockerbie Report, page 5.

incumbent to office – Black voters should have the ability to elect candidates to an open seat when an incumbent retires as well as to elect less well-known challengers running against incumbents.

The effectiveness score I report for Proposed State House District 98 is 44.8 based on Bland's support among the actual residents (Black and white) encompassed within the boundaries of the new district. Dr. Lockerbie adds more than six percentage points to this score based on how well Representative David Fielding, the Black incumbent in old State House District 5, performed compared to Bland. I do not know whether Fielding will run in Proposed District 98 but even if he does, only 64% of the population in Proposed District 98 resided in the district he represented. Put another way, 36% of the population of Proposed District 98 is new to the district, and one cannot assume that they would vote for Fielding (or another Black-preferred candidate) in the same proportions as voters who reside within the district's former boundaries. In addition, the proposed district will have far fewer Black voters than his old district – Proposed District 98 has a BVAP of 44.15%; Old District 5 had a 52.0% BVAP.

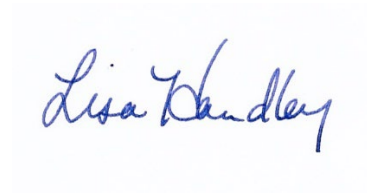
V. Conclusion

Voting in Arkansas is racially polarized as defined by the U.S. Supreme Court. Its presence has been ascertained using the conventional statistical methods employed in minority vote dilution cases. Arguments that voting is not racially polarized must be supported with evidence – and Dr. Lockerbie has provided no evidence in his report that voting is not racially polarized.

Racial polarization impedes the opportunity for Black voters to elect candidates of their choice unless districts are drawn to provide Black voters with an ability to elect their preferred candidates. The Proposed State House Plan decreases the number of majority Black districts from 12 to 11 compared to the plan in place for the past decade and offers five fewer majority Black districts than the Illustrative Plan demonstrates could have been created. The Proposed State House Plan dilutes the voting strength of Black voters in Arkansas by failing to create additional districts that offer Black voters an opportunity to elect their candidates of choice to the Arkansas State House.

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

Executed on January 26, 2022.

A handwritten signature in blue ink that reads "Lisa Handley". The signature is written in a cursive style with a large initial "L".

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SUPPLEMENTAL DECLARATION OF JAY BARTH, Ph.D.

Pursuant to 28 U.S.C. § 1746, I, Jay Barth, hereby declare as follows:

In response to comments in the Defendants' Response in Opposition to Motion for Preliminary Injunction regarding my preliminary report in this case, I would like to supplement that preliminary report in the following ways:

Senate Factor Seven

1. In my discussion of the racial composition of those holding a variety of offices in Arkansas, I made an error as noted in the Defendants' Response (*see* Doc. 53 at 64-65). At present, there are twelve Black members of the Arkansas State House of Representatives. I deeply regret and apologize for the mistake.
2. To be more expansive, of these twelve Black members presently holding seats in the lower body in the General Assembly eleven of them represent districts that were majority Black according to the 2010 Census data employed by the Board of Apportionment in its redistricting process in 2011. The twelfth Black House member—Representative Jay Richardson—represents a district (House District 78) where there was no racial majority group at the time of the 2011 redistricting process but a plurality (49.5%) of residents were white. Representative Richardson was preceded in that seat by another African American member, Representative George McGill. The success of Representatives McGill and Richardson are exceptional in that they are the lone Black individuals to represent districts in which the majority of residents are not Black since at

least the late 19th century when Black representation in the Arkansas legislature disappeared for eight decades.¹

3. As noted in the initial report, there is one majority-Black district that is currently represented by a white member—District 12 where Representative David Tollett serves. Representative Tollett was preceded in office by white Democratic Representative Chris Richey who was elected in 2012. Thus, the current majority Black District 12 has been represented throughout its existence by a white representative.

Senate Factor Six

4. Defendants describe as “anodyne” an explicit racial appeal during the 2020 election in Arkansas’s Second Congressional District (*see* Doc. 53 at 70). While surrounding comments did talk about his opponent’s ideology and partisanship, as is completely appropriate during any political campaign, the statement by Congressman French Hill that Senator Joyce Elliott would “be a member of the Congressional Black Caucus” emphasizes his opponent’s race in an explicit manner. The Congressional Black Caucus is not an inherently partisan body within the United States Congress.² Indeed, over time, the Caucus has had four Republican members, the most recent being Representative Mia Love of Utah who served until 2019.³ If the true intent of the comment were to emphasize Elliott’s liberalism, it would have been more appropriate to suggest that she might join the Congressional Progressive Caucus which has promotion of liberal policies at the heart of its mission rather than the Congressional Black Caucus that is focused on

¹ Janine Parry and William Miller, “‘The Great Negro State of the Country?’ Black Legislators in Arkansas: 1973-2000,” *Journal of Black Studies* 36 (2006): 833-872.

² “Creation and Evolution of the Congressional Black Caucus,” United States House of Representatives website, <https://history.house.gov/Exhibitions-and-Publications/BAIC/Historical-Essays/Permanent-Interest/Congressional-Black-Caucus/>

³ Nia-Malika Henderson, “Mia Love Joins a Group She Promised to Dismantle,” *Washington Post*, 6 January 2015.

expanding Black representation—both descriptive and substantive—in the House of Representatives. National Republicans criticized the remark by Congressman Hill as offensive, including prominent Republican commentator William Kristol who bemoaned the racialized elements of the remark on his Twitter feed.⁴

5. The preliminary report included various qualitative and quantitative analyses of the racialized response to President Obama’s candidacies and Presidency in the state of Arkansas. However, it is also important to supplement my preliminary report with the findings from another quantitative political science study that highlights Arkansans’ high levels of “racial resentment,” compared to the residents of other states, that persisted during the Obama era.⁵ Political scientists have come to a general consensus on a four-question survey battery to gauge individuals’ levels of racial resentment or animus.⁶ The questions have been found to be valid indicators of survey respondents’ views on key policies where race is central. Three scholars examined the well-respected American National Election Studies (ANES) that included the four questions across all states between 1988 and 2016 to determine state-level patterns of racial resentment and the change in these patterns across time. Most states showed significant movement on levels of racial animus across the years of survey data analyzed. Arkansas was an exception to this trend; as the authors conclude: “Arkansas seems impervious to change.”⁷ The state showed exceptionally high levels of racial resentment compared to other states for the entire

⁴ Kristol tweet at <https://twitter.com/billkristol/status/1317918143692623873?lang=gl>; see also David Wasserman, “Final House Ratings: Democrats Poised to Expand Majority by 10 to 15 Seats,” *Cook Political Report*, 2 November 2020, (a Republican strategist expressed deep worry that the comment by Hill was an example of the way in which he had “totally mis-litigated” the election and could cost him the race).

⁵ Candis Smith, Rebecca J. Kreitzer, and Feiya Suo. “The Dynamics of Racial Resentment Across the 50 US States.” *Perspectives on Politics* 18 (2020): 527-538.

⁶ Kyle Peyton and Gregory A. Huber, “Racial Resentment, Prejudice, and Discrimination,” *Journal of Politics* 83 (2021) doi: 10.1086/711558

⁷ Smith, Kreitzer, and Suo, p. 534.

Obama era—2008, 2012, and 2016. This included 2016, a year in which levels of racial resentment were relatively low across the country, but Arkansas’s rates of racial resentment were the highest in the country. Together, this provides another key source of information regarding the racialized response to the Obama era in the state’s electorate.

Senate Factors One and Five

6. One clear linkage between Jim Crow legislation and current policy outcomes comes in the arena of school segregation. As of 2014, despite a number of districts having been declared unitary in recent years, there were still 14 school districts that remained under involuntary oversight by federal courts because of disparities resulting from Jim Crow-era *de jure* segregation and two school districts that have entered into voluntary federal court orders that remained in effect.⁸

7. Relatedly, Arkansas has seen a significant increase in the percentage of Black students in the state attending schools with overwhelmingly Black student populations in the decades following progress in desegregation after the *Brown* decision. Specifically, from 1980 until the early years of the last decade, Arkansas Black students had a 21-point increase in the percentage attending schools where student populations were more than 90 percent Black. Such resegregation into racially identifiable schools is indicative of the ways in which the past continues to live in Arkansas’s present on a matter inherently linked to voter participation.⁹

⁸ Yue Qiu and Nikole Hannah-Jones, “A National Survey of School Desegregation Orders,” *ProPublica*, <https://projects.propublica.org/graphics/desegregation-orders>

⁹ Gary Orfield and Erica Frankenberg, with Jongyeon Ee and John Kuscera, *Brown at 60: Great Progress, a Long Retreat and an Uncertain Future*, (Berkeley: The Civil Rights Project, University of California, 2014).

8. In my report, I discuss the connection between Black Arkansans' low political participation and their economic disadvantages, comparatively poor health care outcomes, poor educational outcomes, and their high rate of engagement in the criminal justice system. All of these patterns are ultimately explained by a famous political science theory known as "the calculus of voting."¹⁰ Under this theory, which again and again has been supported by empirical research, a key determinant of whether or not a prospective voter casts a ballot are the "costs" of voting to her or him. While such "costs" take numerous forms (such as living exceptionally far away from a voting site), being economically challenged, unhealthy or disabled, relatively uneducated, or impacted by being a current or recent felon all carry with them significant costs that limit participation.¹¹ Unfortunately, in Arkansas, these costs also disproportionately impact Black citizens.

Senate Factor Three

9. A quantitative study looking at Little Rock's electoral reforms in the 1990s, cited elsewhere in the preliminary report on a related topic, (Doc. 2-10 ¶ 56), has concluded that the city's shift away from majority-vote requirements in its City Board elections has enhanced Black representation in the city's government.¹² While the study analyzes municipal level elections, it provides empirical evidence that eliminating majority-vote requirements can benefit Black candidates in Arkansas.

¹⁰ William H. Riker and Peter C. Ordeshook. "A Theory of the Calculus of Voting," *The American Political Science Review* 62 (1968): 25–42. Riker and Ordeshook's work built on previous theoretical research by Anthony Downs that was more precarious in terms of empirical support; see Anthony Downs (1957) *An Economic Theory of Democracy*. New York: Harper & Row.

¹¹ See Benny Geys, "'Rational' Theories of Voter Turnout: A Review," *Political Studies Review* 4 (2006): 16-35, for a full literature review on the "calculus of voting" across the years including empirical research.


¹² Kiril Kolev, Jay Barth, Lora Adams, and Brett Hill, *Governance in Little Rock, Arkansas: At-Large and District Elections and the Impact on Representation*, (Conway, AR: Hendrix College Arkansas Policy Program, 2015).

Conclusion

10. This document seeks to supplement my preliminary report regarding the ways in which Senate Factors One, Three, Five, Six, and Seven are met in Arkansas in regard to the state's Black citizens.

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

Executed on this 26 day of January, 2022.



Jay Barth, Ph.D.

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User: Tony Fairfax

Plan Name: AR HD BOA Final

Plan Type: House Districts

Core Constituencies

Wednesday, January 26, 2022

2:16 PM

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 001 --****30,815 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 056	26,107 (84.72%)	534 (89.15%)	24,340 (84.63%)	73 (82.95%)
Dist. 057	1,775 (5.76%)	24 (4.01%)	1,665 (5.79%)	9 (10.23%)
Dist. 060	99 (0.32%)	0 (0.00%)	87 (0.30%)	2 (2.27%)
Dist. 061	2,834 (9.20%)	41 (6.84%)	2,669 (9.28%)	4 (4.55%)
Total and % Population		599 (1.94%)	28,761 (93.33%)	88 (0.29%)

Plan: AR HD BOA Final, District 002 --**30,892 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 060	6,912 (22.37%)	112 (17.92%)	6,369 (22.94%)	21 (12.00%)
Dist. 061	23,980 (77.63%)	513 (82.08%)	21,400 (77.06%)	154 (88.00%)
Dist. 062	0 (0.00%)	0 (0.00%)	0 (0.00%)	0 (0.00%)
Total and % Population		625 (2.02%)	27,769 (89.89%)	175 (0.57%)

Plan: AR HD BOA Final, District 003 --**31,181 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 061	3,018 (9.68%)	26 (3.30%)	2,829 (9.90%)	6 (8.22%)
Dist. 064	1,223 (3.92%)	27 (3.42%)	1,127 (3.94%)	1 (1.37%)
Dist. 100	26,940 (86.40%)	735 (93.28%)	24,632 (86.16%)	66 (90.41%)
Total and % Population		789 (2.53%)	28,588 (91.68%)	73 (0.23%)

Plan: AR HD BOA Final, District 004 --**29,687 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 064	6,717 (22.63%)	155 (23.27%)	6,149 (22.67%)	13 (32.50%)
Dist. 099	20,956 (70.59%)	482 (72.37%)	19,103 (70.42%)	27 (67.50%)
Dist. 100	2,014 (6.78%)	29 (4.35%)	1,874 (6.91%)	0 (0.00%)
Total and % Population		666 (2.24%)	27,126 (91.37%)	40 (0.13%)

Plan: AR HD BOA Final, District 005 --**30,881 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 083	10,354 (33.53%)	206 (24.04%)	9,517 (34.19%)	24 (28.57%)
Dist. 098	18,755 (60.73%)	620 (72.35%)	16,696 (59.98%)	58 (69.05%)
Dist. 099	1,772 (5.74%)	31 (3.62%)	1,625 (5.84%)	2 (2.38%)
Total and % Population		857 (2.78%)	27,838 (90.15%)	84 (0.27%)

Plan: AR HD BOA Final, District 006 --**29,541 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
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Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 006 --****29,541 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 083	5 (0.02%)	1 (0.03%)	4 (0.02%)	(0.00%)
Dist. 097	16,218 (54.90%)	2,101 (65.15%)	12,562 (52.95%)	62 (72.94%)
Dist. 098	7,739 (26.20%)	1,020 (31.63%)	6,082 (25.64%)	13 (15.29%)
Dist. 099	5,579 (18.89%)	103 (3.19%)	5,076 (21.40%)	10 (11.76%)
Total and % Population		3,225 (10.92%)	23,724 (80.31%)	85 (0.29%)

Plan: AR HD BOA Final, District 007 --**29,885 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 094	2,216 (7.42%)	710 (7.54%)	1,232 (6.93%)	28 (14.97%)
Dist. 095	289 (0.97%)	45 (0.48%)	226 (1.27%)	1 (0.53%)
Dist. 096	27,380 (91.62%)	8,661 (91.98%)	16,332 (91.80%)	158 (84.49%)
Total and % Population		9,416 (31.51%)	17,790 (59.53%)	187 (0.63%)

Plan: AR HD BOA Final, District 008 --**30,027 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 093	2,159 (7.19%)	188 (4.77%)	1,653 (7.15%)	21 (7.81%)
Dist. 094	202 (0.67%)	16 (0.41%)	182 (0.79%)	(0.00%)
Dist. 095	27,582 (91.86%)	3,725 (94.52%)	21,243 (91.85%)	248 (92.19%)
Dist. 096	84 (0.28%)	12 (0.30%)	49 (0.21%)	(0.00%)
Total and % Population		3,941 (13.12%)	23,127 (77.02%)	269 (0.90%)

Plan: AR HD BOA Final, District 009 --**30,625 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 088	9,359 (30.56%)	5,110 (30.81%)	2,736 (37.64%)	207 (37.70%)
Dist. 089	18,974 (61.96%)	10,714 (64.59%)	3,337 (45.91%)	305 (55.56%)
Dist. 097	2,292 (7.48%)	763 (4.60%)	1,196 (16.45%)	37 (6.74%)
Total and % Population		16,587 (54.16%)	7,269 (23.74%)	549 (1.79%)

Plan: AR HD BOA Final, District 010 --**31,066 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 092	5,427 (17.47%)	299 (10.83%)	4,535 (19.05%)	80 (14.13%)
Dist. 093	22,542 (72.56%)	2,269 (82.15%)	16,640 (69.92%)	459 (81.10%)
Dist. 095	3,097 (9.97%)	194 (7.02%)	2,625 (11.03%)	27 (4.77%)
Total and % Population		2,762 (8.89%)	23,800 (76.61%)	566 (1.82%)

Plan: AR HD BOA Final, District 011 --**29,776 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 087	3,441 (11.56%)	1,132 (10.74%)	1,513 (11.07%)	162 (26.09%)
Dist. 089	12,928 (43.42%)	5,505 (52.23%)	4,807 (35.16%)	276 (44.44%)
Dist. 090	8,747 (29.38%)	2,811 (26.67%)	4,171 (30.51%)	154 (24.80%)
Dist. 096	4,660 (15.65%)	1,091 (10.35%)	3,180 (23.26%)	29 (4.67%)

Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 011 --****29,776 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Total and % Population	10,539 (35.39%)		13,671 (45.91%)	621 (2.09%)

Plan: AR HD BOA Final, District 012 --**30,767 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 091	33 (0.11%)	3 (0.15%)	25 (0.10%)	(0.00%)
Dist. 092	26,656 (86.64%)	1,800 (87.89%)	22,019 (86.28%)	145 (83.33%)
Dist. 095	4,078 (13.25%)	245 (11.96%)	3,476 (13.62%)	29 (16.67%)
Total and % Population	2,048 (6.66%)		25,520 (82.95%)	174 (0.57%)

Plan: AR HD BOA Final, District 013 --**29,618 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 090	301 (1.02%)	23 (0.56%)	187 (1.15%)	12 (1.48%)
Dist. 091	5,383 (18.17%)	340 (8.23%)	3,862 (23.68%)	142 (17.49%)
Dist. 093	12,288 (41.49%)	977 (23.64%)	6,112 (37.47%)	432 (53.20%)
Dist. 094	11,646 (39.32%)	2,792 (67.57%)	6,149 (37.70%)	226 (27.83%)
Dist. 095	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Total and % Population	4,132 (13.95%)		16,310 (55.07%)	812 (2.74%)

Plan: AR HD BOA Final, District 014 --**29,752 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 091	20,613 (69.28%)	2,666 (9.54%)	14,676 (72.48%)	641 (56.23%)
Dist. 092	2,475 (8.32%)	367 (9.57%)	1,520 (7.51%)	185 (16.23%)
Dist. 093	6,664 (22.40%)	801 (20.89%)	4,053 (20.02%)	314 (27.54%)
Total and % Population	3,834 (12.89%)		20,249 (68.06%)	1,140 (3.83%)

Plan: AR HD BOA Final, District 015 --**29,405 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 090	10,918 (37.13%)	2,879 (28.41%)	6,610 (41.21%)	190 (40.77%)
Dist. 094	18,487 (62.87%)	7,255 (71.59%)	9,428 (58.79%)	276 (59.23%)
Total and % Population	10,134 (34.46%)		16,038 (54.54%)	466 (1.58%)

Plan: AR HD BOA Final, District 016 --**29,446 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 090	22,665 (76.97%)	3,788 (87.81%)	16,102 (74.58%)	373 (82.34%)
Dist. 091	6,781 (23.03%)	526 (12.19%)	5,487 (25.42%)	80 (17.66%)
Total and % Population	4,314 (14.65%)		21,589 (73.32%)	453 (1.54%)

Plan: AR HD BOA Final, District 017 --**29,726 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 087	18,841 (63.38%)	4,419 (75.72%)	11,349 (59.23%)	177 (76.62%)

Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 017 --****29,726 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 091	10,833 (36.44%)	1,407 (24.11%)	7,788 (40.64%)	54 (23.38%)
Dist. 092	52 (0.17%)	10 (0.17%)	25 (0.13%)	(0.00%)
Total and % Population		5,836 (19.63%)	19,162 (64.46%)	231 (0.78%)

Plan: AR HD BOA Final, District 018 --**29,291 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 080	2,227 (7.60%)	227 (4.88%)	1,664 (8.28%)	83 (9.12%)
Dist. 086	8,206 (28.02%)	578 (12.42%)	6,165 (30.68%)	520 (57.14%)
Dist. 087	13,898 (47.45%)	2,440 (52.44%)	9,661 (48.07%)	200 (21.98%)
Dist. 088	1,924 (6.57%)	315 (6.77%)	1,058 (5.26%)	42 (4.62%)
Dist. 089	1,802 (6.15%)	872 (18.74%)	724 (3.60%)	23 (2.53%)
Dist. 090	1,234 (4.21%)	221 (4.75%)	825 (4.11%)	42 (4.62%)
Total and % Population		4,653 (15.89%)	20,097 (68.61%)	910 (3.11%)

Plan: AR HD BOA Final, District 019 --**29,276 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 080	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Dist. 084	6,077 (20.76%)	582 (8.85%)	4,450 (24.64%)	414 (42.42%)
Dist. 086	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Dist. 087	746 (2.55%)	95 (1.44%)	489 (2.71%)	33 (3.38%)
Dist. 088	21,395 (73.08%)	5,612 (85.37%)	12,518 (69.32%)	507 (51.95%)
Dist. 097	1,058 (3.61%)	290 (4.41%)	600 (3.32%)	22 (2.25%)
Total and % Population		6,579 (22.47%)	18,057 (61.68%)	976 (3.33%)

Plan: AR HD BOA Final, District 020 --**29,707 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 081	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Dist. 084	20,250 (68.17%)	1,372 (66.22%)	16,019 (69.33%)	653 (54.37%)
Dist. 085	4,983 (16.77%)	190 (9.17%)	4,246 (18.38%)	73 (6.08%)
Dist. 086	4,474 (15.06%)	510 (24.61%)	2,842 (12.30%)	475 (39.55%)
Dist. 097	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Total and % Population		2,072 (6.97%)	23,107 (77.78%)	1,201 (4.04%)

Plan: AR HD BOA Final, District 021 --**29,499 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 084	1,661 (5.63%)	171 (6.58%)	1,152 (5.37%)	164 (7.95%)
Dist. 085	13,066 (44.29%)	1,249 (48.04%)	9,259 (43.16%)	1,080 (52.33%)
Dist. 086	14,772 (50.08%)	1,180 (45.38%)	11,042 (51.47%)	820 (39.73%)
Total and % Population		2,600 (8.81%)	21,453 (72.72%)	2,064 (7.00%)

Plan: AR HD BOA Final, District 022 --**29,260 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
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Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan**

Dist. 080	184 (0.63%)	14 (0.56%)	138 (0.63%)	8 (0.48%)
Dist. 085	19,473 (66.55%)	1,663 (66.31%)	14,834 (67.85%)	867 (51.48%)
Dist. 086	9,603 (32.82%)	831 (33.13%)	6,891 (31.52%)	809 (48.04%)
Total and % Population		2,508 (8.57%)	21,863 (74.72%)	1,684 (5.76%)

Plan: AR HD BOA Final, District 023 --**29,561 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 080	21,088 (71.34%)	1,511 (76.93%)	16,481 (69.93%)	305 (78.41%)
Dist. 081	2,744 (9.28%)	119 (6.06%)	2,317 (9.83%)	17 (4.37%)
Dist. 084	4,612 (15.60%)	249 (12.68%)	3,855 (16.36%)	50 (12.85%)
Dist. 085	923 (3.12%)	77 (3.92%)	740 (3.14%)	17 (4.37%)
Dist. 087	194 (0.66%)	8 (0.41%)	174 (0.74%)	(0.00%)
Total and % Population		1,964 (6.64%)	23,567 (79.72%)	389 (1.32%)

Plan: AR HD BOA Final, District 024 --**29,388 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 075	4,210 (14.33%)	202 (14.16%)	3,555 (14.60%)	51 (18.15%)
Dist. 079	3,470 (11.81%)	465 (32.59%)	2,568 (10.54%)	65 (23.13%)
Dist. 080	8,459 (28.78%)	261 (18.29%)	7,071 (29.03%)	23 (8.19%)
Dist. 081	13,249 (45.08%)	499 (34.97%)	11,162 (45.83%)	142 (50.53%)
Total and % Population		1,427 (4.86%)	24,356 (82.88%)	281 (0.96%)

Plan: AR HD BOA Final, District 025 --**29,668 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 075	2,877 (9.70%)	51 (3.53%)	2,534 (10.01%)	14 (7.69%)
Dist. 080	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Dist. 081	13,408 (45.19%)	553 (38.27%)	11,471 (45.33%)	65 (35.71%)
Dist. 082	2,184 (7.36%)	35 (2.42%)	1,986 (7.85%)	6 (3.30%)
Dist. 084	3,467 (11.69%)	164 (11.35%)	2,921 (11.54%)	51 (28.02%)
Dist. 097	7,732 (26.06%)	642 (44.43%)	6,391 (25.26%)	46 (25.27%)
Total and % Population		1,445 (4.87%)	25,303 (85.29%)	182 (0.61%)

Plan: AR HD BOA Final, District 026 --**30,381 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 082	19,746 (64.99%)	921 (38.49%)	17,006 (67.79%)	69 (75.00%)
Dist. 083	1,988 (6.54%)	112 (4.68%)	1,710 (6.82%)	5 (5.43%)
Dist. 097	5,740 (18.89%)	287 (11.99%)	4,994 (19.91%)	11 (11.96%)
Dist. 098	2,907 (9.57%)	1,073 (44.84%)	1,377 (5.49%)	7 (7.61%)
Total and % Population		2,393 (7.88%)	25,087 (82.57%)	92 (0.30%)

Plan: AR HD BOA Final, District 027 --**31,177 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 062	14,175 (45.47%)	333 (55.04%)	12,741 (45.03%)	258 (95.91%)
Dist. 064	3,969 (12.73%)	88 (14.55%)	3,628 (12.82%)	2 (0.74%)

Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 027 --****31,177 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 083	11,882 (38.11%)	166 (27.44%)	10,881 (38.46%)	9 (3.35%)
Dist. 099	1,151 (3.69%)	18 (2.98%)	1,044 (3.69%)	(0.00%)
Total and % Population		605 (1.94%)	28,294 (90.75%)	269 (0.86%)

Plan: AR HD BOA Final, District 028 --**31,081 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 052	2,419 (7.78%)	96 (10.71%)	2,154 (7.63%)	24 (7.38%)
Dist. 060	10,185 (32.77%)	170 (18.97%)	9,545 (33.80%)	33 (10.15%)
Dist. 062	12,234 (39.36%)	296 (33.04%)	11,115 (39.36%)	109 (33.54%)
Dist. 063	6,243 (20.09%)	334 (37.28%)	5,425 (19.21%)	159 (48.92%)
Total and % Population		896 (2.88%)	28,239 (90.86%)	325 (1.05%)

Plan: AR HD BOA Final, District 029 --**30,392 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 015	5,137 (16.90%)	88 (6.64%)	4,717 (13.91%)	42 (1.18%)
Dist. 023	838 (2.76%)	24 (1.81%)	775 (3.27%)	3 (0.08%)
Dist. 026	18,242 (60.02%)	803 (60.56%)	12,896 (54.42%)	3,361 (94.12%)
Dist. 028	6,175 (20.32%)	411 (31.00%)	5,307 (22.40%)	165 (4.62%)
Total and % Population		1,326 (4.36%)	23,695 (77.96%)	3,571 (11.75%)

Plan: AR HD BOA Final, District 030 --**30,278 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 053	4,506 (14.88%)	97 (7.77%)	4,091 (16.31%)	89 (3.79%)
Dist. 056	1,275 (4.21%)	25 (2.00%)	1,169 (4.66%)	2 (0.09%)
Dist. 059	14,216 (46.95%)	884 (70.83%)	10,458 (41.71%)	2,138 (91.13%)
Dist. 060	10,281 (33.96%)	242 (19.39%)	9,358 (37.32%)	117 (4.99%)
Total and % Population		1,248 (4.12%)	25,076 (82.82%)	2,346 (7.75%)

Plan: AR HD BOA Final, District 031 --**31,014 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 057	31,014 (100.00%)	1,331 (100.00%)	26,787 (100.00%)	881 (100.00%)
Total and % Population		1,331 (4.29%)	26,787 (86.37%)	881 (2.84%)

Plan: AR HD BOA Final, District 032 --**31,106 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 052	11 (0.04%)	1 (0.04%)	10 (0.05%)	(0.00%)
Dist. 053	699 (2.25%)	28 (1.18%)	563 (2.90%)	40 (0.57%)
Dist. 058	14,469 (46.52%)	880 (36.99%)	10,752 (55.41%)	1,939 (27.63%)
Dist. 059	15,927 (51.20%)	1,470 (61.79%)	8,078 (41.63%)	5,039 (71.80%)
Total and % Population		2,379 (7.65%)	19,403 (62.38%)	7,018 (22.56%)

Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 033 --****31,192 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 053	20,578 (65.97%)	784 (56.20%)	17,604 (65.24%)	1,239 (85.21%)
Dist. 054	9,487 (30.41%)	579 (41.51%)	8,449 (31.31%)	86 (5.91%)
Dist. 055	1,127 (3.61%)	32 (2.29%)	931 (3.45%)	129 (8.87%)
Total and % Population		1,395 (4.47%)	26,984 (86.51%)	1,454 (4.66%)

Plan: AR HD BOA Final, District 034 --**30,073 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 054	7,785 (25.89%)	328 (28.28%)	5,030 (37.31%)	1,999 (14.24%)
Dist. 055	22,288 (74.11%)	832 (71.72%)	8,453 (62.69%)	12,037 (85.76%)
Total and % Population		1,160 (3.86%)	13,483 (44.83%)	14,036 (46.67%)

Plan: AR HD BOA Final, District 035 --**30,532 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 048	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Dist. 050	17,563 (57.52%)	407 (43.72%)	4,965 (43.49%)	11,593 (68.66%)
Dist. 051	12,168 (39.85%)	490 (52.63%)	6,312 (55.29%)	4,693 (27.79%)
Dist. 055	801 (2.62%)	34 (3.65%)	139 (1.22%)	599 (3.55%)
Total and % Population		931 (3.05%)	11,416 (37.39%)	16,885 (55.30%)

Plan: AR HD BOA Final, District 036 --**31,082 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 052	6,063 (19.51%)	225 (10.09%)	4,700 (22.51%)	773 (12.96%)
Dist. 053	8,687 (27.95%)	985 (44.32%)	4,662 (22.33%)	2,443 (40.95%)
Dist. 054	10,699 (34.42%)	473 (21.22%)	8,679 (41.56%)	900 (15.09%)
Dist. 058	5,633 (18.12%)	543 (24.36%)	2,840 (13.60%)	1,850 (31.01%)
Total and % Population		2,229 (7.17%)	20,881 (67.18%)	5,966 (19.19%)

Plan: AR HD BOA Final, District 037 --**30,593 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 048	2,447 (8.00%)	49 (7.37%)	345 (1.67%)	1,986 (24.62%)
Dist. 049	19,624 (64.15%)	447 (67.22%)	12,632 (61.12%)	5,750 (71.30%)
Dist. 050	4,482 (14.65%)	77 (11.58%)	4,064 (19.66%)	155 (1.92%)
Dist. 052	4,040 (13.21%)	92 (13.83%)	3,627 (17.55%)	174 (2.16%)
Total and % Population		665 (2.17%)	20,668 (67.56%)	8,065 (26.36%)

Plan: AR HD BOA Final, District 038 --**31,048 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 052	15,200 (48.96%)	493 (43.74%)	12,992 (53.24%)	963 (26.98%)
Dist. 054	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Dist. 058	13,992 (45.07%)	581 (51.55%)	9,694 (39.72%)	2,601 (72.88%)
Dist. 059	1,856 (5.98%)	53 (4.70%)	1,718 (7.04%)	5 (0.14%)

Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 038 --****31,048 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Total and % Population		1,127 (3.63%)	24,404 (78.60%)	3,569 (11.50%)

Plan: AR HD BOA Final, District 039 --**31,122 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 013	219 (0.70%)	3 (0.26%)	199 (0.78%)	(0.00%)
Dist. 045	9,686 (31.12%)	512 (44.76%)	8,417 (33.08%)	179 (6.22%)
Dist. 046	614 (1.97%)	34 (2.97%)	507 (1.99%)	18 (0.63%)
Dist. 047	16,880 (54.24%)	475 (41.52%)	12,942 (50.86%)	2,628 (91.28%)
Dist. 052	1,124 (3.61%)	13 (1.14%)	1,048 (4.12%)	24 (0.83%)
Dist. 063	2,599 (8.35%)	107 (9.35%)	2,334 (9.17%)	30 (1.04%)
Total and % Population		1,144 (3.68%)	25,447 (81.77%)	2,879 (9.25%)

Plan: AR HD BOA Final, District 040 --**30,068 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 044	2,967 (9.87%)	45 (1.61%)	2,736 (11.08%)	5 (0.82%)
Dist. 045	401 (1.33%)	9 (0.32%)	370 (1.50%)	6 (0.98%)
Dist. 047	3,592 (11.95%)	112 (4.01%)	3,267 (13.23%)	4 (0.65%)
Dist. 063	22,057 (73.36%)	2,587 (92.59%)	17,367 (70.35%)	595 (97.22%)
Dist. 064	1,051 (3.50%)	41 (1.47%)	946 (3.83%)	2 (0.33%)
Total and % Population		2,794 (9.29%)	24,686 (82.10%)	612 (2.04%)

Plan: AR HD BOA Final, District 041 --**30,194 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 062	2,695 (8.93%)	72 (9.73%)	2,451 (8.81%)	8 (12.31%)
Dist. 064	15,567 (51.56%)	319 (43.11%)	14,421 (51.86%)	25 (38.46%)
Dist. 066	11,932 (39.52%)	349 (47.16%)	10,933 (39.32%)	32 (49.23%)
Total and % Population		740 (2.45%)	27,805 (92.09%)	65 (0.22%)

Plan: AR HD BOA Final, District 042 --**30,098 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 040	972 (3.23%)	55 (6.63%)	805 (3.00%)	67 (14.29%)
Dist. 066	11,976 (39.79%)	243 (29.31%)	10,705 (39.89%)	226 (48.19%)
Dist. 067	15,395 (51.15%)	485 (58.50%)	13,730 (51.17%)	165 (35.18%)
Dist. 068	1,755 (5.83%)	46 (5.55%)	1,593 (5.94%)	11 (2.35%)
Total and % Population		829 (2.75%)	26,833 (89.15%)	469 (1.56%)

Plan: AR HD BOA Final, District 043 --**30,068 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 065	20,620 (68.58%)	880 (70.85%)	16,066 (65.36%)	2,190 (98.03%)
Dist. 066	4,030 (13.40%)	265 (21.34%)	3,469 (14.11%)	29 (1.30%)
Dist. 068	5,323 (17.70%)	91 (7.33%)	4,963 (20.19%)	15 (0.67%)

Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 043 --****30,068 Total Population**

	Population	[Hispanic Origin]	NH_Wh	NH_Bl
Dist. 073	95 (0.32%)	6 (0.48%)	82 (0.33%)	(0.00%)
Total and % Population		1,242 (4.13%)	24,580 (81.75%)	2,234 (7.43%)

Plan: AR HD BOA Final, District 044 --**29,145 Total Population**

	Population	[Hispanic Origin]	NH_Wh	NH_Bl
Dist. 068	19,391 (66.53%)	826 (60.34%)	17,066 (67.39%)	94 (33.57%)
Dist. 071	2,910 (9.98%)	356 (26.00%)	2,135 (8.43%)	130 (46.43%)
Dist. 073	4,597 (15.77%)	145 (10.59%)	4,100 (16.19%)	49 (17.50%)
Dist. 083	2,247 (7.71%)	42 (3.07%)	2,022 (7.98%)	7 (2.50%)
Total and % Population		1,369 (4.70%)	25,323 (86.89%)	280 (0.96%)

Plan: AR HD BOA Final, District 045 --**30,641 Total Population**

	Population	[Hispanic Origin]	NH_Wh	NH_Bl
Dist. 068	1,178 (3.84%)	29 (0.81%)	1,037 (4.37%)	1 (0.20%)
Dist. 069	28,375 (92.60%)	3,503 (98.37%)	21,711 (81.54%)	492 (99.60%)
Dist. 083	1,088 (3.55%)	29 (0.81%)	970 (4.09%)	1 (0.20%)
Total and % Population		3,561 (11.62%)	23,718 (77.41%)	494 (1.61%)

Plan: AR HD BOA Final, District 046 --**29,927 Total Population**

	Population	[Hispanic Origin]	NH_Wh	NH_Bl
Dist. 069	819 (2.74%)	126 (13.11%)	618 (2.35%)	9 (3.25%)
Dist. 074	23,033 (76.96%)	6,866 (71.38%)	20,264 (77.16%)	239 (86.28%)
Dist. 082	6,075 (20.30%)	149 (15.50%)	5,382 (20.49%)	29 (10.47%)
Total and % Population		961 (3.21%)	26,264 (87.76%)	277 (0.93%)

Plan: AR HD BOA Final, District 047 --**29,203 Total Population**

	Population	[Hispanic Origin]	NH_Wh	NH_Bl
Dist. 021	10,131 (34.69%)	353 (29.52%)	8,535 (34.66%)	68 (52.31%)
Dist. 074	2,277 (7.80%)	70 (5.85%)	1,931 (7.84%)	16 (12.31%)
Dist. 075	16,692 (57.16%)	772 (64.55%)	14,069 (57.14%)	45 (34.62%)
Dist. 077	103 (0.35%)	1 (0.08%)	88 (0.36%)	1 (0.77%)
Total and % Population		1,196 (4.10%)	24,623 (84.32%)	130 (0.45%)

Plan: AR HD BOA Final, District 048 --**29,847 Total Population**

	Population	[Hispanic Origin]	NH_Wh	NH_Bl
Dist. 075	196 (0.66%)	18 (0.42%)	158 (0.78%)	(0.00%)
Dist. 076	3,700 (12.40%)	1,161 (27.32%)	1,283 (6.31%)	634 (53.14%)
Dist. 079	25,951 (86.95%)	3,071 (72.26%)	18,892 (92.91%)	559 (46.86%)
Dist. 080	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Total and % Population		4,250 (14.24%)	20,333 (68.12%)	1,193 (4.00%)

Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 049 --****29,484 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 076	2,402 (8.15%)	338 (2.97%)	1,409 (13.72%)	310 (8.44%)
Dist. 078	27,082 (91.85%)	11,036 (97.03%)	8,861 (86.28%)	3,365 (91.56%)
Total and % Population		11,374 (38.58%)	10,270 (34.83%)	3,675 (12.46%)

Plan: AR HD BOA Final, District 050 --**29,517 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 076	5,364 (18.17%)	357 (12.28%)	4,151 (20.02%)	237 (11.92%)
Dist. 077	22,863 (77.46%)	2,292 (78.82%)	15,798 (76.18%)	1,667 (83.81%)
Dist. 078	1,290 (4.37%)	259 (8.91%)	790 (3.81%)	85 (4.27%)
Total and % Population		2,908 (9.85%)	20,739 (70.26%)	1,989 (6.74%)

Plan: AR HD BOA Final, District 051 --**31,079 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 021	93 (0.30%)	2 (0.08%)	74 (0.34%)	3 (0.21%)
Dist. 075	4,875 (15.69%)	554 (21.85%)	3,460 (15.38%)	122 (8.65%)
Dist. 076	19,194 (61.76%)	1,423 (56.13%)	13,557 (62.21%)	868 (61.52%)
Dist. 077	6,917 (22.26%)	556 (21.93%)	4,700 (21.57%)	418 (29.62%)
Dist. 079	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Total and % Population		2,535 (8.16%)	21,791 (70.11%)	1,411 (4.54%)

Plan: AR HD BOA Final, District 052 --**29,755 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 021	11,295 (37.96%)	827 (17.89%)	9,208 (40.88%)	65 (23.64%)
Dist. 073	15,791 (53.07%)	3,731 (80.71%)	10,994 (48.81%)	202 (73.45%)
Dist. 074	2,669 (8.97%)	65 (1.41%)	2,320 (10.30%)	8 (2.91%)
Total and % Population		4,623 (15.54%)	22,522 (75.69%)	275 (0.92%)

Plan: AR HD BOA Final, District 053 --**29,344 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 068	1,915 (6.53%)	105 (2.18%)	1,631 (7.95%)	49 (2.82%)
Dist. 071	27,429 (93.47%)	4,707 (97.82%)	18,895 (92.05%)	1,687 (97.18%)
Total and % Population		4,812 (16.40%)	20,526 (69.95%)	1,736 (5.92%)

Plan: AR HD BOA Final, District 054 --**29,768 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 021	196 (0.66%)	10 (0.64%)	172 (0.71%)	(0.00%)
Dist. 022	1,192 (4.00%)	12 (0.77%)	1,096 (4.53%)	2 (0.10%)
Dist. 023	253 (0.85%)	13 (0.83%)	222 (0.92%)	(0.00%)
Dist. 031	787 (2.64%)	17 (1.09%)	702 (2.90%)	9 (0.44%)
Dist. 040	1,165 (3.91%)	35 (2.24%)	997 (4.12%)	13 (0.64%)
Dist. 065	7,278 (24.45%)	199 (12.72%)	6,629 (27.42%)	53 (2.59%)
Dist. 070	9,121 (30.64%)	606 (38.75%)	6,645 (27.49%)	1,193 (58.37%)

Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 054 --****29,768 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 072	3,786 (12.72%)	161 (10.29%)	2,610 (10.80%)	747 (36.55%)
Dist. 073	5,990 (20.12%)	511 (32.67%)	5,100 (21.10%)	27 (1.32%)
Total and % Population		1,564 (5.25%)	24,173 (81.20%)	2,044 (6.87%)

Plan: AR HD BOA Final, District 055 --**29,682 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 067	6,334 (21.34%)	231 (12.16%)	4,840 (24.08%)	777 (16.74%)
Dist. 070	18,108 (61.01%)	1,095 (57.66%)	12,268 (61.03%)	2,698 (58.12%)
Dist. 072	5,240 (17.65%)	573 (30.17%)	2,994 (14.89%)	1,167 (25.14%)
Total and % Population		1,899 (6.40%)	20,102 (67.72%)	4,642 (15.64%)

Plan: AR HD BOA Final, District 056 --**29,821 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 040	2,942 (9.87%)	257 (12.17%)	2,069 (10.77%)	414 (6.80%)
Dist. 067	1,142 (3.83%)	53 (2.51%)	848 (4.41%)	130 (2.14%)
Dist. 070	5,940 (19.92%)	257 (12.17%)	4,496 (23.41%)	723 (11.88%)
Dist. 072	19,797 (66.39%)	1,544 (73.14%)	11,796 (61.41%)	4,817 (79.17%)
Total and % Population		2,111 (7.08%)	19,209 (64.41%)	6,084 (20.40%)

Plan: AR HD BOA Final, District 057 --**30,134 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 040	3,830 (12.71%)	171 (16.81%)	3,373 (12.59%)	78 (26.35%)
Dist. 043	150 (0.50%)	0 (0.00%)	147 (0.55%)	0 (0.00%)
Dist. 044	13,750 (45.63%)	389 (38.25%)	12,341 (46.06%)	89 (30.07%)
Dist. 045	2,066 (6.86%)	49 (4.82%)	1,889 (7.05%)	14 (4.73%)
Dist. 066	724 (2.40%)	15 (1.47%)	659 (2.46%)	11 (3.72%)
Dist. 067	9,614 (31.90%)	393 (38.64%)	8,385 (31.29%)	104 (35.14%)
Total and % Population		1,017 (3.37%)	26,794 (88.92%)	296 (0.98%)

Plan: AR HD BOA Final, District 058 --**31,207 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 044	0 (0.00%)	0 (0.00%)	0 (0.00%)	0 (0.00%)
Dist. 045	2,875 (9.21%)	165 (9.13%)	2,430 (10.01%)	94 (3.34%)
Dist. 046	28,332 (90.79%)	1,642 (90.87%)	21,850 (89.99%)	2,718 (96.66%)
Total and % Population		1,807 (5.79%)	24,280 (77.80%)	2,812 (9.01%)

Plan: AR HD BOA Final, District 059 --**30,899 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 013	3,542 (11.46%)	120 (9.31%)	3,168 (11.96%)	23 (2.92%)
Dist. 043	217 (0.70%)	26 (2.02%)	167 (0.63%)	4 (0.51%)
Dist. 044	13,429 (43.46%)	550 (42.67%)	11,567 (43.68%)	205 (26.02%)

Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 059 --****30,899 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 045	13,711 (44.37%)	593 (46.00%)	11,580 (43.73%)	556 (70.56%)
Total and % Population		1,289 (4.17%)	26,482 (85.71%)	788 (2.55%)

Plan: AR HD BOA Final, District 060 --**30,469 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 013	6,469 (21.23%)	123 (10.17%)	5,469 (23.09%)	629 (16.00%)
Dist. 014	21,204 (69.59%)	1,038 (85.79%)	15,661 (66.13%)	3,280 (83.42%)
Dist. 043	2,796 (9.18%)	49 (4.05%)	2,553 (10.78%)	23 (0.58%)
Total and % Population		1,210 (3.97%)	23,683 (77.73%)	3,932 (12.90%)

Plan: AR HD BOA Final, District 061 --**30,564 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 012	721 (2.36%)	30 (3.27%)	606 (3.01%)	61 (0.76%)
Dist. 013	16,597 (54.30%)	620 (67.54%)	10,961 (54.51%)	4,241 (52.72%)
Dist. 014	566 (1.85%)	7 (0.76%)	528 (2.63%)	6 (0.07%)
Dist. 047	6,688 (21.88%)	122 (13.29%)	4,586 (22.81%)	1,615 (20.07%)
Dist. 048	1,896 (6.20%)	75 (8.17%)	1,163 (5.78%)	565 (7.02%)
Dist. 049	3,390 (11.09%)	58 (6.32%)	1,623 (8.07%)	1,536 (19.09%)
Dist. 052	706 (2.31%)	6 (0.65%)	642 (3.19%)	21 (0.26%)
Total and % Population		918 (3.00%)	20,109 (65.79%)	8,045 (26.32%)

Plan: AR HD BOA Final, District 062 --**29,636 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 011	1,604 (5.41%)	99 (14.91%)	1,125 (9.38%)	302 (1.89%)
Dist. 012	17,577 (59.31%)	282 (42.47%)	6,461 (53.87%)	10,338 (64.53%)
Dist. 013	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Dist. 048	9,706 (32.75%)	242 (36.45%)	3,888 (32.42%)	5,234 (32.67%)
Dist. 049	749 (2.53%)	41 (6.17%)	520 (4.34%)	147 (0.92%)
Total and % Population		664 (2.24%)	11,994 (40.47%)	16,021 (54.06%)

Plan: AR HD BOA Final, District 063 --**30,659 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 048	10,284 (33.54%)	409 (43.14%)	3,005 (26.06%)	6,577 (38.45%)
Dist. 049	1,766 (5.76%)	19 (2.00%)	639 (5.54%)	1,054 (6.16%)
Dist. 050	2,658 (8.67%)	53 (5.59%)	897 (7.78%)	1,615 (9.44%)
Dist. 051	15,951 (52.03%)	467 (49.26%)	6,991 (60.62%)	7,860 (45.95%)
Total and % Population		948 (3.09%)	11,532 (37.61%)	17,106 (55.79%)

Plan: AR HD BOA Final, District 064 --**30,494 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 010	1,668 (5.47%)	30 (2.91%)	1,036 (14.03%)	545 (2.59%)

Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 064 --****30,494 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 011	4,884 (16.02%)	441 (42.77%)	1,385 (18.76%)	2,876 (13.66%)
Dist. 012	2,890 (9.48%)	105 (10.18%)	1,082 (14.65%)	1,651 (7.84%)
Dist. 016	18,004 (59.04%)	412 (39.96%)	3,700 (50.11%)	13,269 (63.00%)
Dist. 017	3,048 (10.00%)	43 (4.17%)	181 (2.45%)	2,720 (12.91%)
Total and % Population		1,031 (3.38%)	7,384 (24.21%)	21,061 (69.07%)

Plan: AR HD BOA Final, District 065 --**29,551 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 010	872 (2.95%)	24 (3.33%)	591 (7.63%)	228 (1.13%)
Dist. 014	2,904 (9.83%)	99 (13.73%)	1,467 (18.94%)	1,275 (6.34%)
Dist. 016	5,606 (18.97%)	170 (23.58%)	1,755 (22.66%)	3,526 (17.54%)
Dist. 017	20,169 (68.25%)	428 (59.36%)	3,932 (50.77%)	15,074 (74.98%)
Total and % Population		721 (2.44%)	7,745 (26.21%)	20,103 (68.03%)

Plan: AR HD BOA Final, District 066 --**29,555 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 014	4,431 (14.99%)	136 (7.20%)	1,945 (19.13%)	2,172 (14.06%)
Dist. 036	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Dist. 037	9,296 (31.45%)	742 (39.28%)	2,012 (19.79%)	6,021 (38.98%)
Dist. 038	532 (1.80%)	43 (2.28%)	238 (2.34%)	213 (1.38%)
Dist. 041	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Dist. 042	15,296 (51.75%)	968 (51.24%)	5,972 (58.74%)	7,042 (45.59%)
Total and % Population		1,889 (6.39%)	10,167 (34.40%)	15,448 (52.27%)

Plan: AR HD BOA Final, District 067 --**31,047 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 038	394 (1.27%)	8 (0.47%)	345 (1.95%)	26 (0.29%)
Dist. 041	23,742 (76.47%)	1,174 (69.30%)	14,396 (81.25%)	6,325 (69.94%)
Dist. 042	6,911 (22.26%)	512 (30.22%)	2,978 (16.81%)	2,693 (29.78%)
Total and % Population		1,694 (5.46%)	17,719 (57.07%)	9,044 (29.13%)

Plan: AR HD BOA Final, District 068 --**31,183 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 043	28,161 (90.31%)	1,661 (91.77%)	23,397 (90.08%)	749 (94.10%)
Dist. 044	3,022 (9.69%)	149 (8.23%)	2,578 (9.92%)	47 (5.90%)
Total and % Population		1,810 (5.80%)	25,975 (83.30%)	796 (2.55%)

Plan: AR HD BOA Final, District 069 --**30,711 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 039	959 (3.12%)	17 (0.88%)	700 (3.10%)	129 (3.53%)
Dist. 040	20,151 (65.61%)	1,046 (54.28%)	16,176 (71.59%)	1,458 (39.92%)

Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 069 --****30,711 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 041	70 (0.23%)	2 (0.10%)	49 (0.22%)	12 (0.33%)
Dist. 042	7,814 (25.44%)	766 (39.75%)	4,577 (20.26%)	1,645 (45.04%)
Dist. 067	21 (0.07%)	2 (0.10%)	18 (0.08%)	(0.00%)
Dist. 072	1,696 (5.52%)	94 (4.88%)	1,074 (4.75%)	408 (11.17%)
Total and % Population		1,927 (6.27%)	22,594 (73.57%)	3,652 (11.89%)

Plan: AR HD BOA Final, District 070 --**30,427 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 038	21,501 (70.66%)	877 (69.11%)	15,204 (71.58%)	3,808 (68.00%)
Dist. 039	1,235 (4.06%)	60 (4.73%)	713 (3.36%)	374 (6.68%)
Dist. 040	11 (0.04%)	0 (0.00%)	4 (0.02%)	4 (0.07%)
Dist. 041	7,680 (25.24%)	332 (26.16%)	5,319 (25.04%)	1,414 (25.25%)
Total and % Population		1,269 (4.17%)	21,240 (69.81%)	5,600 (18.40%)

Plan: AR HD BOA Final, District 071 --**29,220 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 037	2,833 (9.70%)	126 (9.07%)	1,081 (5.89%)	1,431 (20.06%)
Dist. 039	24,722 (84.61%)	1,182 (85.10%)	15,978 (87.09%)	5,542 (77.68%)
Dist. 040	1,665 (5.70%)	81 (5.83%)	1,287 (7.02%)	161 (2.26%)
Total and % Population		1,389 (4.75%)	18,346 (62.79%)	7,134 (24.41%)

Plan: AR HD BOA Final, District 072 --**29,903 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 035	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Dist. 037	16,650 (55.68%)	1,024 (32.96%)	4,312 (46.69%)	10,269 (65.17%)
Dist. 038	7,427 (24.84%)	1,219 (39.23%)	3,019 (32.69%)	2,756 (17.49%)
Dist. 039	5,826 (19.48%)	864 (27.81%)	1,905 (20.63%)	2,732 (17.34%)
Total and % Population		3,107 (10.39%)	9,236 (30.89%)	15,757 (52.69%)

Plan: AR HD BOA Final, District 073 --**29,972 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 032	11,114 (37.08%)	370 (39.36%)	7,527 (33.97%)	2,162 (48.77%)
Dist. 033	125 (0.42%)	6 (0.64%)	101 (0.46%)	4 (0.09%)
Dist. 035	18,733 (62.50%)	564 (60.00%)	14,529 (65.57%)	2,267 (51.14%)
Total and % Population		940 (3.14%)	22,157 (73.93%)	4,433 (14.79%)

Plan: AR HD BOA Final, District 074 --**30,327 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 033	23,109 (76.20%)	871 (68.53%)	16,150 (79.99%)	4,392 (66.54%)
Dist. 035	7,218 (23.80%)	400 (31.47%)	4,039 (20.01%)	2,209 (33.46%)
Dist. 036	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)

Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 074 --****30,327 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Total and % Population		1,271 (4.19%)	20,189 (66.57%)	6,601 (21.77%)

Plan: AR HD BOA Final, District 075 --**30,262 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 030	681 (2.25%)	21 (1.64%)	500 (2.65%)	45 (0.79%)
Dist. 031	4,825 (15.94%)	142 (11.09%)	2,827 (15.00%)	935 (16.45%)
Dist. 032	17,890 (59.12%)	697 (54.41%)	12,183 (64.66%)	2,240 (39.40%)
Dist. 034	4,726 (15.62%)	267 (20.84%)	2,493 (13.23%)	1,500 (26.39%)
Dist. 035	2,140 (7.07%)	154 (12.02%)	838 (4.45%)	965 (16.97%)
Total and % Population		1,281 (4.23%)	18,841 (62.26%)	5,685 (18.79%)

Plan: AR HD BOA Final, District 076 --**29,928 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 030	3,314 (11.07%)	388 (11.90%)	573 (10.06%)	2,223 (11.51%)
Dist. 033	4,414 (14.75%)	164 (5.03%)	1,315 (23.09%)	2,652 (13.73%)
Dist. 034	20,124 (67.24%)	2,240 (68.69%)	3,377 (59.30%)	13,356 (69.14%)
Dist. 035	879 (2.94%)	107 (3.28%)	357 (6.27%)	342 (1.77%)
Dist. 036	1,197 (4.00%)	362 (11.10%)	73 (1.28%)	744 (3.85%)
Total and % Population		3,261 (10.90%)	5,695 (19.03%)	19,317 (64.54%)

Plan: AR HD BOA Final, District 077 --**30,006 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 029	4,306 (14.35%)	701 (18.50%)	558 (7.32%)	2,899 (17.32%)
Dist. 030	19,797 (65.98%)	2,733 (72.13%)	3,900 (51.18%)	12,127 (72.46%)
Dist. 032	2,093 (6.98%)	66 (1.74%)	1,340 (17.59%)	379 (2.26%)
Dist. 034	3,810 (12.70%)	289 (7.63%)	1,822 (23.91%)	1,331 (7.95%)
Total and % Population		3,789 (12.63%)	7,620 (25.39%)	16,736 (55.78%)

Plan: AR HD BOA Final, District 078 --**29,358 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 022	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Dist. 023	2,761 (9.40%)	163 (12.05%)	2,285 (9.44%)	125 (8.80%)
Dist. 030	1,379 (4.70%)	147 (10.86%)	933 (3.85%)	168 (11.82%)
Dist. 031	23,247 (79.18%)	956 (70.66%)	19,346 (79.91%)	1,031 (72.55%)
Dist. 032	285 (0.97%)	24 (1.77%)	229 (0.95%)	9 (0.63%)
Dist. 034	17 (0.06%)	6 (0.44%)	2 (0.01%)	1 (0.07%)
Dist. 035	1,669 (5.68%)	57 (4.21%)	1,415 (5.84%)	87 (6.12%)
Total and % Population		1,353 (4.61%)	24,210 (82.46%)	1,421 (4.84%)

Plan: AR HD BOA Final, District 079 --**30,065 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
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Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 079 --****30,065 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 029	24,482 (81.43%)	6,879 (96.64%)	3,325 (70.49%)	13,398 (78.50%)
Dist. 030	5,583 (18.57%)	239 (3.36%)	1,392 (29.51%)	3,670 (21.50%)
Dist. 036	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Total and % Population		7,118 (23.68%)	4,717 (15.69%)	17,068 (56.77%)

Plan: AR HD BOA Final, District 080 --**30,091 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 027	887 (2.95%)	107 (2.62%)	633 (6.95%)	75 (0.48%)
Dist. 029	1,817 (6.04%)	330 (8.07%)	1,010 (11.09%)	413 (2.65%)
Dist. 034	272 (0.90%)	4 (0.10%)	17 (0.19%)	242 (1.55%)
Dist. 036	27,115 (90.11%)	3,648 (89.21%)	7,448 (81.77%)	14,873 (95.32%)
Total and % Population		4,089 (13.59%)	9,108 (30.27%)	15,603 (51.85%)

Plan: AR HD BOA Final, District 081 --**30,525 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 023	3,271 (10.72%)	359 (8.91%)	2,298 (11.75%)	376 (7.88%)
Dist. 027	18,315 (60.00%)	2,016 (50.01%)	11,496 (58.79%)	3,477 (72.83%)
Dist. 028	880 (2.88%)	305 (7.57%)	499 (2.55%)	28 (0.59%)
Dist. 031	8,059 (26.40%)	1,351 (33.52%)	5,261 (26.90%)	893 (18.71%)
Total and % Population		4,031 (13.21%)	19,554 (64.06%)	4,774 (15.64%)

Plan: AR HD BOA Final, District 082 --**30,021 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 023	5,218 (17.38%)	275 (15.01%)	3,544 (15.61%)	1,006 (28.78%)
Dist. 027	1,826 (6.08%)	138 (7.53%)	1,425 (6.28%)	145 (4.15%)
Dist. 028	22,977 (76.54%)	1,419 (77.46%)	17,740 (78.12%)	2,344 (67.07%)
Total and % Population		1,832 (6.10%)	22,709 (75.64%)	3,495 (11.64%)

Plan: AR HD BOA Final, District 083 --**29,821 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 022	4,906 (16.45%)	88 (9.20%)	4,597 (17.63%)	41 (3.58%)
Dist. 023	24,129 (80.91%)	850 (88.82%)	20,754 (79.60%)	1,101 (96.07%)
Dist. 028	16 (0.05%)	1 (0.10%)	14 (0.05%)	1 (0.09%)
Dist. 031	770 (2.58%)	18 (1.88%)	707 (2.71%)	3 (0.26%)
Total and % Population		957 (3.21%)	26,072 (87.43%)	1,146 (3.84%)

Plan: AR HD BOA Final, District 084 --**29,837 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 022	4,032 (13.51%)	193 (8.80%)	3,541 (16.46%)	43 (1.16%)
Dist. 024	700 (2.35%)	120 (5.47%)	274 (1.27%)	183 (4.95%)
Dist. 025	25,002 (83.80%)	1,877 (85.59%)	17,610 (81.87%)	3,467 (93.80%)

Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 084 --****29,837 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 026	103 (0.35%)	3 (0.14%)	84 (0.39%)	3 (0.08%)
Total and % Population		2,193 (7.35%)	21,509 (72.09%)	3,696 (12.39%)

Plan: AR HD BOA Final, District 085 --**29,925 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 018	6,468 (21.61%)	251 (14.97%)	5,545 (21.94%)	156 (19.45%)
Dist. 021	2,096 (7.00%)	25 (1.49%)	1,934 (7.65%)	5 (0.62%)
Dist. 022	20,648 (69.00%)	1,349 (80.44%)	17,203 (68.08%)	628 (78.30%)
Dist. 024	713 (2.38%)	52 (3.10%)	586 (2.32%)	13 (1.62%)
Dist. 025	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Total and % Population		1,677 (5.60%)	25,268 (84.44%)	802 (2.68%)

Plan: AR HD BOA Final, District 086 --**29,922 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 019	2,217 (7.41%)	108 (6.00%)	1,919 (7.52%)	60 (53.57%)
Dist. 020	24,216 (80.93%)	1,612 (89.51%)	20,468 (80.24%)	46 (41.07%)
Dist. 021	3,489 (11.66%)	81 (4.50%)	3,123 (12.24%)	6 (5.36%)
Total and % Population		1,801 (6.02%)	25,510 (85.26%)	112 (0.37%)

Plan: AR HD BOA Final, District 087 --**29,189 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 004	26,967 (92.39%)	5,555 (92.72%)	16,584 (91.34%)	2,713 (99.71%)
Dist. 019	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)
Dist. 020	2,222 (7.61%)	436 (7.28%)	1,573 (8.66%)	8 (0.29%)
Total and % Population		5,991 (20.52%)	18,157 (62.20%)	2,721 (9.32%)

Plan: AR HD BOA Final, District 088 --**30,356 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 001	620 (2.04%)	24 (0.55%)	321 (1.99%)	233 (2.75%)
Dist. 002	427 (1.41%)	22 (0.51%)	330 (2.05%)	41 (0.48%)
Dist. 003	19,304 (63.59%)	2,884 (66.54%)	9,945 (61.74%)	5,610 (66.18%)
Dist. 019	10,005 (32.96%)	1,404 (32.40%)	5,512 (34.22%)	2,593 (30.59%)
Total and % Population		4,334 (14.28%)	16,108 (53.06%)	8,477 (27.93%)

Plan: AR HD BOA Final, District 089 --**29,332 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 003	6,767 (23.07%)	308 (16.34%)	4,317 (19.77%)	1,838 (45.80%)
Dist. 005	723 (2.46%)	26 (1.38%)	300 (1.37%)	352 (8.77%)
Dist. 018	8,283 (28.24%)	592 (31.41%)	5,836 (26.73%)	1,351 (33.67%)
Dist. 019	13,559 (46.23%)	959 (50.88%)	11,380 (52.12%)	472 (11.76%)
Dist. 024	0 (0.00%)	0 (0.00%)	(0.00%)	(0.00%)

Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 089 --****29,332 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Total and % Population		1,885 (6.43%)	21,833 (74.43%)	4,013 (13.68%)

Plan: AR HD BOA Final, District 090 --**29,709 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 015	1,447 (4.87%)	36 (2.87%)	1,330 (5.84%)	3 (0.08%)
Dist. 018	12,149 (40.89%)	521 (41.58%)	7,418 (32.56%)	3,464 (91.59%)
Dist. 019	230 (0.77%)	4 (0.32%)	175 (0.77%)	50 (1.32%)
Dist. 024	4,704 (15.83%)	236 (18.83%)	3,984 (17.49%)	132 (3.49%)
Dist. 026	11,179 (37.63%)	456 (36.39%)	9,873 (43.34%)	133 (3.52%)
Total and % Population		1,253 (4.22%)	22,780 (76.68%)	3,782 (12.73%)

Plan: AR HD BOA Final, District 091 --**30,145 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 018	425 (1.41%)	16 (0.60%)	364 (1.68%)	6 (0.18%)
Dist. 022	649 (2.15%)	38 (1.42%)	530 (2.44%)	28 (0.85%)
Dist. 024	24,742 (82.08%)	1,920 (71.91%)	18,499 (85.28%)	2,331 (70.98%)
Dist. 025	4,274 (14.18%)	694 (25.99%)	2,260 (10.42%)	912 (27.77%)
Dist. 026	55 (0.18%)	2 (0.07%)	39 (0.18%)	7 (0.21%)
Total and % Population		2,670 (8.86%)	21,692 (71.96%)	3,284 (10.89%)

Plan: AR HD BOA Final, District 092 --**30,129 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 010	2,821 (9.36%)	28 (2.61%)	2,462 (9.29%)	146 (17.44%)
Dist. 015	15,137 (50.24%)	412 (38.36%)	13,704 (51.73%)	301 (35.96%)
Dist. 027	12,018 (39.89%)	631 (58.75%)	10,186 (38.45%)	386 (46.12%)
Dist. 028	153 (0.51%)	3 (0.28%)	138 (0.52%)	4 (0.48%)
Total and % Population		1,074 (3.56%)	26,490 (87.92%)	837 (2.78%)

Plan: AR HD BOA Final, District 093 --**29,911 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 009	25 (0.08%)	0 (0.00%)	19 (0.08%)	5 (0.15%)
Dist. 010	17,052 (57.01%)	501 (57.06%)	14,167 (58.97%)	1,645 (48.87%)
Dist. 012	1,116 (3.73%)	50 (5.69%)	964 (4.01%)	35 (1.04%)
Dist. 015	7,783 (26.02%)	179 (20.39%)	5,874 (24.45%)	1,136 (33.75%)
Dist. 016	3,926 (13.13%)	146 (16.63%)	2,998 (12.48%)	545 (16.19%)
Dist. 017	9 (0.03%)	2 (0.23%)	4 (0.02%)	(0.00%)
Total and % Population		878 (2.94%)	24,026 (80.32%)	3,366 (11.25%)

Plan: AR HD BOA Final, District 094 --**29,908 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Bl
Dist. 008	9,703 (32.44%)	1,482 (64.41%)	4,813 (28.76%)	3,100 (32.13%)

Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 094 --****29,908 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 009	14,250 (47.65%)	567 (24.64%)	8,817 (52.68%)	4,215 (43.69%)
Dist. 010	1,095 (3.66%)	27 (1.17%)	909 (5.43%)	137 (1.42%)
Dist. 011	4,860 (16.25%)	225 (9.78%)	2,197 (13.13%)	2,195 (22.75%)
Total and % Population		2,301 (7.69%)	16,736 (55.96%)	9,647 (32.26%)

Plan: AR HD BOA Final, District 095 --**29,270 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 008	3,610 (12.33%)	98 (5.78%)	2,907 (17.54%)	481 (4.80%)
Dist. 009	12,212 (41.72%)	825 (48.67%)	7,746 (46.74%)	3,255 (32.45%)
Dist. 011	13,448 (45.94%)	772 (45.55%)	5,919 (35.72%)	6,295 (62.76%)
Total and % Population		1,695 (5.79%)	16,572 (56.62%)	10,031 (34.27%)

Plan: AR HD BOA Final, District 096 --**30,051 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 005	1,469 (4.89%)	45 (4.73%)	775 (3.79%)	555 (7.65%)
Dist. 006	2,201 (7.32%)	45 (4.73%)	1,777 (8.68%)	260 (3.58%)
Dist. 007	10,564 (35.15%)	320 (33.65%)	7,352 (35.92%)	2,379 (32.80%)
Dist. 008	12,170 (40.50%)	420 (44.16%)	7,823 (38.22%)	3,407 (46.97%)
Dist. 010	2,225 (7.40%)	69 (7.26%)	1,710 (8.35%)	356 (4.91%)
Dist. 018	1,422 (4.73%)	52 (5.47%)	1,032 (5.04%)	297 (4.09%)
Total and % Population		951 (3.16%)	20,469 (68.11%)	7,254 (24.14%)

Plan: AR HD BOA Final, District 097 --**30,182 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 006	18,564 (61.51%)	859 (58.28%)	12,986 (76.98%)	3,870 (36.70%)
Dist. 007	11,618 (38.49%)	615 (41.72%)	3,883 (23.02%)	6,675 (63.30%)
Total and % Population		1,474 (4.88%)	16,869 (55.89%)	10,545 (34.94%)

Plan: AR HD BOA Final, District 098 --**30,460 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 002	1,090 (3.58%)	59 (7.91%)	623 (4.21%)	346 (2.56%)
Dist. 003	317 (1.04%)	8 (1.07%)	234 (1.58%)	61 (0.45%)
Dist. 005	19,493 (64.00%)	425 (56.97%)	7,682 (51.94%)	10,529 (77.80%)
Dist. 006	6,874 (22.57%)	188 (25.20%)	4,343 (29.37%)	2,016 (14.90%)
Dist. 007	2,686 (8.82%)	66 (8.85%)	1,907 (12.89%)	582 (4.30%)
Total and % Population		746 (2.45%)	14,789 (48.55%)	13,534 (44.43%)

Plan: AR HD BOA Final, District 099 --**29,605 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Blkl
Dist. 001	818 (2.76%)	34 (3.69%)	710 (3.19%)	27 (0.55%)
Dist. 002	24,960 (84.31%)	776 (84.26%)	19,361 (86.91%)	3,536 (71.48%)

Core Constituencies

AR HD BOA Final

From Plan: **AR House Current 2020 Plan****Plan: AR HD BOA Final, District 099 --****29,605 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Black
Dist. 005	2,442 (8.25%)	80 (8.69%)	1,188 (5.33%)	1,105 (22.34%)
Dist. 006	1,385 (4.68%)	31 (3.37%)	1,019 (4.57%)	279 (5.64%)
Total and % Population		921 (3.11%)	22,278 (75.25%)	4,947 (16.71%)

Plan: AR HD BOA Final, District 100 --**30,106 Total Population**

	Population	[Hispanic Origin]	NH_Wht	NH_Black
Dist. 001	27,174 (90.26%)	1,146 (92.27%)	14,306 (85.07%)	10,197 (99.04%)
Dist. 002	2,932 (9.74%)	96 (7.73%)	2,511 (14.93%)	99 (0.96%)
Total and % Population		1,242 (4.13%)	16,817 (55.86%)	10,296 (34.20%)

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