

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
NORTHERN DIVISION AT COVINGTON**

KENNY BROWN, individually and in his
official capacity as the Boone County Clerk,
et al.,

Plaintiffs,

v.

COMMONWEALTH OF KY, *et al.*,

Defendants.

Case No. 2:13cv00068

Electronically filed

MARTIN HERBERT, *et al.*,

Plaintiffs,

v.

KENTUCKY STATE BOARD OF
ELECTIONS, *et al.*,

Defendants.

Case No. 3:13cv00025

PLAINTIFFS' JOINT MOTION FOR SUMMARY JUDGMENT

Pursuant to Fed.R.Civ.P. 56 and LR 7.1, Plaintiffs in the above-styled consolidated actions (*Brown* Plaintiffs and *Herbert* Plaintiffs, respectively) respectfully move this Court for the entry of summary judgment in their favor in the form of a declaratory judgment and permanent injunctive relief. Specifically, Plaintiffs seek summary judgment declaring that Kentucky's existing House and Senate legislative districts — districts that were enacted in 2002 — are impermissibly mal-apportioned in violation of the Fourteenth Amendment's Equal Protection clause, and a permanent injunction barring the Defendants from utilizing the current

House and Senate legislative districts in any future elections. In their accompanying memorandum of law, Plaintiffs detail why, even when the evidence is viewed in the light most favorable to Defendants, that: 1) there are no genuine issues of material fact in this case; and 2) Plaintiffs are entitled to judgment as a matter of law.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on July 12, 2013, I electronically filed this Plaintiffs' Joint Motion for Summary Judgment with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to the following:

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**MEMORANDUM IN SUPPORT OF PLAINTIFFS’
JOINT MOTION FOR SUMMARY JUDGMENT**

In these consolidated cases, the Plaintiffs challenge Kentucky’s current House and Senate legislative districts (that were enacted in 2002) as contrary to the Fourteenth Amendment’s Equal Protection clause on the basis that the districts’ populations, in light of the 2010 Census, are now impermissibly mal-apportioned and thus violate the “one person, one vote” principle. Because there are no genuine issues of material fact, and because the Plaintiffs are entitled to judgment as a matter of law, this Court should: 1) grant the Plaintiffs’ joint motion for summary judgment; 2) enter a declaratory judgment finding the current House and Senate legislative districts

unconstitutional; and 3) issue a permanent injunction barring the official capacity Defendants' use of those legislative districts in future Kentucky elections.

Statement of Facts

2010 Census

On March 17, 2011, Kentucky officials received the U.S. Census Bureau's detailed population data for the Commonwealth gathered from the 2010 Census. [Plaintiffs' Exh. 1: McCully Letter.] According to that data, Kentucky's total population increased by almost 300,000 people since 2000. [Plaintiffs' Exh. 2: Expert Report of William S. Cooper ("Cooper Report"), ¶ 11.]¹ That increase brought Kentucky's 2010 population to 4,339,367 — an increase of almost 7.4% over the past ten years. [*Id.*]² But, Kentucky's population growth was not uniformly distributed throughout the state. For example, several Kentucky counties experienced dramatic population increases, such as Boone (+38.17%), Bullitt (+21.36%), and Warren (+22.99%). [Plaintiffs' Exh. 3: Table of County Population Changes.] Other counties, however, lost significant population during that time, including Breathitt (-13.8%), Clay (-11.51%), and Harlan (-11.82%). [*Id.*] In fact, Kentucky's five largest counties — Jefferson, Fayette, Kenton,

¹ Plaintiffs' Exhibits 3 through 17 accompanying this Memorandum of Law comprise the exhibits referenced in Mr. Cooper's expert report. For ease of reference, Plaintiffs' attached exhibits correspond to those referenced in Mr. Cooper's report (that he labels alphabetically) as follows:

Plaintiffs' Exh. 3 (Exh. A); Plaintiffs' Exh. 4 (Exh. B); Plaintiffs' Exh. 5 (Exh. C);
Plaintiffs' Exh. 6 (Exh. D); Plaintiffs' Exh. 7 (Exh. E-1); Plaintiffs' Exh. 8 (Exh. E-2);
Plaintiffs' Exh. 9 (Exh. F); Plaintiffs' Exh. 10 (Exh. G-1); Plaintiffs' Exh. 11 (Exh. G-2);
Plaintiffs' Exh. 12 (Exh. H); Plaintiffs' Exh. 13 (Exh. I); Plaintiffs' Exh. 14 (Exh. J);
Plaintiffs' Exh. 15 (Exh. K); Plaintiffs' Exh. 16 (Exh. L); Plaintiffs' Exh. 17 (Exh. M).

² As set forth in the expert report of William Cooper, Plaintiffs calculate the total population of Kentucky, the ideal district sizes, and population deviations in the House and Senate plans using standard 2010 Census Bureau population data, including the 2010 Redistricting Data (Public Law 94-171) Summary Files and the U.S. Census Bureau American FactFinder website.

Boone, and Warren — all experienced population growth from 2000 to 2010. [*Id.*] And the population increases in these five counties combined accounted for more than 40% of Kentucky’s total population growth between 2000 and 2010. [*Id.*]

Despite the availability of this information in March 2011, the Governor of Kentucky decided not to call the General Assembly into special session that year to correct the mal-apportioned districts. Instead, the General Assembly planned to (and did) take up redistricting at its 2012 Regular Session.

Kentucky’s 2012 Maps Invalidated

During the 2012 Regular Session, the General Assembly adopted new state and congressional legislative districts utilizing the 2010 Census data. H.B. 1, 2012 KY Gen. Assembly, Reg. Sess. (state legislative districts); H.B. 2, 2012 KY Gen. Assembly, Reg. Sess. (congressional districts). Within days of enacting those new districts, however, several plaintiffs, including some affected state legislators, challenged the new Kentucky House and Senate districts in state court alleging that those legislative maps violated the Kentucky Constitution. *Joseph Fischer, et. al. v. Kentucky Legislative Research Commission*, No. 12-CI-0109 (Franklin Cir. Ct.), *aff’d in Legislative Research Comm’n v. Fischer (“Fischer IV”)*, 366 S.W.3d 905, 908 (Ky. 2012). Specifically, the *Fischer IV* plaintiffs asserted that the new maps violated § 33 of the Kentucky Constitution by impermissibly dividing more counties than necessary *and* by failing to achieve sufficient population equality. *Id.* The trial court agreed, and on February 7, 2012, it awarded plaintiffs temporary injunctive relief barring the defendants from using the newly-adopted legislative districts. *Id.* at 908-10; *see also Fischer, et al. v. Grimes, et al.*, No. 12-CI-0109 (Franklin Cir. Ct. Feb. 7, 2012).

In an expedited appeal from that ruling, the Kentucky Supreme Court entered an order on February 24 affirming the lower court's decision that the 2012 state maps were facially invalid and allowing the injunction to stand. *Fischer IV*, 366 S.W.3d at 910. In a subsequently released opinion explaining the decision, the Court analyzed the 2012 maps (using the 2010 Census data) in light of its precedents construing § 33. In doing so, the Court specifically noted that the “largely uncontested” facts established that, under the 2010 Census data, the “ideal” House and Senate district populations were 43,394 and 114,194, respectively. *Id.* at 909. Using this benchmark, the Court found that both the House and Senate maps contained districts whose populations deviated from the “ideal” district size by more than 5% — the presumptively impermissible threshold established by § 33 of the Ky. Constitution. *Id.* at 915-16. The Court held that because the state failed to prove that the population deviations were part of a reapportionment plan that “consistently advance[d] a rational state policy,” *and* because the maps divided more counties than were necessary to maintain population equality amongst the districts, both maps violated § 33. *Id.* at 913, 916. This finding rendered the 2012 state legislative maps “null and void” and thus incapable of being used to conduct the 2012 elections. *Id.* at 917.

The *Fischer IV* decision also left intact the trial court's injunction requiring that until the General Assembly enacted constitutionally permissible legislative districts, Kentucky's 2002 maps (which were based upon population data from the 2000 Census) would be used in the 2012 elections. *Id.* at 918; *Fischer, et al. v. Grimes, et al.*, No. 12-CI-0109, slip op. at 15, ¶ 2 (Franklin Cir. Ct. Feb. 7, 2012). The Court reasoned that “ensuring the orderly process of the 2012 elections required the 2002 redistricting plan to remain in effect.” *Fischer IV*, 366 S.W.3d at 919. And, in fact, the 2002 maps *were* used during Kentucky's 2012 elections, both during the May

primaries and the November general elections. But, as in 2011, the Governor opted not to call the General Assembly into special session to address redistricting in 2012.

Then, despite admonitions from the ACLU of Kentucky and the Secretary of State to resolve redistricting during the 2013 Regular Session, the General Assembly failed to do so. [*See attached* Plaintiffs' Exh. 18: ACLU Letter; Plaintiff' Exh. 19: Secretary of State Letter.] Of course, this result was consistent with the Governor's expressed desire that redistricting *not* be taken up during the 2013 Regular Session because the General Assembly had (according to him) other, more pressing, matters to address. [*See attached* Plaintiffs' Exh. 20: BETH MUSGRAVE, *Beshear Asks Lawmakers to Delay Legislative Redistricting*, Lex. Herald Leader (Jan. 9, 2013).] As a result, Kentucky's state legislative districts remain defined by the district maps adopted in 2002 that are based upon population data from the 2000 Census. Changes in Kentucky's total population (and its distribution) since that time, however, now result in there being grossly mal-apportioned legislative districts under both the 2002 House and Senate maps.

Mal-apportionment of Kentucky House and Senate Districts Under 2002 Maps

Because Kentucky's current legislative districts were enacted in 2002 using population data from 2000, both the House and Senate maps contain districts whose populations deviate substantially from the "ideal" district population as determined using the more recent 2010 Census data. Specifically, when Kentucky's 2010 population of 4,339,367 is divided between its one hundred House districts and thirty-eight Senate districts, the "ideal" population size for a House and Senate district is 43,394 and 114,194, respectively. [Plaintiffs' Exh. 2: Cooper Report, ¶¶ 19, 25; Plaintiffs' Exh. 22: Declaration of James S. Horton ("Horton Declaration"), ¶¶ 13-14.] *See also* KRS 5.200, *et seq.*; KRS 5.300, *et seq.*; *Fischer IV*, 366 S.W.3d at 909. But when those "ideal" district sizes are compared to Kentucky's existing House and Senate districts

under the 2002 map, the population inequality among the districts is evident. For example, nineteen (19) House districts have populations that *exceed* the ideal district size by more than 10 percentage points. [Plaintiffs’ Exh. 9; Plaintiffs’ Exh. 22: Horton Declaration, att. 3.] And another twenty-four (24) House districts have populations that fall *below* the ideal population by more than ten percentage points. [*Id.*] Moreover, when one compares the populations of Kentucky’s least and most populous House districts under the 2002 map, there is a deviation of *more than sixty (60) percentage points between the two*. [*Id.*; compare House Dist. 60 (+42.7%) with House Dist. 43 (-18.01%).]

Similarly, sixteen (16) of the thirty-eight (38) Senate districts — approximately 42% — have populations that deviate from the ideal Senate district size by more than ten (10) percentage points by having either too many people or too few. [Plaintiffs’ Exh. 14; Plaintiffs’ Exh. 22: Horton Declaration, att. 4.] And the deviation between Senate District 11 (which has the largest population) and Senate District 29 (which has the lowest) is 37.71 percentage points. [*Id.*]

The Plaintiffs in both *Brown* and *Herbert* reside in (and are registered voters of) several of Kentucky’s most overpopulated House and Senate districts, including *the* most overpopulated House and Senate districts under the 2002 maps — House District 60 and Senate District 11. [RE #1: Complaint (“*Brown* Complaint”), ¶¶ 2-13; RE #1: Verified Complaint (“*Herbert* Complaint”), ¶¶ 6-10.] Moreover, Plaintiff Kenny Brown is the duly elected County Clerk for Boone County, the county containing these districts. In that capacity, Plaintiff Brown is responsible for administering and conducting elections in the affected districts. Thus, Plaintiffs, who are thus among the most injured by the mal-apportioned districts, clearly have standing to bring this challenge. *See Gray v. Sanders*, 372 U.S. 368, 375 (1963)(“any person whose right to vote is impaired ... has standing to sue”). Following the General Assembly’s failure to enact

constitutionally permissible state legislative districts in 2012 *and* its failure to enact any state legislative maps during the 2013 Regular Session, the *Brown* Plaintiffs and the *Herbert* Plaintiffs separately filed these now-consolidated actions seeking: 1) a declaration that, in light of the 2010 Census data, the 2002 maps violate the Fourteenth Amendment’s Equal Protection Clause; and 2) permanent injunctive relief barring the 2002 maps’ use in future Kentucky elections. [RE #1: *Brown* Complaint, ¶¶ 59-66; RE #1: *Herbert* Complaint, ¶¶ 37-39.]

Argument

I. SUMMARY JUDGMENT IS PROPER BECAUSE KENTUCKY’S HOUSE AND SENATE DISTRICTS ARE MAL-APPORTIONED IN VIOLATION OF THE FOURTEENTH AMENDMENT’S “ONE PERSON, ONE VOTE” MANDATE.

Summary judgment is appropriate when “the pleadings, depositions, answers to interrogatories, and admissions on file, together with affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law.” Fed.R.Civ.P. 56(c); *Birgil v. Board of Comm’rs*, 125 F.3d 948, 950 (6th Cir. 1997), *cert. denied*, 522 U.S. 1109 (1998). The burden of establishing the absence of a genuine issue of material fact lies with the moving party. *Celotex Corp. v. Catrett*, 477 U.S. 317, 323 (1986). And in evaluating a motion for summary judgment, courts “must view all evidence and draw all reasonable inferences in the light most favorable to the nonmoving party.” *Leary v. Daeschner*, 349 F.3d 888, 897 (6th Cir. 2003). However, if the movant establishes that there are no genuine issues of material fact and that judgment as a matter of law is appropriate, then the opposing party must produce “specific facts showing that there is a genuine issue for trial.” *First Nat’l Bank v. Cities Serv. Co.*, 391 U.S. 253, 270 (1968). The “mere existence of *some* alleged factual dispute will not defeat an otherwise properly supported motion for summary judgment; the

requirement is that there be no *genuine* issue of *material* fact.” *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 247-48 (1986) (emphasis in original).

In this case, Plaintiffs assert that Kentucky’s current House and Senate legislative districts — which were adopted in 2002 using population data from the 2000 Census — now suffer from substantial population imbalances that violate the Fourteenth Amendment’s “one person, one vote” mandate. *Reynolds v. Sims*, 377 U.S. 533, 577 (1964). To comply with this constitutional mandate, state and local officials must make “an honest and good faith effort” to create the voting districts for elective offices “as nearly of equal population as is practicable” so that each person’s vote will be given equal weight. *Reynolds*, 377 U.S. at 577; *Avery v. Midland County*, 390 U.S. 474, 480 (1968); *Abate v. Mundt*, 403 U.S. 182, 185 (1971); *Chapman v. Meier*, 420 U.S. 1, 22 (1975); *Hadley v. Junior College Dist.*, 397 U.S. 50, 56 (1970)(“[W]hen members of an elected body are chosen from separate districts, each district must be established on a basis that will insure, as far as is practicable, that equal numbers of voters can vote for proportionally equal numbers of officials.”).

In evaluating whether (or not) a given district map complies with the Fourteenth Amendment’s equality mandate, courts look to the election plan’s total population deviation — the difference between the largest *positive* deviation from the ideal district size and the largest *negative* deviation.³ Plans with a total deviation of greater than 10 percentage points create a *prima facie* case of an Equal Protection violation and are presumptively invalid. *Brown v.*

³ Districts’ relative population equality is usually expressed as a percentage of “ideal” district size. The “ideal” district population is first determined by dividing the total population by the number of districts involved. Here, for example, dividing Kentucky’s 2010 total population (4,339,367) by the one hundred House districts and by the thirty-eight Senate districts yields “ideal” populations for each chamber’s districts of 43,394 and 114,194, respectively. [Plaintiffs’ Exh. 2: Cooper Report, ¶¶ 19, 25; Plaintiffs’ Exh. 22: Horton Declaration, ¶¶ 13-14, att. 1-4.] See also *Fischer*, 366 S.W.3d at 909.

Thomson, 462 U.S. 835, 843 (1983)(more than 10 percent total deviation presumptively invalid); *see, also, Abate*, 403 U.S. 182 (1971)(11.9% prima facie unconstitutional). Furthermore, even enacting plans with less than 10 percentage points of deviation does not necessarily create a safe harbor. *See e.g., Larios v. Cox*, 300 F.Supp.2d 1320, 1339-1340 (N.D. Ga. 2004)(*per curiam*) (finding state legislative reapportionment plans with total deviation of 9.98% violated Fourteenth Amendment), *aff'd*, 542 U.S. 947 (2004). But even where a plan is presumptively invalid due to more than 10% total deviation, that presumption can be rebutted by strong evidence showing that the deviation is justified by “legitimate considerations incident to the effectuation of a rational state policy.” *Reynolds*, 377 U.S. at 579; *Mahan v. Howell*, 410 U.S. 315, 325 (1973). Plans with a total deviation *above* 16.4 percentage points, however, are rarely justifiable. *Mahan*, 410 U.S. 315, 329 (1973)(upholding state plan with 16.4 percent total deviation but stating that the deviation nearing the “maximum percentage deviation ... within tolerable constitutional limits”); *but see Brown v. Thomson*, 462 U.S. 835, 844-45 (1983)(upholding plan that resulted in one county’s substantial negative variance from ideal district size due to state’s “undisputed” policy of seeking to preserve county integrity).

Here, the undisputed material facts establish *both* that the 2002 House and Senate maps are grossly mal-apportioned in light of the 2010 Census data *and* that these deviations are not reflective of any legitimate considerations designed to promote a valid state policy.

A. Kentucky’s 2002 House Districts Are Unconstitutionally Mal-apportioned.

Based on the 2010 Census data, the ideal population for Kentucky’s House districts is 43,394. But under the 2002 House map, House District 43 has a population of only 35,580 whereas House District 60 has a population of 61,922. Thus, the map’s total deviation — the difference between District 43’s *negative* 18.01 percent deviation and District 60’s *positive* 42.70

percent deviation — is 60.71 percent. [Plaintiffs’ Exh. 2: Cooper Report, ¶ 22; Plaintiffs’ Exh. 9; Plaintiffs’ Exh. 22: Horton Declaration, ¶¶ 13-14, att. 1-4.] The map, therefore, is presumptively invalid. *Brown*, 462 U.S. at 842-43 (a plan with a deviation greater than 10 percent “creates a prima facie case of discrimination and therefore must be justified by the State.”).

Moreover, the substantial population disparity amongst the House districts is not confined to Districts 43 and 60, but rather includes forty-one other districts whose populations exceed (or are less than) the ideal district population by more than ten percent. [Plaintiffs’ Exh. 9; Plaintiffs’ Exh. 22: Horton Declaration, ¶¶ 13-14.] Thus, *forty-three* of Kentucky’s one hundred House districts deviate from the ideal district population by *more* than ten percent.

B. Kentucky’s 2002 Senate Districts Are Unconstitutionally Mal-apportioned.

As with the House districts, Kentucky’s 2002 Senate Districts are also mal-apportioned in light of the 2010 Census data. Specifically, even though the ideal Senate district population is 114,194, seven districts have populations more than 10 percentage points below that number. [Plaintiffs’ Exh. 2: Cooper Report, ¶25; Plaintiffs’ Exh. 14; Plaintiffs’ Exh. 22: Horton Declaration, ¶¶ 13-14.] Of those, Senate District 29’s population of 94,194 is the smallest which represents a *negative* 17.51 percent deviation from the ideal district size. [*Id.*] Senate District 11, however, has the largest population at 137, 257 which is a *positive* deviation of 20.20 percent. [*Id.*] The 2002 Senate map’s total deviation is thus 37.71 percent which is, of course, presumptively invalid. *Brown*, 462 U.S. at 842-43

And, as with the House districts noted above, the substantial population deviations in the Senate map apply to several of the districts. Specifically, sixteen Senate districts’ populations exceed (or fall below) the ideal district population by more than ten percent. [Plaintiffs’ Exh. 14; Plaintiffs’ Exh. 22: Horton Declaration, ¶¶ 13-14.] Thus, *forty-two* percent of all Senate districts

contain populations that deviate by more than 10 percentage points from the ideal district size.
[*Id.*]

C. Continued Use of the 2002 Maps Does Not Further A Rational State Policy

Because the 2002 House and Senate legislative maps are substantially mal-apportioned and thus presumptively invalid, their use can only be justified where there is strong evidence to support the conclusion that their population deviations are the result of “legitimate considerations incident to the effectuation of a rational state policy.” *Reynolds*, 377 U.S. at 579. But that standard cannot be met where (as here) the population deviations are *not* the result of legitimate considerations in furtherance of a rational state policy, but rather are the result of the General Assembly’s failure to timely enact constitutionally permissible legislative districts following the release of the 2010 Census data.

In *Reynolds*, the Supreme Court stated that the requirement of substantial equality among voting districts “does not mean that States cannot adopt some reasonable plan for periodic revision of their apportionment schemes.” *Id.* at 583. The Court then suggested that reapportionment once every ten years would be a “rational approach to readjustment of legislative representation.” *Id.* And although the Court declined to hold as an absolute rule that decennial reapportionment is constitutionally required, the Court stated that “reapportionment ... with less frequency ... would assuredly be constitutionally suspect.” *Id.* at 584.

Here, re-apportionment has not occurred since 2002 despite Kentucky having undergone significant population changes since then, both in terms of the total number of persons as well as the distribution throughout the state. Whatever arguments the state may have had to justify its use of the 2002 maps immediately after *Fischer IV*, *e.g.*, the orderly process of the then-impending 2012 elections, those arguments are no longer valid now that the General Assembly

has had the opportunity (but failed) to address redistricting during its 2013 Regular Session. As the Legislative Research Commission conceded in the *Fischer* litigation when responding to the trial court's question about the "constitutional deadline, if any" for redistricting:

Because the 2012 General Assembly redistricted both the Senate and the House of Representatives during the first regular session after the decennial census was available, the General Assembly met any constitutional deadline for redistricting. The districts that existed before the enactment of House Bill 1 were out of population balance and subject to legal challenge if left in place for any additional length of time. The 2011 General Assembly did not have the requisite census information. The 2012 General Assembly has the information and *it is incumbent upon the General Assembly to reapportion the districts at the first opportunity.*

[Plaintiffs' Exh. 21: LRC's Answers to the Court's Questions -- *Fischer, et al. v. Grimes, et al.*, 2012-CI-00109 (Franklin Cir. Ct.), at ¶ 4.] Thus, because the continued use of the 2002 plan is not necessary to ensure "the orderly process" of pending elections as was the case in *Fischer IV*, there is no rational state policy or other governmental interest that can justify the mal-apportionment in Kentucky's 2002 House and Senate legislative districts.

Conclusion

Even when the facts and inferences are viewed in the light most favorable to Defendants, the undisputed material facts in these cases establish that Kentucky's 2002 legislative districts are now grossly mal-apportioned resulting in widespread voting strength disparity amongst Kentucky's voters. Because the legislative districts' substantial population deviations cannot be justified by any legitimate state interest, and because the total population deviations exceed that which is permitted under the Fourteenth Amendment's "one person, one vote" principle, Plaintiffs in the above-styled consolidated actions are entitled to judgment as a matter of law. The *Herbert* Plaintiffs and the *Brown* Plaintiffs therefore respectfully request that the Court grant their motion for summary judgment, enter a declaratory judgment finding Kentucky's 2002

House and Senate districts are now constitutionally infirm, and enter a permanent injunction barring Defendants' use of those 2002 districts in future Kentucky elections.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on July 12, 2013, I electronically filed this Memorandum in Support of Plaintiffs' Joint Motion for Summary Judgment with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to the following:

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s/ William E. Sharp
Counsel for the Herbert Plaintiffs

Plaintiffs' Exhibit 1



UNITED STATES DEPARTMENT OF COMMERCE
Economics and Statistics Administration
U.S. Census Bureau
Washington, DC 20233-0001
OFFICE OF THE DIRECTOR

MAR 16 2011

Mr. Scott Hamilton
GIS Manager
Legislative Research Commission
Geographic Information Systems Office
Room 26, Capitol Annex
Frankfort, KY 40601

Dear Mr. Hamilton:

On behalf of the U.S. Census Bureau Director, Dr. Robert M. Groves, I am happy to provide you with a copy of the 2010 Census Redistricting Data (Public Law (P.L.) 94-171) Summary File for your state. These files contain tables on population and housing characteristics for the many geographic areas within your state including; counties, American Indian Areas, 2010 census tracts and block groups, places, townships, legislative and congressional districts and more.

These data meet the requirements prescribed in P.L. 94-171 to provide "Tabulations of population ...to the Governor of the State involved and the officers or public bodies having responsibility for legislative apportionment or districting of each state...within one year after the census date.". Web links to the data and documentation for all available redistricting related Census products are located on the Redistricting Data Office's website at www.census.gov/rdo/data. From this website you will be directed to both our data dissemination tool, the American Factfinder or the many geographic products prepared in order to support the summary data. We are pleased to bring you this portrait of your state.

If you have any questions or comments, please do not hesitate to contact me or Assistant Chief, James Whitehorne, at 301-763-4039.

Sincerely,

Cathy McCully, Chief
2010 Census Redistricting Data Office

Enclosures

cc:

The Honorable Steve Beshear, Governor of Kentucky

The Honorable David L. Williams, President of the Senate

The Honorable Katie Stine, President Pro Tem

The Honorable Robert Stivers, Senate Majority Floor Leader

The Honorable R.J. Palmer, II, Senate Minority Floor Leader

The Honorable Greg Stumbo, Speaker of the House

The Honorable Larry Clark, Speaker Pro Tem

The Honorable Rocky Adkins, House Majority Floor Leader

The Honorable Jeffrey Hoover, House Minority Floor Leader

Mr. Scott Hamilton, GIS Manager

Ms. Judy Fritz, Committee Staff Administrator

Mr. Michael Price, Director - State Data Center, Governor's Liaison

PUBLIC LAW 94-171—DEC. 23, 1975

89 STAT. 1023

Public Law 94-171
94th Congress

An Act

To amend section 141 of title 13, United States Code, to provide for the transmittal to each of the several States of the tabulation of population of that State obtained in each decennial census and desired for the apportionment or districting of the legislative body or bodies of that State, in accordance with, and subject to the approval of the Secretary of Commerce, a plan and form suggested by that officer or public body having responsibility for legislative apportionment or districting of the State being tabulated, and for other purposes.

Dec. 23, 1975
[H.R. 1753]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 141 of title 13, United States Code, is amended by adding at the end thereof the following new subsection:

“(c) The officers or public bodies having initial responsibility for the legislative apportionment or districting of each State may, not later than three years prior to the census date, submit to the Secretary a plan identifying the geographic areas for which specific tabulations of population are desired. Each such plan shall be developed in accordance with criteria established by the Secretary, which he shall furnish to such officers or public bodies not later than April 1 of the fourth year preceding the census date. Such criteria shall include requirements which assure that such plan shall be developed in a nonpartisan manner. Should the Secretary find that plan submitted by such officers or public bodies does not meet the criteria established by him, he shall consult to the extent necessary with such officers or public bodies in order to achieve the alterations in such plan that he deems necessary to bring it into accord with such criteria. Any issues with respect to such plan remaining unresolved after such consultation shall be resolved by the Secretary, and in all cases he shall have final authority for determining the geographic format of such plan. Tabulations of population for the areas identified in any plan approved by the Secretary shall be completed by him as expeditiously as possible after the census date and reported to the Governor of the State involved and the officers or public bodies having responsibility for legislative apportionment or districting of such State, except that such tabulations of population of each State requesting a tabulation plan, and basic tabulations of population of each State, shall, in any event, be completed, reported and transmitted to each respectively State within one year after the census date.”

a Population,
tabulation for
State legislative
apportionment.

SEC. 2. (a) The heading for section 141 of title 13, United States Code, is amended by adding at the end thereof the following: “; tabulation for legislative apportionment”.

(b) The table of sections for chapter 5 of title 13, United States Code, is amended by striking out the item relating to section 141 and inserting in lieu thereof the following:

“141. Population, unemployment, and housing; tabulation for legislative apportionment.”

Approved December 23, 1975.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-456 (Comm. on Post Office and Civil Service).
SENATE REPORT No. 94-539 (Comm. on Post Office and Civil Service).
CONGRESSIONAL RECORD, Vol. 121 (1975):
Nov. 7, considered and passed House.
Dec. 15, considered and passed Senate.

Plaintiffs' Exhibit 2

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
NORTHERN DIVISION AT COVINGTON

KENNY BROWN, individually and in his
official capacity as the Boone County Clerk, *et*
al.,

Plaintiffs,

v.

COMMONWEALTH OF KY, *et al.*,

Defendants.

Case No. 2:13cv00068

MARTIN HERBERT, *et al.*,

Plaintiffs,

v.

KENTUCKY STATE BOARD OF
ELECTIONS, *et al.*,

Defendants.

Case No. 3:13cv00025

Expert Report of William S. Cooper

This report is submitted pursuant to Rule 26(a)(2)(B), Fed.R.Civ.P., as requested by
counsel for the *Herbert* Plaintiffs.

1. My name is Williams S. Cooper. I have a B.A. degree in Economics from
Davidson College. As a private consultant, I currently serve as a demographic and redistricting

expert for the *Herbert* Plaintiffs. I am compensated at the rate of \$100 per hour for my work on this report.

2. I have testified at trial as an expert witness on redistricting and demographics in federal courts in 34 voting rights cases. Three of these lawsuits resulted in changes to statewide legislative boundaries: *Rural West Tennessee African American Affairs v. McWherter*, *Old Person v. Cooney*, and *Bone Shirt v. Hazeltine*. Approximately 25 of the cases led to changes in local election district plans.

3. Since the release of the 2010 Census in February 2011, I have developed several statewide legislative plans (Alabama, Georgia, Florida, South Carolina, and Virginia) and about 100 local redistricting plans – primarily, for groups working to protect minority voting rights. Three plans that I developed for local government clients during 2011 – Bolivar County, Mississippi, the City of Grenada, Mississippi, and Sussex County, Virginia – were precleared by the U.S. Department of Justice under Section 5 of the Voting Rights Act. None of the redistricting plans that I have developed has ever drawn an objection under Section 5.

4. For more information on my testimony as an expert witness and experience preparing and assessing proposed redistricting maps for Section 2 litigation, Section 5 comment letters, and other efforts to promote compliance with the Voting Rights Act of 1965, see a summary of my redistricting work attached as **Exhibit A**.

I. Purpose of Report

5. The attorneys for the *Herbert* Plaintiffs asked me to prepare a report addressing the following questions:

- *According to the 2010 Census, what is the extent of malapportionment in legislative districts for the Kentucky State House of Representatives and Senate plans adopted in 2002?*
- *How many counties are split under the 2002 Kentucky House and Senate plans?*

II. Methodology and Sources

6. My analysis relies on data obtained from the decennial census – specifically, the *2000 and 2010 Redistricting Data (Public Law 94-171) Summary Files (Kentucky)*.

7. I also used the *2010 Advance Group Quarters File* released by the U.S. Census Bureau on April 20, 2011. This file contains complete count block-level data for the population living in institutional and non-institutional group quarters – for example, prisons, military barracks, and college dorms.

8. For additional detail on the state and federal prison population, I used a proprietary database obtained from the Prison Policy Initiative (PPI), based in Northampton, Massachusetts. PPI identified census blocks nationwide that encompass state and federal prisons and then tabulated a block-level count of prisoners by race and ethnicity from the complete count SF1 tract-level 2010 Census file. Therefore, this count includes only persons who are incarcerated in facilities that are state or federal prisons.¹

¹ A table identifying Kentucky's 2010 correctional population by county, census block, and facility type is available from the Prison Policy Initiative at: <http://www.prisonersofthecensus.org/locator2010/states/starts-with-ke/>

9. Map exhibits and corresponding tables that I prepared were produced using *Maptitude for Redistricting* software, *Microsoft Excel*, and Census Bureau TIGER geographic files available for public download from the Census Bureau website.

10. I also relied upon tables and maps produced by the Kentucky Legislative Research Commission, depicting 2000-2010 population change by county and legislative district. These materials are included as exhibits with my report.

III. Population Profile of Kentucky – 2000 to 2010

11. According to the 2010 Census, Kentucky has a population of 4,339,367. This represents a 7.36% increase over the 4,041,760 count reported in the 2000 Census. The table in **Figure 1** below shows how the distribution of the population by race and ethnicity changed in Kentucky between 2000 and 2010.

Figure 1 -- Kentucky – 2000 Census to 2010 Census

	2000 Number	Percent	2010 Number	Percent	2000 to 2010 Change	2000 to 2010 Percent Change
Total Population	4,041,769	100.00%	4,339,367	100.00%	297,598	7.36%
Total Hispanics	59,939	1.48%	132,836	3.06%	72,897	121.62%
White*	3,608,013	89.27%	3,745,655	86.32%	137,642	3.81%
Black*	293,639	7.27%	333,075	7.68%	39,436	13.43%
American Indian and Eskimo*	7,939	0.20%	8,642	0.20%	703	8.86%
Asian*	29,368	0.73%	48,338	1.11%	18,970	64.59%
Hawaiian and Pacific Islander*	1,275	0.03%	2,074	0.05%	799	62.67%
Other*	3,846	0.10%	4,634	0.11%	788	20.49%
Two or More Races*	37,750	0.93%	64,113	1.48%	26,363	69.84%

* Single-race, non-Hispanic

Source: Based on a 1980-2000 chart prepared by the Social Science Data Analysis Network (SSDAN) at http://www.censuscope.org/us/s21/chart_race.html

12. As shown in **Figure 1**, Kentucky's minority population grew at a faster pace than the non-Hispanic white population. The non-Hispanic white population increased by 3.81% over the decade, lagging behind the statewide growth rate. Meanwhile, the single-race non-Hispanic African-American population grew by 13.43% and the Hispanic population more than doubled (121.62%).

13. According to the 2010 Census, single-race non-Hispanic African Americans comprise 7.68% of Kentucky's population. Latinos are the second largest minority population in the state at 3.06%. In the 2010 Census, 376,213 persons in Kentucky (8.67%) identified as any part African American (including black Hispanics).

14. The statewide population growth between 2000 and 2010 was not uniform at the county level. Of the 120 counties in Kentucky, 32 grew faster than the statewide 7.36% rate, while 36 lost population.

15. **Exhibit B** attached to this report is a table prepared by the Kentucky Legislative Research Commission (LRC) showing the 2000-2010 population change by county. **Exhibit C** is an LRC-produced map depicting population change by county over the decade.

16. Metro and suburban counties in northern Kentucky grew at a relatively fast pace between 2000 and 2010. The five fastest growing counties are all located in northern Kentucky. Spencer County grew by 45%, followed by Scott (42.68%), Boone (38.17%), Oldham (30.62%) and Shelby (26.1%).

17. Many rural counties in the coalfields and Cumberland Plateau of eastern Kentucky lost population between 2000 and 2010. Rural counties in the southwest corner of the state also lost population. Between 2000 and 2010, Breathitt County lost 13.8% of its population, followed by

Fulton (12.11%), Harlan (11.82%), Clay (11.51%), and Leslie (8.8%).

III. Malapportionment of 2002 Kentucky House and Senate Plans

18. The uneven county-level population change between 2000 and 2010 guaranteed that many legislative districts adopted in 2002 would be malapportioned according to the 2010 Census – assuming a +/- 5% deviation range.

State House

19. At the time of the post-2000 Census redistricting cycle, the ideal population size for one of the 100 State House districts was 40,418. Due to the statewide growth in population over the decade, the ideal population size for a House district is now 43,394 based on the 2010 Census. In order to stay within the +/-5% deviation range, a State House district must have a 2010 population between 45,564 and 41,224.

20. **Exhibit D** is a table prepared by the LRC that shows population change by House district between 2000 and 2010. Of the 100 House districts, 30 lost population over the decade and an additional 10 districts had insufficient population growth to reach the 41,224 population necessary to stay within -5% of the ideal population size. Just 35 out of 100 House districts are within the +/- 5% range based on the 2010 Census.

21. **Exhibit E-1** and **Exhibit E-2** are LRC-produced maps that show 2000-2010 population change by House district. With the exception of a few urban districts, the geographic distribution of House district population change generally mirrors the county-level population change map in **Exhibit C**.

22. **Exhibit F** shows summary population statistics and the deviation from the 2010 ideal population for the 100 House districts in the 2002 plan. The overall deviation is 60.71%, which represents the absolute value of the district with the highest deviation above the ideal (District 60 at 42.70%) plus the district with the highest deviation below the ideal (District 43 at -18.01%).²

23. Pages 4 to 6 of **Exhibit F** report group quarters population by House district from the 2010 Census SF 1 file.

24. **Exhibit G-1** is a thematic color-coded map showing deviations by House district under the 2002 plan. **Exhibit G-2** shows detail for the more densely populated areas of northern Kentucky.

State Senate

25. At the time of the post-2000 Census redistricting cycle, the ideal population size for one of the 38 State Senate districts was 106,363. Due to the statewide growth in population over the decade, the ideal population size for a Senate district is now 114,194. In order to stay within the +/- 5% deviation range, a State Senate district must have a 2010 population between 108,484 and 119,902.

26. **Exhibit H** is a table prepared by the LRC that shows population change by Senate district between 2000 and 2010. Of the 38 Senate districts, 9 lost population over the decade and an additional 6 districts had insufficient population growth to reach the population necessary to stay within -5% of the ideal population size. Just 11 out of 38 Senate districts are within the +/- 5% range according to the 2010 Census.

² A summary table showing selected 2010 population data by 2002 Kentucky State House district can be viewed and downloaded from the U.S. Census Bureau American FactFinder website at: http://factfinder2.census.gov/bkmk/table/1.0/en/DEC/10_PL/GCTPL1.ST08/0400000US21

27. **Exhibit I** is an LRC-produced map that shows 2000-2010 population change by Senate district. With the exception of a couple urban districts, the geographic distribution of Senate district population change generally mirrors the county-level population change map in **Exhibit C**.

28. **Exhibit J** shows summary population statistics and the deviation from the 2010 ideal population for the 38 Senate districts in the 2002 plan. The overall deviation is 37.71%, which represents the absolute value of the district with the highest deviation above the ideal (District 11 at 20.21%) plus the district with the highest deviation below the ideal (District 43 at -18.01%).³

29. Page 2 of **Exhibit J** reports group quarters population by Senate district from the 2010 Census SF 1 file.

30. **Exhibit K** is a thematic color-coded map showing deviations by Senate district under the 2002 plan.

IV. County Splits in 2002 Kentucky House and Senate Plans

31. The Table in **Exhibit L** identifies in yellow the counties that are split by one or more House or Senate districts in the 2002 plans. All told, 27 counties are split by House districts. Three of these 27 counties are also split by Senate districts – Fayette, Jefferson, and Keaton. The map in **Exhibit M** highlights in yellow the 27 counties that are split under the 2002 plans.

32. Under the 2002 House plan, there are 7 split counties with populations that are within the +5% deviation ceiling under the 2010 Census – Floyd, Harlan, Letcher, Rowan, Spencer, Trigg, and Wolfe. Two of the 7 counties are split more than two ways under the 2002 House plan. Harlan

³ A summary table showing selected 2010 population data by 2002 Kentucky State House district can be viewed and downloaded from the U.S. Census Bureau American FactFinder website at: http://factfinder2.census.gov/bkmk/table/1.0/en/DEC/10_PL/GCTPL1.ST08/0400000US21

County is divided into 4 districts and Spencer County is split into 3 districts. All 7 of these counties can theoretically remain whole under a legislative plan drawn based on the 2010 Census.

33. Two counties – Jessamine and Scott – have experienced significant population growth since 2000, so they can no longer fit into a single district as in the 2002 House plan. Both counties must be split in order to stay within the +/-5% deviation range based on the 2010 Census.

V. Conclusion

34. According to the 2010 Census, the 2002 House plan has an overall deviation of 60.71% and the 2002 Senate plan has an overall deviation of 37.71%. Therefore, in my opinion the 2002 Kentucky State House and Senate plans are seriously malapportioned.

I declare under penalty of perjury under the laws of the United States that the forgoing is true and correct to the best of my knowledge.

July 8, 2013


WILLIAM S. COOPER

Plaintiffs' Exhibit 3

William S. Cooper
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Summary of Redistricting Work

I have a BA degree in Economics from Davidson College in Davidson, North Carolina.

Since 1986, I have prepared proposed redistricting maps of approximately 600 jurisdictions for Section 2 litigation, Section 5 comment letters, and for use in other efforts to promote compliance with the Voting Rights Act of 1965. I have analyzed and prepared election plans in over 100 of these jurisdictions for two or more of the decennial censuses – either as part of concurrent legislative reapportionments or, retrospectively, in relation to litigation involving many of the cases listed below.

Since the release of the 2010 Census in February 2011, I have developed statewide legislative plans on behalf of clients in five states (Alabama, Georgia, Florida, South Carolina, and Virginia), as well as about 100 local redistricting plans in approximately 20 states – primarily for groups working to protect minority voting rights.

In March 2011, I was retained by the Sussex County, Virginia Board of Supervisors and the Bolivar County, Mississippi Board of Supervisors to draft new district plans based on the 2010 Census. In the summer of 2011, both counties received Section 5 preclearance from the Department of Justice.

Also in 2011, I was retained by way of a subcontract with Olmedillo X5 LLC to assist with redistricting for the Miami-Dade County Board of Commissioners and the

Miami-Dade School Board. Final plans were adopted in late 2011 following public hearings.

In the fall of 2011, I was retained by the City of Grenada, MS to provide redistricting services. The ward plan I developed received preclearance in March 2012.

I currently serve as a redistricting consultant for Tunica County, MS and Claiborne County, MS.

I testified in two redistricting lawsuits in 2011 in New Mexico and New York – *Archuleta v. City of Albuquerque* and *Pope v. County of Albany*.

I am also a consultant and expert for the plaintiffs in *Georgia State Conference NAACP, et al. v. Fayette County, Alabama Legislative Black Caucus et al. v. Alabama, Montes v. City of Yakima, Washington, Everett Dean et al. v. Washington County, Mississippi, and Navajo Nation v. San Juan County, Utah*.

I also serve as a redistricting and demographic consultant to the Massachusetts-based Prison Policy Initiative and Demos for a nationwide project to end prison-based gerrymandering. I have analyzed 2011 election plans in over a dozen states as part of my work with these two organizations. In December 2011, I filed a declaration in *Fletcher v. Lamone* in support of an *amicus* brief submitted by PPI and Demos.

During the 2000's, I analyzed census data and prepared draft election plans involving about 300 local-level jurisdictions in 25 states. I produced these plans at the request of local citizens' groups, national organizations such as the NAACP and, in a few instances, by contract with local governments. Election plans I developed for two counties – Sussex County, Virginia and Webster County, Mississippi – were adopted and precleared in 2002 by the U.S. Department of Justice. A ward plan I prepared for the City of Grenada, Mississippi was precleared in August 2005. A county council plan I developed for Native

American plaintiffs in a Section 2 lawsuit (*Blackmoon v. Charles Mix County*) was adopted by Charles Mix County, South Dakota in November 2005. A county supervisors' plan I produced for Bolivar County, Mississippi was precleared in January 2006. A plan I drafted for Latino plaintiffs in Bethlehem, Pennsylvania (*Pennsylvania Statewide Latino Coalition v. Bethlehem Area School District*) was adopted in March 2009. Plans I developed for minority plaintiffs in Columbus County, NC and Cortez-Montezuma School District in Colorado were adopted in 2009.

In addition, during the post-2000 reapportionment process, I drafted proposed statewide legislative plans on behalf of clients in eight states – Florida, Montana, New Mexico, North Dakota, South Dakota, Tennessee, Virginia, and Wyoming. In August 2005, a federal court ordered the State of South Dakota to remedy a Section 2 voting rights violation and adopt a state legislative plan I developed. (*Bone Shirt v. Hazeltine*)

Since 1986, I have prepared election plans for Section 2 litigation in Connecticut, Florida, Georgia, Louisiana, Maryland, Mississippi, Montana, Nebraska, New Jersey, New York, North Carolina, Ohio, South Carolina, South Dakota, Tennessee, Utah, Virginia, Washington, and Wyoming.

I have testified at trial as an expert witness on redistricting and demographics in federal courts in the following voting rights cases (approximate most recent testimony dates are in parentheses):

Colorado

Cuthair v. Montezuma-Cortez School Board (1997)

Georgia

Cofield v. City of LaGrange (1996)

Love v. Deal (1995)

Askew v. City of Rome (1995)

Woodard v. Lumber City (1989)

Louisiana

Knight v. McKeithen (1994)
Reno v. Bossier Parish (1995)
Wilson v. Town of St. Francisville (1997)

Maryland

Cane v. Worcester County (1994)

Mississippi

Addy v Newton County (1995)
Boddie v. Cleveland (2003)
Boddie v. Cleveland School District (2010)
Ewing v. Monroe County(1995)
Farley v. Hattiesburg (2008)
Jamison v. City of Tupelo (2006)
Gunn v. Chickasaw County (1995)
NAACP v. Fordice (1999)
Nichols v. Okolona (1995)
Smith v. Clark (1995)

Montana

Old Person v. Cooney (1998)
Old Person v. Brown (on remand) (2001)

Nebraska

Stabler v. Thurston County (1995)

New York

Arbor Hills Concerned Citizens v. Albany County (2003)
Pope v. County of Albany (2011)

South Carolina

Smith v. Beasley (1996)

South Dakota

Bone Shirt v. Hazeltine (2004)
Cottier v. City of Martin (2004)

Tennessee

Cousins v. McWherter (1994)
Rural West Tennessee African American Affairs Council v. McWherter (1993)

Virginia

Henderson v. Richmond County (1988)
McDaniel v. Mehfoud (1988)
White v. Daniel (1989)
Smith v. Brunswick County (1991)

Wyoming

Large v. Fremont County (2007)

In addition, I have filed declarations or been deposed in these voting rights cases:

Alabama

Alabama Legislative Black Caucus et al. v. Alabama et al. (2013)

Florida

Burton v. City of Belle Glade (1997)

Johnson v. DeSoto County (1999)

Thompson v. Glades County (2001)

Georgia

Georgia State Conference NAACP, et al. v. Fayette County (2012)

Jones v. Cook County (1993)

Johnson v. Miller (1998)

Knighton v. Dougherty County (2002)

Louisiana

NAACP v. St. Landry Parish Council (2005)

Prejean v. Foster (1994)

Rodney v. McKeithen (1993)

Maryland

Fletcher v. Lamone (2011)

Mississippi

Dean v. Washington County (2012)

Williams v. Bolivar County (2005)

Clark v. Calhoun County (on remand)(1993)

Houston v. Lafayette County (2002)

Wilson v. Clarksdale (1992)

Stanfield v. Lee County(1991)

Teague v. Attala County (on remand)(1993)

Montana

Alden v. Rosebud County (2000)

North Carolina

Lewis v. Alamance County (1991)

Gause v. Brunswick County (1992)

Webster v. Person County (1992)

South Carolina

Vander Linden v. Campbell (1996)

South Dakota

Emery v. Hunt (1999)

Kirkie v. Buffalo County (2004)

Tennessee

NAACP v. Frost, et al. (2003)

Virginia

Moon v. Beyer (1990)

Washington

Montes v. City of Yakima (2013)

###

Plaintiffs' Exhibit 4

Kentucky County Population Change 2000-2010

<u>County</u>	<u>2010 Pop</u>	<u>2000 Pop</u>	<u>Change</u>	<u>% Change</u>
Adair	18,656	17,244	1,412	8.19
Allen	19,956	17,800	2,156	12.11
Anderson	21,421	19,111	2,310	12.09
Ballard	8,249	8,286	-37	-0.45
Barren	42,173	38,033	4,140	10.89
Bath	11,591	11,085	506	4.56
Bell	28,691	30,060	-1,369	-4.55
Boone	118,811	85,991	32,820	38.17
Bourbon	19,985	19,360	625	3.23
Boyd	49,542	49,752	-210	-0.42
Boyle	28,432	27,697	735	2.65
Bracken	8,488	8,279	209	2.52
Breathitt	13,878	16,100	-2,222	-13.80
Breckinridge	20,059	18,648	1,411	7.57
Bullitt	74,319	61,236	13,083	21.36
Butler	12,690	13,010	-320	-2.46
Caldwell	12,984	13,060	-76	-0.58
Calloway	37,191	34,177	3,014	8.82
Campbell	90,336	88,616	1,720	1.94
Carlisle	5,104	5,351	-247	-4.62
Carroll	10,811	10,155	656	6.46
Carter	27,720	26,889	831	3.09
Casey	15,955	15,447	508	3.29
Christian	73,955	72,265	1,690	2.34
Clark	35,613	33,144	2,469	7.45
Clay	21,730	24,556	-2,826	-11.51
Clinton	10,272	9,634	638	6.62
Crittenden	9,315	9,384	-69	-0.74
Cumberland	6,856	7,147	-291	-4.07
Daviess	96,656	91,545	5,111	5.58
Edmonson	12,161	11,644	517	4.44
Elliott	7,852	6,748	1,104	16.36
Estill	14,672	15,307	-635	-4.15
Fayette	295,803	260,512	35,291	13.55
Fleming	14,348	13,792	556	4.03
Floyd	39,451	42,441	-2,990	-7.05
Franklin	49,285	47,687	1,598	3.35
Fulton	6,813	7,752	-939	-12.11
Gallatin	8,589	7,870	719	9.14
Garrard	16,912	14,792	2,120	14.33
Grant	24,662	22,384	2,278	10.18
Graves	37,121	37,028	93	0.25
Grayson	25,746	24,053	1,693	7.04
Green	11,258	11,518	-260	-2.26
Greenup	36,910	36,891	19	0.05
Hancock	8,565	8,392	173	2.06
Hardin	105,543	94,174	11,369	12.07
Harlan	29,278	33,202	-3,924	-11.82

Kentucky County Population Change 2000-2010

<u>County</u>	<u>2010 Pop</u>	<u>2000 Pop</u>	<u>Change</u>	<u>% Change</u>
Harrison	18,846	17,983	863	4.80
Hart	18,199	17,445	754	4.32
Henderson	46,250	44,829	1,421	3.17
Henry	15,416	15,060	356	2.36
Hickman	4,902	5,262	-360	-6.84
Hopkins	46,920	46,519	401	0.86
Jackson	13,494	13,495	-1	-0.01
Jefferson	741,096	693,604	47,492	6.85
Jessamine	48,586	39,041	9,545	24.45
Johnson	23,356	23,445	-89	-0.38
Kenton	159,720	151,464	8,256	5.45
Knott	16,346	17,649	-1,303	-7.38
Knox	31,883	31,795	88	0.28
Larue	14,193	13,373	820	6.13
Laurel	58,849	52,715	6,134	11.64
Lawrence	15,860	15,569	291	1.87
Lee	7,887	7,916	-29	-0.37
Leslie	11,310	12,401	-1,091	-8.80
Letcher	24,519	25,277	-758	-3.00
Lewis	13,870	14,092	-222	-1.58
Lincoln	24,742	23,361	1,381	5.91
Livingston	9,519	9,804	-285	-2.91
Logan	26,835	26,573	262	0.99
Lyon	8,314	8,080	234	2.90
Madison	82,916	70,872	12,044	16.99
Magoffin	13,333	13,332	1	0.01
Marion	19,820	18,212	1,608	8.83
Marshall	31,448	30,125	1,323	4.39
Martin	12,929	12,578	351	2.79
Mason	17,490	16,800	690	4.11
McCracken	65,565	65,514	51	0.08
McCreary	18,306	17,080	1,226	7.18
McLean	9,531	9,938	-407	-4.10
Meade	28,602	26,349	2,253	8.55
Menifee	6,306	6,556	-250	-3.81
Mercer	21,331	20,817	514	2.47
Metcalfe	10,099	10,037	62	0.62
Monroe	10,963	11,756	-793	-6.75
Montgomery	26,499	22,554	3,945	17.49
Morgan	13,923	13,948	-25	-0.18
Muhlenberg	31,499	31,839	-340	-1.07
Nelson	43,437	37,477	5,960	15.90
Nicholas	7,135	6,813	322	4.73
Ohio	23,842	22,916	926	4.04
Oldham	60,316	46,178	14,138	30.62
Owen	10,841	10,547	294	2.79
Owsley	4,755	4,858	-103	-2.12
Pendleton	14,877	14,390	487	3.38

Kentucky County Population Change 2000-2010

<u>County</u>	<u>2010 Pop</u>	<u>2000 Pop</u>	<u>Change</u>	<u>% Change</u>
Perry	28,712	29,390	-678	-2.31
Pike	65,024	68,736	-3,712	-5.40
Powell	12,613	13,237	-624	-4.71
Pulaski	63,063	56,217	6,846	12.18
Robertson	2,282	2,266	16	0.71
Rockcastle	17,056	16,582	474	2.86
Rowan	23,333	22,094	1,239	5.61
Russell	17,565	16,315	1,250	7.66
Scott	47,173	33,061	14,112	42.68
Shelby	42,074	33,337	8,737	26.21
Simpson	17,327	16,405	922	5.62
Spencer	17,061	11,766	5,295	45.00
Taylor	24,512	22,927	1,585	6.91
Todd	12,460	11,971	489	4.08
Trigg	14,339	12,597	1,742	13.83
Trimble	8,809	8,125	684	8.42
Union	15,007	15,637	-630	-4.03
Warren	113,792	92,522	21,270	22.99
Washington	11,717	10,916	801	7.34
Wayne	20,813	19,923	890	4.47
Webster	13,621	14,120	-499	-3.53
Whitley	35,637	35,865	-228	-0.64
Wolfe	7,355	7,065	290	4.10
Woodford	24,939	23,208	1,731	7.46
Total Pop	4,339,367	4,041,769	297,598	7.36

Source: Kentucky Legislative Research Commission

Plaintiffs' Exhibit 5

Plaintiffs' Exhibit 6

Kentucky House District Population Change 2000 to 2010

<u>District</u>	<u>2010 Pop</u>	<u>2000 Pop</u>	<u>Change</u>	<u>% Change</u>
1	37,943	39,216	-1,273	-3.25
2	41,936	41,832	104	0.25
3	37,972	38,539	-567	-1.47
4	39,505	39,764	-259	-0.65
5	41,952	38,450	3,502	9.11
6	41,978	40,295	1,683	4.18
7	39,972	38,469	1,503	3.91
8	41,126	38,429	2,697	7.02
9	38,297	38,492	-195	-0.51
10	38,450	38,475	-25	-0.06
11	39,906	38,462	1,444	3.75
12	38,045	38,427	-382	-0.99
13	42,376	42,252	124	0.29
14	45,708	41,611	4,097	9.85
15	38,558	38,432	126	0.33
16	39,295	38,544	751	1.95
17	42,990	41,058	1,932	4.71
18	43,650	41,539	2,111	5.08
19	44,553	42,462	2,091	4.92
20	52,049	42,397	9,652	22.77
21	52,240	42,301	9,939	23.50
22	46,341	41,634	4,707	11.31
23	42,618	38,428	4,190	10.90
24	41,610	38,824	2,786	7.18
25	51,532	41,836	9,696	23.18
26	41,345	38,601	2,744	7.11
27	44,833	41,924	2,909	6.94
28	41,513	38,423	3,090	8.04
29	58,348	41,699	16,649	39.93
30	45,313	42,413	2,900	6.84
31	42,708	42,030	678	1.61
32	43,944	42,463	1,481	3.49
33	48,397	42,453	5,944	14.00
34	40,961	41,825	-864	-2.07
35	40,267	40,922	-655	-1.60
36	45,022	39,303	5,719	14.55

Kentucky House District Population Change 2000 to 2010

<u>District</u>	<u>2010 Pop</u>	<u>2000 Pop</u>	<u>Change</u>	<u>% Change</u>
37	37,367	38,729	-1,362	-3.52
38	38,015	39,236	-1,221	-3.11
39	49,138	39,573	9,565	24.17
40	38,434	38,514	-80	-0.21
41	38,072	39,164	-1,092	-2.79
42	37,649	39,958	-2,309	-5.78
43	35,580	38,658	-3,078	-7.96
44	41,454	38,432	3,022	7.86
45	50,581	42,196	8,385	19.87
46	50,103	41,563	8,540	20.55
47	46,003	42,434	3,569	8.41
48	57,316	42,440	14,876	35.05
49	50,626	42,226	8,400	19.89
50	49,478	42,131	7,347	17.44
51	43,168	40,171	2,997	7.46
52	44,854	41,700	3,154	7.56
53	39,176	40,458	-1,282	-3.17
54	40,149	38,613	1,536	3.98
55	45,145	41,884	3,261	7.79
56	43,948	39,643	4,305	10.86
57	38,989	40,214	-1,225	-3.05
58	55,670	42,054	13,616	32.38
59	55,004	41,766	13,238	31.70
60	61,922	41,678	20,244	48.57
61	44,092	40,801	3,291	8.07
62	58,232	39,605	18,627	47.03
63	40,380	41,350	-970	-2.35
64	49,008	39,600	9,408	23.76
65	35,617	38,621	-3,004	-7.78
66	52,522	41,543	10,979	26.43
67	37,613	39,033	-1,420	-3.64
68	42,414	40,196	2,218	5.52
69	43,827	38,999	4,828	12.38
70	40,326	38,871	1,455	3.74
71	38,856	38,640	216	0.56
72	40,906	39,647	1,259	3.18

Kentucky House District Population Change 2000 to 2010

<u>District</u>	<u>2010 Pop</u>	<u>2000 Pop</u>	<u>Change</u>	<u>% Change</u>
73	43,459	39,005	4,454	11.42
74	43,768	40,169	3,599	8.96
75	41,422	40,488	934	2.31
76	44,546	41,508	3,038	7.32
77	48,639	40,346	8,293	20.55
78	41,569	39,690	1,879	4.73
79	38,306	39,056	-750	-1.92
80	44,415	42,200	2,215	5.25
81	46,960	40,500	6,460	15.95
82	42,490	42,265	225	0.53
83	46,457	42,164	4,293	10.18
84	40,195	42,268	-2,073	-4.90
85	46,596	41,830	4,766	11.39
86	43,057	41,829	1,228	2.94
87	38,913	41,916	-3,003	-7.16
88	49,790	38,491	11,299	29.35
89	42,731	40,687	2,044	5.02
90	37,809	42,351	-4,542	-10.72
91	36,437	39,323	-2,886	-7.34
92	40,191	42,283	-2,092	-4.95
93	38,421	41,688	-3,267	-7.84
94	42,026	42,281	-255	-0.60
95	36,945	39,665	-2,720	-6.86
96	41,590	40,981	609	1.49
97	40,179	40,615	-436	-1.07
98	38,852	38,740	112	0.29
99	41,007	38,439	2,568	6.68
100	37,710	38,426	-716	-1.86

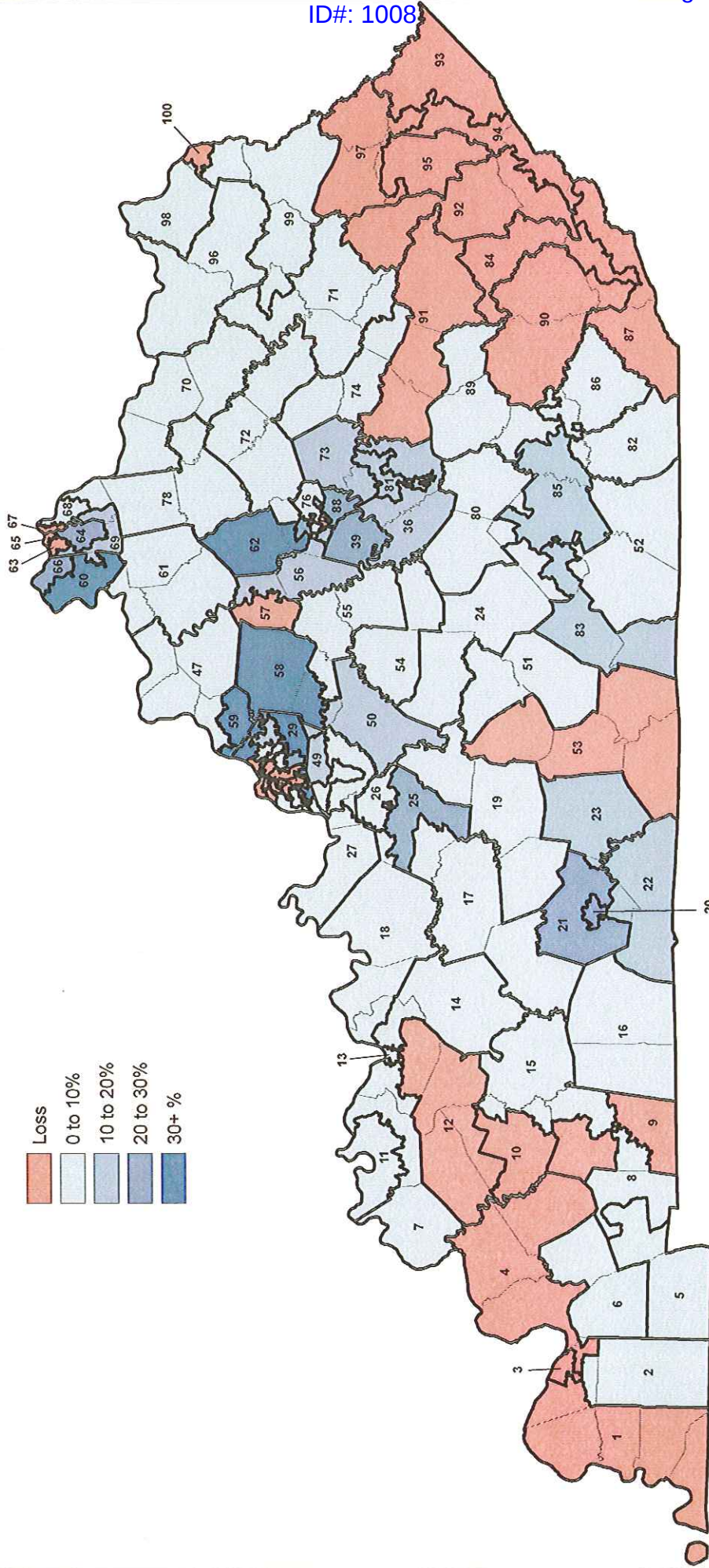
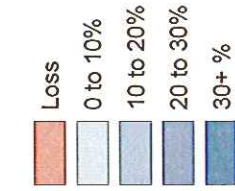
Total Pop **4,339,367** **4,041,769**

Ideal Pop **43,394** **40,418**

Source: Kentucky Legislative Research Commission

Plaintiffs' Exhibit 7

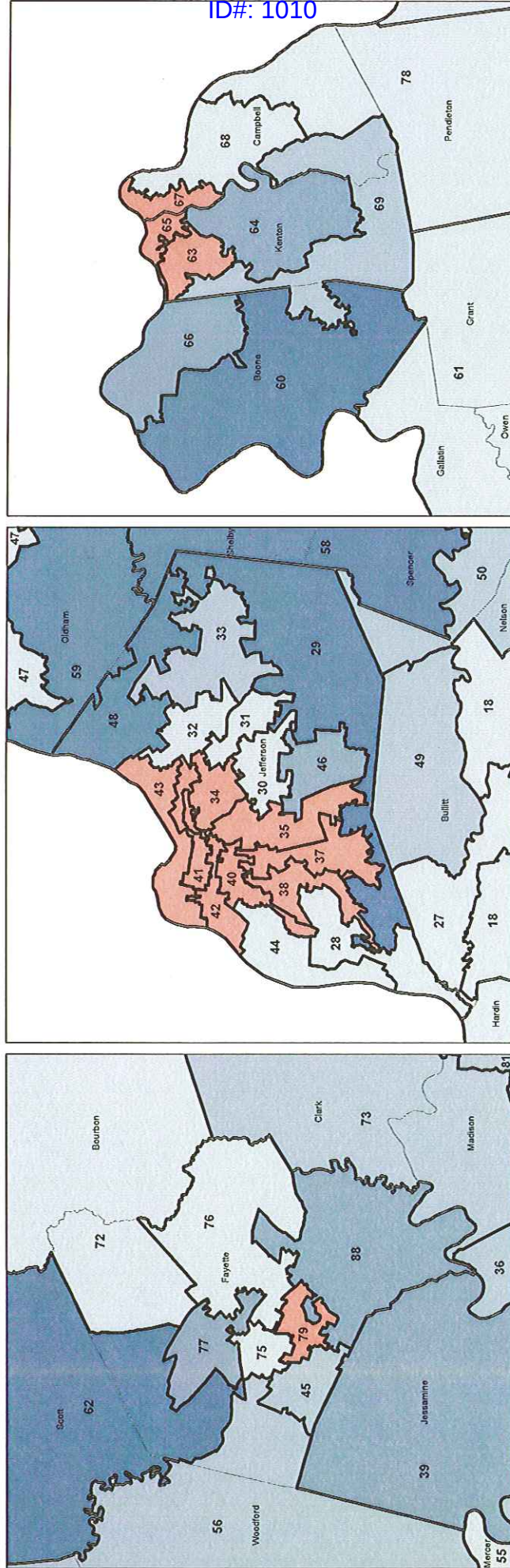
House District Population Change 2000-2010



2010 State Population: 4,339,367

Plaintiffs' Exhibit 8

House District Population Change 2000-2010



Fayette County

Jefferson County

Northern Kentucky

2010 State Population: 4,339,367

Plaintiffs' Exhibit 9

Population Summary Report
Malapportioned 2002 Kentucky State House Plan -- 2010 Census

District	Population	Dev.	% Dev.	NH DOJ_Blk	% NH DOJ_Blk	Hispanic	% Hispanic	Minority	% Minority	18+ Pop	NH18+ DOJ_Blk	% NH18+ DOJ_Blk	Any Part Black 18+	% Any Part Black 18+	Hispanic 18+	% Hispanic 18+	Minority 18+	% Minority 18+
001	37943	-5451	-12.56%	2977	7.85%	473	1.25%	3997	10.53%	29639	2080	7.02%	2106	7.11%	279	0.94%	2752	9.29%
002	41936	-1458	-3.36%	2008	4.79%	2174	5.18%	4733	11.29%	31751	1252	3.94%	1285	4.05%	1256	3.96%	2880	9.07%
003	37972	-5422	-12.49%	7121	18.75%	973	2.56%	8912	23.47%	29492	4664	15.81%	4740	16.07%	595	2.02%	5808	19.69%
004	39505	-3889	-9.96%	1087	2.75%	410	1.04%	1992	5.04%	30830	694	2.25%	718	2.33%	255	0.83%	1295	4.20%
005	41952	-1442	-3.32%	1772	4.22%	964	2.30%	3849	9.17%	34353	1281	3.73%	1319	3.84%	648	1.89%	2847	8.29%
006	41978	-1416	-3.26%	570	1.36%	462	1.10%	1527	3.64%	33689	465	1.38%	476	1.41%	297	0.88%	1122	3.33%
007	39972	-3422	-7.89%	3762	9.41%	1110	2.78%	5447	13.63%	30150	2632	8.73%	2657	8.81%	670	2.22%	3676	12.19%
008	41126	-2268	-5.23%	11517	28.00%	1159	2.82%	13487	32.79%	30828	7832	25.41%	7911	25.66%	693	2.25%	9077	29.44%
009	38297	-5097	-11.75%	5713	14.92%	3426	8.95%	10832	28.28%	26187	3565	13.61%	3805	14.53%	1943	7.42%	6607	25.23%
010	38450	-4944	-11.39%	3356	8.73%	663	1.72%	4607	11.98%	29676	2173	7.32%	2202	7.42%	377	1.27%	2965	9.99%
011	39906	-3488	-8.04%	3946	9.89%	772	1.93%	5227	13.10%	30584	2663	8.71%	2702	8.83%	450	1.47%	3442	11.25%
012	38045	-5349	-12.33%	929	2.44%	844	2.22%	2159	5.67%	28927	649	2.24%	669	2.31%	467	1.61%	1387	4.79%
013	42376	-1018	-2.35%	3483	8.22%	1183	2.79%	5400	12.74%	32931	2127	6.46%	2175	6.60%	669	2.03%	3268	9.92%
014	45708	2314	5.33%	553	1.21%	1105	2.42%	2217	4.85%	33940	314	0.93%	329	0.97%	634	1.87%	1303	3.84%
015	38558	-4836	-11.14%	1782	4.49%	451	1.17%	2552	6.62%	39978	1333	4.45%	1353	4.51%	264	0.88%	1870	6.24%
016	39295	-4099	-9.45%	2983	7.59%	1145	2.91%	4564	11.61%	29314	2016	6.88%	2052	7.00%	667	2.28%	2970	10.13%
017	42990	-404	-0.93%	419	0.97%	644	1.50%	1555	3.62%	32813	285	0.87%	298	0.91%	429	1.31%	1069	3.26%
018	43650	256	0.59%	1069	2.45%	730	1.67%	2419	5.54%	32787	649	1.98%	697	2.13%	391	1.19%	1476	4.50%
019	44553	1159	2.67%	1717	3.85%	762	1.71%	2953	6.63%	33976	1242	3.66%	1265	3.72%	453	1.33%	2055	6.05%
020	52049	8655	19.95%	6262	12.03%	2516	4.83%	11676	22.43%	42149	4711	11.18%	4824	11.45%	1620	3.84%	8356	19.82%
021	52240	8846	20.39%	4656	8.91%	2513	4.81%	8593	16.45%	38706	3055	7.89%	3107	8.03%	1451	3.75%	5421	14.01%
022	46341	2947	6.79%	2293	4.95%	762	1.64%	3830	8.26%	34829	1558	4.47%	1598	4.59%	411	1.18%	2529	7.26%
023	42618	-776	-1.79%	1931	4.53%	1115	2.62%	3306	7.95%	32281	1284	3.98%	1307	4.05%	665	2.06%	2312	7.16%
024	41610	-1784	-4.11%	1942	4.67%	946	2.27%	3306	7.95%	31532	1403	4.45%	1435	4.55%	560	1.78%	2266	7.19%
025	51532	8138	18.75%	4085	7.93%	1619	3.14%	7423	14.40%	38477	2633	6.84%	2739	7.12%	946	2.46%	4722	12.27%
026	41345	-2049	-4.72%	8017	19.39%	2893	7.00%	13582	32.85%	30246	5281	17.46%	5598	18.51%	1729	5.72%	8848	29.25%
027	44833	1439	3.22%	1882	4.20%	1549	3.46%	4613	10.29%	32826	1205	3.67%	1282	3.91%	937	2.85%	2939	8.95%
028	41513	-1881	-4.33%	2789	6.72%	867	2.09%	4515	10.88%	31521	1694	5.37%	1754	5.56%	527	1.67%	2794	8.86%
029	58348	14954	34.46%	4305	7.38%	1698	2.91%	7557	12.95%	44118	2787	6.32%	2890	6.55%	1032	2.34%	4842	10.98%
030	45313	1919	4.42%	17446	38.50%	3842	8.48%	23021	50.80%	34163	12068	35.32%	12429	36.38%	2514	7.36%	15775	46.18%
031	42708	-686	-1.58%	6076	14.23%	2266	5.31%	9618	22.52%	33644	4235	12.59%	4376	13.01%	1487	4.42%	6647	19.76%
032	43944	550	1.27%	3341	7.60%	2010	4.57%	7825	17.81%	35704	2428	6.80%	2514	7.04%	1360	3.81%	5614	15.72%
033	48397	5003	11.53%	3260	6.74%	1599	3.30%	7116	14.70%	36681	2306	6.25%	2386	6.47%	1022	2.77%	4808	13.04%
034	40961	-2433	-5.61%	1320	3.22%	796	1.94%	3228	7.88%	34042	982	2.89%	1056	3.10%	565	1.66%	2335	6.86%
035	40267	-3127	-7.21%	3722	9.24%	2855	6.59%	7351	18.26%	31511	2299	7.30%	2442	7.75%	1716	5.45%	4730	15.01%
036	45022	1628	3.75%	1066	2.37%	896	1.99%	2650	5.89%	34398	732	2.13%	776	2.26%	541	1.57%	1766	5.13%
037	37367	-6027	-13.89%	5646	15.11%	3935	10.53%	12274	32.85%	27871	3438	12.34%	3668	13.16%	2613	9.38%	7837	28.12%
038	38015	-5379	-12.40%	6333	16.66%	2370	6.23%	10113	26.60%	28714	3807	13.26%	3993	13.91%	1609	5.60%	6361	22.15%
039	49138	5744	13.24%	1863	3.79%	1374	2.80%	4303	8.76%	36463	1104	3.03%	1142	3.13%	818	2.24%	2606	7.15%
040	38434	-4960	-11.43%	16315	42.45%	1537	4.00%	19216	50.00%	29670	11144	37.56%	11369	38.32%	1025	3.45%	13185	44.44%
041	38072	-5322	-12.26%	19613	51.52%	884	2.32%	21719	57.05%	19668	4640%	13925	47.27%	671	2.28%	15273	51.85%	
042	37649	-5745	-13.24%	21419	56.89%	577	1.53%	22818	60.61%	29196	15241	52.20%	15475	53.00%	398	1.36%	16252	55.67%
043	35580	-7814	-18.01%	20417	57.38%	410	1.15%	21474	60.35%	26610	14515	54.55%	14721	55.32%	286	1.07%	15255	57.33%
044	41454	-1940	-4.47%	11269	27.18%	993	2.40%	13047	31.47%	31287	7549	24.13%	7674	24.53%	610	1.95%	8707	27.83%

Population Summary Report
Malapportioned 2002 Kentucky State House Plan -- 2010 Census

District	Population	Dev.	% Dev.	NH DOJ_Bik	% NH DOJ_Bik	Hispanic	% Hispanic	Minority	% Minority	18+ Pop	NH18+ DOJ_Bik	% NH18+ DOJ_Bik	Any Part Black 18+	% Any Part Black 18+	Hispanic 18+	% Hispanic 18+	Minority 18+	% Minority 18+
045	50581	7187	16.56%	2316	4.58%	1440	2.85%	7359	14.55%	37820	1470	3.89%	1554	4.11%	880	2.33%	4666	12.34%
046	50103	6709	15.46%	9385	18.73%	3949	7.88%	14836	29.61%	37660	6166	16.37%	6416	17.04%	2607	6.92%	9749	25.89%
047	46003	2609	6.01%	1202	2.61%	2276	4.95%	4206	9.14%	34200	791	2.31%	836	2.44%	1376	4.02%	2648	7.74%
048	57316	13922	32.08%	5142	8.97%	1943	3.39%	10683	18.64%	43146	3600	8.34%	3723	8.63%	1261	2.92%	7226	16.75%
049	50626	7232	16.67%	501	0.99%	769	1.52%	2125	4.20%	37775	263	0.70%	285	0.75%	459	1.22%	1324	3.50%
050	49478	6084	14.02%	2550	5.15%	940	1.90%	4149	8.39%	36658	1629	4.44%	1647	4.49%	487	1.33%	2574	7.02%
051	43168	-226	-0.52%	2014	4.67%	752	1.74%	3281	7.60%	33497	1448	4.32%	1466	4.36%	465	1.39%	2285	6.82%
052	44854	1460	3.36%	1477	3.29%	1170	2.61%	3314	7.39%	34561	1261	3.65%	1341	3.88%	780	2.26%	2556	7.40%
053	39176	-4218	-9.72%	958	2.45%	626	1.60%	1933	4.93%	30138	653	2.17%	667	2.21%	338	1.12%	1253	4.16%
054	40149	-3245	-7.48%	3220	8.02%	1189	2.96%	5044	12.56%	31277	2288	7.32%	2327	7.44%	719	2.30%	3414	10.92%
055	45145	1751	4.04%	1506	3.34%	800	1.77%	2933	6.50%	34083	985	2.89%	1012	2.97%	444	1.30%	1843	5.41%
056	43948	554	1.28%	2698	6.14%	2981	6.78%	6492	14.77%	34127	1939	5.68%	1991	5.83%	1883	5.52%	4349	12.74%
057	38989	-4405	-10.15%	4976	12.76%	1127	2.89%	7034	18.04%	30490	3700	12.14%	3781	12.40%	703	2.31%	5070	16.63%
058	55670	12276	28.29%	3686	6.62%	4022	7.22%	8633	15.51%	41696	2555	6.13%	2667	6.40%	2466	5.91%	5596	13.42%
059	55004	11610	26.75%	3926	7.14%	1527	2.78%	7219	13.12%	39699	2945	7.42%	3036	7.65%	914	2.30%	4920	12.39%
060	61922	18528	42.70%	1645	2.66%	2112	3.41%	5983	9.66%	43989	975	2.22%	1025	2.33%	1246	2.83%	3603	8.19%
061	44092	698	1.61%	538	1.22%	1195	2.71%	2228	5.05%	32203	318	0.99%	340	1.06%	649	2.02%	1327	4.12%
062	58232	14838	34.19%	4849	8.33%	4699	8.07%	10713	18.40%	43184	3431	7.95%	3541	8.20%	2929	6.78%	7129	16.51%
063	40360	-3014	-6.95%	865	2.14%	700	1.77%	2653	6.57%	31076	565	1.82%	586	1.89%	475	1.53%	1749	5.63%
064	49008	5614	12.94%	948	1.93%	713	1.43%	2489	5.08%	35526	487	1.37%	506	1.42%	384	1.08%	1369	3.85%
065	35617	-7777	-17.92%	5276	14.81%	1414	3.97%	7451	20.92%	27783	3251	11.70%	3361	12.10%	917	3.30%	4698	16.91%
066	52522	9128	21.04%	1923	3.66%	2025	3.86%	5642	10.74%	38045	1104	2.90%	1174	3.09%	1256	3.30%	3457	9.09%
067	37613	-5781	-13.32%	2289	6.09%	997	2.65%	4017	10.68%	29685	1406	4.74%	1472	4.96%	681	2.29%	2615	8.81%
068	42414	-980	-2.26%	566	1.33%	452	1.07%	1722	4.06%	32419	342	1.05%	355	1.10%	283	0.87%	1115	3.44%
069	43827	433	1.00%	1748	3.99%	1490	3.40%	4022	9.18%	32134	960	2.99%	991	3.08%	851	2.65%	2328	7.24%
070	40326	-3068	-7.07%	1570	3.89%	493	1.22%	2631	6.28%	30403	1042	3.43%	1064	3.50%	248	0.82%	1581	5.20%
071	38856	-4538	-10.46%	961	2.47%	349	0.90%	1764	4.54%	30322	797	2.63%	816	2.69%	238	0.78%	1368	4.51%
072	40906	-2488	-5.73%	1875	4.58%	1848	4.52%	4134	10.11%	31033	1290	4.16%	1319	4.25%	1099	3.54%	2673	8.61%
073	43459	65	0.15%	2062	4.74%	1076	2.48%	3686	8.48%	33122	1384	4.18%	1416	4.28%	601	1.81%	2352	7.10%
074	43768	374	0.86%	938	2.14%	818	1.87%	2204	5.04%	33009	676	2.05%	698	2.11%	516	1.56%	1497	4.54%
075	41422	-1972	-4.54%	3868	9.34%	1450	3.50%	7825	18.89%	36984	3130	8.46%	3255	8.80%	1070	2.89%	6396	17.29%
076	44546	1152	2.65%	6921	15.54%	2692	6.04%	11160	25.05%	35205	4568	12.98%	4720	13.41%	1752	4.98%	7419	21.07%
077	48639	5245	12.09%	1757	3.651%	7149	14.70%	26264	54.00%	37207	12991	34.92%	13331	35.83%	4663	12.53%	18644	50.11%
078	41569	-1825	-4.21%	604	1.45%	524	1.26%	1503	3.62%	31339	363	1.16%	385	1.23%	303	0.97%	944	3.01%
079	38306	-5088	-11.73%	6027	15.73%	2331	6.09%	10089	26.34%	30490	3794	12.44%	3989	12.92%	1531	5.02%	6635	21.76%
080	44415	1021	2.35%	717	1.61%	506	1.14%	1713	3.86%	33737	459	1.36%	475	1.41%	288	0.85%	1103	3.27%
081	46960	3566	8.22%	3393	7.23%	1135	2.42%	5766	12.28%	37788	2498	6.61%	2577	6.82%	753	1.99%	4156	11.00%
082	42490	-904	-2.08%	334	0.79%	386	0.91%	1346	3.17%	32322	216	0.67%	225	0.70%	237	0.70%	791	2.33%
083	46457	3063	7.06%	563	1.21%	1268	2.73%	2485	5.35%	35976	342	0.95%	367	1.02%	791	2.20%	1607	4.47%
084	40195	-3199	-7.37%	883	2.20%	277	0.69%	1634	4.07%	31289	567	1.81%	579	1.85%	149	0.48%	1070	3.42%
085	46596	3202	7.38%	519	1.11%	760	1.67%	1954	4.19%	35807	303	0.85%	324	0.90%	455	1.27%	1244	3.47%
086	43057	-337	-0.78%	486	1.13%	401	0.93%	1438	3.34%	33352	318	0.98%	326	1.01%	209	0.65%	917	2.83%
087	38913	-4481	-10.33%	1115	2.87%	256	0.66%	1866	4.80%	30399	750	2.47%	764	2.51%	159	0.52%	1294	4.26%
088	49790	6396	14.74%	5531	11.11%	1407	2.83%	9614	19.31%	37573	3477	9.25%	3583	9.54%	889	2.37%	6201	16.50%

Population Summary Report

Malapportioned 2002 Kentucky State House Plan -- 2010 Census

District	Population	Dev.	% Dev.	NH DOJ_Blk	% NH DOJ_Blk	Hispanic	% Hispanic	Minority	% Minority	18+_Pop	NH18+ DOJ_Blk	% NH18+ DOJ_Blk	Any Part Black18+	% Any Part Black18=	Hispanic 18+	% Hispanic 18+	Minority 18+	% Minority 18+
089	42731	-663	-1.53%	378	0.88%	425	0.99%	1251	2.93%	32745	216	0.66%	237	0.72%	260	0.79%	814	2.49%
090	37809	-5585	-12.87%	1012	2.68%	465	1.23%	1779	4.71%	29547	856	2.90%	882	2.99%	380	1.29%	1476	5.00%
091	36437	-6957	-16.03%	297	0.82%	248	0.68%	891	2.45%	28340	219	0.77%	226	0.80%	160	0.56%	623	2.20%
092	40191	-3203	-7.38%	193	0.48%	239	0.59%	686	1.71%	31174	121	0.39%	125	0.40%	148	0.47%	468	1.50%
093	38421	-4973	-11.46%	159	0.41%	228	0.59%	675	1.76%	29823	74	0.25%	80	0.27%	143	0.48%	427	1.43%
094	42026	-1368	-3.15%	514	1.22%	330	0.79%	1329	3.16%	32840	344	1.05%	353	1.07%	200	0.61%	910	2.77%
095	36945	-6449	-14.86%	343	0.93%	210	0.57%	803	2.17%	28602	257	0.90%	265	0.93%	121	0.42%	586	2.05%
096	41590	-1804	-4.16%	256	0.62%	399	0.96%	1010	2.43%	31778	152	0.48%	159	0.50%	232	0.73%	647	2.04%
097	40179	-3215	-7.41%	996	2.48%	510	1.27%	1888	4.70%	31354	940	3.00%	957	3.05%	443	1.41%	1687	5.38%
098	38852	-4542	-10.47%	364	0.94%	291	0.75%	1184	3.05%	30162	218	0.72%	229	0.76%	172	0.57%	786	2.61%
099	41007	-2387	-5.50%	629	1.53%	311	0.76%	1335	3.26%	32468	509	1.57%	533	1.64%	205	0.63%	1034	3.18%
100	37710	-5684	-13.10%	1566	4.15%	654	1.73%	2846	7.55%	29794	1174	3.94%	1249	4.19%	469	1.57%	2092	7.02%
Total	4339367		60.71%	363017	8.37%	132836	3.06%	593712	13.68%	3315996	247620	7.47%	254797	7.68%	82887	2.50%	398477	12.02%

Population Summary Report

Malapportioned 2002 Kentucky State House Plan -- 2010 Census

District	Group Quarters Incarcerated	% Group Quarters Incarcerated	Group Quarters College Dorms	% Group Quarters College Dorms	Group Quarters Military	% Group Quarters Military	State / Federal Prisoners	% State / Federal Prisoners
001	526	1.39%	0	0.00%	0	0.00%	0	0.00%
002	82	0.20%	85	0.20%	0	0.00%	0	0.00%
003	435	1.15%	0	0.00%	0	0.00%	0	0.00%
004	166	0.42%	0	0.00%	0	0.00%	0	0.00%
005	138	0.33%	2531	6.03%	0	0.00%	998	2.38%
006	1160	2.76%	0	0.00%	0	0.00%	0	0.00%
007	201	0.50%	0	0.00%	0	0.00%	0	0.00%
008	587	1.43%	0	0.00%	0	0.00%	0	0.00%
009	0	0.00%	0	0.00%	3843	10.03%	0	0.00%
010	450	1.17%	0	0.00%	0	0.00%	0	0.00%
011	544	1.36%	0	0.00%	0	0.00%	0	0.00%
012	245	0.64%	0	0.00%	0	0.00%	0	0.00%
013	638	1.51%	492	1.16%	0	0.00%	0	0.00%
014	71	0.16%	0	0.00%	0	0.00%	0	0.00%
015	1214	3.15%	29	0.08%	0	0.00%	949	2.46%
016	219	0.56%	0	0.00%	0	0.00%	0	0.00%
017	656	1.53%	0	0.00%	0	0.00%	0	0.00%
018	200	0.46%	10	0.02%	0	0.00%	0	0.00%
019	271	0.61%	3	0.01%	0	0.00%	0	0.00%
020	601	1.15%	4657	8.95%	0	0.00%	0	0.00%
021	0	0.00%	0	0.00%	0	0.00%	0	0.00%
022	277	0.60%	0	0.00%	0	0.00%	0	0.00%
023	133	0.31%	0	0.00%	0	0.00%	0	0.00%
024	1353	3.25%	0	0.00%	0	0.00%	785	1.89%
025	625	1.21%	0	0.00%	0	0.00%	0	0.00%
026	0	0.00%	0	0.00%	0	0.00%	0	0.00%
027	412	0.92%	0	0.00%	2013	4.49%	265	0.59%
028	0	0.00%	0	0.00%	0	0.00%	0	0.00%
029	0	0.00%	6	0.01%	0	0.00%	0	0.00%
030	0	0.00%	0	0.00%	0	0.00%	0	0.00%
031	0	0.00%	0	0.00%	0	0.00%	0	0.00%
032	0	0.00%	0	0.00%	0	0.00%	0	0.00%
033	0	0.00%	0	0.00%	0	0.00%	0	0.00%
034	0	0.00%	1204	2.94%	0	0.00%	0	0.00%
035	0	0.00%	0	0.00%	0	0.00%	0	0.00%
036	0	0.00%	464	1.03%	0	0.00%	0	0.00%
037	0	0.00%	0	0.00%	0	0.00%	0	0.00%
038	141	0.37%	0	0.00%	0	0.00%	141	0.37%
039	189	0.38%	1111	2.26%	0	0.00%	0	0.00%
040	69	0.18%	1983	5.16%	0	0.00%	0	0.00%
041	2101	5.52%	92	0.24%	0	0.00%	0	0.00%
042	39	0.10%	0	0.00%	0	0.00%	0	0.00%
043	312	0.88%	22	0.06%	0	0.00%	223	0.63%
044	0	0.00%	0	0.00%	0	0.00%	0	0.00%

Population Summary Report

Malapportioned 2002 Kentucky State House Plan -- 2010 Census

District	Group Quarters Incarcerated	% Group Quarters Incarcerated	Group Quarters College Dorms	% Group Quarters College Dorms	Group Quarters Military	% Group Quarters Military	State / Federal Prisoners	% State / Federal Prisoners
045	0	0.00%	0	0.00%	0	0.00%	0	0.00%
046	0	0.00%	0	0.00%	0	0.00%	0	0.00%
047	269	0.58%	0	0.00%	0	0.00%	0	0.00%
048	0	0.00%	0	0.00%	0	0.00%	0	0.00%
049	0	0.00%	0	0.00%	0	0.00%	0	0.00%
050	100	0.20%	0	0.00%	0	0.00%	0	0.00%
051	289	0.67%	1456	3.37%	0	0.00%	1715	3.82%
052	1925	4.29%	0	0.00%	0	0.00%	0	0.00%
053	26	0.07%	0	0.00%	0	0.00%	0	0.00%
054	707	1.76%	1256	3.13%	0	0.00%	497	1.24%
055	0	0.00%	0	0.00%	0	0.00%	0	0.00%
056	527	1.20%	271	0.62%	0	0.00%	461	1.05%
057	53	0.14%	916	2.35%	0	0.00%	0	0.00%
058	1042	1.87%	0	0.00%	0	0.00%	721	1.30%
059	4084	7.42%	0	0.00%	0	0.00%	4084	7.42%
060	432	0.70%	0	0.00%	0	0.00%	378	0.61%
061	288	0.65%	0	0.00%	0	0.00%	0	0.00%
062	936	1.61%	2166	3.72%	0	0.00%	863	1.48%
063	0	0.00%	272	0.67%	0	0.00%	0	0.00%
064	0	0.00%	0	0.00%	0	0.00%	0	0.00%
065	498	1.40%	0	0.00%	0	0.00%	0	0.00%
066	0	0.00%	0	0.00%	0	0.00%	0	0.00%
067	562	1.49%	1496	3.98%	0	0.00%	0	0.00%
068	0	0.00%	0	0.00%	0	0.00%	0	0.00%
069	0	0.00%	0	0.00%	0	0.00%	0	0.00%
070	164	0.41%	0	0.00%	0	0.00%	0	0.00%
071	1880	4.84%	19	0.05%	0	0.00%	1871	4.82%
072	124	0.30%	5	0.01%	0	0.00%	0	0.00%
073	179	0.41%	15	0.03%	0	0.00%	0	0.00%
074	241	0.55%	0	0.00%	0	0.00%	0	0.00%
075	30	0.07%	6293	15.19%	0	0.00%	0	0.00%
076	0	0.00%	0	0.00%	0	0.00%	0	0.00%
077	1809	3.72%	37	0.08%	0	0.00%	1761	3.62%
078	0	0.00%	0	0.00%	0	0.00%	0	0.00%
079	0	0.00%	0	0.00%	0	0.00%	0	0.00%
080	200	0.45%	0	0.00%	0	0.00%	0	0.00%
081	264	0.56%	4429	9.43%	0	0.00%	0	0.00%
082	234	0.55%	997	2.35%	0	0.00%	0	0.00%
083	271	0.58%	0	0.00%	0	0.00%	0	0.00%
084	355	0.88%	0	0.00%	0	0.00%	0	0.00%
085	0	0.00%	0	0.00%	0	0.00%	0	0.00%
086	53	0.12%	301	0.70%	0	0.00%	0	0.00%
087	390	1.00%	288	0.74%	0	0.00%	0	0.00%
088	0	0.00%	0	0.00%	0	0.00%	0	0.00%

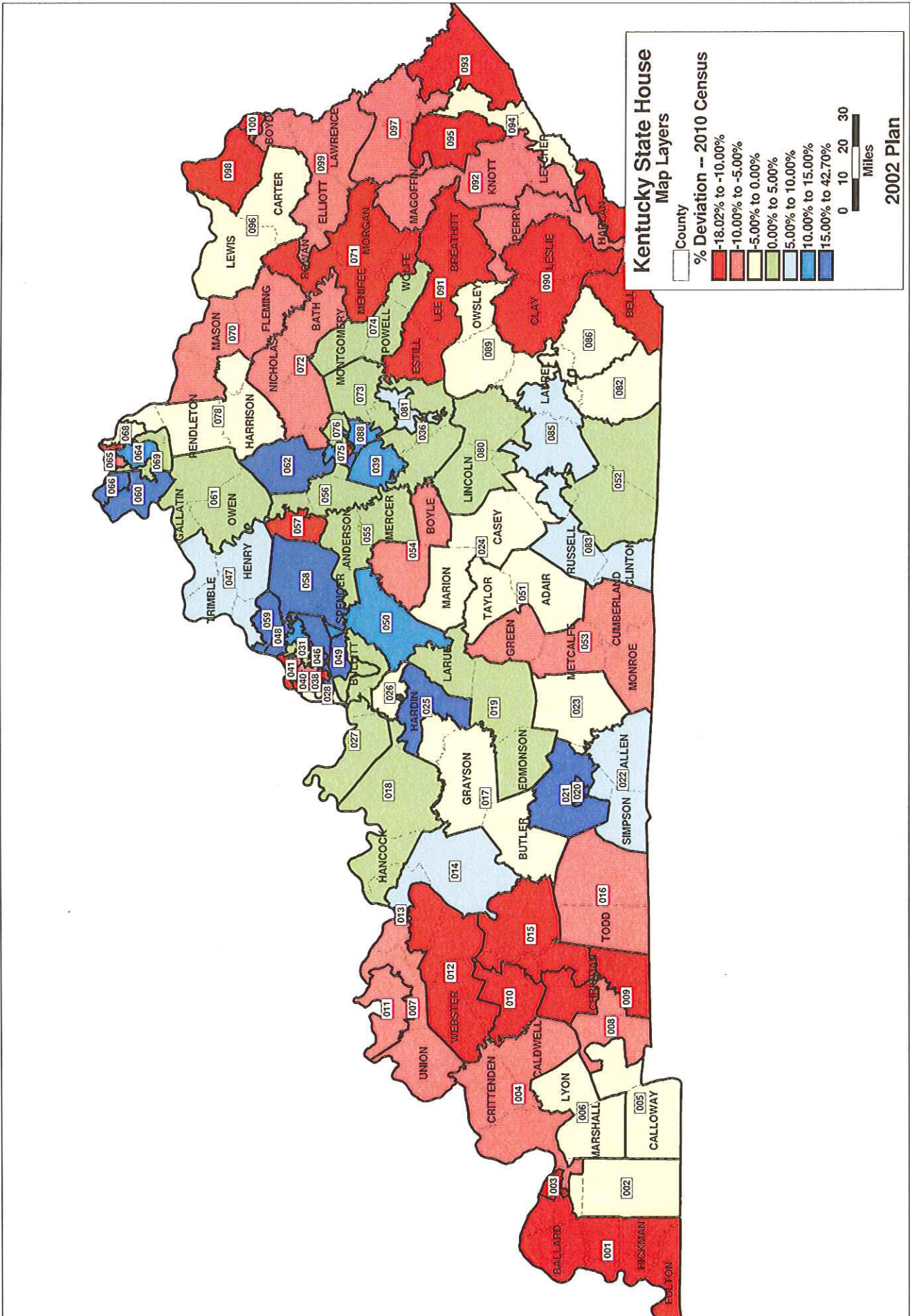
Population Summary Report

Malapportioned 2002 Kentucky State House Plan -- 2010 Census

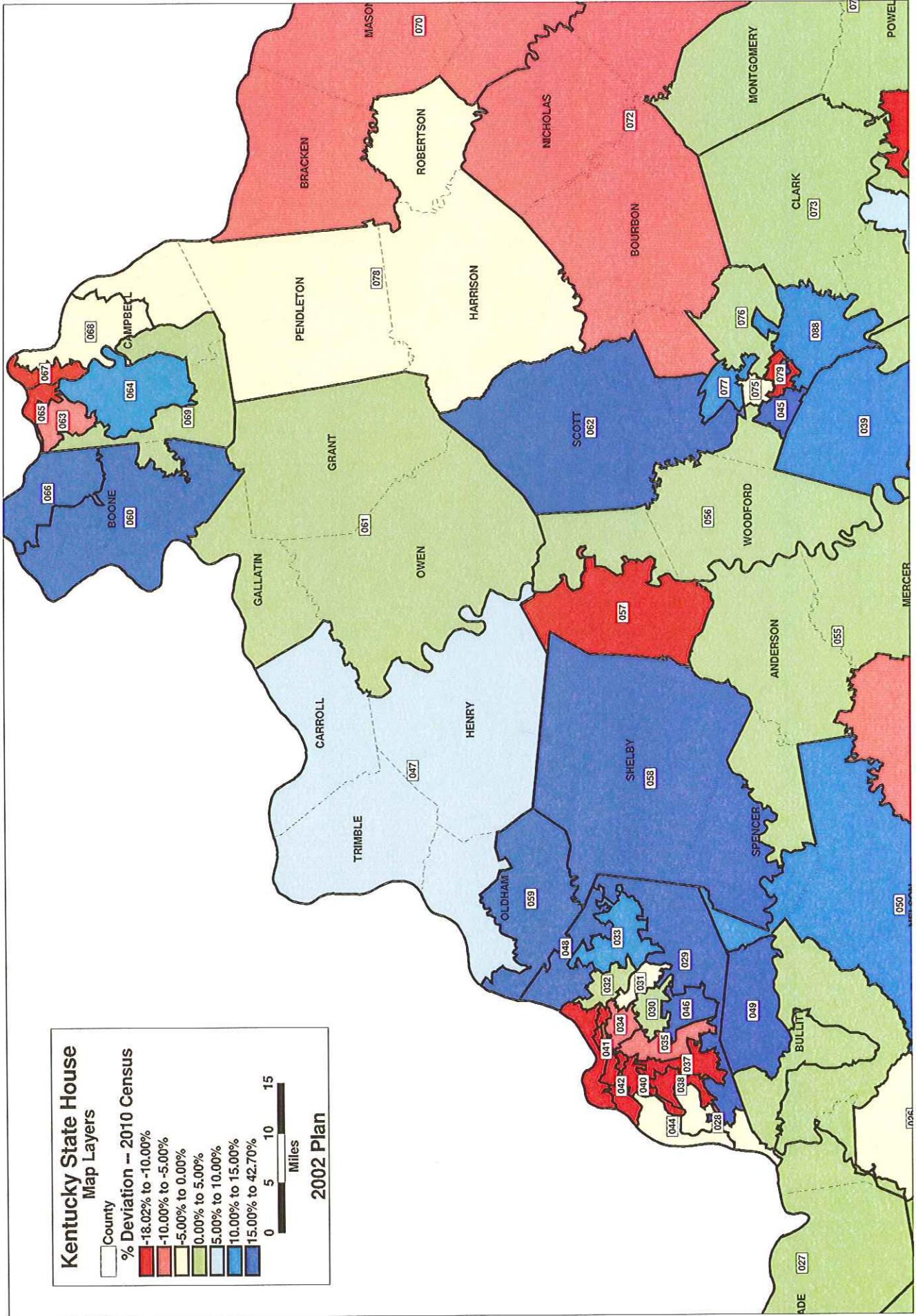
District	Group Quarters Incarcerated	% Group Quarters Incarcerated	Group Quarters College Dorms	% Group Quarters College Dorms	Group Quarters Military	% Group Quarters Military	State / Federal Prisoners	% State / Federal Prisoners
089	362	0.85%	0	0.00%	0	0.00%	0	0.00%
090	2030	5.37%	190	0.50%	0	0.00%	1627	4.30%
091	1036	2.84%	59	0.16%	0	0.00%	823	2.26%
092	0	0.00%	393	0.98%	0	0.00%	0	0.00%
093	0	0.00%	0	0.00%	0	0.00%	0	0.00%
094	377	0.90%	271	0.64%	0	0.00%	0	0.00%
095	363	0.98%	0	0.00%	0	0.00%	209	0.57%
096	208	0.50%	357	0.86%	0	0.00%	0	0.00%
097	1810	4.50%	0	0.00%	0	0.00%	1594	3.97%
098	130	0.33%	0	0.00%	0	0.00%	0	0.00%
099	1086	2.65%	2164	5.28%	0	0.00%	998	2.43%
100	1733	4.60%	0	0.00%	0	0.00%	1553	4.12%
Total	41122	0.95%	36340	0.84%	5856	0.13%	22516	0.52%

Notes: Group quarters data are from the Census 2010 Advance Group Quarters File. State/Federal prisoner count calculated by Prison Policy Initiative from proprietary database

Plaintiffs' Exhibit 10



Plaintiffs' Exhibit 11



Plaintiffs' Exhibit 12

Kentucky Senate District Population Change 2000 to 2010

<u>District</u>	<u>2010 Pop</u>	<u>2000 Pop</u>	<u>Change</u>	<u>% Change</u>
1	113,784	110,247	3,537	3.21
2	105,262	103,925	1,337	1.29
3	113,250	110,809	2,441	2.20
4	106,696	106,834	-138	-0.13
5	115,364	108,260	7,104	6.56
6	102,261	101,274	987	0.97
7	128,013	110,972	17,041	15.36
8	106,187	101,483	4,704	4.64
9	112,974	105,437	7,537	7.15
10	120,533	107,883	12,650	11.73
11	137,257	103,148	34,109	33.07
12	115,570	104,520	11,050	10.57
13	115,700	110,803	4,897	4.42
14	120,817	110,349	10,468	9.49
15	115,239	105,223	10,016	9.52
16	102,847	101,405	1,442	1.42
17	133,729	105,134	28,595	27.20
18	106,760	105,217	1,543	1.47
19	110,306	110,933	-627	-0.57
20	133,454	106,339	27,115	25.50
21	105,934	101,310	4,624	4.56
22	126,095	105,753	20,342	19.24
23	98,810	103,035	-4,225	-4.10
24	105,213	103,006	2,207	2.14
25	100,866	103,470	-2,604	-2.52
26	134,003	111,410	22,593	20.28
27	110,935	107,955	2,980	2.76
28	119,669	110,939	8,730	7.87
29	94,194	101,467	-7,273	-7.17
30	97,991	105,053	-7,062	-6.72
31	101,309	104,759	-3,450	-3.29
32	126,482	105,532	20,950	19.85

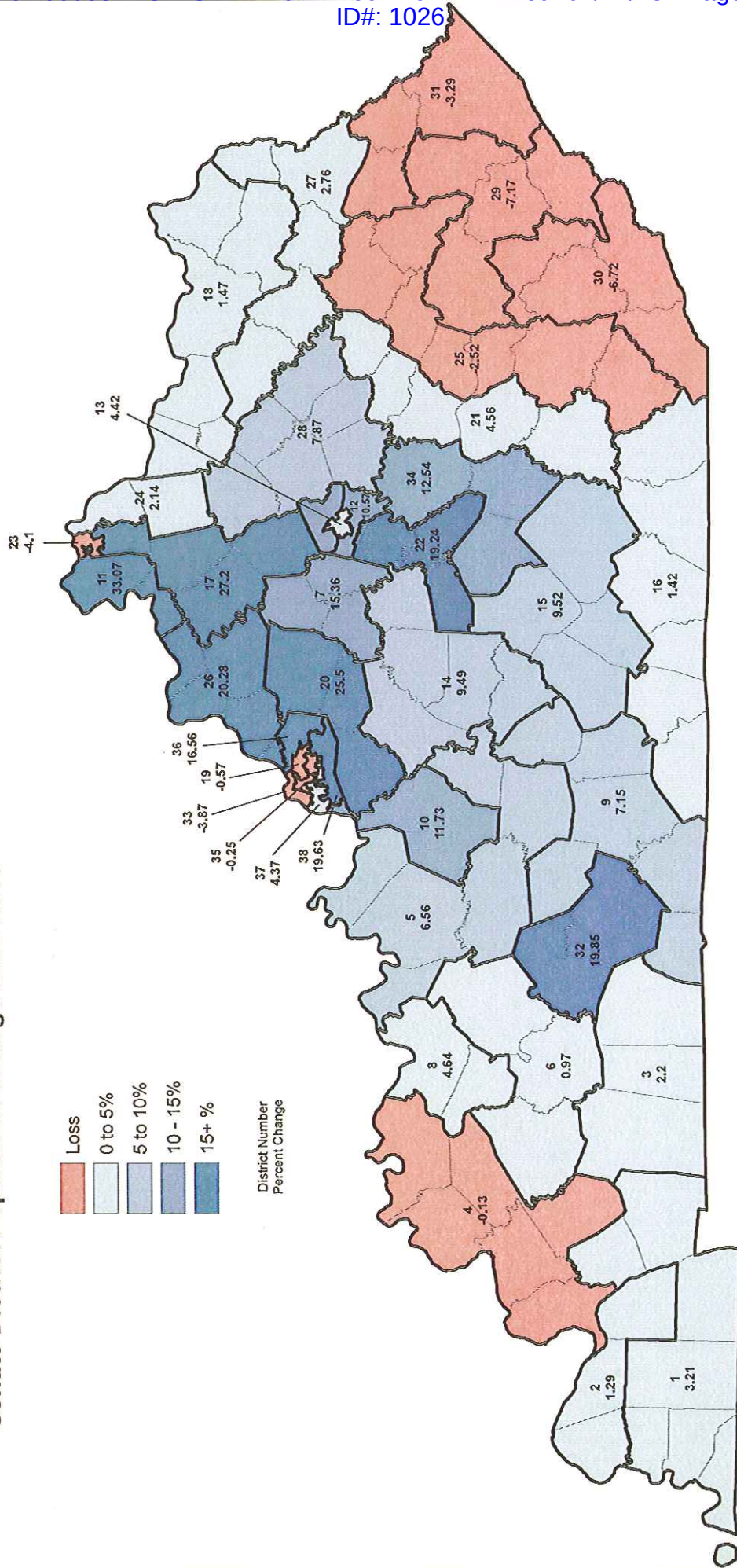
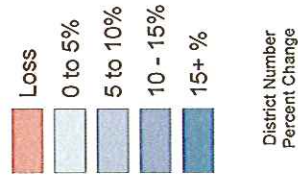
Kentucky Senate District Population Change 2000 to 2010

<u>District</u>	<u>2010 Pop</u>	<u>2000 Pop</u>	<u>Change</u>	<u>% Change</u>
33	98,815	102,797	-3,982	-3.87
34	124,714	110,815	13,899	12.54
35	106,187	106,449	-262	-0.25
36	125,909	108,020	17,889	16.56
37	114,317	109,526	4,791	4.37
38	131,921	110,278	21,643	19.63
Total Pop	4,339,367	4,041,769		
Ideal Pop	114,194	106,363		

Source: Kentucky Legislative Research Commission

Plaintiffs'
Exhibit
13

Senate District Population Change 2000-2010



2010 State Population: 4,339,367

Plaintiffs' Exhibit 14

Population Summary Report
Malapportioned 2002 Kentucky Senate Plan -- 2010 Census

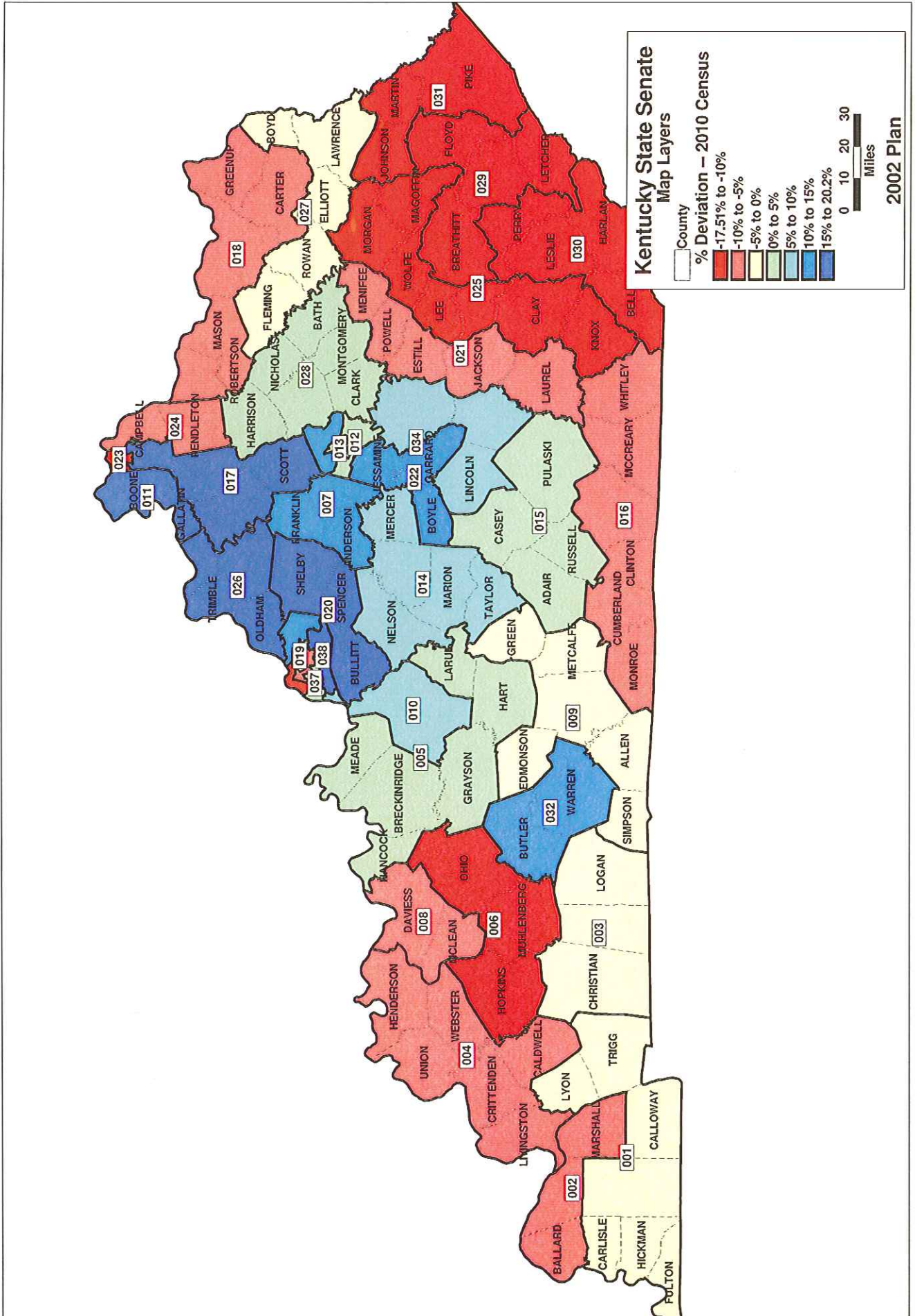
District	Population	Dev.	% Dev.	NH DOJ_Blk	% NH DOJ_Blk	Hispanic	% Hispanic	Minority	% Minority	18+_Pop	NH18+ DOJ_Blk	% NH18+ DOJ_Blk	Any Part. Black 18+	% Any Part. Black 18+	Hispanic 18+	% Hispanic 18+	Minority 18+	% Minority 18+
001	113784	-410	-0.36%	7496	6.59%	3434	3.02%	12980	11.41%	89933	5245	5.83%	5332	5.93%	2090	2.32%	8899	9.90%
002	105262	-8932	-7.82%	8242	7.83%	1923	1.73%	11806	11.22%	82188	5374	6.54%	5479	6.67%	1131	1.38%	7704	9.37%
003	113250	-944	-0.83%	19252	17.00%	5886	5.02%	27810	24.56%	82194	12735	15.49%	13090	15.93%	3267	3.97%	17895	21.77%
004	106696	-7498	-6.57%	7482	7.01%	1981	1.86%	10776	10.10%	82242	5274	6.41%	5356	6.51%	1168	1.42%	7394	8.92%
005	115364	1170	1.02%	3566	3.09%	2048	1.78%	7291	6.32%	86420	2381	2.76%	2461	2.85%	1166	1.35%	4712	5.45%
006	102261	-11933	-10.45%	5362	5.24%	1945	1.90%	8489	8.30%	78615	3660	4.66%	3724	4.74%	1118	1.42%	5627	7.16%
007	128013	13819	12.10%	14005	10.94%	6487	5.07%	23212	18.13%	98792	10143	10.27%	10432	10.56%	4073	4.12%	16117	16.31%
008	106187	-8007	-7.01%	5709	5.38%	2631	2.48%	9904	9.33%	80357	3462	4.31%	3534	4.40%	1484	1.85%	5940	7.39%
009	112974	-1220	-1.07%	4590	4.06%	2106	1.86%	8079	7.15%	85978	3110	3.62%	3180	3.70%	1219	1.42%	5323	6.19%
010	120533	6339	5.55%	13909	11.54%	5617	4.66%	24755	20.54%	89257	9073	10.17%	9576	10.73%	3385	3.79%	16012	17.94%
011	137257	23063	20.20%	4152	3.02%	4844	3.53%	13532	9.86%	99129	2449	2.47%	2586	2.61%	2947	2.97%	8315	8.39%
012	115570	1376	1.20%	13324	11.53%	5054	4.37%	24951	21.59%	89529	9482	9.47%	8801	9.83%	3293	3.68%	16327	18.24%
013	115700	1506	1.32%	23838	20.60%	11542	9.98%	39861	34.45%	94844	17451	18.40%	17958	18.93%	7610	8.02%	28686	30.25%
014	120817	6623	5.80%	7455	6.17%	2866	2.22%	11690	9.68%	91427	5116	5.60%	5189	5.68%	1520	1.66%	7697	8.42%
015	115239	1045	0.92%	1720	1.49%	2600	2.26%	5736	4.98%	89387	1119	1.26%	1164	1.31%	1561	1.75%	3697	4.15%
016	102847	-11347	-9.94%	2271	2.21%	1866	1.83%	5491	5.34%	79004	1804	2.28%	1906	2.41%	1205	1.53%	4028	5.10%
017	133729	19535	17.11%	4090	3.06%	3563	2.66%	9848	7.36%	96955	2533	2.61%	2616	2.70%	2043	2.11%	5960	6.15%
018	106760	-7434	-6.51%	1976	1.85%	1049	0.98%	4259	3.99%	81716	1264	1.55%	1299	1.59%	581	0.71%	2731	3.34%
019	110306	-3888	-3.40%	8977	8.14%	4074	3.69%	16603	15.05%	89575	6271	7.00%	6533	7.29%	2760	3.08%	11642	13.00%
020	133454	19260	16.87%	4429	3.32%	5089	3.81%	11728	8.79%	99842	2948	2.95%	3091	3.10%	3092	3.10%	7538	7.55%
021	105934	-8260	-7.23%	863	0.81%	1085	1.02%	3177	3.00%	80533	495	0.61%	539	0.67%	664	0.82%	2080	2.58%
022	126095	11901	10.42%	6392	5.07%	3285	2.61%	13381	10.61%	94845	4189	4.42%	4308	4.54%	1976	2.08%	8564	9.03%
023	98810	-15384	-13.47%	7494	7.58%	3212	3.25%	12726	12.88%	75630	4532	5.99%	4693	6.21%	1966	2.60%	7835	10.36%
024	105213	-8981	-7.86%	2977	2.83%	1638	1.56%	6286	5.97%	80933	1806	2.23%	1894	2.34%	1071	1.32%	4062	5.02%
025	100866	-13328	-11.67%	2261	2.24%	1013	1.00%	4254	4.22%	77833	1922	2.47%	1968	2.53%	716	0.92%	3377	4.34%
026	134003	19809	17.35%	6733	5.02%	4648	3.47%	16246	12.12%	99368	4960	4.99%	5152	5.18%	2873	2.89%	10967	11.04%
027	110935	-3259	-2.85%	2616	2.36%	1296	1.17%	5293	4.77%	86993	1941	2.23%	2052	2.36%	873	1.00%	3814	4.38%
028	119669	5475	4.79%	4846	4.05%	3511	2.93%	9622	8.04%	90816	3311	3.65%	3393	3.74%	2054	2.26%	6230	6.86%
029	94194	-20000	-17.51%	649	0.69%	531	0.58%	1860	1.97%	73134	428	0.59%	443	0.61%	315	0.43%	1266	1.73%
030	97991	-16203	-14.19%	2157	2.20%	633	0.65%	3890	3.97%	76415	1415	1.85%	1444	1.89%	369	0.48%	2632	3.44%
031	101309	-12885	-11.28%	1484	1.46%	943	0.93%	3445	3.40%	79040	1239	1.57%	1268	1.60%	709	0.90%	2721	3.44%
032	126482	12288	10.76%	11260	8.90%	5496	4.35%	21493	16.99%	97644	7969	8.16%	8137	8.33%	3370	3.45%	14562	14.91%
033	98815	-15379	-13.47%	63674	64.44%	1767	1.79%	67519	68.33%	44880	44880	60.46%	45529	61.33%	1240	1.67%	47656	64.20%
034	124714	10520	9.21%	4935	3.96%	2288	1.83%	9602	7.70%	96807	3498	3.61%	3631	3.75%	1441	1.49%	6658	6.88%
035	106187	-8007	-7.01%	44347	41.76%	6880	6.48%	55128	51.92%	81143	30236	37.26%	31031	38.24%	4566	5.63%	37543	46.27%
036	125909	11715	10.26%	10321	8.20%	4509	3.58%	20696	16.44%	97254	7131	7.33%	7367	7.58%	2896	2.98%	13959	14.35%
037	114317	123	0.11%	16113	14.10%	7005	6.13%	27669	24.20%	87468	10292	11.77%	10816	12.37%	4784	5.47%	18168	20.77%
038	131921	17727	15.52%	12050	9.13%	6951	5.27%	22624	17.15%	98923	7482	7.56%	7825	7.91%	4291	4.34%	14199	14.35%
Total	4339367		37.71%	363017	8.37%	132836	3.06%	593712	13.68%	3315996	247620	7.47%	254797	7.66%	82887	2.50%	398477	12.02%

Population Summary Report
Malapportioned 2002 Kentucky Senate Plan -- 2010 Census

District	Group Quarters Incarcerated	% Group Quarters Incarcerated	Group Quarters College Dorms	% Group Quarters College Dorms	Group Quarters Military	% Group Quarters Military	State / Federal Prisoners	% State / Federal Prisoners
001	1680	1.48%	2616	2.30%	0	0.00%	998	0.88%
002	661	0.63%	0	0.00%	0	0.00%	0	0.00%
003	806	0.71%	0	0.00%	3843	3.39%	0	0.00%
004	998	0.94%	0	0.00%	0	0.00%	0	0.00%
005	1220	1.06%	10	0.01%	0	0.00%	0	0.00%
006	1735	1.70%	29	0.03%	0	0.00%	949	0.93%
007	3183	2.49%	2190	1.71%	0	0.00%	3085	2.41%
008	796	0.75%	492	0.46%	0	0.00%	0	0.00%
009	410	0.36%	3	0.00%	0	0.00%	0	0.00%
010	625	0.52%	0	0.00%	2013	1.67%	0	0.00%
011	432	0.31%	0	0.00%	0	0.00%	378	0.28%
012	0	0.00%	90	0.08%	0	0.00%	0	0.00%
013	97	0.08%	6330	5.47%	0	0.00%	0	0.00%
014	1319	1.09%	879	0.73%	0	0.00%	785	0.65%
015	666	0.58%	761	0.66%	0	0.00%	0	0.00%
016	2213	2.15%	997	0.97%	0	0.00%	1715	1.67%
017	363	0.27%	1073	0.80%	0	0.00%	0	0.00%
018	502	0.47%	357	0.33%	0	0.00%	0	0.00%
019	0	0.00%	1204	1.09%	0	0.00%	0	0.00%
020	1307	0.98%	0	0.00%	0	0.00%	986	0.74%
021	503	0.47%	0	0.00%	0	0.00%	0	0.00%
022	896	0.71%	2183	1.73%	0	0.00%	497	0.39%
023	498	0.50%	272	0.28%	0	0.00%	0	0.00%
024	562	0.53%	1496	1.42%	0	0.00%	0	0.00%
025	4834	4.79%	491	0.49%	0	0.00%	4321	4.28%
026	4353	3.25%	0	0.00%	0	0.00%	4084	3.05%
027	2819	2.54%	2183	1.97%	0	0.00%	2551	2.30%
028	435	0.36%	5	0.00%	0	0.00%	0	0.00%
029	422	0.45%	452	0.48%	0	0.00%	209	0.22%
030	878	0.90%	288	0.29%	0	0.00%	0	0.00%
031	2128	2.10%	271	0.27%	0	0.00%	1594	1.57%
032	655	0.52%	4657	3.68%	0	0.00%	0	0.00%
033	2328	2.36%	114	0.12%	0	0.00%	223	0.23%
034	464	0.37%	4908	3.94%	0	0.00%	0	0.00%
035	193	0.18%	1983	1.87%	0	0.00%	0	0.00%
036	0	0.00%	0	0.00%	0	0.00%	0	0.00%
037	141	0.12%	0	0.00%	0	0.00%	141	0.12%
038	0	0.00%	6	0.00%	0	0.00%	0	0.00%
Total	41122	0.95%	36340	0.84%	5856	0.13%	22516	0.52%

Notes: Group quarters data are from the Census 2010 Advance Group Quarters File.
 State/Federal prisoner count calculated by Prison Policy Initiative from proprietary database

Plaintiffs' Exhibit 15



Plaintiffs'
Exhibit
16

Splits by County under 2002 Plans

Counties with more than 1 House or Senate district in yellow

(27 counties are Split by 2002 Plan House Plan and 3 are also split by 2002 Senate Plan)

County	2010 Population	Number of 2002 State House Districts	Number of 2002 State Senate Districts
ADAIR	18656	1	1
ALLEN	19956	1	1
ANDERSON	21421	1	1
BALLARD	8249	1	1
BARREN	42173	1	1
BATH	11591	1	1
BELL	28691	1	1
BOONE	118811	3	1
BOURBON	19985	1	1
BOYD	49542	3	1
BOYLE	28432	1	1
BRACKEN	8488	1	1
BREATHITT	13878	1	1
BRECKINRIDGE	20059	1	1
BULLITT	74319	4	1
BUTLER	12690	1	1
CALDWELL	12984	1	1
CALLOWAY	37191	1	1
CAMPBELL	90336	4	1
CARLISLE	5104	1	1
CARROLL	10811	1	1
CARTER	27720	1	1
CASEY	15955	1	1
CHRISTIAN	73955	3	1
CLARK	35613	1	1
CLAY	21730	1	1
CLINTON	10272	1	1
CRITTENDEN	9315	1	1
CUMBERLAND	6856	1	1
DAVISS	96656	5	1
EDMONSON	12161	1	1
ELLIOTT	7852	1	1
ESTILL	14672	1	1
FAYETTE	295803	10	4
FLEMING	14348	1	1
FLOYD	39451	2	1
FRANKLIN	49285	2	1
FULTON	6813	1	1
GALLATIN	8589	1	1
GARRARD	16912	1	1
GRANT	24662	1	1

Splits by County under 2002 Plans

Counties with more than 1 House or Senate district in yellow

(27 counties are split by 2002 Plan House Plan and 3 are also split by 2002 Senate Plan)

County	2010 Population	Number of 2002 State House Districts	Number of 2002 State Senate Districts
GRAVES	37121	1	1
GRAYSON	25746	1	1
GREEN	11258	1	1
GREENUP	36910	1	1
HANCOCK	8565	1	1
HARDIN	105543	5	1
HARLAN	29278	4	1
HARRISON	18846	1	1
HART	18199	1	1
HENDERSON	46250	2	1
HENRY	15416	1	1
HICKMAN	4902	1	1
HOPKINS	46920	3	1
JACKSON	13494	1	1
JEFFERSON	741096	18	8
JESSAMINE	48586	1	1
JOHNSON	23356	1	1
KENTON	159720	4	3
KNOTT	16346	1	1
KNOX	31883	1	1
LARUE	14193	1	1
LAUREL	58849	4	1
LAWRENCE	15860	1	1
LEE	7887	1	1
LESLIE	11310	1	1
LETCHER	24519	2	1
LEWIS	13870	1	1
LINCOLN	24742	1	1
LIVINGSTON	9519	1	1
LOGAN	26835	1	1
LYON	8314	1	1
MCCRACKEN	65565	5	1
MCCREARY	18306	1	1
MCLEAN	9531	1	1
MADISON	82916	3	1
MAGOFFIN	13333	1	1
MARION	19820	1	1
MARSHALL	31448	1	1
MARTIN	12929	1	1
MASON	17490	1	1
MEADE	28602	1	1

Splits by County under 2002 Plans

Counties with more than 1 House or Senate district in yellow

(27 counties are split by 2002 Plan House Plan and 3 are also split by 2002 Senate Plan)

County	2010 Population	Number of 2002 State House Districts	Number of 2002 State Senate Districts
MENIFEE	6306	1	1
MERCER	21331	1	1
METCALFE	10099	1	1
MONROE	10963	1	1
MONTGOMERY	26499	1	1
MORGAN	13923	1	1
MUHLENBERG	31499	1	1
NELSON	43437	1	1
NICHOLAS	7135	1	1
OHIO	23842	1	1
OLDHAM	60316	2	1
OWEN	10841	1	1
OWSLEY	4755	1	1
PENDLETON	14877	1	1
PERRY	28712	1	1
PIKE	65024	3	1
POWELL	12613	1	1
PULASKI	63063	5	1
ROBERTSON	2282	1	1
ROCKCASTLE	17056	1	1
ROWAN	23333	2	1
RUSSELL	17565	1	1
SCOTT	47173	1	1
SHELBY	42074	1	1
SIMPSON	17327	1	1
SPENCER	17061	3	1
TAYLOR	24512	1	1
TODD	12460	1	1
TRIGG	14339	2	1
TRIMBLE	8809	1	1
UNION	15007	1	1
WARREN	113792	4	1
WASHINGTON	11717	1	1
WAYNE	20813	1	1
WEBSTER	13621	1	1
WHITLEY	35637	1	1
WOLFE	7355	2	1
WOODFORD	24939	1	1
Total	4339367	202	132

Plaintiffs' Exhibit 17

Plaintiffs' Exhibit 18



December 11, 2012

Rep. Greg Stumbo
Speaker of the House

Sen. Robert Stivers
Senate President

Rep. Larry Clark
Speaker Pro Tempore

Sen. Katie Kratz Stine
President Pro Tempore

Rep. Rocky Adkins
Majority Floor Leader

Sen. Damon Thayer
Majority Floor Leader

Rep. Jeff Hoover
Minority Floor Leader

Sen. R.J. Palmer
Minority Floor Leader

Via first-class and electronic mail

RE: *Open Letter About Redistricting*

Dear Members of the House and Senate Leadership:

On behalf of the American Civil Liberties Union (ACLU) of Kentucky and its members, we write to urge the General Assembly to draw and approve legislative district maps during the 2013 Regular Session that conform to the requirements of the United States and Kentucky Constitutions. For the reasons detailed below, we believe that it is imperative that the General Assembly resolve this issue during the upcoming session rather than wait until the 2014 session, or until any special session that may (or may not) be called by the Governor.

First, the General Assembly's periodic task of redistricting is, of course, constitutionally mandated to ensure that population changes do not create disparate and unequal voting strength among Kentuckians.¹ Unfortunately, Kentucky's current maps — which were enacted in 2002² — do just that. Specifically, as a result of population changes in various legislative districts since

¹ U.S. CONST., amend. XIV. *See also Gray v. Sanders*, 372 U.S. 368 (1963); *Reynolds v. Sims*, 377 U.S. 533 (1964).

² The 2002 maps are in effect because the state legislative maps enacted earlier this year were invalidated by the Kentucky Supreme Court as contrary to § 33 of the Kentucky Constitution. *Legislative Research Commission v. Fischer, et al.*, 366 S.W.3d 905 (Ky. 2012).

CHERIE DAWSON EDWARDS, CHAIR | ENID TRUCIOS-HAYNES, VICE CHAIR | EMI RAMIREZ, SECRETARY
LEE LOOK, TREASURER | ELEANOR SELF, NATIONAL BOARD REPRESENTATIVE
MICHAEL ALDRIDGE, EXECUTIVE DIRECTOR | ANNE MCKUNE, DEVELOPMENT DIRECTOR
KATE MILLER, PROGRAM ASSOCIATE | NANCY RANKIN, OFFICE MANAGER & LEGAL INTAKE COORDINATOR
DEREK SELZNICK, REPRODUCTIVE FREEDOM PROJECT DIRECTOR | WILLIAM E. SHARP, STAFF ATTORNEY

Open Letter To House and Senate Leadership
December 11, 2012
Page 2 of 3

the maps' adoption in 2002, there are now severe population imbalances in both the House and Senate maps that exceed the constitutionally permissible range and thus violate the Fourteenth Amendment's "one person, one vote" principle.³

For example, the Legislative Research Commission has acknowledged that, under the 2002 legislative maps, House District 60 and Senate District 11 exceed the "ideal" district population by 42.7% and 22.2%, respectively.⁴ This means that the votes of citizens in these districts matter less than the votes of citizens in less populated districts, a situation that common sense and the law recognize as repugnant to the fundamental guarantee of equality upon which our nation was founded. Moreover, our own internal analysis of the data indicates that the current House map has a total deviation, *i.e.*, range between the most populated and least populated districts, of more than 60% while the Senate map has a total deviation of more than 35%. To place these deviations in context, the United States Supreme Court has found that a mere 16.4% total deviation violates the Fourteenth Amendment's "one person, one vote" principle.⁵ Because the 2002 plans impermissibly dilute individuals' voting strength in several legislative districts, we believe that the General Assembly must make resolving this problem and protecting the voting rights of Kentuckians its first priority in the upcoming session.

Moreover, addressing this issue in the upcoming regular session is also in the Commonwealth's financial interests. Doing so will enable the General Assembly to avoid wasting taxpayer funds on an unnecessary special session⁶ and on costly litigation

³ *Reynolds*, 377 U.S. at 563-64 ("To say that a vote is worth more in one district in another would run counter to our fundamental ideas of democratic government") (internal quotations and alterations omitted); *see also Moore v. Ogilvie*, 394 U.S. 814, 818 (1969)("And the right of suffrage can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise.")(internal quotations omitted).

⁴ *Fischer*, 366 S.W.3d at 917.

⁵ *Connor v. Finch*, 431 U.S. 407, 419-21 (1977); *but see Brown v. Thompson*, 462 U.S. 835 (1983).

⁶ *See* Phil Pendleton, *Special Session Costs Taxpayers Thousands* (Apr. 16, 2012), available at http://www.wkyt.com/home/headlines/Special_Session__147656795.html (citing Kentucky's Legislative Research Commission data as placing the cost of a special session at more than \$60,000 per day).

Open Letter To House and Senate Leadership
December 11, 2012
Page 3 of 3

expenses, e.g., court costs and attorneys' fees⁷, that could accompany likely legal challenges if the 2002 maps remain in place. Neither the General Assembly nor Kentuckians can afford to wait until 2014 to address a problem this fundamental to our democracy.

The ACLU of Kentucky is dedicated to the defense of individuals' civil liberties, especially the protection of individuals' voting rights because the loss (or dilution) of that freedom jeopardizes all others. We are, therefore, fully committed to ensuring that Kentucky does not conduct another election with unconstitutional maps. Thus, we urge the General Assembly to enact new state legislative maps during the 2013 Regular Session to honor the constitutional mandate of "one person, one vote," and to avoid wasting further tax dollars on an issue that can (and should be) easily resolved in a bi-partisan fashion.

Thank you in advance for your attention to this matter, and we look forward to your reply.

Sincerely,



William E. Sharp
Staff Attorney
ACLU OF KENTUCKY
315 Guthrie Street, Suite 300
Louisville, Kentucky 40202
(502) 581-9746



Ben Carter
BEN CARTER LAW PLLC
Starks Building
455 S. 4th Street, Ste. 902
Louisville, Kentucky 40202
ACLU OF KENTUCKY Cooperating Attorney

⁷ See Tom Loftus, *LRC preparing to pay redistricting suit's lawyer fees* (Nov. 29, 2012), available at <http://blogs.courier-journal.com/politics/2012/11/29/lrc-preparing-to-pay-redistricting-suits-lawyer-fees/> (explaining that court-ordered attorneys' fees in 2012 redistricting suit exceed \$186,000).

Plaintiffs' Exhibit 19



COMMONWEALTH OF KENTUCKY
OFFICE OF THE SECRETARY OF STATE
ALISON LUNDERGAN GRIMES

January 18, 2013

Via Hand Delivery

The Honorable Robert Stivers II
Senate President
700 Capitol Ave., Ste. 323
Frankfort, KY 40601

The Honorable Gregory D. Stumbo
Speaker of the House
700 Capitol Ave., Ste. 309
Frankfort, KY 40601

Dear President Stivers and Speaker Stumbo,

As you consider the many issues facing Kentucky's General Assembly in the 2013 Legislative Session, I urge you to make redistricting a priority.

In May 2011, each of Kentucky's 120 counties' fiscal courts initiated reapportionment proceedings, redrawing their justice of the peace and county commissioner's districts so as to be compact, contiguous, and as nearly equal as possible in population. In the event the new districts cross existing precinct boundaries, precinct lines are to be redrawn. However, pursuant to KRS 117.055(6), precinct boundaries cannot be changed until both congressional and state legislative redistricting are accomplished.

As you know, although the 2012 General Assembly enacted both congressional and state legislative redistricting legislation, the state legislative redistricting legislation was held unconstitutional by the Kentucky Supreme Court. *Fischer v. Grimes*, 2012-SC-91-TG, 2012-SC-92-TG (Feb. 24, 2012, Order and Apr. 26, 2012, Opinion). Thus, with the exception of six counties that were required pursuant to Section 9 of House Bill 302 (2012 Gen. Sess.) to redraw precinct boundaries as necessary to accommodate the new congressional district boundaries, county boards of elections throughout the state have been prohibited since July 15, 2010, from redrawing precinct boundaries.

Hon. Robert Stivers II
Hon. Gregory D. Stumbo
January 18, 2013
Page 2 of 2

Our county governments committed substantial time and taxpayer resources to reapportion their districts. Yet their inability to redraw precinct boundaries due to the fact that redistricting has not occurred has caused and will continue to cause inefficiency and confusion with respect to representation and elections.

For example, potential candidates for county commissioner, constable and justice of the peace are hindered in their ability to raise money and campaign for 2014 elections in light of the uncertainty regarding the districts in which they will be qualified to run. In addition, because many offices require candidates to reside within the district for at least one year prior to the election, districts must be confirmed as soon as possible to enable potential candidates to establish residency, if necessary. Indeed, our office has already fielded calls regarding races on the 2014 ballot. As a result, any changes to precinct boundaries after November 6, 2013, (the first day on which 2014 candidates may file for office) could result in a situation reminiscent of 2012, when candidates were required to withdraw and re-file in different districts, in some instances multiple times.

As Chief Election Official, I believe these circumstances can and should be avoided. If legislative redistricting is not timely addressed in 2013 (*i.e.*, within enough time for county boards of elections to redraw precinct boundaries before November 6, 2013), undue stress at the taxpayers' expense will be placed on our county governments, and unnecessary confusion will be injected into our 2014 elections. Thus, I ask you to help protect the integrity of our elections by not delaying the General Assembly's constitutional redistricting obligation beyond 2013.

As always, I thank you for your thoughtful service to our state and welcome any questions you may have.

Sincerely,


Alison Lundergan Grimes

ALG/lasz

cc: Governor Steve Beshear (*via hand delivery*)
Julie Barr, President of KCCA (*via email*)
Bill May, Executive Director of KCCA (*via email*)
Denny Nunnelley, KACo (*via email*)
Vince Lang, KCJEA (*via email*)
Richard Tanner, KMCA (*via email*)

Plaintiffs' Exhibit 20

Kentucky.com

Next Story >

Democrat Tom FitzGerald decides not to run for U.S. Senate

Beshear asks lawmakers to delay legislative redistricting

Published: January 9, 2013

By Beth Musgrave — bmusgrave@herald-leader.com

FRANKFORT — Gov. Steve Beshear asked legislative leaders Wednesday to delay the contentious redrawing of district boundaries until after this year's 30-workday session so the General Assembly can focus on reforms to the state's ailing pension system.

In a letter provided to the Lexington Herald-Leader, Beshear urged the legislature to postpone redistricting until later this year and said "I am committed to working with you to make sure it is completed in ample time for the 2014 elections."

Democratic House Speaker Greg Stumbo of Prestonsburg has said he would like to tackle redistricting during this session, which began Tuesday. Republican Senate President Robert Stivers of Manchester has said he would like to redraw district lines in 2014.

Stumbo said Wednesday that he is reviewing Beshear's request. "We'll be discussing it among our caucus," he said.

Lourdes Báez-Schrader, a spokeswoman for Stivers, said Stivers has already said that he would prefer to wait until 2014.

The legislature approved the redrawing of legislative boundaries last year but the Kentucky Supreme Court threw out the plan after the maps were challenged by House Republicans and Sen. Kathy Stein, D-Lexington.

In his letter, Beshear said the state's ailing pension system — which has about 44 percent of the funds it needs to pay for future retirees — should take top priority this legislative session.

"Reforming Kentucky's pension programs will require much deliberation and ample time for quality debate," Beshear said.

In addition to fixing the pension problem, Beshear's task force on tax reform made a series of proposals that would update the state's tax code. Beshear and legislative leaders have said the 30-day session may not provide enough time to act on the task force's proposals but discussions about them should begin immediately.

"These are just two of many issues you and your members may be discussing in this abbreviated session," Beshear said.

During odd-number years, the legislature only meets for 30 days. During even-number years, the session lasts for 60 days.

[Back to Top](#)
[< Previous Story](#)



Beshear: Special House election 'comes down to who turns out' Tuesday

[Next Story >](#)



Democrat Tom FitzGerald decides not to run for U.S. Senate

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Plaintiffs' Exhibit 21

COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT
DIVISION I
CASE NO. 2012-CI-00109

JOSEPH M. FISCHER, ET AL.

PLAINTIFFS

v.

ALISON LUNDERGAN GRIMES, ET AL.

DEFENDANTS

LRC'S ANSWERS TO THE COURT'S QUESTIONS

May it please the Court:

The Legislative Research Commission ("LRC"), by counsel, respectfully answers the questions posed by the Court as follows:

1. How many citizens are temporarily disenfranchised by being assigned by House Bill 1 to a legislative district that is represented by a Senator or Representative who has never appeared on the ballot in the districts to which they are assigned under House Bill 1?

ANSWER: The answer to the question as literally phrased is "none" because no Kentucky citizen is "disenfranchised" by House Bill 1. The legal requirements for registering and voting are not impacted by House Bill 1 and all citizens of Kentucky continue to be represented in the Senate and House of Representatives. No term of a Senator is either lengthened nor shortened by House Bill 1. *See Angellis v. Land*, 371 S.W.2d 857 (Ky. 1963).

2. What is the rational basis for assigning the geographic area encompassed in an odd numbered Senate District (former Senate District 13) for which elections are held in 2012 to an even numbered Senate District (new Senate District 4) that will not be on the ballot until 2014?

ANSWER: Without conceding that the rational basis test applies to the changing of district boundaries that is inherent in legislative redistricting, one rational basis is that the changes in the location and boundaries of Senate Districts 4 and 13 facilitated achieving the goals of proportionate population between the 38 Senate Districts. Whether or not that allocation was, in the opinion of any particular person, the best means to achieve that goal is not germane to the rational basis test.

3. Is there any rational basis to deny citizens of the former Senate District 13 the right to elect a Senator during the 2012 election cycle in which they would otherwise be entitled to vote for a Senator absent reassignment of that territory to an even numbered District? Does the reassignment of the former territory of Senate District 13 to Senate District 4 constitute special legislation under Section 59 of the Kentucky Constitution?

ANSWER: Because members of the Kentucky Senate are elected to four-year staggered terms, and because relative shifts in population between odd-numbered and even-numbered districts occur in each decennial census, every redistricting of the Senate enacted by the General Assembly results in people who previously resided in an even-numbered district thereafter residing in an odd-numbered district and vice versa. The decision as to which residents of districts that would elect a Senator during the 2012 election cycle are moved to a district which would not elect a Senator during the 2012 election cycle does not deny the rights of any voters. *See Angellis, supra.*

The reassignment of some of the territory of formerly numbered Senate District 13 to a new District numbered as 4, and the relocation of a Senate District formerly numbered 13 to a different geographical area, is only one part of an Act of the General Assembly which redistricts the entire Senate and therefore does not constitute special legislation under Section 59 of the Kentucky Constitution.

4. What is the constitutional deadline, if any, for the decennial legislative redistricting required by Section 33 of the Kentucky Constitution for the districts that were established in 2002 by 2002 Ky. Acts., c.1, effective Jan. 31, 2002?

ANSWER: Because the 2012 General Assembly redistricted both the Senate and the House of Representatives during the first regular session after the decennial census was available, the General Assembly met any constitutional deadline for redistricting. The districts that existed before the enactment of House Bill 1 were out of population balance and subject to legal challenge if left in place for any additional length of time. The 2011 General Assembly did not have the requisite census information. The 2012 General Assembly has the information and it is incumbent upon the General Assembly to reapportion the districts at the first opportunity.

5. What is the minimum number of counties that must be divided in order to comply with *Fischer v. St. Bd. of Elections*, 879 S.W.2d 475 (Ky. 1994) for the House? And for the Senate?

ANSWER: The question of compliance with *Fischer II* is a question of law that will be addressed in LRC's Memorandum of Law.

The factual information which the Court is apparently seeking is the ratio of the counties' population in relation to the quotient resulting from dividing the population of Kentucky by the number of House and Senate districts, respectively. Using that calculation, the information is as follows.

For the House of Representatives, 22 counties are over 105%, 95 counties are under 95%, and 3 counties are between 95% and 105%.

For the Senate, 5 counties are split by House Bill 1, 3 of those exceed 105% and the other 2 exceed 95%.

6. How many Pulaski County residents and voters are included in House District 80?

ANSWER: Residents: 1,882
Registered voters: 1,146

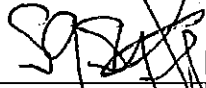
7. How many Laurel County residents and voters are included in House District 89?

ANSWER: Residents: 13,758
Registered voters: 8,693

8. What factual or legal problems exist with proposed alternatives to House Bill 1 (e.g. House Floor Amendment #1), concerning compliance with the U.S. Constitution, the Voting Rights Act of 1965, or other federal statutes?

ANSWER: Although it is the position of LRC that the merits or demerits of proposals that were not enacted into law is not germane to the question whether House Bill 1 is constitutional, LRC states that the Speaker of the House distributed a written critique of House Floor Amendment #1 during the debate on that proposal which was attached to the brief for the House leadership *amicus curiae* previously filed with the Court.

Respectfully Submitted,



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and

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State Capitol Annex, Room 104
Frankfort, Kentucky 40601
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Laura.Hendrix@lrc.ky.gov

Counsel for Intervening Defendant LRC

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing were served by electronic mail on this the 3rd day of February, 2012, on:

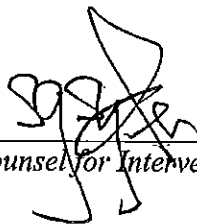
Hon. Victor B. Maddox
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Hon. Jason M. Nemes
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Morgan & Pottinger
133 West Short Street
Lexington, KY 40601



Counsel for Intervening Defendant LRC

Plaintiffs' Exhibit 22

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
NORTHERN DIVISION AT COVINGTON

KENNY BROWN, individually and in his
official capacity as the Boone County Clerk,
et al.,

Plaintiffs,

v.

COMMONWEALTH OF KY, *et al.*,

Defendants.

Case No. 2:13cv00068

Electronically filed

MARTIN HERBERT, *et al.*,

Plaintiffs,

v.

KENTUCKY STATE BOARD OF
ELECTIONS, *et al.*,

Defendants.

Case No. 3:13cv00025

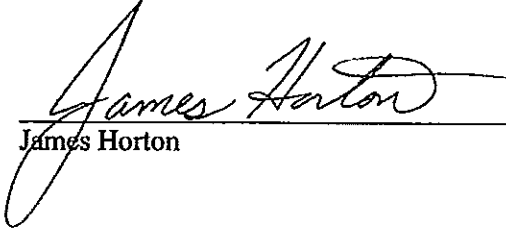
**DECLARATION OF JAMES S. HORTON IN SUPPORT OF PLAINTIFF'S JOINT
MOTION FOR SUMMARY JUDGMENT**

1. My name is James S. Horton, and I am a G.I.S. Specialist for the Boone County Planning Commission, which is under contract to provide support for the Boone County Clerk Kenny Brown, Plaintiff in the above captioned matter. I have personal knowledge of the matters contained herein.
2. My C.V. is attached hereto as Exhibit "Horton-1" to this Declaration.
3. I render any and all opinions stated based on my scientific, technical, and/or other specialized knowledge.
4. The testimony rendered herein is based on sufficient facts or data as explained herein, and specifically is based on download of, and interpretation of, data from the United States Census Bureau.
5. Moreover, each and every opinion I render herein is rendered to a reasonable degree of technical and/or scientific certainty.

6. The download of, and use of, this data is the product of reliable principles and methods common in the G.I.S. and planning and mapping industries.
7. I have reliably applied the principles and methods as stated herein.
8. On July 10, 2013, I obtained census data from the United States Census Bureau concerning the population of each of the Kentucky House of Representative and Kentucky Senate Districts, as currently in force as provided in Chapter 5 of the Kentucky Revised Statutes. A true and accurate copy of the baseline data obtained by me is attached as Exhibit "Horton-2" to this Declaration. This data is a public record, and sets out a matter observed by the United States Census Bureau, population data, which is legally obligated to collect such data, and contains the office's activities – which is the gathering of census data. The data came from a publicly available download site, which is trustworthy.
9. Furthermore, the population data in question is a record that was made at or near the time by — or from information transmitted by — someone with knowledge, namely census takers; the record was kept in the course of a regularly conducted activity of the United States Census Bureau; making the record was a regular practice of that activity of the United States Census Bureau; and this data is trustworthy.
10. Finally, the Census data is a public record, was recorded or filed in a public office as authorized by law, and was obtained from the United States Census Bureau, which is the office where items of this kind are kept.
11. As this data indicates, the United States Census Bureau determined in the 2010 Census that the total population of the Commonwealth of Kentucky is 4,339,367.
12. There are 38 Kentucky Senate Districts and 100 Kentucky House of Representative districts.
13. Using total population as the basis, if the total population of the Commonwealth of Kentucky were divided by 38, and then rounded to the nearest whole number, to determine an "ideal," equally populated Kentucky Senate District, that district's population would be 114,194.
14. Using total population as the basis, if the total population of the Commonwealth of Kentucky were divided by 100, and then rounded to the nearest whole number, to determine an "ideal," equally populated Kentucky House of Representatives District, that district's population would be 43,394.
15. I have determined, as attached in Exhibit "Horton-3," the deviation between the Kentucky House of Representatives District with the least population, and each of the other Kentucky House of Representatives Districts, as well as the deviation between the "ideal" Kentucky House of Representatives District of 43,394 and each of the other Kentucky House of Representatives Districts. Exhibit "Horton-3" is a true and accurate copy of the determination in question, was derived using simple mathematics, as applied to publicly available census data, and is in conformance with generally accepted methods of G.I.S. and population tracking. I have placed, in bold font, any deviation that exceeds 10%. I have likewise placed in italics any deviation from ideal that is greater than 5%.
16. I have determined, as attached in Exhibit "Horton-4," the deviation between the Kentucky Senate District with the least population, and each of the other Kentucky Senate Districts, as well as the deviation between the "ideal" Kentucky Senate District of 114,194 and each of the other Kentucky Senate Districts. Exhibit "Horton-4" is a true and accurate copy of the determination in question, was derived using simple

mathematics, as applied to publicly available census data, and is in conformance with generally accepted methods of G.I.S. and population tracking. I have placed, in bold font, any deviation that exceeds 10%. I have likewise placed in italics any deviation from ideal that is greater than 5%.

Pursuant to 28 U.S.C. 1746, I, James Horton, declare and verify, under penalty of perjury that the foregoing is true and correct. Executed on July 11, 2013.


James Horton

James S. Horton, GISP

Experience

12/1995 – 8/1996 Boone County PVA Burlington, KY

Mapping Technician

- Mapped parcels of record by on hand drawn maps and by AutoCad.

8/1996 - Present Boone County Planning Commission Burlington, KY

GIS Data Specialist

- Street Centerline Mapping – Existing and new Streets for 911 dispatch system.
- Parcel Mapping & Legal Description Research – Maintain existing parcels for Boone County and create new ones from recorded survey plats for Boone County PVA.
- Election Mapping – Creating New Precincts from needed splits, reapportionment, and redistricting. Mapping existing voters for analysis of precinct assignments for Boone County Clerk.
- Site Plan Mapping – adding new features in GIS from engineering site plans for Planning Commission
- Utility Mapping – Mapped Water lines and sewer lines for Boone County Water District, City of Florence and City of Walton.
- Customer Service – Print maps and answer questions about mapping for Boone County citizens.
- Proficient in AutoCad software.
- Proficient in ESRI GIS software products.
- Presenter and Moderator at the Kentucky GIS Conferenc
 - Creating a Real World Cadastre in GIS – 1999
 - Using Digital Cad Files in Updating GIS Layers – 2000
 - Voting Precinct Management in Boone County – 2001
 - Ahead of the Curve, Parcel Maintenance in Boone County – 2004
 - Voting Precinct Management in GIS – 2005
 - Data Manipulation with Data Interoperability – 2006
 - Address Point Mapping in GIS – 2007
 - Using GIS to Determine Radii for Curves on Existing State Roads - 2010
 - Using GIS for the Reapportionment Process - 2011
- Certified Geographic Information Systems Professional (GISP) since 2008.
- Member of KAMP (Kentucky Association of Mapping Professionals) since 2004.

Education

8/1991 – 5/1995 Western Kentucky University Bowling Green, KY

Bachelor of Science in Civil Engineering Technology

References

References are available on request.

GCT-P5-Geography-Kentucky: Population
2010 Census Summary File 1

NOTE: For information on confidentiality protection, nonsampling error, and definitions, see <http://www.census.gov/prod/cen2010/doc/sf1.pdf>.

Geographic area	Total
Kentucky	4,339,367
STATE LEGISLATIVE DISTRICT,	
State Senate District 1 (2010)	113,784
State Senate District 2 (2010)	105,262
State Senate District 3 (2010)	113,250
State Senate District 4 (2010)	106,696
State Senate District 5 (2010)	115,364
State Senate District 6 (2010)	102,261
State Senate District 7 (2010)	128,013
State Senate District 8 (2010)	106,187
State Senate District 9 (2010)	112,974
State Senate District 10 (2010)	120,533
State Senate District 11 (2010)	137,257
State Senate District 12 (2010)	115,570
State Senate District 13 (2010)	115,700
State Senate District 14 (2010)	120,817
State Senate District 15 (2010)	115,239
State Senate District 16 (2010)	102,847
State Senate District 17 (2010)	133,729
State Senate District 18 (2010)	106,760
State Senate District 19 (2010)	110,306
State Senate District 20 (2010)	133,454
State Senate District 21 (2010)	105,934
State Senate District 22 (2010)	126,095
State Senate District 23 (2010)	98,810
State Senate District 24 (2010)	105,213
State Senate District 25 (2010)	100,866
State Senate District 26 (2010)	134,003
State Senate District 27 (2010)	110,935
State Senate District 28 (2010)	119,669
State Senate District 29 (2010)	94,194
State Senate District 30 (2010)	97,991
State Senate District 31 (2010)	101,309
State Senate District 32 (2010)	126,482
State Senate District 33 (2010)	98,815
State Senate District 34 (2010)	124,714
State Senate District 35 (2010)	106,187
State Senate District 36 (2010)	125,909
State Senate District 37 (2010)	114,317
State Senate District 38 (2010)	131,921
STATE LEGISLATIVE DISTRICT,	
State House District 1 (2010)	37,943
State House District 2 (2010)	41,936

State House District 3 (2010)	37,972
State House District 4 (2010)	39,505
State House District 5 (2010)	41,952
State House District 6 (2010)	41,978
State House District 7 (2010)	39,972
State House District 8 (2010)	41,126
State House District 9 (2010)	38,297
State House District 10 (2010)	38,450
State House District 11 (2010)	39,906
State House District 12 (2010)	38,045
State House District 13 (2010)	42,376
State House District 14 (2010)	45,708
State House District 15 (2010)	38,558
State House District 16 (2010)	39,295
State House District 17 (2010)	42,990
State House District 18 (2010)	43,650
State House District 19 (2010)	44,553
State House District 20 (2010)	52,049
State House District 21 (2010)	52,240
State House District 22 (2010)	46,341
State House District 23 (2010)	42,618
State House District 24 (2010)	41,610
State House District 25 (2010)	51,532
State House District 26 (2010)	41,345
State House District 27 (2010)	44,833
State House District 28 (2010)	41,513
State House District 29 (2010)	58,348
State House District 30 (2010)	45,313
State House District 31 (2010)	42,708
State House District 32 (2010)	43,944
State House District 33 (2010)	48,397
State House District 34 (2010)	40,961
State House District 35 (2010)	40,267
State House District 36 (2010)	45,022
State House District 37 (2010)	37,367
State House District 38 (2010)	38,015
State House District 39 (2010)	49,138
State House District 40 (2010)	38,434
State House District 41 (2010)	38,072
State House District 42 (2010)	37,649
State House District 43 (2010)	35,580
State House District 44 (2010)	41,454
State House District 45 (2010)	50,581
State House District 46 (2010)	50,103
State House District 47 (2010)	46,003
State House District 48 (2010)	57,316
State House District 49 (2010)	50,626
State House District 50 (2010)	49,478
State House District 51 (2010)	43,168
State House District 52 (2010)	44,854
State House District 53 (2010)	39,176
State House District 54 (2010)	40,149
State House District 55 (2010)	45,145
State House District 56 (2010)	43,948
State House District 57 (2010)	38,989

State House District 58 (2010)	55,670
State House District 59 (2010)	55,004
State House District 60 (2010)	61,922
State House District 61 (2010)	44,092
State House District 62 (2010)	58,232
State House District 63 (2010)	40,380
State House District 64 (2010)	49,008
State House District 65 (2010)	35,617
State House District 66 (2010)	52,522
State House District 67 (2010)	37,613
State House District 68 (2010)	42,414
State House District 69 (2010)	43,827
State House District 70 (2010)	40,326
State House District 71 (2010)	38,856
State House District 72 (2010)	40,906
State House District 73 (2010)	43,459
State House District 74 (2010)	43,768
State House District 75 (2010)	41,422
State House District 76 (2010)	44,546
State House District 77 (2010)	48,639
State House District 78 (2010)	41,569
State House District 79 (2010)	38,306
State House District 80 (2010)	44,415
State House District 81 (2010)	46,960
State House District 82 (2010)	42,490
State House District 83 (2010)	46,457
State House District 84 (2010)	40,195
State House District 85 (2010)	46,596
State House District 86 (2010)	43,057
State House District 87 (2010)	38,913
State House District 88 (2010)	49,790
State House District 89 (2010)	42,731
State House District 90 (2010)	37,809
State House District 91 (2010)	36,437
State House District 92 (2010)	40,191
State House District 93 (2010)	38,421
State House District 94 (2010)	42,026
State House District 95 (2010)	36,945
State House District 96 (2010)	41,590
State House District 97 (2010)	40,179
State House District 98 (2010)	38,852
State House District 99 (2010)	41,007
State House District 100 (2010)	37,710

X Not applicable.

[1] "Families" consist of a householder and one or more other people related to the householder by birth, marriage, or adoption. They do not include same-sex married couples even if the marriage was performed in a state issuing marriage certificates for same-sex couples.

[2] "Nonrelatives" include any household member not related to the householder by birth, marriage, or adoption. This includes unmarried partners.

[3] "Nonfamily households" consist of people living alone and households which do not have any members related to the householder.

Source: U.S. Census Bureau, 2010
2010 Census Summary File 1, Table P1,
P29, P36, and P42.

Kentucky Total Population:	4,339,367		
Ideal Kentucky House Population:	43394		
Smallest Kentucky House Population:	35,580		
STATE LEGISLATIVE DISTRICT,		Deviation from Ideal	Deviation from Minimum
State House District 1 (2010)	37,943	-12.56%	6.64%
State House District 2 (2010)	41,936	-3.36%	17.86%
State House District 3 (2010)	37,972	-12.49%	6.72%
State House District 4 (2010)	39,505	-8.96%	11.03%
State House District 5 (2010)	41,952	-3.32%	17.91%
State House District 6 (2010)	41,978	-3.26%	17.98%
State House District 7 (2010)	39,972	-7.89%	12.34%
State House District 8 (2010)	41,126	-5.23%	15.59%
State House District 9 (2010)	38,297	-11.75%	7.64%
State House District 10 (2010)	38,450	-11.39%	8.07%
State House District 11 (2010)	39,906	-8.04%	12.16%
State House District 12 (2010)	38,045	-12.33%	6.93%
State House District 13 (2010)	42,376	-2.35%	19.10%
State House District 14 (2010)	45,708	5.33%	28.47%
State House District 15 (2010)	38,558	-11.14%	8.37%
State House District 16 (2010)	39,295	-9.45%	10.44%
State House District 17 (2010)	42,990	-0.93%	20.83%
State House District 18 (2010)	43,650	0.59%	22.68%
State House District 19 (2010)	44,553	2.67%	25.22%
State House District 20 (2010)	52,049	19.95%	46.29%
State House District 21 (2010)	52,240	20.39%	46.82%
State House District 22 (2010)	46,341	6.79%	30.24%
State House District 23 (2010)	42,618	-1.79%	19.78%
State House District 24 (2010)	41,610	-4.11%	16.95%
State House District 25 (2010)	51,532	18.75%	44.83%
State House District 26 (2010)	41,345	-4.72%	16.20%
State House District 27 (2010)	44,833	3.32%	26.01%
State House District 28 (2010)	41,513	-4.33%	16.68%
State House District 29 (2010)	58,348	34.46%	63.99%
State House District 30 (2010)	45,313	4.42%	27.36%
State House District 31 (2010)	42,708	-1.58%	20.03%
State House District 32 (2010)	43,944	1.27%	23.51%
State House District 33 (2010)	48,397	11.53%	36.02%
State House District 34 (2010)	40,961	-5.61%	15.12%
State House District 35 (2010)	40,267	-7.21%	13.17%
State House District 36 (2010)	45,022	3.75%	26.54%
State House District 37 (2010)	37,367	-13.89%	5.02%
State House District 38 (2010)	38,015	-12.40%	6.84%
State House District 39 (2010)	49,138	13.24%	38.11%
State House District 40 (2010)	38,434	-11.43%	8.02%
State House District 41 (2010)	38,072	-12.26%	7.00%
State House District 42 (2010)	37,649	-13.24%	5.82%
State House District 43 (2010)	35,580	-18.01%	0.00%
State House District 44 (2010)	41,454	-4.47%	16.51%
State House District 45 (2010)	50,581	16.56%	42.16%
State House District 46 (2010)	50,103	15.46%	40.82%
State House District 47 (2010)	46,003	6.01%	29.29%
State House District 48 (2010)	57,316	32.08%	61.09%

State House District 49 (2010)	50,626	16.67%	42.29%
State House District 50 (2010)	49,478	14.02%	39.06%
State House District 51 (2010)	43,168	-0.52%	21.33%
State House District 52 (2010)	44,854	3.36%	26.07%
State House District 53 (2010)	39,176	-9.72%	10.11%
State House District 54 (2010)	40,149	-7.48%	12.84%
State House District 55 (2010)	45,145	4.04%	26.88%
State House District 56 (2010)	43,948	1.28%	23.52%
State House District 57 (2010)	38,989	-10.15%	9.58%
State House District 58 (2010)	55,670	28.29%	56.46%
State House District 59 (2010)	55,004	26.75%	54.59%
State House District 60 (2010)	61,922	42.70%	74.04%
State House District 61 (2010)	44,092	1.61%	23.92%
State House District 62 (2010)	58,232	34.19%	63.66%
State House District 63 (2010)	40,380	-6.95%	13.49%
State House District 64 (2010)	49,008	12.94%	37.74%
State House District 65 (2010)	35,617	-17.92%	0.10%
State House District 66 (2010)	52,522	21.04%	47.62%
State House District 67 (2010)	37,613	-13.32%	5.71%
State House District 68 (2010)	42,414	-2.26%	19.21%
State House District 69 (2010)	43,827	1.00%	23.18%
State House District 70 (2010)	40,326	-7.07%	13.34%
State House District 71 (2010)	38,856	-10.46%	9.21%
State House District 72 (2010)	40,906	-5.73%	14.97%
State House District 73 (2010)	43,459	0.15%	22.14%
State House District 74 (2010)	43,768	0.86%	23.01%
State House District 75 (2010)	41,422	-4.54%	16.42%
State House District 76 (2010)	44,546	2.65%	25.20%
State House District 77 (2010)	48,639	12.09%	36.70%
State House District 78 (2010)	41,569	-4.21%	16.83%
State House District 79 (2010)	38,306	-11.73%	7.66%
State House District 80 (2010)	44,415	2.35%	24.83%
State House District 81 (2010)	46,960	8.22%	31.98%
State House District 82 (2010)	42,490	-2.08%	19.42%
State House District 83 (2010)	46,457	7.06%	30.57%
State House District 84 (2010)	40,195	-7.37%	12.97%
State House District 85 (2010)	46,596	7.38%	30.96%
State House District 86 (2010)	43,057	-0.78%	21.01%
State House District 87 (2010)	38,913	-10.33%	9.37%
State House District 88 (2010)	49,790	14.74%	39.94%
State House District 89 (2010)	42,731	-1.53%	20.10%
State House District 90 (2010)	37,809	-12.87%	6.26%
State House District 91 (2010)	36,437	-16.03%	2.41%
State House District 92 (2010)	40,191	-7.38%	12.96%
State House District 93 (2010)	38,421	-11.46%	7.98%
State House District 94 (2010)	42,026	-3.15%	18.12%
State House District 95 (2010)	36,945	-14.86%	3.84%
State House District 96 (2010)	41,590	-4.16%	16.89%
State House District 97 (2010)	40,179	-7.41%	12.93%
State House District 98 (2010)	38,852	-10.47%	9.20%
State House District 99 (2010)	41,007	-5.50%	15.25%
State House District 100 (2010)	37,710	-13.10%	5.99%

Kentucky Total Population:	4,339,367		
Ideal Kentucky Senate Population:	114,194		
Smallest Kentucky Senate Population:	94,194		
STATE LEGISLATIVE DISTRICT,		Deviation from Ideal	Deviation from Minimum
State Senate District 1 (2010)	113,784	-0.36%	20.80%
State Senate District 2 (2010)	105,262	-7.82%	11.75%
State Senate District 3 (2010)	113,250	-0.83%	20.23%
State Senate District 4 (2010)	106,696	-6.57%	13.27%
State Senate District 5 (2010)	115,364	1.02%	22.47%
State Senate District 6 (2010)	102,261	-10.45%	8.56%
State Senate District 7 (2010)	128,013	12.10%	35.90%
State Senate District 8 (2010)	106,187	-7.01%	12.73%
State Senate District 9 (2010)	112,974	-1.07%	19.94%
State Senate District 10 (2010)	120,533	5.55%	27.96%
State Senate District 11 (2010)	137,257	20.20%	45.72%
State Senate District 12 (2010)	115,570	1.20%	22.69%
State Senate District 13 (2010)	115,700	1.32%	22.83%
State Senate District 14 (2010)	120,817	5.80%	28.26%
State Senate District 15 (2010)	115,239	0.92%	22.34%
State Senate District 16 (2010)	102,847	-9.94%	9.19%
State Senate District 17 (2010)	133,729	17.11%	41.97%
State Senate District 18 (2010)	106,760	-6.51%	13.34%
State Senate District 19 (2010)	110,306	-3.40%	17.11%
State Senate District 20 (2010)	133,454	16.87%	41.68%
State Senate District 21 (2010)	105,934	-7.23%	12.46%
State Senate District 22 (2010)	126,095	10.42%	33.87%
State Senate District 23 (2010)	98,810	-13.47%	4.90%
State Senate District 24 (2010)	105,213	-7.86%	11.70%
State Senate District 25 (2010)	100,866	-11.67%	7.08%
State Senate District 26 (2010)	134,003	17.35%	42.26%
State Senate District 27 (2010)	110,935	-2.85%	17.77%
State Senate District 28 (2010)	119,669	4.79%	27.05%
State Senate District 29 (2010)	94,194	-17.51%	0.00%
State Senate District 30 (2010)	97,991	-14.19%	4.03%
State Senate District 31 (2010)	101,309	-11.28%	7.55%
State Senate District 32 (2010)	126,482	10.76%	34.28%
State Senate District 33 (2010)	98,815	-13.47%	4.91%
State Senate District 34 (2010)	124,714	9.21%	32.40%
State Senate District 35 (2010)	106,187	-7.01%	12.73%
State Senate District 36 (2010)	125,909	10.26%	33.67%
State Senate District 37 (2010)	114,317	0.11%	21.36%
State Senate District 38 (2010)	131,921	15.52%	40.05%

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
NORTHERN DIVISION AT COVINGTON**

KENNY BROWN, individually and in his
official capacity as the Boone County Clerk,
et al.,

Plaintiffs,

Case No. 2:13cv00068

v.

COMMONWEALTH OF KY, *et al.*,

Defendants.

MARTIN HERBERT, *et al.*,

Plaintiffs,

Case No. 3:13cv00025

v.

KENTUCKY STATE BOARD OF
ELECTIONS, *et al.*,

Defendants.

ORDER

Motion having been made, and the Court being sufficiently advised,

IT IS HEREBY ORDERED that the Plaintiffs' Joint Motion for Summary Judgment is hereby **GRANTED**.

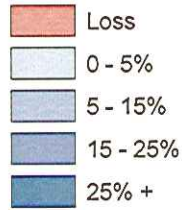
IT IS FURTHER ORDERED that pursuant to 28 U.S.C. § 2201, the Court hereby declares and decrees that, in light of established population changes since their adoption, the current Kentucky House of Representative districts, as contained in K.R.S. § 5.101 through K.R.S. § 5.138, and the current Kentucky Senate districts, as contained

in K.R.S. § 5.201 through K.R.S. § 5.300, are now unconstitutionally mal-apportioned in violation of the Equal Protection Clause of the 14th Amendment of the U.S. Constitution.

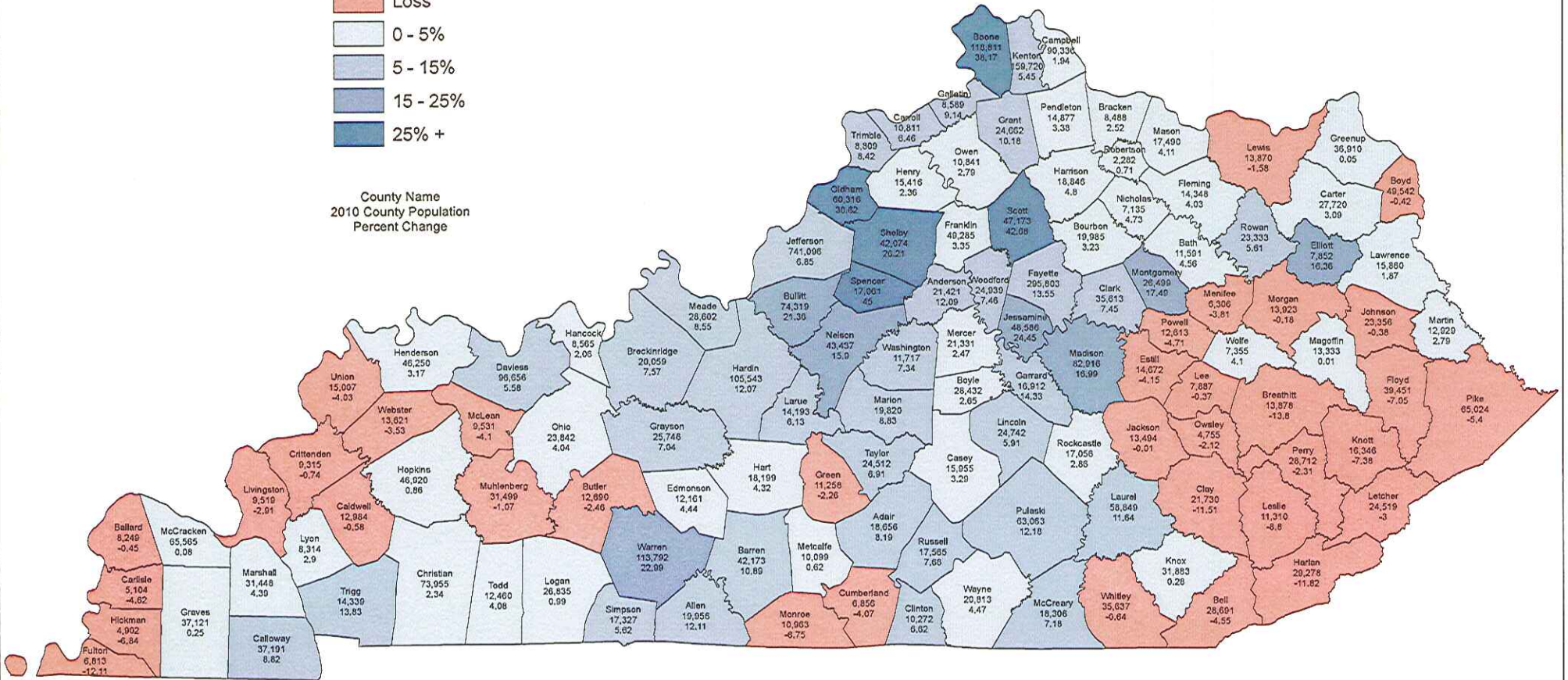
IT IS FURTHER ORDERED that the official capacity Defendants in the above-styled consolidated actions are hereby permanently enjoined and prohibited from implementing or otherwise using the current Kentucky House of Representative districts, as contained in K.R.S. § 5.101 through K.R.S. § 5.138, and the current Kentucky Senate districts, as contained in K.R.S. § 5.201 through K.R.S. § 5.300 in future Kentucky elections.

Plaintiffs'
Exhibit
5

Population Change By County: 2000-2010



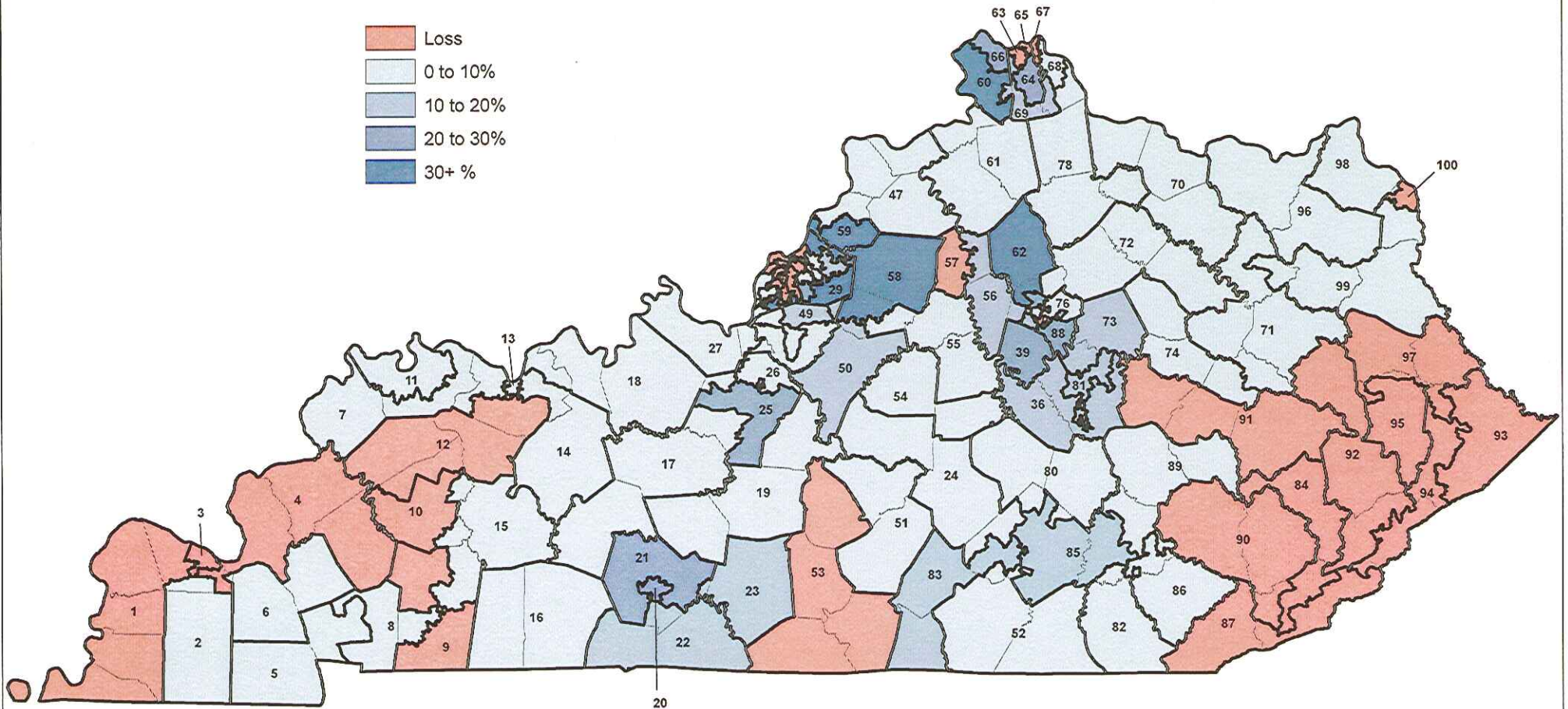
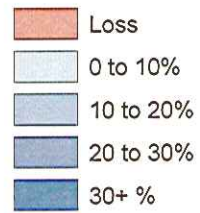
County Name
2010 County Population
Percent Change



2010 State Population: 4,339,367

Plaintiffs' Exhibit 7

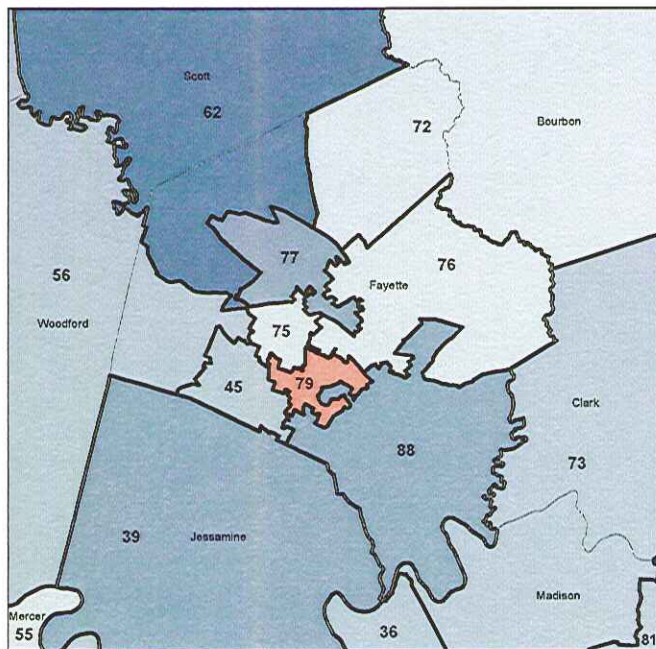
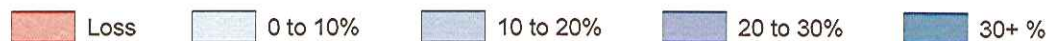
House District Population Change 2000-2010



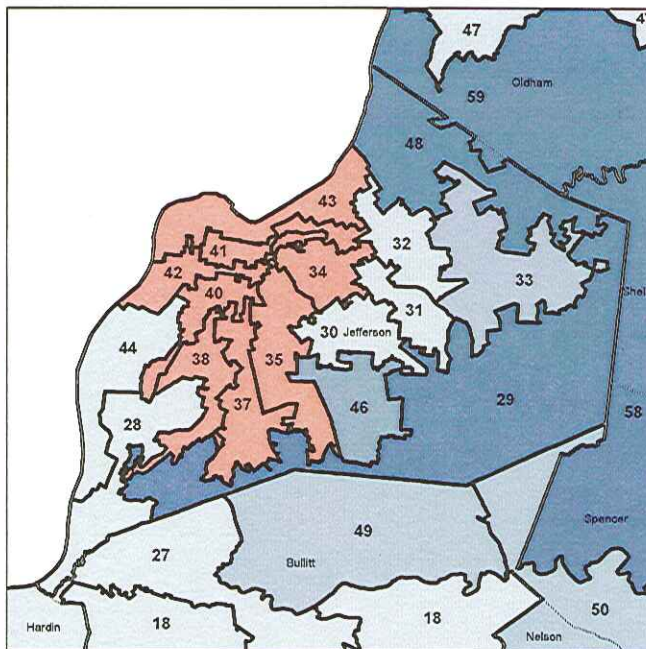
2010 State Population: 4,339,367

Plaintiffs' Exhibit 8

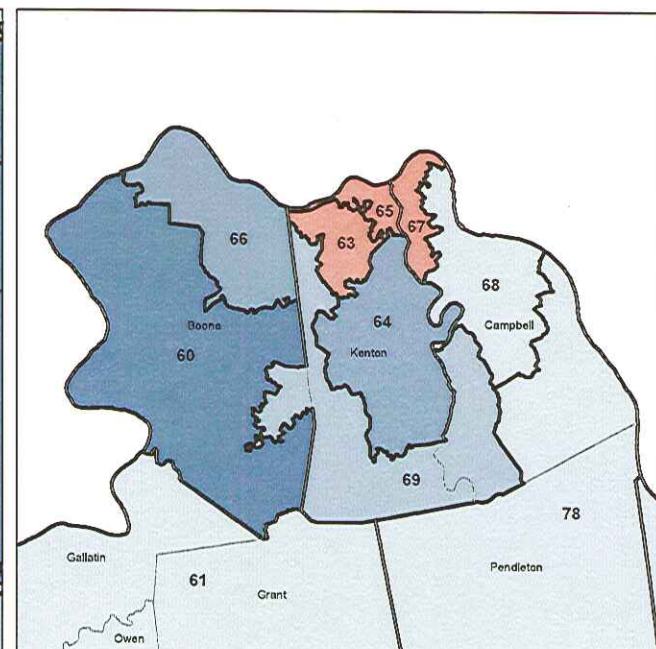
House District Population Change 2000-2010



Fayette County



Jefferson County



Northern Kentucky

2010 State Population: 4,339,367

Plaintiffs' Exhibit 9

Population Summary Report

Malapportioned 2002 Kentucky State House Plan -- 2010 Census

District	Population	Dev.	% Dev.	NH DOJ_Blk	% NH DOJ_Blk	Hispanic	% Hispanic	Minority	% Minority	18+_Pop	NH18+ DOJ_Blk	% NH18+ DOJ_Blk	Any Part Black 18+	% Any Part Black 18+	Hispanic 18+	% Hispanic 18+	Minority 18+	% Minority 18+
001	37943	-5451	-12.56%	2977	7.85%	473	1.25%	3997	10.53%	29639	2080	7.02%	2106	7.11%	279	0.94%	2752	9.29%
002	41936	-1458	-3.36%	2008	4.79%	2174	5.18%	4733	11.29%	31751	1252	3.94%	1285	4.05%	1256	3.96%	2880	9.07%
003	37972	-5422	-12.49%	7121	18.75%	973	2.56%	8912	23.47%	29492	4664	15.81%	4740	16.07%	595	2.02%	5808	19.69%
004	39505	-3889	-8.96%	1087	2.75%	410	1.04%	1992	5.04%	30830	694	2.25%	718	2.33%	255	0.83%	1295	4.20%
005	41952	-1442	-3.32%	1772	4.22%	964	2.30%	3849	9.17%	34353	1281	3.73%	1319	3.84%	648	1.89%	2847	8.29%
006	41978	-1416	-3.26%	570	1.36%	462	1.10%	1527	3.64%	33689	465	1.38%	476	1.41%	297	0.88%	1122	3.33%
007	39972	-3422	-7.89%	3762	9.41%	1110	2.78%	5447	13.63%	30150	2632	8.73%	2657	8.81%	670	2.22%	3676	12.19%
008	41126	-2268	-5.23%	11517	28.00%	1159	2.82%	13487	32.79%	30828	7832	25.41%	7911	25.66%	693	2.25%	9077	29.44%
009	38297	-5097	-11.75%	5713	14.92%	3426	8.95%	10832	28.28%	26187	3565	13.61%	3805	14.53%	1943	7.42%	6607	25.23%
010	38450	-4944	-11.39%	3356	8.73%	663	1.72%	4607	11.98%	29676	2173	7.32%	2202	7.42%	377	1.27%	2965	9.99%
011	39906	-3488	-8.04%	3946	9.89%	772	1.93%	5227	13.10%	30584	2663	8.71%	2702	8.83%	450	1.47%	3442	11.25%
012	38045	-5349	-12.33%	929	2.44%	844	2.22%	2159	5.67%	28927	649	2.24%	669	2.31%	467	1.61%	1387	4.79%
013	42376	-1018	-2.35%	3483	8.22%	1183	2.79%	5400	12.74%	32931	2127	6.46%	2175	6.60%	669	2.03%	3268	9.92%
014	45708	2314	5.33%	553	1.21%	1105	2.42%	2217	4.85%	33940	314	0.93%	329	0.97%	634	1.87%	1303	3.84%
015	38558	-4836	-11.14%	1732	4.49%	451	1.17%	2552	6.62%	29978	1333	4.45%	1353	4.51%	264	0.88%	1870	6.24%
016	39295	-4099	-9.45%	2983	7.59%	1145	2.91%	4564	11.61%	29314	2016	6.88%	2052	7.00%	667	2.28%	2970	10.13%
017	42990	-404	-0.93%	419	0.97%	644	1.50%	1555	3.62%	32813	285	0.87%	298	0.91%	429	1.31%	1069	3.26%
018	43650	256	0.59%	1069	2.45%	730	1.67%	2419	5.54%	32787	649	1.98%	697	2.13%	391	1.19%	1476	4.50%
019	44553	1159	2.67%	1717	3.85%	762	1.71%	2953	6.63%	33976	1242	3.66%	1265	3.72%	453	1.33%	2055	6.05%
020	52049	8655	19.95%	6262	12.03%	2516	4.83%	11676	22.43%	42149	4711	11.18%	4824	11.45%	1620	3.84%	8356	19.82%
021	52240	8846	20.39%	4656	8.91%	2513	4.81%	8593	16.45%	38706	3055	7.89%	3107	8.03%	1451	3.75%	5421	14.01%
022	46341	2947	6.79%	2293	4.95%	762	1.64%	3830	8.26%	34829	1558	4.47%	1598	4.59%	411	1.18%	2529	7.26%
023	42618	-776	-1.79%	1931	4.53%	1115	2.62%	3601	8.45%	32281	1284	3.98%	1307	4.05%	665	2.06%	2312	7.16%
024	41610	-1784	-4.11%	1942	4.67%	946	2.27%	3306	7.95%	31532	1403	4.45%	1435	4.55%	560	1.78%	2266	7.19%
025	51532	8138	18.75%	4085	7.93%	1619	3.14%	7423	14.40%	38477	2633	6.84%	2739	7.12%	946	2.46%	4722	12.27%
026	41345	-2049	-4.72%	8017	19.39%	2893	7.00%	13582	32.85%	30246	5281	17.46%	5598	18.51%	1729	5.72%	8848	29.25%
027	44833	1439	3.32%	1882	4.20%	1549	3.46%	4613	10.29%	32826	1205	3.67%	1282	3.91%	937	2.85%	2939	8.95%
028	41513	-1881	-4.33%	2789	6.72%	867	2.09%	4515	10.88%	31521	1694	5.37%	1754	5.56%	527	1.67%	2794	8.86%
029	58348	14954	34.46%	4305	7.38%	1698	2.91%	7557	12.95%	44118	2787	6.32%	2890	6.55%	1032	2.34%	4842	10.98%
030	45313	1919	4.42%	17446	38.50%	3842	8.48%	23021	50.80%	34163	12068	35.32%	12429	36.38%	2514	7.36%	15775	46.18%
031	42708	-686	-1.58%	6076	14.23%	2266	5.31%	9618	22.52%	33644	4235	12.59%	4376	13.01%	1487	4.42%	6647	19.76%
032	43944	550	1.27%	3341	7.60%	2010	4.57%	7825	17.81%	35704	2428	6.80%	2514	7.04%	1360	3.81%	5614	15.72%
033	48397	5003	11.53%	3260	6.74%	1599	3.30%	7116	14.70%	36881	2306	6.25%	2386	6.47%	1022	2.77%	4808	13.04%
034	40961	-2433	-5.61%	1320	3.22%	796	1.94%	3228	7.88%	34042	982	2.88%	1056	3.10%	565	1.66%	2335	6.86%
035	40267	-3127	-7.21%	3722	9.24%	2655	6.59%	7351	18.26%	31511	2299	7.30%	2442	7.75%	1716	5.45%	4730	15.01%
036	45022	1628	3.75%	1066	2.37%	896	1.99%	2650	5.89%	34398	732	2.13%	776	2.26%	541	1.57%	1766	5.13%
037	37367	-6027	-13.89%	5646	15.11%	3935	10.53%	12274	32.85%	27871	3438	12.34%	3668	13.16%	2613	9.38%	7837	28.12%
038	38015	-5379	-12.40%	6333	16.66%	2370	6.23%	10113	26.60%	28714	3807	13.26%	3993	13.91%	1609	5.60%	6361	22.15%
039	49138	5744	13.24%	1863	3.79%	1374	2.80%	4303	8.76%	36463	1104	3.03%	1142	3.13%	818	2.24%	2606	7.15%
040	38434	-4960	-11.43%	16315	42.45%	1537	4.00%	19216	50.00%	29670	11144	37.56%	11369	38.32%	1025	3.45%	13185	44.44%
041	38072	-5322	-12.26%	19613	51.52%	884	2.32%	21719	57.05%	29457	13668	46.40%	13925	47.27%	671	2.28%	15273	51.85%
042	37649	-5745	-13.24%	21419	56.89%	577	1.53%	22818	60.61%	29196	15241	52.20%	15475	53.00%	398	1.36%	16252	55.67%
043	35580	-7814	-18.01%	20417	57.38%	410	1.15%	21474	60.35%	26610	14515	54.55%	14721	55.32%	286	1.07%	15255	57.33%
044	41454	-1940	-4.47%	11269	27.18%	993	2.40%	13047	31.47%	31287	7549	24.13%	7674	24.53%	610	1.95%	8707	27.83%

Population Summary Report

Malapportioned 2002 Kentucky State House Plan -- 2010 Census

District	Population	Dev.	% Dev.	NH DOJ_BIK	% NH DOJ_BIK	Hispanic	% Hispanic	Minority	% Minority	18+_Pop	NH18+ DOJ_BIK	% NH18+ DOJ_BIK	Any Part Black 18+	% Any Part Black 18+	Hispanic 18+	% Hispanic 18+	Minority 18+	% Minority 18+
045	50581	7187	16.56%	2316	4.58%	1440	2.85%	7359	14.55%	37820	1470	3.89%	1554	4.11%	880	2.33%	4666	12.34%
046	50103	6709	15.46%	9385	18.73%	3949	7.88%	14836	29.61%	37660	6166	16.37%	6416	17.04%	2607	6.92%	9749	25.89%
047	46003	2609	6.01%	1202	2.61%	2276	4.95%	4206	9.14%	34200	791	2.31%	836	2.44%	1376	4.02%	2648	7.74%
048	57316	13922	32.08%	5142	8.97%	1943	3.39%	10683	18.64%	43146	3600	8.34%	3723	8.63%	1261	2.92%	7226	16.75%
049	50626	7232	16.67%	501	0.99%	769	1.52%	2125	4.20%	37775	263	0.70%	285	0.75%	459	1.22%	1324	3.50%
050	49478	6084	14.02%	2550	5.15%	940	1.90%	4149	8.39%	36658	1629	4.44%	1647	4.49%	487	1.33%	2574	7.02%
051	43168	-226	-0.52%	2014	4.67%	752	1.74%	3281	7.60%	33497	1448	4.32%	1466	4.38%	465	1.39%	2285	6.82%
052	44854	1460	3.36%	1477	3.29%	1170	2.61%	3314	7.39%	34561	1261	3.65%	1341	3.88%	780	2.26%	2556	7.40%
053	39176	-4218	-9.72%	958	2.45%	626	1.60%	1933	4.93%	30138	653	2.17%	667	2.21%	338	1.12%	1253	4.16%
054	40149	-3245	-7.48%	3220	8.02%	1189	2.96%	5044	12.56%	31277	2288	7.32%	2327	7.44%	719	2.30%	3414	10.92%
055	45145	1751	4.04%	1506	3.34%	800	1.77%	2933	6.50%	34083	985	2.89%	1012	2.97%	444	1.30%	1843	5.41%
056	43948	554	1.28%	2698	6.14%	2981	6.78%	6492	14.77%	34127	1939	5.68%	1991	5.83%	1883	5.52%	4349	12.74%
057	38989	-4405	-10.15%	4976	12.76%	1127	2.89%	7034	18.04%	30490	3700	12.14%	3781	12.40%	703	2.31%	5070	16.63%
058	55670	12276	28.29%	3686	6.62%	4022	7.22%	8633	15.51%	41696	2555	6.13%	2667	6.40%	2466	5.91%	5596	13.42%
059	55004	11610	26.75%	3926	7.14%	1527	2.78%	7219	13.12%	39699	2945	7.42%	3036	7.65%	914	2.30%	4920	12.39%
060	61922	18528	42.70%	1645	2.66%	2112	3.41%	5983	9.66%	43989	975	2.22%	1025	2.33%	1246	2.83%	3603	8.19%
061	44092	698	1.61%	538	1.22%	1195	2.71%	2228	5.05%	32203	318	0.99%	340	1.06%	649	2.02%	1327	4.12%
062	58232	14838	34.19%	4849	8.33%	4699	8.07%	10713	18.40%	43184	3431	7.95%	3541	8.20%	2929	6.78%	7129	16.51%
063	40380	-3014	-6.95%	865	2.14%	713	1.77%	2653	6.57%	31076	565	1.82%	586	1.89%	475	1.53%	1749	5.63%
064	49008	5614	12.94%	948	1.93%	700	1.43%	2489	5.08%	35526	487	1.37%	506	1.42%	384	1.08%	1369	3.85%
065	35617	-7777	-17.92%	5276	14.81%	1414	3.97%	7451	20.92%	27783	3251	11.70%	3361	12.10%	917	3.30%	4698	16.91%
066	52522	9128	21.04%	1923	3.66%	2025	3.86%	5642	10.74%	38045	1104	2.90%	1174	3.09%	1256	3.30%	3457	9.09%
067	37613	-5781	-13.32%	2289	6.09%	997	2.65%	4017	10.68%	29685	1406	4.74%	1472	4.96%	681	2.29%	2615	8.81%
068	42414	-980	-2.26%	566	1.33%	452	1.07%	1722	4.06%	32419	342	1.05%	355	1.10%	283	0.87%	1115	3.44%
069	43827	433	1.00%	1748	3.99%	1490	3.40%	4022	9.18%	32134	960	2.99%	991	3.08%	851	2.65%	2328	7.24%
070	40326	-3068	-7.07%	1570	3.89%	493	1.22%	2531	6.28%	30403	1042	3.43%	1064	3.50%	248	0.82%	1581	5.20%
071	38856	-4538	-10.46%	961	2.47%	349	0.90%	1764	4.54%	30322	797	2.63%	816	2.69%	238	0.78%	1368	4.51%
072	40906	-2488	-5.73%	1875	4.58%	1848	4.52%	4134	10.11%	31033	1290	4.16%	1319	4.25%	1099	3.54%	2673	8.61%
073	43459	65	0.15%	2062	4.74%	1076	2.48%	3686	8.48%	33122	1384	4.18%	1416	4.28%	601	1.81%	2352	7.10%
074	43768	374	0.86%	938	2.14%	818	1.87%	2204	5.04%	33009	676	2.05%	698	2.11%	516	1.56%	1497	4.54%
075	41422	-1972	-4.54%	3868	9.34%	1450	3.50%	7825	18.89%	36984	3130	8.46%	3255	8.80%	1070	2.89%	6396	17.29%
076	44546	1152	2.65%	6921	15.54%	2692	6.04%	11160	25.05%	35205	4568	12.98%	4720	13.41%	1752	4.98%	7419	21.07%
077	48639	5245	12.09%	17757	36.51%	7149	14.70%	26264	54.00%	37207	12991	34.92%	13331	35.83%	4663	12.53%	18644	50.11%
078	41569	-1825	-4.21%	604	1.45%	524	1.26%	1503	3.62%	31339	363	1.16%	385	1.23%	303	0.97%	944	3.01%
079	38306	-5088	-11.73%	6027	15.73%	2331	6.09%	10089	26.34%	30490	3794	12.44%	3939	12.92%	1531	5.02%	6635	21.76%
080	44415	1021	2.35%	717	1.61%	506	1.14%	1713	3.86%	33737	459	1.36%	475	1.41%	288	0.85%	1103	3.27%
081	46960	3566	8.22%	3393	7.23%	1135	2.42%	5766	12.28%	37788	2498	6.61%	2577	6.82%	753	1.99%	4156	11.00%
082	42490	-904	-2.08%	334	0.79%	386	0.91%	1346	3.17%	32322	216	0.67%	225	0.70%	237	0.73%	914	2.83%
083	46457	3063	7.06%	563	1.21%	1268	2.73%	2485	5.35%	35976	342	0.95%	367	1.02%	791	2.20%	1607	4.47%
084	40195	-3199	-7.37%	883	2.20%	277	0.69%	1634	4.07%	31289	567	1.81%	579	1.85%	149	0.48%	1070	3.42%
085	46596	3202	7.38%	519	1.11%	780	1.67%	1954	4.19%	35807	303	0.85%	324	0.90%	455	1.27%	1244	3.47%
086	43057	-337	-0.78%	486	1.13%	401	0.93%	1438	3.34%	32352	318	0.98%	326	1.01%	209	0.65%	917	2.83%
087	38913	-4481	-10.33%	1115	2.87%	256	0.66%	1866	4.80%	30399	750	2.47%	764	2.51%	159	0.52%	1294	4.26%
088	49790	6396	14.74%	5531	11.11%	1407	2.83%	9614	19.31%	37573	3477	9.25%	3583	9.54%	889	2.37%	6201	16.50%

Population Summary Report

Malapportioned 2002 Kentucky State House Plan -- 2010 Census

District	Population	Dev.	% Dev.	NH DOJ_BIK	% NH DOJ_BIK	Hispanic	% Hispanic	Minority	% Minority	18+ Pop	NH18+ DOJ_BIK	% NH18+ DOJ_BIK	Any Part Black 18+	% Any Part Black 18+	Hispanic 18+	% Hispanic 18+	Minority 18+	% Minority 18+
089	42731	-663	-1.53%	378	0.88%	425	0.99%	1251	2.93%	32745	216	0.66%	237	0.72%	260	0.79%	814	2.49%
090	37809	-5585	-12.87%	1012	2.68%	465	1.23%	1779	4.71%	29547	856	2.90%	882	2.99%	380	1.29%	1476	5.00%
091	36437	-6957	-16.03%	297	0.82%	248	0.68%	891	2.45%	28340	219	0.77%	226	0.80%	160	0.56%	623	2.20%
092	40191	-3203	-7.38%	193	0.48%	239	0.59%	686	1.71%	31174	121	0.39%	125	0.40%	148	0.47%	468	1.50%
093	38421	-4973	-11.46%	159	0.41%	228	0.59%	675	1.76%	29823	74	0.25%	80	0.27%	143	0.48%	427	1.43%
094	42026	-1368	-3.15%	514	1.22%	330	0.79%	1329	3.16%	32840	344	1.05%	353	1.07%	200	0.61%	910	2.77%
095	36945	-6449	-14.86%	343	0.93%	210	0.57%	803	2.17%	28602	257	0.90%	265	0.93%	121	0.42%	586	2.05%
096	41590	-1804	-4.16%	256	0.62%	399	0.96%	1010	2.43%	31778	152	0.48%	159	0.50%	232	0.73%	647	2.04%
097	40179	-3215	-7.41%	996	2.48%	510	1.27%	1888	4.70%	31354	940	3.00%	957	3.05%	443	1.41%	1687	5.38%
098	38852	-4542	-10.47%	364	0.94%	291	0.75%	1184	3.05%	30162	218	0.72%	229	0.76%	172	0.57%	786	2.61%
099	41007	-2387	-5.50%	629	1.53%	311	0.76%	1335	3.26%	32468	509	1.57%	533	1.64%	205	0.63%	1034	3.18%
100	37710	-5684	-13.10%	1566	4.15%	654	1.73%	2846	7.55%	29794	1174	3.94%	1249	4.19%	469	1.57%	2092	7.02%
Total	4339367		60.71%	363017	8.37%	132836	3.06%	593712	13.68%	3315996	247620	7.47%	254797	7.68%	82887	2.50%	398477	12.02%

Population Summary Report

Malapportioned 2002 Kentucky State House Plan -- 2010 Census

District	Group Quarters Incarcerated	% Group Quarters Incarcerated	Group Quarters College Dorms	% Group Quarters College Dorms	Group Quarters Military	% Group Quarters Military	State / Federal Prisoners	% State / Federal Prisoners
001	526	1.39%	0	0.00%	0	0.00%	0	0.00%
002	82	0.20%	85	0.20%	0	0.00%	0	0.00%
003	435	1.15%	0	0.00%	0	0.00%	0	0.00%
004	166	0.42%	0	0.00%	0	0.00%	0	0.00%
005	138	0.33%	2531	6.03%	0	0.00%	0	0.00%
006	1160	2.76%	0	0.00%	0	0.00%	998	2.38%
007	201	0.50%	0	0.00%	0	0.00%	0	0.00%
008	587	1.43%	0	0.00%	0	0.00%	0	0.00%
009	0	0.00%	0	0.00%	3843	10.03%	0	0.00%
010	450	1.17%	0	0.00%	0	0.00%	0	0.00%
011	544	1.36%	0	0.00%	0	0.00%	0	0.00%
012	245	0.64%	0	0.00%	0	0.00%	0	0.00%
013	638	1.51%	492	1.16%	0	0.00%	0	0.00%
014	71	0.16%	0	0.00%	0	0.00%	0	0.00%
015	1214	3.15%	29	0.08%	0	0.00%	949	2.46%
016	219	0.56%	0	0.00%	0	0.00%	0	0.00%
017	656	1.53%	0	0.00%	0	0.00%	0	0.00%
018	200	0.46%	10	0.02%	0	0.00%	0	0.00%
019	271	0.61%	3	0.01%	0	0.00%	0	0.00%
020	601	1.15%	4657	8.95%	0	0.00%	0	0.00%
021	0	0.00%	0	0.00%	0	0.00%	0	0.00%
022	277	0.60%	0	0.00%	0	0.00%	0	0.00%
023	133	0.31%	0	0.00%	0	0.00%	0	0.00%
024	1353	3.25%	0	0.00%	0	0.00%	785	1.89%
025	625	1.21%	0	0.00%	0	0.00%	0	0.00%
026	0	0.00%	0	0.00%	0	0.00%	0	0.00%
027	412	0.92%	0	0.00%	2013	4.49%	265	0.59%
028	0	0.00%	0	0.00%	0	0.00%	0	0.00%
029	0	0.00%	6	0.01%	0	0.00%	0	0.00%
030	0	0.00%	0	0.00%	0	0.00%	0	0.00%
031	0	0.00%	0	0.00%	0	0.00%	0	0.00%
032	0	0.00%	0	0.00%	0	0.00%	0	0.00%
033	0	0.00%	0	0.00%	0	0.00%	0	0.00%
034	0	0.00%	1204	2.94%	0	0.00%	0	0.00%
035	0	0.00%	0	0.00%	0	0.00%	0	0.00%
036	0	0.00%	464	1.03%	0	0.00%	0	0.00%
037	0	0.00%	0	0.00%	0	0.00%	0	0.00%
038	141	0.37%	0	0.00%	0	0.00%	141	0.37%
039	189	0.38%	1111	2.26%	0	0.00%	0	0.00%
040	69	0.18%	1983	5.16%	0	0.00%	0	0.00%
041	2101	5.52%	92	0.24%	0	0.00%	0	0.00%
042	39	0.10%	0	0.00%	0	0.00%	0	0.00%
043	312	0.88%	22	0.06%	0	0.00%	223	0.63%
044	0	0.00%	0	0.00%	0	0.00%	0	0.00%

Population Summary Report

Malapportioned 2002 Kentucky State House Plan -- 2010 Census

District	Group Quarters Incarcerated	% Group Quarters Incarcerated	Group Quarters College Dorms	% Group Quarters College Dorms	Group Quarters Military	% Group Quarters Military	State / Federal Prisoners	% State / Federal Prisoners
045	0	0.00%	0	0.00%	0	0.00%	0	0.00%
046	0	0.00%	0	0.00%	0	0.00%	0	0.00%
047	269	0.58%	0	0.00%	0	0.00%	0	0.00%
048	0	0.00%	0	0.00%	0	0.00%	0	0.00%
049	0	0.00%	0	0.00%	0	0.00%	0	0.00%
050	100	0.20%	0	0.00%	0	0.00%	0	0.00%
051	289	0.67%	1456	3.37%	0	0.00%	0	0.00%
052	1925	4.29%	0	0.00%	0	0.00%	1715	3.82%
053	26	0.07%	0	0.00%	0	0.00%	0	0.00%
054	707	1.76%	1256	3.13%	0	0.00%	497	1.24%
055	0	0.00%	0	0.00%	0	0.00%	0	0.00%
056	527	1.20%	271	0.62%	0	0.00%	461	1.05%
057	53	0.14%	916	2.35%	0	0.00%	0	0.00%
058	1042	1.87%	0	0.00%	0	0.00%	721	1.30%
059	4084	7.42%	0	0.00%	0	0.00%	4084	7.42%
060	432	0.70%	0	0.00%	0	0.00%	378	0.61%
061	288	0.65%	0	0.00%	0	0.00%	0	0.00%
062	936	1.61%	2166	3.72%	0	0.00%	863	1.48%
063	0	0.00%	272	0.67%	0	0.00%	0	0.00%
064	0	0.00%	0	0.00%	0	0.00%	0	0.00%
065	498	1.40%	0	0.00%	0	0.00%	0	0.00%
066	0	0.00%	0	0.00%	0	0.00%	0	0.00%
067	562	1.49%	1496	3.98%	0	0.00%	0	0.00%
068	0	0.00%	0	0.00%	0	0.00%	0	0.00%
069	0	0.00%	0	0.00%	0	0.00%	0	0.00%
070	164	0.41%	0	0.00%	0	0.00%	0	0.00%
071	1880	4.84%	19	0.05%	0	0.00%	1871	4.82%
072	124	0.30%	5	0.01%	0	0.00%	0	0.00%
073	179	0.41%	15	0.03%	0	0.00%	0	0.00%
074	241	0.55%	0	0.00%	0	0.00%	0	0.00%
075	30	0.07%	6293	15.19%	0	0.00%	0	0.00%
076	0	0.00%	0	0.00%	0	0.00%	0	0.00%
077	1809	3.72%	37	0.08%	0	0.00%	1761	3.62%
078	0	0.00%	0	0.00%	0	0.00%	0	0.00%
079	0	0.00%	0	0.00%	0	0.00%	0	0.00%
080	200	0.45%	0	0.00%	0	0.00%	0	0.00%
081	264	0.56%	4429	9.43%	0	0.00%	0	0.00%
082	234	0.55%	997	2.35%	0	0.00%	0	0.00%
083	271	0.58%	0	0.00%	0	0.00%	0	0.00%
084	355	0.88%	0	0.00%	0	0.00%	0	0.00%
085	0	0.00%	0	0.00%	0	0.00%	0	0.00%
086	53	0.12%	301	0.70%	0	0.00%	0	0.00%
087	390	1.00%	288	0.74%	0	0.00%	0	0.00%
088	0	0.00%	0	0.00%	0	0.00%	0	0.00%

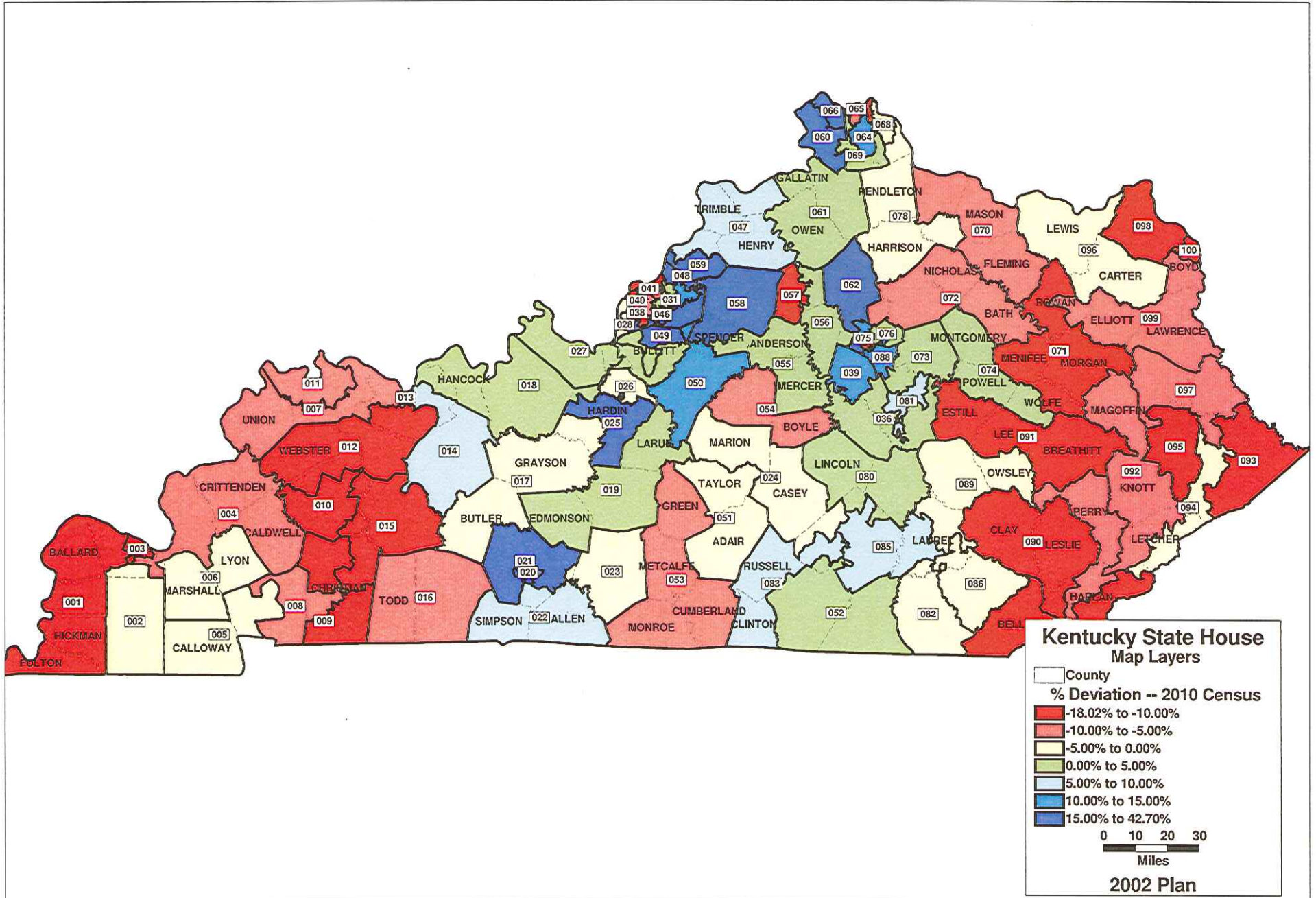
Population Summary Report

Malapportioned 2002 Kentucky State House Plan -- 2010 Census

District	Group Quarters Incarcerated	% Group Quarters Incarcerated	Group Quarters College Dorms	% Group Quarters College Dorms	Group Quarters Military	% Group Quarters Military	State / Federal Prisoners	% State / Federal Prisoners
089	362	0.85%	0	0.00%	0	0.00%	0	0.00%
090	2030	5.37%	190	0.50%	0	0.00%	1627	4.30%
091	1036	2.84%	59	0.16%	0	0.00%	823	2.26%
092	0	0.00%	393	0.98%	0	0.00%	0	0.00%
093	0	0.00%	0	0.00%	0	0.00%	0	0.00%
094	377	0.90%	271	0.64%	0	0.00%	0	0.00%
095	363	0.98%	0	0.00%	0	0.00%	209	0.57%
096	208	0.50%	357	0.86%	0	0.00%	0	0.00%
097	1810	4.50%	0	0.00%	0	0.00%	1594	3.97%
098	130	0.33%	0	0.00%	0	0.00%	0	0.00%
099	1086	2.65%	2164	5.28%	0	0.00%	998	2.43%
100	1733	4.60%	0	0.00%	0	0.00%	1553	4.12%
Total	41122	0.95%	36340	0.84%	5856	0.13%	22516	0.52%

Notes: Group quarters data are from the Census 2010 Advance Group Quarters File.
 State/Federal prisoner count calculated by Prison Policy Initiative from proprietary database

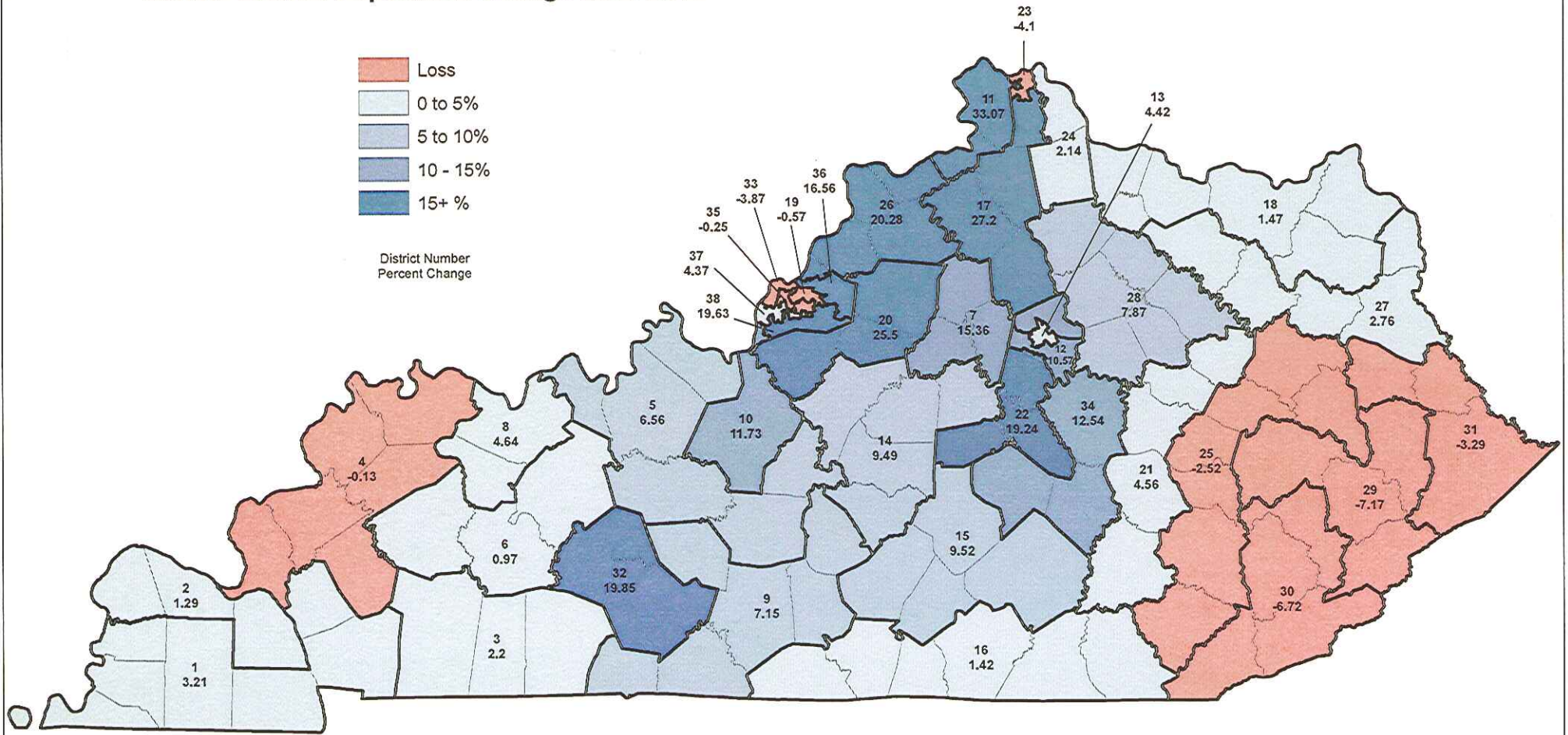
Plaintiffs' Exhibit 10



Plaintiffs' Exhibit 11

Plaintiffs' Exhibit 13

Senate District Population Change 2000-2010



2010 State Population: 4,339,367

Plaintiffs' Exhibit 14

Population Summary Report

Malapportioned 2002 Kentucky Senate Plan -- 2010 Census

District	Population	Dev.	% Dev.	NH DOJ_Bik	% NH DOJ_Bik	Hispanic	% Hispanic	Minority	% Minority	18+_Pop	NH18+ DOJ_Bik	% NH18+ DOJ_Bik	Any Part Black 18+	% Any Part Black 18+	Hispanic 18+	% Hispanic 18+	Minority 18+	% Minority 18+
001	113784	-410	-0.36%	7496	6.59%	3434	3.02%	12980	11.41%	89933	5245	5.83%	5332	5.93%	2090	2.32%	8899	9.90%
002	105262	-8932	-7.82%	8242	7.83%	1823	1.73%	11806	11.22%	82188	5374	6.54%	5479	6.67%	1131	1.38%	7704	9.37%
003	113250	-944	-0.83%	19252	17.00%	5686	5.02%	27810	24.56%	82194	12735	15.49%	13090	15.93%	3267	3.97%	17895	21.77%
004	106696	-7498	-6.57%	7482	7.01%	1981	1.86%	10776	10.10%	82242	5274	6.41%	5356	6.51%	1168	1.42%	7334	8.92%
005	115364	1170	1.02%	3566	3.09%	2048	1.78%	7291	6.32%	86420	2381	2.76%	2461	2.85%	1166	1.35%	4712	5.45%
006	102261	-11933	-10.45%	5362	5.24%	1945	1.90%	8489	8.30%	78615	3660	4.66%	3724	4.74%	1118	1.42%	5627	7.16%
007	128013	13819	12.10%	14005	10.94%	6487	5.07%	23212	18.13%	98792	10143	10.27%	10432	10.56%	4073	4.12%	16117	16.31%
008	106187	-8007	-7.01%	5709	5.38%	2631	2.48%	9904	9.33%	80357	3462	4.31%	3534	4.40%	1484	1.85%	5940	7.39%
009	112974	-1220	-1.07%	4590	4.06%	2106	1.86%	8079	7.15%	85978	3110	3.62%	3180	3.70%	1219	1.42%	5323	6.19%
010	120533	6339	5.55%	13909	11.54%	5617	4.66%	24755	20.54%	89257	9073	10.17%	9576	10.73%	3385	3.79%	16012	17.94%
011	137257	23063	20.20%	4152	3.02%	4844	3.53%	13532	9.86%	99129	2449	2.47%	2586	2.61%	2947	2.97%	8315	8.39%
012	115570	1376	1.20%	13324	11.53%	5054	4.37%	24951	21.59%	89529	8482	9.47%	8801	9.83%	3293	3.68%	16327	18.24%
013	115700	1506	1.32%	23838	20.60%	11542	9.98%	39861	34.45%	94844	17451	18.40%	17958	18.93%	7610	8.02%	28686	30.25%
014	120817	6623	5.80%	7455	6.17%	2686	2.22%	11690	9.68%	91427	5116	5.60%	5189	5.68%	1520	1.66%	7697	8.42%
015	115239	1045	0.92%	1720	1.49%	2600	2.26%	5736	4.98%	88987	1119	1.26%	1164	1.31%	1561	1.75%	3697	4.15%
016	102847	-11347	-9.94%	2271	2.21%	1886	1.83%	5491	5.34%	79004	1804	2.28%	1906	2.41%	1205	1.53%	4028	5.10%
017	133729	19535	17.11%	4090	3.06%	3563	2.66%	9848	7.36%	96955	2533	2.61%	2616	2.70%	2043	2.11%	5960	6.15%
018	106760	-7434	-6.51%	1976	1.85%	1049	0.98%	4259	3.99%	81716	1264	1.55%	1299	1.59%	581	0.71%	2731	3.34%
019	110306	-3888	-3.40%	8977	8.14%	4074	3.69%	16603	15.05%	89575	6271	7.00%	6533	7.29%	2760	3.08%	11642	13.00%
020	133454	19260	16.87%	4429	3.32%	5089	3.81%	11728	8.79%	99842	2948	2.95%	3091	3.10%	3092	3.10%	7538	7.55%
021	105934	-8260	-7.23%	863	0.81%	1085	1.02%	3177	3.00%	80533	495	0.61%	539	0.67%	664	0.82%	2080	2.58%
022	126095	11901	10.42%	6392	5.07%	3285	2.61%	13381	10.61%	94845	4189	4.42%	4308	4.54%	1976	2.08%	8564	9.03%
023	98810	-15384	-13.47%	7494	7.58%	3212	3.25%	12726	12.88%	75630	4532	5.99%	4693	6.21%	1966	2.60%	7835	10.36%
024	105213	-8981	-7.86%	2977	2.83%	1638	1.56%	6286	5.97%	80933	1806	2.23%	1894	2.34%	1071	1.32%	4062	5.02%
025	100866	-13328	-11.67%	2261	2.24%	1013	1.00%	4254	4.22%	77833	1922	2.47%	1968	2.53%	716	0.92%	3377	4.34%
026	134003	19809	17.35%	6733	5.02%	4648	3.47%	16246	12.12%	99368	4960	4.99%	5152	5.18%	2873	2.89%	10967	11.04%
027	110935	-3259	-2.85%	2616	2.36%	1296	1.17%	5293	4.77%	86993	1941	2.23%	2052	2.36%	873	1.00%	3814	4.38%
028	119669	5475	4.79%	4846	4.05%	3511	2.93%	9622	8.04%	90816	3311	3.65%	3393	3.74%	2054	2.26%	6230	6.86%
029	94194	-20000	-17.51%	649	0.69%	531	0.56%	1860	1.97%	73134	428	0.59%	443	0.61%	315	0.43%	1266	1.73%
030	97991	-16203	-14.19%	2157	2.20%	633	0.65%	3890	3.97%	76415	1415	1.85%	1444	1.89%	369	0.48%	2632	3.44%
031	101309	-12885	-11.28%	1484	1.46%	943	0.93%	3445	3.40%	79040	1239	1.57%	1268	1.60%	709	0.90%	2721	3.44%
032	126482	12288	10.76%	11260	8.90%	5496	4.35%	21493	16.99%	97644	7969	8.16%	8137	8.33%	3370	3.45%	14562	14.91%
033	98815	-15379	-13.47%	63674	64.44%	1767	1.79%	67519	68.33%	74233	44880	60.46%	45529	61.33%	1240	1.67%	47656	64.20%
034	124714	10520	9.21%	4935	3.96%	2288	1.83%	9602	7.70%	96807	3498	3.61%	3631	3.75%	1441	1.49%	6658	6.88%
035	106187	-8007	-7.01%	44347	41.76%	6880	6.48%	55128	51.92%	81143	30236	37.26%	31031	38.24%	4566	5.63%	37543	46.27%
036	125909	11715	10.26%	10321	8.20%	4509	3.58%	20696	16.44%	97254	7131	7.33%	7367	7.58%	2896	2.98%	13959	14.35%
037	114317	123	0.11%	16113	14.10%	7005	6.13%	27669	24.20%	87468	10292	11.77%	10316	12.37%	4784	5.47%	18168	20.77%
038	131921	17727	15.52%	12050	9.13%	6951	5.27%	22624	17.15%	98923	7482	7.56%	7825	7.91%	4291	4.34%	14199	14.35%
Total	4339367		37.71%	363017	8.37%	132836	3.06%	593712	13.68%	3315996	247620	7.47%	254797	7.68%	82887	2.50%	398477	12.02%

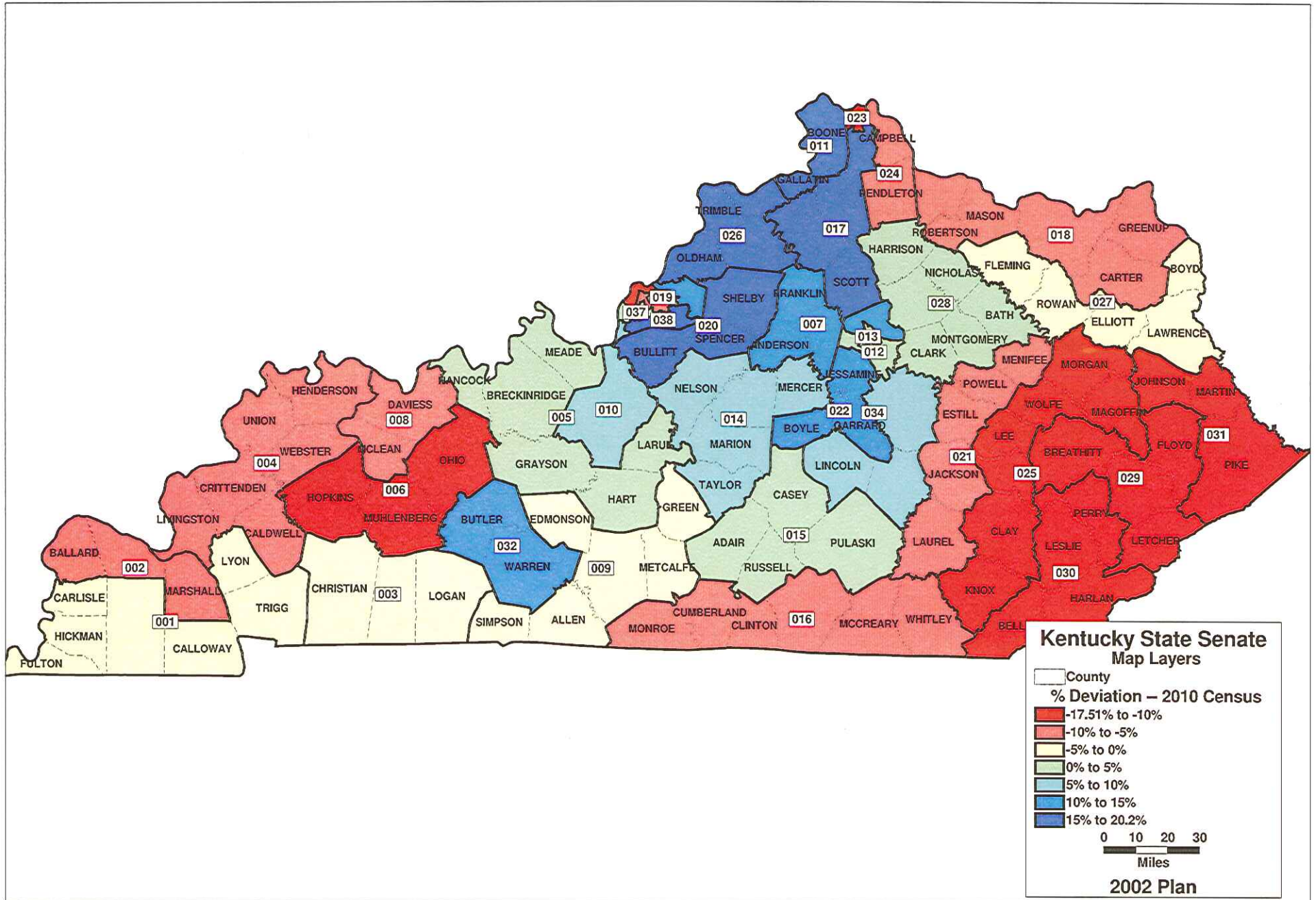
Population Summary Report

Malapportioned 2002 Kentucky Senate Plan -- 2010 Census

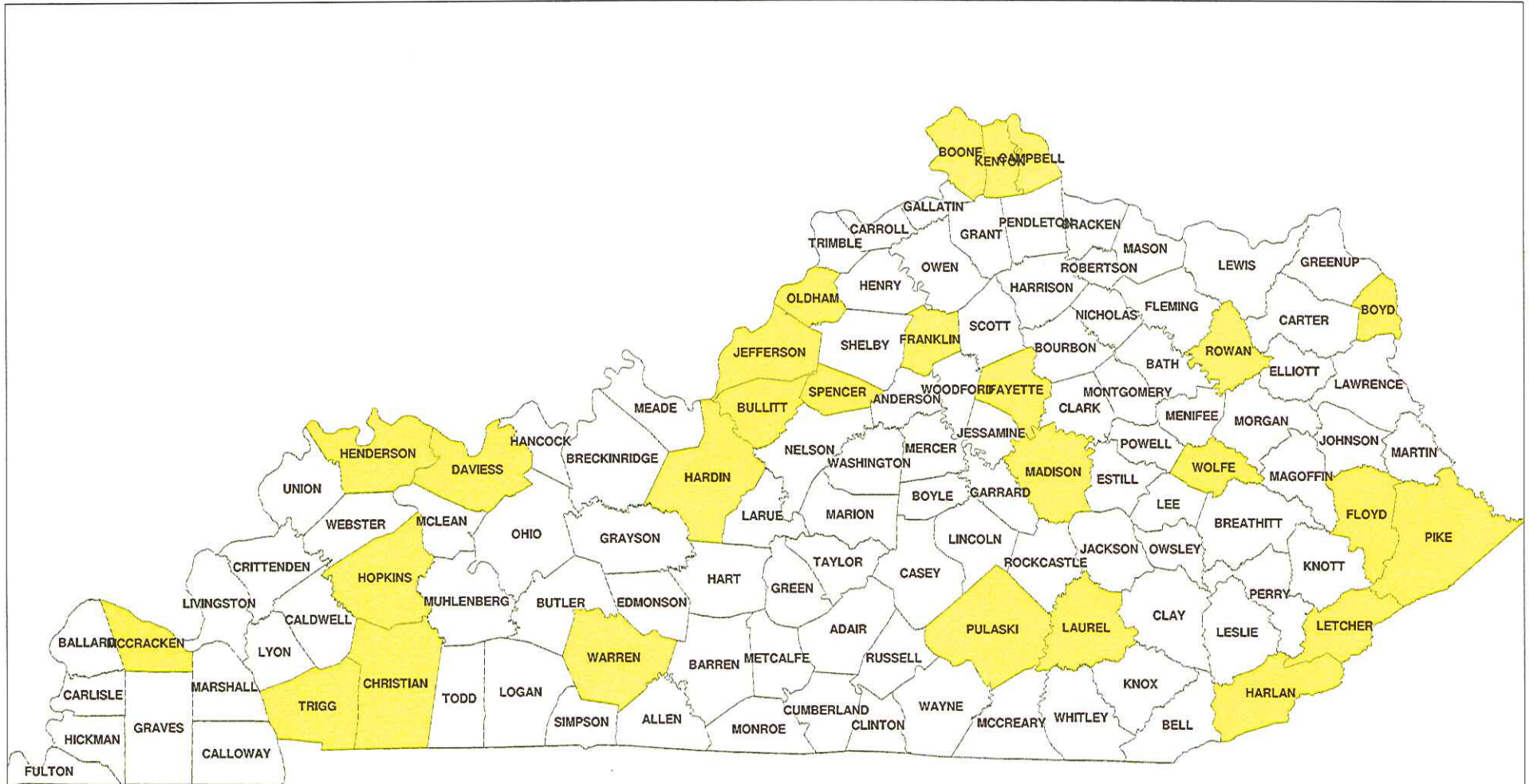
District	Group Quarters Incarcerated	% Group Quarters Incarcerated	Group Quarters College Dorms	% Group Quarters College Dorms	Group Quarters Military	% Group Quarters Military	State / Federal Prisoners	% State / Federal Prisoners
001	1680	1.48%	2616	2.30%	0	0.00%	998	0.88%
002	661	0.63%	0	0.00%	0	0.00%	0	0.00%
003	806	0.71%	0	0.00%	3843	3.39%	0	0.00%
004	998	0.94%	0	0.00%	0	0.00%	0	0.00%
005	1220	1.06%	10	0.01%	0	0.00%	0	0.00%
006	1735	1.70%	29	0.03%	0	0.00%	949	0.93%
007	3183	2.49%	2190	1.71%	0	0.00%	3085	2.41%
008	796	0.75%	492	0.46%	0	0.00%	0	0.00%
009	410	0.36%	3	0.00%	0	0.00%	0	0.00%
010	625	0.52%	0	0.00%	2013	1.67%	0	0.00%
011	432	0.31%	0	0.00%	0	0.00%	378	0.28%
012	0	0.00%	90	0.08%	0	0.00%	0	0.00%
013	97	0.08%	6330	5.47%	0	0.00%	0	0.00%
014	1319	1.09%	879	0.73%	0	0.00%	785	0.65%
015	666	0.58%	761	0.66%	0	0.00%	0	0.00%
016	2213	2.15%	997	0.97%	0	0.00%	1715	1.67%
017	363	0.27%	1073	0.80%	0	0.00%	0	0.00%
018	502	0.47%	357	0.33%	0	0.00%	0	0.00%
019	0	0.00%	1204	1.09%	0	0.00%	0	0.00%
020	1307	0.98%	0	0.00%	0	0.00%	986	0.74%
021	503	0.47%	0	0.00%	0	0.00%	0	0.00%
022	896	0.71%	2183	1.73%	0	0.00%	497	0.39%
023	498	0.50%	272	0.28%	0	0.00%	0	0.00%
024	562	0.53%	1496	1.42%	0	0.00%	0	0.00%
025	4834	4.79%	491	0.49%	0	0.00%	4321	4.28%
026	4353	3.25%	0	0.00%	0	0.00%	4084	3.05%
027	2819	2.54%	2183	1.97%	0	0.00%	2551	2.30%
028	435	0.36%	5	0.00%	0	0.00%	0	0.00%
029	422	0.45%	452	0.48%	0	0.00%	209	0.22%
030	878	0.90%	288	0.29%	0	0.00%	0	0.00%
031	2128	2.10%	271	0.27%	0	0.00%	1594	1.57%
032	655	0.52%	4657	3.68%	0	0.00%	0	0.00%
033	2328	2.36%	114	0.12%	0	0.00%	223	0.23%
034	464	0.37%	4908	3.94%	0	0.00%	0	0.00%
035	193	0.18%	1983	1.87%	0	0.00%	0	0.00%
036	0	0.00%	0	0.00%	0	0.00%	0	0.00%
037	141	0.12%	0	0.00%	0	0.00%	141	0.12%
038	0	0.00%	6	0.00%	0	0.00%	0	0.00%
Total	41122	0.95%	36340	0.84%	5856	0.13%	22516	0.52%

Notes: Group quarters data are from the Census 2010 Advance Group Quarters File.
 State/Federal prisoner count calculated by Prison Policy Initiative from proprietary database

Plaintiffs'
Exhibit
15



Plaintiffs' Exhibit 17



Kentucky Counties Split by Legislative Districts
Map Layers
County
Split Counties
0 10 20 30
Miles
2002 Plan