

# APPENDIX K

August 5, 2022

To: Albany County Majority Minority Subcommittee

From: Jeffrey M. Wice

Subject: Addendum to Dr. Lisa Handley's Report

Earlier this year, Dr. Lisa Handley conducted research and submitted a report to the Majority Minority Subcommittee (MMD) that examined racial voting patterns in Albany County. Dr. Handley analyzed all recent statewide, countywide, and county legislative elections that included both white and Black candidates. Her focus was on biracial elections because the courts, including the Court in *Pope v. County of Albany*, indicated that "elections that include minority candidates are more probative than contests in which all the candidates are white."

Dr. Handley's initial research indicated that voting is racially polarized in Democratic primaries in the heavily Democratic area where the minority districts are located. She recommends that the five current districts that provide Black voters with an opportunity to elect their candidates of choice should be maintained in the new plan.

Based on additional public comment and maps submitted by the public and developed by the MMD, a decision was made by the MMD to recommend a plan to the Albany County Redistricting Commission that created seven potentially effective minority districts. Five of the districts in the proposed plan (2,3,4,5,6) are likely to elect the minority voting community's preferred candidates of choice and two additional proposed districts (1 and 7) offer the possibility to elect minority preferred candidates.

In addition, the MMD endeavored to follow the requirements of the federal Voting Rights Act and the suggestions made by Judge Kahn in *Pope* to consider districts that offered both Black and Hispanic voters the opportunity to elect their preferred candidates of choice.

In addition, the recently enacted John R. Lewis New York State Voting Rights Act supports the concept that "where there is evidence that more than one protected class of eligible voters are politically cohesive....members of each of those protected classes may be combined."

The minority districting plan recommended by the MMD seeks to ensure that the new county redistricting plan respects the growth in Black and Hispanic communities and affords minority voters with the best and most realistic opportunity to elect preferred candidates to the fullest extent of the law and in the interest of democracy and true representation.



## Functional Analysis of 7 Proposed Plans

| average elect seats                                                                                     |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
|---------------------------------------------------------------------------------------------------------|-----|-----|----|-----|--------|--------|--------|--------|-----|-----|--------|--------|-------|---|---|
| score won won                                                                                           |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| 14-Jun                                                                                                  |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| Dahl                                                                                                    |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| Maloney James Eve Teachout % Maloney % James % Eve % Teachout Hocheil Williams % Hocheil %Williams      |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| 1                                                                                                       | 232 | 222 | 69 | 215 | 31.44% | 30.08% | 9.35%  | 29.13% | 423 | 322 | 56.78% | 43.22% | 0.367 | 0 | ? |
| 2                                                                                                       | 169 | 214 | 38 | 343 | 22.12% | 28.01% | 4.97%  | 44.90% | 334 | 418 | 44.41% | 55.59% | 0.418 | 1 | 1 |
| 3                                                                                                       | 125 | 122 | 41 | 65  | 35.41% | 34.56% | 11.61% | 18.41% | 193 | 181 | 51.60% | 48.40% | 0.415 | 0 | 1 |
| 4                                                                                                       | 79  | 111 | 20 | 83  | 26.96% | 37.88% | 6.83%  | 28.33% | 161 | 136 | 54.21% | 45.79% | 0.418 | 1 | 1 |
| 5                                                                                                       | 167 | 171 | 63 | 221 | 26.85% | 27.49% | 10.13% | 35.53% | 286 | 332 | 46.28% | 53.72% | 0.406 | 1 | 1 |
| 6                                                                                                       | 142 | 171 | 31 | 241 | 24.27% | 29.23% | 5.30%  | 41.20% | 287 | 317 | 47.52% | 52.48% | 0.409 | 1 | 1 |
| 7                                                                                                       | 197 | 151 | 35 | 177 | 35.18% | 26.96% | 6.25%  | 31.61% | 305 | 256 | 54.37% | 45.63% | 0.363 | 0 | ? |
| 0.399                                                                                                   |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| 4 5 (plus                                                                                               |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| average elect seats                                                                                     |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| score won won                                                                                           |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| Pope Maloney James Eve Teachout % Maloney % James % Eve % Teachout Hocheil Williams % Hocheil %Williams |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| 1                                                                                                       | 252 | 230 | 73 | 245 | 31.50% | 28.75% | 9.13%  | 30.63% | 461 | 339 | 57.63% | 42.38% | 0.356 | 0 | ? |
| 2                                                                                                       | 161 | 221 | 37 | 330 | 21.50% | 29.51% | 4.94%  | 44.06% | 333 | 403 | 45.24% | 54.76% | 0.421 | 1 | 1 |
| 3                                                                                                       | 136 | 145 | 53 | 67  | 33.92% | 36.16% | 13.22% | 16.71% | 203 | 202 | 50.12% | 49.88% | 0.430 | 1 | 1 |
| 4                                                                                                       | 85  | 109 | 18 | 89  | 28.24% | 36.21% | 5.98%  | 29.57% | 159 | 146 | 52.13% | 47.87% | 0.420 | 1 | 1 |
| 5                                                                                                       | 193 | 144 | 44 | 178 | 34.53% | 25.76% | 7.87%  | 31.84% | 300 | 253 | 54.25% | 45.75% | 0.358 | 0 | ? |
| 6                                                                                                       | 145 | 165 | 38 | 255 | 24.05% | 27.36% | 6.30%  | 42.29% | 273 | 331 | 45.20% | 54.80% | 0.411 | 1 | 1 |
| 7                                                                                                       | 151 | 160 | 62 | 183 | 27.16% | 28.78% | 11.15% | 32.91% | 262 | 298 | 46.79% | 53.21% | 0.410 | 1 | 1 |
| 0.468                                                                                                   |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| 5 5 (plus                                                                                               |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| total                                                                                                   |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| likely election possible                                                                                |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| very likely                                                                                             |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| Current                                                                                                 |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| Plan A                                                                                                  |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| Plan B                                                                                                  |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| Plan C                                                                                                  |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| Plan D                                                                                                  |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| Dahl May                                                                                                |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| Dahl June                                                                                               |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |
| Pope                                                                                                    |     |     |    |     |        |        |        |        |     |     |        |        |       |   |   |

# Functional Analysis of 7 Proposed Plans

| Plan C  |       |     |          |           |         |        |            |        |          |          |            |        |           | average   |   |  |
|---------|-------|-----|----------|-----------|---------|--------|------------|--------|----------|----------|------------|--------|-----------|-----------|---|--|
| Maloney | James | Eve | Teachout | % Maloney | % James | % Eve  | % Teachout | Hochel | Williams | % Hochel | % Williams | score  | elect won | seats won |   |  |
| 1       | 250   | 229 | 71       | 236       | 31.81%  | 29.13% | 9.03%      | 30.03% | 449      | 334      | 57.34%     | 42.66% | 0.359     | 0         | ? |  |
| 2       | 167   | 217 | 36       | 317       | 22.66%  | 29.44% | 4.88%      | 43.01% | 326      | 399      | 44.97%     | 55.03% | 0.422     | 1         | 1 |  |
| 3       | 134   | 141 | 47       | 66        | 34.54%  | 36.34% | 12.11%     | 17.01% | 208      | 202      | 50.73%     | 49.27% | 0.428     | 1         | 1 |  |
| 4       | 72    | 109 | 16       | 66        | 27.38%  | 41.44% | 6.08%      | 25.10% | 149      | 122      | 54.98%     | 45.02% | 0.432     | 1         | 1 |  |
| 5       | 153   | 162 | 60       | 186       | 27.27%  | 28.88% | 10.70%     | 33.16% | 267      | 300      | 47.09%     | 52.91% | 0.409     | 1         | 1 |  |
| 6       | 140   | 164 | 34       | 260       | 23.41%  | 27.42% | 5.69%      | 43.48% | 277      | 338      | 45.04%     | 54.96% | 0.412     | 1         | 1 |  |
| 7       | 202   | 139 | 33       | 207       | 34.77%  | 23.92% | 5.68%      | 35.63% | 315      | 268      | 54.03%     | 45.97% | 0.349     | 0         | ? |  |

| Plan D  |       |     |          |           |         |        |            |        |          |          |            |        |       | average |   | elect seats |  |
|---------|-------|-----|----------|-----------|---------|--------|------------|--------|----------|----------|------------|--------|-------|---------|---|-------------|--|
| Maloney | James | Eve | Teachout | % Maloney | % James | % Eve  | % Teachout | Hochel | Williams | % Hochel | % Williams | score  | won   | won     |   |             |  |
| 1       | 188   | 206 | 70       | 152       | 30.52%  | 33.44% | 11.36%     | 24.68% | 337      | 292      | 53.58%     | 46.42% | 0.399 | 1       | 1 |             |  |
| 2       | 156   | 177 | 41       | 334       | 22.03%  | 25.00% | 5.79%      | 47.18% | 325      | 372      | 46.63%     | 53.37% | 0.392 | 1       | 1 |             |  |
| 3       | 252   | 197 | 66       | 187       | 35.90%  | 28.06% | 9.40%      | 26.64% | 388      | 320      | 54.80%     | 45.20% | 0.366 | 0       | ? |             |  |
| 4       | 111   | 180 | 24       | 128       | 25.06%  | 40.63% | 5.42%      | 28.89% | 213      | 228      | 48.30%     | 51.70% | 0.462 | 2       | 1 |             |  |
| 5       |       |     |          |           |         |        |            |        |          |          |            |        |       |         |   |             |  |
| 6       | 165   | 171 | 50       | 265       | 25.35%  | 26.27% | 7.68%      | 40.71% | 299      | 352      | 45.93%     | 54.07% | 0.402 | 1       | 1 |             |  |
| 7       | 129   | 117 | 33       | 135       | 31.16%  | 28.26% | 7.97%      | 32.61% | 215      | 191      | 52.96%     | 47.04% | 0.377 | 0       | ? |             |  |

| Dahl   |         | average |     |          |           |         |       |            |        |          |          |            |       | elect |     | seats |  |
|--------|---------|---------|-----|----------|-----------|---------|-------|------------|--------|----------|----------|------------|-------|-------|-----|-------|--|
| 30-May | Maloney | James   | Eve | Teachout | % Maloney | % James | % Eve | % Teachout | Hochel | Williams | % Hochel | % Williams | score | won   | won | won   |  |
| 1      | 247     | 216     | 72  | 245      | 31.67%    | 27.69%  | 9.23% | 31.41%     | 440    | 337      | 56.63%   | 43.37%     | 0.355 | 0     | ?   |       |  |
| 2      | 146     | 191     | 38  | 367      | 19.68%    | 25.74%  | 5.12% | 49.46%     | 339    | 390      | 46.50%   | 53.50%     | 0.396 | 1     | 1   |       |  |
| 3      | 244     | 197     | 64  | 168      | 36.26%    | 29.27%  | 9.51% | 24.96%     | 369    | 311      | 54.26%   | 45.74%     | 0.375 | 0     | ?   |       |  |
| 4      | 105     | 161     | 25  | 115      | 25.86%    | 39.66%  | 6.16% | 28.33%     | 196    | 208      | 48.51%   | 51.49%     | 0.456 | 2     | 1   |       |  |
| 5      | 162     | 170     | 55  | 201      | 27.55%    | 28.91%  | 9.35% | 34.18%     | 291    | 305      | 48.83%   | 51.17%     | 0.400 | 1     | 1   |       |  |
| 6      | 176     | 170     | 50  | 312      | 24.86%    | 24.01%  | 7.06% | 44.07%     | 322    | 382      | 45.74%   | 54.26%     | 0.391 | 1     | 1   |       |  |
| 7      | 149     | 122     | 39  | 186      | 30.04%    | 24.60%  | 7.86% | 37.50%     | 244    | 239      | 50.52%   | 49.48%     | 0.370 | 0     | ?   |       |  |

# Functional Analysis of 7 Proposed Plans

| 2018Dem PR Attorney General |         |       |          |           |         |        |            |        |          |          |           |        |        | 2018Dem PR Lieut Governor |   |   |       |         |     |  |  |       |     |     |  |         |  | average | elect | seats |  |  |  |
|-----------------------------|---------|-------|----------|-----------|---------|--------|------------|--------|----------|----------|-----------|--------|--------|---------------------------|---|---|-------|---------|-----|--|--|-------|-----|-----|--|---------|--|---------|-------|-------|--|--|--|
|                             |         | Eve   | Teachout | % Maloney | % James | % Eve  | % Teachout | Hochel | Williams | % Hochel | %Williams | score  | won    | won                       |   |   | score | won     | won |  |  | score | won | won |  |         |  |         |       |       |  |  |  |
| Current                     | Maloney | James |          |           |         |        |            |        |          |          |           |        |        | Williams                  |   |   |       |         |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
|                             | 1       | 192   | 206      | 71        | 149     | 31.07% | 33.33%     | 11.49% | 24.11%   | 341      | 293       | 53.79% | 46.21% | 0.398                     | 1 | 1 |       |         |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
|                             | 2       | 123   | 207      | 25        | 205     | 21.96% | 36.96%     | 4.46%  | 36.61%   | 245      | 307       | 44.38% | 55.62% | 0.463                     | 2 | 1 |       |         |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
|                             | 3       | 195   | 185      | 57        | 109     | 35.71% | 33.88%     | 10.44% | 19.96%   | 285      | 271       | 51.26% | 48.74% | 0.413                     | 0 | 1 |       |         |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
|                             | 4       | 93    | 134      | 28        | 76      | 28.10% | 40.48%     | 8.46%  | 22.96%   | 179      | 149       | 54.57% | 45.43% | 0.430                     | 1 | 1 |       |         |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
|                             | 5       |       |          |           |         |        |            |        |          |          |           |        |        |                           |   |   |       |         |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
| 6                           | 141     | 158   | 43       | 189       | 26.55%  | 29.76% | 8.10%      | 35.59% | 254      | 278      | 47.74%    | 52.26% | 0.410  | 1                         | 1 | 5 |       | 5       |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
|                             |         |       |          |           |         |        |            |        |          |          |           |        |        |                           |   |   |       |         |     |  |  |       |     |     |  |         |  | 0.423   |       |       |  |  |  |
| Plan A                      | Maloney | James |          |           |         |        |            |        |          |          |           |        |        | Williams                  |   |   |       |         |     |  |  |       |     |     |  | average |  | elect   |       | seats |  |  |  |
|                             | 1       | 196   | 210      | 69        | 153     | 31.21% | 33.44%     | 10.99% | 24.36%   | 341      | 293       | 53.79% | 46.21% | 0.398                     | 1 | 1 |       |         |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
|                             | 2       | 147   | 219      | 28        | 253     | 22.72% | 33.85%     | 4.33%  | 39.10%   | 245      | 307       | 44.38% | 55.62% | 0.447                     | 1 | 1 |       |         |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
|                             | 3       | 197   | 186      | 48        | 110     | 36.41% | 34.38%     | 8.87%  | 20.33%   | 285      | 271       | 51.26% | 48.74% | 0.416                     | 0 | 1 |       |         |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
|                             | 4       | 105   | 141      | 22        | 93      | 29.09% | 39.06%     | 6.09%  | 25.76%   | 179      | 149       | 54.57% | 45.43% | 0.422                     | 1 | 1 |       |         |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
|                             | 5       |       |          |           |         |        |            |        |          |          |           |        |        |                           |   |   |       |         |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
| 6                           | 135     | 150   | 38       | 191       | 26.26%  | 29.18% | 7.39%      | 37.16% | 254      | 278      | 47.74%    | 52.26% | 0.407  | 1                         | 1 | 4 |       | 5       |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
|                             |         |       |          |           |         |        |            |        |          |          |           |        |        |                           |   |   |       |         |     |  |  |       |     |     |  |         |  | 0.418   |       |       |  |  |  |
| Plan B                      | Maloney | James |          |           |         |        |            |        |          |          |           |        |        | Williams                  |   |   |       |         |     |  |  |       |     |     |  | average |  | elect   |       | seats |  |  |  |
|                             | 1       | 247   | 226      | 70        | 233     | 31.83% | 29.12%     | 9.02%  | 30.03%   | 443      | 331       | 57.24% | 42.76% | 0.359                     | 0 | ? |       |         |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
|                             | 2       | 149   | 186      | 33        | 338     | 21.10% | 26.35%     | 4.67%  | 47.88%   | 328      | 371       | 46.92% | 53.08% | 0.397                     | 1 | 1 |       |         |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
|                             | 3       | 236   | 193      | 55        | 169     | 36.14% | 29.56%     | 8.42%  | 25.88%   | 370      | 306       | 54.73% | 45.27% | 0.374                     | 0 | ? |       |         |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
|                             | 4       | 106   | 163      | 24        | 101     | 26.90% | 41.37%     | 6.09%  | 25.63%   | 193      | 200       | 49.11% | 50.89% | 0.461                     | 2 | 1 |       |         |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
|                             | 5       | 153   | 159      | 58        | 197     | 26.98% | 28.04%     | 10.23% | 34.74%   | 268      | 304       | 46.85% | 53.15% | 0.406                     | 1 | 1 |       |         |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
| 6                           | 163     | 166   | 42       | 289       | 24.70%  | 25.15% | 6.36%      | 43.79% | 310      | 366      | 45.86%    | 54.14% | 0.396  | 1                         | 1 |   |       |         |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
| 7                           | 139     | 113   | 33       | 191       | 29.20%  | 23.74% | 6.93%      | 40.13% | 235      | 234      | 50.11%    | 49.89% | 0.368  | 0                         | ? | 5 |       | 4 (plus |     |  |  |       |     |     |  |         |  |         |       |       |  |  |  |
|                             |         |       |          |           |         |        |            |        |          |          |           |        |        |                           |   |   |       |         |     |  |  |       |     |     |  |         |  | 0.395   |       |       |  |  |  |