

American Enterprise Institute

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An Assessment of Voting Rights Progress in Alaska, Michigan, New Hampshire, and South Dakota Executive Summary

By Edward Blum

Alaska, Michigan, New Hampshire, and South Dakota exhibit different levels of progress in Voting Rights. Voter participation in the covered jurisdictions continues to lag for minority voters compared to Anglo whites, but there is contextual evidence of greater Native than white participation in Alaska, and of greater black than white voter participation in Buena Vista Township, Michigan.

There is little evidence of legally significant, racially-polarized voting in Alaska, and Native Alaskans make up over a quarter of all elected legislators (almost all elected Native legislators are candidates of choice). The overwhelmingly-white, covered townships of New Hampshire show lower rates of voter participation than the rest of the state, though a majority of voting age population participated in the covered New Hampshire townships in the 2000 general election. One New Hampshire township covered by Section 5 has no residents as of the 2000 census.

South Dakota shows the least progress of these four states, though the state is poised to attain Native American proportionality in the legislature. What progress has been accomplished on this front is more a product of efforts under section 2 of the Voting Rights Act than of the application of preclearance authority under section 5.

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Assessment of Voting Rights Progress in Alaska, Michigan, New Hampshire, and South Dakota

When the Voting Rights Act was initially passed in 1965, Section 5 did not apply to Alaska, Michigan, New Hampshire or South Dakota. Select counties or townships in three of these states became subject to preclearance under the Voting Rights Act subsequent to the passage of the 1970 or 1975 VRA amendments, which expanded the trigger for coverage. The only exception is Alaska, which is entirely subject to preclearance review based on the 1975 provisions, and which had initially been caught in the trigger of the 1965 Act and was subsequently released in 1966.

Original coverage of a jurisdiction by the preclearance provision of the Voting Rights Act is determined by a formula in Section 4. This formula had two components in the original 1965 Act. First, the state or political subdivision maintained a “test or device” restricting the opportunity to vote as of November 1, 1964.¹ Second, less than half of the state or political subdivision’s voting age population had registered to vote as of November 1, 1964, or had cast a ballot in the 1964 presidential election.

The 1970 reauthorization extended Section 5 coverage to jurisdictions that had a test or device as a prerequisite to registering and in which fewer than half the voting age population had registered to vote or voted in the 1968 presidential election.

The 1975 reauthorization extended the preclearance requirement to address low voting rates among linguistic minorities, defined as “American Indian, Asian American, Alaskan Natives” or people “of Spanish heritage.” The definition of “test or device” was rewritten to encompass the failure to provide election materials in the language of a covered linguistic population in the jurisdiction. Jurisdiction came under coverage if: Over five percent of the voting-age citizens were members of a single language minority group as of November 1, 1972; registration and election materials were provided only in English in 1972; and fewer than 50 percent of the voting-age citizens were registered to vote or voted in the 1972 presidential election.

This report explores the progress on voting rights in the covered portions of four states. As indicated in Table 1, only Alaska is entirely covered by Section 5. In two of the states (Michigan and New Hampshire) it is the smallest possible political subdivision to administer elections— townships within counties – that are subject to preclearance. South Dakota has two counties subject to Section 5 enforcement.

(Table 1 goes here)

Table 2 shows how infrequently the Justice Department has objected to changes in the administration of elections in the four states. The Department of Justice (DOJ) has issued

¹ The Act defined a "test or device" as requirements such as a literacy test, a good character test, or requiring that another registered voter vouch for an applicant's qualifications to vote.

a total of four objections since 1975. Of these, three were in South Dakota and one in Alaska. There have been no preclearance objections in either Michigan or New Hampshire, and since 1995 only South Dakota has encountered even a single objection.

(Table 2 goes here)

ALASKA

Alaska has a little-known history of discrimination and segregation.² A hundred years ago, natives were often systematically excluded from business establishments, with “No Natives” signs often posted, and public accommodations were segregated. Alaska’s Constitution barred many Natives from voting by requiring that registrants speak English, a requirement repealed in 1970. The previous use of this test, when combined with low registration and participation among Native Alaskans, led to coverage under Section 5 of the Voting Rights Act. The state was initially covered by the original trigger but was released from coverage in 1966. With the 1975 amendments, Alaska again came under federal oversight. The only DOJ challenge to a voting change in Alaska, an objection to the state’s legislative districts, came in the early 1990s.

The population of Alaska is nearly 70 percent Anglo and 15.6 percent Native Alaskan. Alaska elects only one member to the US House of Representatives, and the state’s rate of population growth indicates no likelihood of a second district in the foreseeable future.

The initial state legislative districting plan for the current decade, as crafted in 2001, included four state House districts and two state Senate districts with majority-Native populations, and another two state House districts and one Senate district having more than 35 percent Native population. Despite a challenge to the districting scheme by Aleut and other Native American groups, who objected to population equalization driving the map over other communities-of-interest consideration, the map was easily precleared.³ This map was later rejected in March 2002 by the state Supreme Court in an opinion that cited compactness, population deviations, and other communities-of-interest arguments related to social and economic integration. A map satisfactory to the state courts was adopted in May of 2002, by the state’s five-member redistricting board.

Voter Participation

Alaska originally fell under the Voting Rights Act for low voter participation and the use of a test (English language ability) as a qualification to vote. Tables 3 and 4 reveal that, more recently, voter participation as an estimated proportion of voting age population exceeds 50 percent, but that differences between Native and non-Native turnout have emerged in the most recent decade. This change is a consequence of increased

² Ben Speiss, “Racist history put state on fed’s list,” *Anchorage Daily News* (May 1, 2003): B1.

³ Mike Chambers, “Justice approves redistricting plan over Aleut objection.” Associated Press, October 3, 2001.

participation among non-Natives, rather than any downturn in Native participation. As indicated in Table 3, Natives and non-Natives turned out at comparable rates in the 1996 general election. OLS regression estimates indicate slightly higher non-Native than Native turnout, while Ei estimates show slightly higher rates of Native than non-Native participation. In 2000 Ei and OLS estimates indicate slightly higher Native turnout compared to 1996, and analysis for 2004 indicates slightly lower Native turnout. Estimated non-Native turnout jumped substantially, to over two-thirds of the voting age population by 2004.

(Table 3 goes here)

Estimates of localized participation paint a slightly different picture. Lisa Handley estimates Native and non-Native turnout in 1996-1998-2000 for ten contests for state Senate and state House across six different districts. All featured either Anglo-versus-Native or Native-versus-Native general election contests.⁴ The estimates, which appear in Table 4, indicate that Native turnout exceeded non-Native turnout in nine of these ten contests. In three contests Native turnout exceeded 50 percent while a majority of non-Natives turned out only once. Under circumstances generally expected to pique minority interest – the presence of a minority candidate-- the minority turnout usually met or exceeded non-minority voting.

(Table 4 goes here)

Minority Legislators

Democrats were the first to recognize the value of the “Bush” (rural, isolated) vote. In 1966 Mike Gravel, then speaker of the state House, courted the Native vote in a failed US House bid. Those efforts would later pay off in his election to the US Senate. These efforts at courting and mobilizing minority voters created an electoral environment where, by 1972, Natives Americans and Aleuts constituted a quarter of all turnout. By 1972, despite reapportionment which reduced the electoral potential of the rural Alaskan Bush, nine Native American and Eskimo legislators were serving, which at the time accounted for over half of all Native American legislators in the United States.

While legislative districting, especially the one-person, one-vote requirements, has threaten the power of rural, Native communities of interest, it has not impeded the nomination or election of Native Alaskan candidates who are candidates of choice of Native voters. As reported in Table 5, Native legislators held 13 or 14 of the 60 seats in the 1990s. Natives consistently held 20 percent of seats in the state House of Representatives and 25-30 percent of seats in the Senate. These numbers are consistently greater than Alaska’s Native population which stood at 15.4 percent in 2000.

⁴ Lisa Handley, *A Voting Rights Act Evaluation of the Proposed Alaska State Legislative Plans: Measuring the Degree of Racial Bloc Voting and Determining the Effectiveness of Proposed Minority Districts*. Prepared for the Alaska Redistricting Board, July 26, 2001.

(Table 5 goes here)

Vote Choices and Candidates of Choice

In contemporary America, Anglos have a tendency to vote Republican while African-Americans, Hispanics, and Native people generally prefer Democrats in general elections. This pattern has frequently emerged in recent, major Alaska elections. As indicated by the exit poll data in Table 6, Native and Anglo preferences are generally in opposition. In seven of eight major statewide contests for which there are exit poll data since 1992, a plurality of Alaska whites preferred the Republican candidate.⁵ In five of eight instances, a plurality of Native/Other voters preferred the Democratic candidate. The differences in preferences are not terribly stark, and, in three instances, including the most-recent US House contest in 2004, a plurality of both groups voted Republican. Ecological regression estimates of Native and non-Native preferences for President and the US House in 2000 confirm the fluidity of Native preferences.

(Table 6 goes here)

As shown in Table 7, in 2000, an estimated 47.2 percent of Native voters cast Democratic ballots for President (compared to just 25.1 percent of non-Native voters). In that year's congressional election the ecological regression estimate is that 16.0 percent of the Native voters cast Democratic ballots, a proportion nearly the same as that estimated to have been cast by non-Natives (16.5 percent).

(Table 7 goes here)

Down-ticket, in state legislative contests, Native candidates enjoyed great success, and estimates of racial polarization in state legislative contests do not reveal legally-significant, racially-polarized voting. Tables 8 and 9 present data originally compiled by Lisa Handley that show Native candidate success and the frequency of election of Native candidates of choice in contested elections.⁶ As indicated in Table 8, of the 85 Native candidates who competed in a legislative primary between 1994 and 2000, 57 (67 percent) succeeded. Native candidates competed in 61 districts elections and won the nomination in 57. Of the 58 Native candidates in general elections, 43 (74 percent) were elected, according to Handley. In 50 districts that might have been won by Native candidates, 43 elected a Native candidate to the legislature.

(Table 8 goes here)

Table 9 presents data on Native and non-Native preferences in general elections with at

⁵ Since Republican Lisa Murkowski won the 2004 Senate race by 9,349 votes, the exit poll showing a plurality of the whites and two-thirds of the Other/Native voters preferring the Democrat is slightly off.

⁶ Lisa Handley, *A Voting Rights Act Evaluation of the Proposed Alaska State Legislative Plans: Measuring the Degree of Racial Bloc Voting and Determining the Effectiveness of Proposed Minority Districts*. Prepared for the Alaska Redistricting Board, July 26, 2001.

least one Native candidate. Of the fifteen contested general elections for House and Senate, eleven indicate different preferences between Native and non-Native votes on at least one of the three measures. However, in thirteen of fifteen instances, the Native-preferred, Native candidate prevailed over either a Native or Anglo opponent. All but one of the winning, Native-preferred candidates were Democrats, and the two Native candidates who lost, lost to other Native candidates who pulled substantial minorities of the estimated Native vote.

While Native Alaskans and no-Natives vote differently, those differences do not impede the election of candidates of choice by Native voters. Handley concludes that a district as low as 35 percent Native voting age population is sufficient to allow a Native candidate of choice to be elected.⁷

MICHIGAN

Two townships in Michigan are subject to Voting Rights Act Section 5 preclearance: Clyde Township, in the southwestern part of the lower peninsula of Michigan, and Buena Vista Chartered Township, in Saginaw County north of Detroit in the eastern part of the state. As reported in Table 10, Clyde Township had a voting age population of 1,469 according to the 2000 census, with a 25.3 percent Hispanic voting age population. The township is located in Allegan County, which had a total voting age population of 75,170 and a 4.4 percent Hispanic voting age population. Buena Vista Township had a 52.7 percent African-American voting age population and a 7.8 percent Hispanic voting age population. In 2000 the voting age population of Saginaw County was 16.2 percent African-American and 5.1 percent Hispanic.

(Table 10 goes here)

Low voter registration and participation rates, combined with the presence of the linguistic minority and the failure to provide election materials in Spanish in 1972 made these jurisdictions subject to Section 5. Voter participation in these jurisdictions still lags behind the rest of the larger respective counties and in the state of Michigan as reported in Table 11. Presidential election year turnout in Buena Vista Township for the two most recent presidential elections still fails to exceed 50 percent of registrants (who are numerically fewer than the voting age population). By comparison, the rest of Saginaw County had voter turnout in excess of 60 percent of registration for both presidential years.

(Table 11 goes here)

Clyde Township had higher rates of voter participation, exceeding half of the registrants in the two most recent presidential elections, and approaching 40 percent for the 2002 midterm. Turnout in Clyde lagged that in the rest of Allegan County by anywhere from 8.2 to 14.2 percentage points.

⁷ *Ibid.*

Of the three general elections held in Clyde Township since 2000, in only one (2004) does voter turnout as a share of voting age population exceed 50 percent (51.3 percent); in 2000 and 2004, voter turnout was 42.3 percent and 29.7 percent, respectively, of voting age population. The Census Bureau estimates that in Michigan, 60.1 percent of the voting age population went to the polls in 2002 and 64.7% turned out in 2004.

Michigan does not maintain voter registration or turnout data by race, ethnicity, or language group. However, Table 12 presents estimates of voter participation by racial and ethnic group for 1996 through 2004 for Buena Vista Township. The Township is divided into five precincts, three that are majority African-American, one in excess of 80 percent, and one that is over 90 percent Anglo by voting age population.⁸ Two sets of estimates are presented: ecological inference estimates and ecological regression estimates.

(Table 12 goes here)

Separate Ei estimates were made for African-Americans, Hispanics, and non-Hispanic whites. In each of the five elections, African Americans went to the polls at higher rates than did non-Hispanic whites. For all three presidential year elections, the estimated share of the African-American, voting age population that turned out in Buena Vista Township exceeded 60 percent, and is estimated as high as 80 percent in the most recent election. In one of the two midterms, turnout for African-Americans is estimated to exceed 50 percent, and the estimated level of black voting age population turnout in 2002 is comparable to the registered voter turnout for all Michigan in 2002. Non-Hispanic white turnout was estimated lower, at between 32.9 percent and 38.7 percent for presidential years, and between 25.6 percent and 26.2 percent for midterms.

Estimates using ordinary least squares regression indicated higher black than white, Anglo turnout, but produced unrealistic (less than zero) estimates of Hispanic participation. An effort to determine Hispanic turnout with Ei produced estimates of Hispanic turnout as high as 50 percent, but the standard errors around these estimates were sufficiently large to make the estimates undifferentiated from zero. So, while black voter participation is strong in Buena Vista Township, the rationale for coverage – Hispanic voter participation – is not refuted, due to the lack of evidence of healthy Hispanic participation. Moreover, overall estimates of participation in Table 11 indicate that most of Buena Vista's voting age population still does not go to the polls in presidential elections. However, the absence of Section 5 objections suggests that the persistent low turnout rates among Hispanics has not resulted from attempts to change electoral laws in ways that would discourage Hispanic participation.⁹

Buena Vista Township has been consistently placed in a congressional district (MI-5) that

⁸ Similar estimates are impossible for Clyde Township since it has a single precinct.

⁹ A multivariate OLS regression model was used to estimate voter turnout, controlling simultaneously for black and Hispanic voting age population shares. All Ei estimates are based on bivariate (racial group versus non-racial group) estimates of participation.

elects Democrats, who have probably been the preferences of most black and Hispanic Michiganders. Clyde Township was in the Second congressional district and more recently the Sixth district 6, both of which have consistently sent Republicans to Congress.

NEW HAMPSHIRE

Ten New Hampshire townships are subject to Section 5 preclearance (Table 1). These townships are located in seven counties: one each in Cheshire, Grafton, Hillsborough, Merrimac, Rockingham, and Sullivan, and four townships in Coos County.¹⁰ New Hampshire came under coverage of Section 5 subsequent to the terms of the renewal of the VRA in 1970.

New Hampshire is among the whitest of the United States, with a minority population of less than four percent. Of the New Hampshire townships covered by Section 5, none is less than 95% non-Hispanic white by voting age population, and one, Millsfie in Coos County, is completely white (see Table 13). A total of 511 racial or linguistic minorities reside in the ten townships. It is little-known to some in the redistricting and voting rights industry that New Hampshire is subject to Section 5. For example, South Carolina based redistricting expert Bobby Bowers, appointed by the state court to assist in the New Hampshire state legislative redistricting as a technical advisor, was surprised when informed by a reporter (during the redistricting process) that New Hampshire was subject to Section 5.¹¹

(Table 13 goes here)

No election law change by New Hampshire has ever been denied preclearance. In 2002, the state redrew its congressional boundaries, moving two townships -- Epsom and Pittsfield – from the First to the Second congressional district.

The tiny minority populations of these townships preclude any effort to analyze minority voting patterns in the constituencies. The state notes in its most recent redistricting submission to the Justice Department (2004) that “no data is available from state sources by racial or language group” and asserts that “New Hampshire is racially homogenous. Statewide statistics report the population is 96% white . . . the census tract with the largest population of non-whites is Hanover CDP, home of the State’s Ivy league College – Dartmouth, with 14.7 percent” minority population.”¹² On average, voter turnout in these ten townships is 12 points lower than in the rest of the state in 2000. Our examination of voter turnout in these townships in the 2000 general election revealed an average of 54.3 percent of the voting age population turned out in the covered New Hampshire townships, compared to 66.3 percent of the voting age population that turned

¹⁰ One covered township, Pinkham’s Grant, has no population.

¹¹ Tom Fahey, “Anthem's a done deal -- more or less.” *Union-Leader*, June 02, 2002: B-3

¹² “New Hampshire Section 5 Submission,” June 1, 2004, cover letter to the Voting Section Chief of the US Department of Justice, from Orville B. Fitch II, Assistant Attorney General of the State of New Hampshire.

out in the rest of the Granite State.¹³

SOUTH DAKOTA

Parts of South Dakota came under Section 5 authority subsequent to the 1975 amendments to the Voting Rights Act. The trigger mechanism has made two entire counties – Shannon and Todd – subject to preclearance. Both counties are located on the Nebraska-South Dakota border, and are separated by a third county, Bennett County, which has a sparse population.

The primary minority of interest in South Dakota is Native Americans. Most Native Americans in the state are members of the Sioux Nation, primarily the Lakota, but also the Nakota and Dakota tribes. Shannon County contains most of the Pine Ridge Reservation, and Todd County has the Rosebud Reservation. As indicated in Table 14, Shannon and Todd counties are the two most-heavily Native American counties in South Dakota, followed closely by Buffalo County. Bennett County, located between Todd and Shannon, is, by contrast, barely majority Native American. The percentage Native American is growing in all of the reservation counties, and this is readily evident in the size of the young populations in these counties. On average, the proportion of whites in a county who are under 18 is just half the proportion of Native Americans under 18. The presence of a large, young, non-voting population is common to Native American tribes, and especially the Lakota, more so than among African-Americans, Hawaiians, or Latinos. And, as noted in Table 15, Native American participation is substantially lower than other voter participation as recently as 2000, though intensive efforts to mobilize Native American voters can generate higher turnout.

(Tables 14 and 15 go here)

Entering the 2001 redistricting, Native Americans held five of 105 state legislative seats in South Dakota (4.76 percent of seats).¹⁴ Native American constitute 6.25 percent of the state's voting age population. Election of one additional Native American member would bring them into rough proportionality with the voting age population share. A recent federal court decision has forced the state to institute a new map for the 2006 elections, which divides existing District 26 into a pair of single member districts, in order to enhance the prospects of electing a candidate of choice of the Native American community. This case is one in a set of five successful challenges by the ACLU regarding Native American voting rights in South Dakota.

¹³ Data obtained from David Lublin and D. Stephen Voss. 2001. "Federal Elections Project." American University, Washington, DC and the University of Kentucky, Lexington, KY.

¹⁴ South Dakota is apportioned into 35 Senate districts, each of which elects one senator and two house members. One district – 28 – has been traditionally divided into a pair of single-member districts to accommodate Native American electoral opportunities in the northwestern part of the state, and district 26 is to be divided into a pair of single-member districts starting with the 2006 election, in order to accommodate Native American voting opportunities in the southern part of the state.

Historically the state has placed Todd and Shannon counties in one, heavily Native American Senate district that also served as a two-seat state House district from which representatives were selected using a “pure” multimember district election system. South Dakota is apportioned into 35 Senate districts, each of which elects one senator and two House members. One district – 28 – has been traditionally divided into a pair of single-member districts to accommodate Native American electoral opportunities in the northwestern part of the state, and District 26 is to be divided into a pair of single-member districts starting with the 2006 election, in order to accommodate Native American voting opportunities in the counties subject to Section 5.

This change results from a successful challenge to Senate District 27. In August 2005 a federal district court held that this district illegally packed Native Americans.¹⁵ The district’s population was nearly 90 percent Native American before and after redistricting, and had been precleared by the Justice Department. The court instituted a redistricting plan that altered District 27, the one district previously subject to preclearance review in 2001; District 26, which is redrawn to include Todd County and then divided into two single-member house districts; and District 21. The new map separates Shannon and Todd Counties, so that Shannon and the entire Pine Ridge Reservation become the basis for a new, 66 percent Native American voting age population Senate district. District 26 is divided so that Todd county becomes the foundation of a 74 percent Native American voting age House district, and also incorporates all of the Rosebud Reservation. District 21 is altered to accommodate these other changes. Plaintiffs demonstrated the *Gingles* prongs to the satisfaction of the federal court, including presentation of evidence of racially polarized voting. The new map appears in Figure 1.

(Figure 1 goes here)

Interestingly, the problem confronted by Native Americans in South Dakota was resolved not by Section 5 to which the area of interest is subjected, but instead by a suit brought under Section 2, a provision that applies nationwide. In the 30 years since coming under the sway of Section 5, the Department of Justice has found only one legislative change affecting the two counties to be unacceptable.

¹⁵*Bone Shirt v. Hazeltine* (2005) 3:01-cv-03032-KES.

TABLE 1: COVERAGE BY SECTION 5 OF THE VOTING RIGHTS ACT IN ALASKA, MICHIGAN, NEW HAMPSHIRE, AND SOUTH DAKOTA

<u>Jurisdiction</u>	<u>Date</u>	<u>Fed Register</u>	<u>Date</u>
Alaska (Entire State)	Nov 1, 1972	40 FR 49422	Oct 22, 1975
Michigan:			
Allegan County:			
Clyde Township	Nov 1, 1972	41 FR 34329	Aug 13, 1976
Saginaw County:			
Buena Vista Township	Nov 1, 1972	41 FR 34329	Aug 13, 1976
New Hampshire:			
Cheshire County:			
Rindge Town	Nov 1, 1968	39 FR 16912	May 10, 1974
Coos County:			
Millsfield Township	Nov 1, 1968	39 FR 16912	May 10, 1974
Pinkhams Grant	Nov 1, 1968	39 FR 16912	May 10, 1974
Stewartstown Town	Nov 1, 1968	39 FR 16912	May 10, 1974
Stratford Town	Nov 1, 1968	39 FR 16912	May 10, 1974
Grafton County:			
Benton Town	Nov 1, 1968	39 FR 16912	May 10, 1974
Hillsborough County:			
Antrim Town	Nov 1, 1968	39 FR 16912	May 10, 1974
Merrimack County:			
Boscawen Town	Nov 1, 1968	39 FR 16912	May 10, 1974
Rockingham County:			
Newington Town	Nov 1, 1968	39 FR 16912	May 10, 1974
Sullivan County:			
Unity Town	Nov 1, 1968	39 FR 16912	May 10, 1974
South Dakota:			
Shannon County	Nov 1, 1972	41 FR 784	Jan 5, 1976
Todd County	Nov 1, 1972	41 FR 784	Jan 5, 1976

Source: http://www.usdoj.gov/crt/voting/sec_5/covered.htm, accessed September 21 2005

TABLE 2: PRECLEARANCE OBJECTIONS SINCE 1975, CALIFORNIA, MICHIGAN, NEW HAMPSHIRE, SOUTH DAKOTA, AND ALASKA

<u>State</u>	<u>1975-1984</u>	<u>1985-1994</u>	<u>1995-Present</u>
Michigan	0	0	0
New Hampshire	0	0	0
South Dakota	2	0	1
Alaska	0	1	0

Compiled by the authors from U.S. Department of Justice data posted at http://www.usdoj.gov/crt/voting/sec_5/obj_activ.htm (accessed September 15, 2005).

TABLE 3: ESTIMATED NATIVE AND OTHER TURNOUT (AS PERCENT OF VAP), ALASKA, 1996-2004

Year	Method	Native Turnout	Non-Native Turnout
1996	OLS	.427	.446
	<i>Ei</i>	.452	.441
2000	OLS	.438	.641
	<i>Ei</i>	.473	.635
2004	OLS	.414	.684
	<i>Ei</i>	.448	.676

TABLE 4: NATIVE AND OTHER VOTER TURNOUT RATES, SELECT ALASKA LEGISLATIVE DISTRICTS, 1996, 1998, 2000 GENERAL ELECTIONS

Year	District	Native Turnout	Non-Native Turnout
2000	House 5	53.2	45.7
	House 36	46.4	51
1998	House 36	48.3	42.1
	House 39	43.8	42.1
	Senate "R"	46.4	45.1
	Senate "T"	45	13.9
1996	House 5	54.2	45.6
	House 36	46.1	40.9
	House 39	43.1	28.2
	Senate "C"	51.2	39.6

Source: Lisa Handley, *A Voting Rights Act Evaluation of the Proposed Alaska State Legislative Plans: Measuring the Degree of Racial Bloc Voting and Determining the Effectiveness of Proposed Minority Districts*. Prepared for the Alaska Redistricting Board, July 26, 2001.

TABLE 5: MINORITY LEGISLATORS IN ALASKA, 1994-2000

Year	House			Senate		
	White	Native	Black	White	Native	Black
1994	31 (77.5%)	8 (20.0%)	1 (2.5%)	15 (75.0)	5 (25.0)	0 (0.0%)
1996	32 (80.0%)	8 (20.0%)	0 (0.0%)	14 (70.0)	6 (30.0)	0 (0.0%)
1998	32 (80.0%)	8 (20.0%)	0 (0.0%)	14 (70.0)	6 (30.0)	0 (0.0%)
2000	31 (77.5%)	8 (20.0%)	1 (2.5%)	14 (70.0)	5 (25.0)	1 (5.0%)

TABLE 6: WHITE AND OTHER (NATIVE) VOTE PREFERENCES, EXIT POLL DATA, 1992-2004

Year	Office	Vote Race	%D	%R	n
1992	President	White	32.2	40.0	423
		Other/Native	54.5	18.2	33
1992	US Senate	White	37.7	54.3	416
		Other/Native	58.8	32.4	34
1996	President	White	34.2	51.5	682
		Other/Native	39.5	33.3	81
1996	US Senate	White	8.6	80.3	654
		Other/Native	19.2	71.8	78
2000	President	White	27.8	61.2	623
		Other/Native	38.0	48.1	79
2004	President	White	42.5	54.2	931
		Other/Native	58.1	37.1	105
2004	US Senate	White	48.5	46.2	913
		Other/Native	67.6	22.5	102
2004	US House	White	26.0	64.4	899
		Other/Native	37.0	53.0	100

Source: VNS Exit Polls, various years.

TABLE 7: OLS ESTIMATES OF VOTE SHARES IN ALASKA, 2000, PRESIDENT AND US HOUSE OF REPRESENTATIVES

President			
Voter Group	Democrat	Republican	Other
Native	47.2	45.1	7.7
Non-Native	25.1	59.1	15.7
US House of Representatives			
Voter Group	Democrat	Republican	Other
Native	16.0	73.2	10.7
Non-Native	16.5	67.5	16.1

TABLE 8: FREQUENCY OF NATIVE CANDIDATE SUCCESS AND FAILURE IN ALASKA LEGISLATIVE PRIMARIES AND GENERAL ELECTIONS, 1994-2000

Year	Election	Total Native Candidates	Total Districts with Native Candidates	Notes
1994	Primary	11 of 15	11 of 11	All four Native losers lost to other Native candidates
	General	10 of 12	10 of 11	One of two Native losers lost to a Native candidate
1996	Primary	17 of 27	17 of 18	Five of ten native losers lost to a Native candidate
	General	12 of 17	12 of 15	Six of nine Natives running against Anglo whites prevailed
1998	Primary	13 of 18	13 of 14	Four of five Native losers lost to a Native candidate
	General	10 of 13	10 of 10	All three Native losers lost to Native candidates
2000	Primary	16 of 25	16 of 18	Three Native losers lost to other Native candidates
	General	11 of 16	11 of 14	Five of ten Native losers lost to other Native candidates

Source: Lisa Handley, *A Voting Rights Act Evaluation of the Proposed Alaska State Legislative Plans: Measuring the Degree of Racial Bloc Voting and Determining the Effectiveness of Proposed Minority Districts*. Prepared for the Alaska Redistricting Board, July 26, 2001.

TABLE 9: RACIAL POLARIZATION ANALYSIS OF SELECT ALASKA LEGISLATIVE GENERAL ELECTIONS, 1994-2000

District/Candidate	Year	Native/ Party	%Vote	Native Preference			Non-Native Preference		
				HP	OLS	Ei	HP	OLS	Ei
<i>House 5</i>									
Kookesh	2000	N, D	60.7	80	90.7	79.7	55.8	52.5	48.8
Pardee	2000	R	39.1	20	10.3	20.3	44.2	47.5	51.2
<i>House 36</i>									
Nicholia	2000	N, D	49.3	63.9	67.7	63	23.2	32.3	30.7
Morgan	2000	N, R*	50.4	50.4	26.4	37	76.8	73.6	69.3
<i>House 36</i>									
Nicholia	1998	N, D	49.9	53.7	57.1	57.8	31.6	37.9	37.9
Morgan	1998	N, R	49.9	46.3	42.9	42.2	68.4	62.1	62.1
<i>House 39</i>									
Notti	1998	N, D	26.6	26.4	28.1	28.1		21.1	21.1
Sattler-Kapsner	1998	R	72.2	73.6	71.9	72.2		75.7	78.9
<i>Senate "R"</i>									
Lincoln	1998	N, D	54.0	88.4	95.7	91.3	33.1	34.1	36.7
Smith	1998	R	46.0	11.6	4.3	8.7	66.9	65.9	63.3
<i>Senate "T"</i>									
Hoffman	1998	N, D	73.5	80.2	80.7	82.6	59.2	55.3	62.2
Hawk	1998	R	26.0	19.8	19.3	17.4	40.8	44.7	37.8
<i>House 5</i>									
Collins	1996	R	46.5		34.4	33.2	47.8	50.5	51.1
Kookish	1996	N, D	53.2		65.6	65.6	52.2	49.5	49.5
<i>House 36</i>									
Nicholia	1996	N, D	52.0	57.8	63.6	60.1	29.4	33.8	40.9
Morgan	1996	N, R	47.8	42.2	36.4	39.9	70.6	66.2	59
<i>House 39</i>									
Ivan	1996	N, D	54.7	65.6	68.8	65.8		0	21.6
Kasayulie	1996	N, WAI	45.1	34.4	31.2	34.3		100	78.3
<i>Senate "C"</i>									
Mackie	1996	N, D	58.1	87.5	60.5	74	55	53.3	56.2
Stevens	1996	R	41.5	12.5	39.5	27	45	46.7	43.5

District/Candidate	Year	Native/ Party	%Vote	Native Preference			Non-Native Preference		
				HP	OLS	Ei	HP	OLS	Ei
<i>House 1</i>									
Williams	1994	N, D	43.3		80	64.5		34.6	40.6
Davis	1994	D, I	24.3		25	31.2		23.2	22.5
Hargaves	1994	R	32.3		0	0.4		42.2	37.4
<i>House 36</i>									
Hurlburt	1994	O	37.1	26.4	24.9	27.6	61.4	55.6	50.5
Nicholia	1994	N, D	62.8	73.6	75.1	72.1	38.6	44.4	49.8
<i>House 37</i>									
Maclean	1994	N, O	79.2	70.6	70	73.2		100	75.3
Schaeffer	1994	N, D	26.9	29.4	30	27.1		0	23.9
<i>Senate "R"</i>									
Lincoln	1994	N, D	62.1	83.8	94.6	91.3	52.1	46.8	49
Miller	1994	R	37.7	16.2	5.4	8.4	47.9	53.2	51.3
<i>Senate "T"</i>									
Hoffman	1994	N, D	50.5	75.6	62.7	65.8	25.4	0	24.8
Freitas	1994	O	4.9	2	2.8	4.3	11.7	13	4.4
Edgmon	1994	O	44.5	22.4	34.6	32.9	62.9	93	65.2

*Handley designates Morgan as a Democrat in 2000, though he is identified by public sources as a Republican.

N = Native American Candidate; D = Democrat; R = Republican; O = Candidate who is not a Democrat or a Republican; WAI = Alaska Independence.

HP = Homogeneous Precinct analysis; OLS = Ecological Regression using ordinary least squares; Ei = Ecological Interece

Source: Lisa Handley, *A Voting Rights Act Evaluation of the Proposed Alaska State Legislative Plans: Measuring the Degree of Racial Bloc Voting and Determining the Effectiveness of Proposed Minority Districts*. Prepared for the Alaska Redistricting Board, July 26, 2001.

TABLE 10: VOTING AGE POPULATION DATA FOR COVERED JURISDICTIONS AND SURROUNDING COUNTIES, MICHIGAN, 1990 AND 2000 CENSUS

	Total	African-American	Hispanic
Buena Vista Township 1990	7,658	3,382	626
Buena Vista Township 2000	7,194	3,792	561
Saginaw County 1990	152,369	22,627	7,799
Saginaw County 2000	154,179	24,920	7,953
Clyde Township 1990	1,331	26	273
Clyde Township 2000	1,469	23	372
Allegan County 1990	63,644	1,076	1,700
Allegan County 2000	75,170	883	3,341

TABLE 11: REGISTERED VOTER PARTICIPATION RATES IN SECTION 5-COVERED AND GREATER JURISDICTIONS IN MICHIGAN, 2000-2004

	2000	2002	2004
Buena Vista Township	44.0	30.5	49.7
--Rest of Saginaw County	62.4	48.5	66.4
Clyde Township	52.7	39.3	64.2
--Rest of Allegan County	66.9	50.6	72.4
Michigan	62.4	46.7	67.5

TABLE 12: *Ei* AND OLS ESTIMATES OF BLACK AND OTHER VOTER PARTICIPATION IN BUENA VISTA TOWNSHIP, 1996-2004

	1996	1998	2000	2002	2004
Black (<i>Ei</i>)	63.6	53.4	69.6	46.6	79.8
Hispanic (<i>Ei</i>)*	53.1	10.7	50.9	0.16	49.7
Non-Hispanic whites (<i>Ei</i>)	38.3	26.2	32.9	25.6	38.7
Black (OLS)	85.3	76.0	87.6	65.9	90.8
Hispanic (OLS)*	<0	<0	<0	<0	<0
Non-Hispanic whites (OLS)	49.6	43.4	52.5	42.4	33.8

**Ei* estimates of Hispanic voter participation resulted in very large predictive errors so large as to render Hispanic turnout estimates highly unstable.

**OLS estimates failed to return a positive rate of Hispanic turnout for any election.

TABLE 13: DEMOGRAPHIC PROFILE OF COVERED SECTION-5 NEW HAMPSHIRE TOWNSHIPS, 2000 CENSUS

County	Town	Turnout	HispVAP	BlackVAP	NativeVAP	WhiteVAP
Cheshire	Rindge	.551	.010	.012	.001	.961
Coos	Millsfie	.526	.000	.000	.000	1.000
Coos	Pinkham's Grant*	.000	.000	.000	.000	.000
Coos	Stewarts	.416	.001	.000	.001	.988
Coos	Stratfor	.392	.001	.000	.008	.969
Grafton	Benton	.482	.000	.000	.000	.980
Hillsbor	Antrim	.666	.008	.001	.002	.979
Merrimac	Boscawen	.511	.007	.005	.003	.975
Rockingh	Newingto	.844	.019	.013	.001	.953
Sullivan	Unity	.497	.005	.000	.000	.989

*The 2000 census revealed no population in this town.

TABLE 14: NATIVE AMERICAN (LAKOTA, DAKOTA, NAKOTA) POPULATION CONCENTRATIONS IN RESERVATION COUNTIES OF SOUTH DAKOTA 1980-2000

County	%Native	County	%Native
Bennett		Lyman	
1980	44.4	1980	23.4
1990	46.2	1990	28.9
2000	52.1	2000	33.3
Buffalo		Mellette	
1980	70.6	1980	38.8
1990	77.6	1990	46.7
2000	81.6	2000	52.4
Charles Mix		Roberts	
1980	17.5	1980	19.4
1990	21.8	1990	23.0
2000	28.3	2000	29.9
Cotton		Shannon	
1980	47.3	1980	93.4
1990	48.5	1990	94.7
2000	60.8	2000	94.2
Dewey		Todd	
1980	58.0	1980	77.6
1990	66.6	1990	82.4
2000	74.2	2000	85.6
Jackson		Ziebach	
1980	43.4	1980	58.1
1990	42.4	1990	64.0
2000	47.8	2000	72.3

TABLE 15: ESTIMATED NATIVE AMERICAN AND NON-NATIVE TURNOUT,
SOUTH DAKOTA, 2000

Year	Method	Native Turnout	Non-Native Turnout
2000	OLS	.347	.638
	<i>Ei</i>	.353	.603

FIGURE 1: NEW SOUTH DAKOTA LEGISLATIVE DISTRICTS FOR 2006

