

**Gerrymandering: The Impact of Redistricting on State Legislative Election Voter Participation**

by

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## **Abstract**

State legislative elections are increasingly shaped by two factors influencing the prospects of winning a majority: the redistricting cycle and partisan tide elections (Makse 2014). Winning control of the redistricting process offers the prospect of shaping elections for the next decade (Makse 2014). State legislators responsible for drawing new district maps can manipulate district lines for maximum partisan advantage without much fear of judicial obstruction. Little research exists that evaluates the effect gerrymandering has on the individual voter. Hayes and McKee (2009) argue that redistricting severs the ties between constituents and their incumbents, raises information costs, and increases nonvoting levels in U.S. House contests. Research indicates that while the overall effects of redistricting on individual voter turnout appear to be substantively low, the effects of changes in partisan composition in a voter's district that result from gerrymandering can decrease turnout (Hunt, 2018). This dissertation aims to determine the impact of incumbent, partisan, and racial gerrymandering on state legislative voter participation.

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Voting Rights Act of 1965 (VRA).....	25
United States Department of Justice (DOJ).....	31
Black Voting-Age Population (BVAP).....	37
Majority-Hispanic (MH).....	49
Non-legislative approaches (NLA).....	57
Generalized Least Squares (GLS).....	58
Random Digit Dialing (RDD).....	72

# CHAPTER 1

## INTRODUCTION

The U.S. Census Bureau is required by law and allows states to specify the small geographic areas for which they wish to receive population totals for reapportionment and redistricting. Various state and federally-backed laws about equal population and minority voting rights limit where district lines may or may not be drawn. Intentional partisan gerrymandering, where one political party draws electoral districts in its favor, skews the makeup of Congress and state legislatures, creating a legislative body that is unrepresentative of voter's preferences (Diller 2018). When state legislatures gerrymander district maps to guarantee they are reelected, elections become less competitive. It is ultimately the public who loses, in turn making even more Americans feel like their vote does not matter (Li et al. 2022). The Supreme Court of the United States (SCOTUS) says racial gerrymanders are reviewed by a court of law, but not partisan gerrymanders. State supreme courts have ruled that the court also reviews racial and partisan under state constitutions. When voters believe their districts have been racially gerrymandered, one of the most prominent recourses is to file a suit against the jurisdiction. Various state supreme courts have ruled that both partisan and racial gerrymanders are judicial under state constitutions. In *Baker v. Carr* (1962), the SCOTUS ruled that malapportionment (unequal population) is unconstitutional. If districts are drawn fairly, then the public can elect representatives who reflect the views of the population as a whole. But if district lines are manipulated through partisan gerrymandering, then the legislature will be untethered from the popular will (Root 2020). The general purpose of redistricting is to divide or organize

an area into new political districts that fairly, reasonably, and equally represent all voters in a district (Brama 2019, 2).

There was much diversity in election law (including redistricting) in the early history of the republic (Stebenne 2012). Redistricting is a state process governed by federal laws. Most of this law is judicially imposed. In 1929, with the Reapportionment Act of 1929, Congress let lapse its standards requiring districts, previously in the Apportionment Act of 1912, to be made up of “contiguous and compact territory and containing as nearly as practicable an equal number of inhabitants” (Brama 2019, 2). According to Stebenne (2012), the pre-20<sup>th</sup> century era was truly different in many ways. Among the most glaring was the issue of drawing district lines for seats in the U.S. House of Representatives to proportionately represent state populations. Then, incumbents and parties tried to cement themselves in power by tilting the political map steeply in their favor with gerrymandering.

Gerrymandering is the practice of districting along unnatural lines to achieve a partisan advantage or some other unfair objective. It is a manipulation of boundary lines among districts of equal population (Edwards 1971; Gottlieb 1971). The goal of gerrymandering is to draw boundaries of legislative districts so that as many seats as possible are likely to be won by the party in power's candidates. The research and terminology on gerrymandering have not changed since the twentieth century and tend to examine the political institutions and outcomes produced in terms of partisan gains or losses or incumbency advantage or disadvantage (Boatwright 2004; Crespin 2010; Crespin and Edwards 2016; Cox and Katz 2002; Desposato and Petrocik 2003; Hood and McKee 2010; Murphy and Yoshinaka 2009; Tufte 1973) and racial “cracking and packing” districts (Ferejohn 1977; Herbert 2011). “Packing” concentrates a like-group of voters (e.g., Democrats or Black voters) together in excess. When these voters are packed into a few

districts, their influence on surrounding districts is reduced. Their votes are “wasted” because there are more votes than necessary for the group to elect their preferred candidate of choice. “Cracking” spreads out the voters from a certain group across many districts so that their influence is diluted in any given district. When these two strategies are used together, they create gerrymandering that maximizes the plan for a particular party or party drawing the lines. This research evaluates on individual voter and district levels how gerrymandering impacts voter participation and behavior.

This research focused on the State of Georgia's 2008 and 2012 general election voter turnout information to determine whether gerrymandering after the 2010 census had an impact on voter participation and behavior in the 2012 general election following the redrawing of DeKalb and Fulton counties legislative districts maps. Following the 2010 census data release, the Georgia Legislative Black Caucus filed a lawsuit on March 28, 2011, seeking the dissolution of five cities in Dekalb and Fulton counties. These two counties are analyzed because the voters sued the state because they believed district maps in the 2008 elections had been racially gerrymandered (Edwards 2013). In addition, the researcher selected DeKalb and Fulton counties for this research because they represent populations who believe they were gerrymandered during an election. In this research, I analyze the impact of gerrymander practices on voter participation and behavior when competition in elections is limited or no longer exists because incumbents redraw district maps to favor their reelection. The guiding research question is, “What impact does incumbency, partisan, and racial gerrymandering have on voter turnout in state races?”

## Gerrymandering Overview

In this chapter, I define gerrymandering and provide an overview of its legal history. I discuss how three characteristics of gerrymandering impact voters, voting behavior, and voter turnout. Lastly, I discuss gerrymandering in state legislatures, particularly in two counties in Georgia.

### *Beginnings*

While shaping the government, the Framers expressed their desires for a representative body close to the pulse of their voters and constituents. Before filibustering became infamous, the Framers put their desire for voters to have the power in writing with published essays like *Common Sense* (Paine 1776) and *Thoughts on Government, Applicable to the Present State of the American Colonies* (Adams 1776). A decade later, after the need for a more robust federal government became clear due to the Continental Congress's lack of power and authority conferred by the *Articles of Confederation* (1781), the role of the legislature and its relationship to the people once again was debated. At the Constitutional Convention, fears of congressional district manipulation and malapportionment arose as the role of the proposed House of Representatives was debated and sent to the states for ratification. Anti-Federalists objected to ratification because of the possibility of “making an unequal and partial division of the states into districts for the election of representatives” (Peirce 1856). Anti-Federalists also raised concerns that without federal oversight protection, representatives “will not be chosen by the people, but will be the representatives of a faction of that state” (Peirce 1856, 50). In Federalist No. 52, James Madison (1787) stated, “As it is essential to liberty that the government, in general, should have a common interest with the people, so it is particularly essential that the branch of it under

consideration should have an immediate dependence on, and an intimate sympathy with, the people.” In Federalist No. 57, he wrote, “The electors are to be the great body of the people of the United States” (Hamilton and Madison 1787), and he frequently repeated the point that the primary check on members of the House of Representatives was their “dependence on the people.” It was the bipartisan concern for manipulation of elections that led the founders to grant Congress the authority, under Article I of the Constitution, to regulate the times, places, and manner of congressional elections. Article I Section 2 of the Constitution states the House of Representatives was to be the most democratic federal body, closest to the people. The two-year terms ensured that voters would regularly hold their representatives accountable. By constructing the House to be first accountable to its constituents, the Framers saw it as a protection against the harmful effects of partisan control (Article I of the Constitution). When politicians and political parties draw their districts, manipulating them to select those who will vote for them, it runs counter to the intent of the Framers to have voters select their representatives in the most direct method possible (Lowenthal 2019).

In 1812, redistricting acquired the infamous handle, “gerrymandering.” During his one term in office as governor, Eldridge Gerry used his power to sign a law that redrew state senate districts in New Jersey in a way that heavily favored the election of members of his political party, Democratic-Republicans. Even though the Federalist Party won the statewide senate vote total with 51,766 votes, compared to only 50,164 votes for Gerry's Democratic-Republicans, the Democratic-Republicans won 29 senate seats to just 11 for the Federalists. Coincidentally, Gerry lost his statewide reelection bid for governor.

This political event set a precedent for the electoral game-playing that has ever since created questions and doubts about whether voters' choices are truly being represented in our

state legislatures and the U.S. Congress. A political cartoon that appeared in the Boston Gazette on March 26, 1812, depicted the ridiculous shape of the new congressional district of South Essex County, Massachusetts. Its resemblance to a salamander immortalized Elbridge Gerry in a way he could never have imagined. Two hundred years later, state political parties are still gerrymandering and bending state legislative and U.S. Congressional districts to their electoral advantage (Golden 2015). Gerrymandering has become the term of choice for all misbehavior in redistricting but particularly refers to districts drawn in bizarre, wandering shapes for the benefit of particular politicians (Pierce 2011).

**Figure 1:** First Animated Image of Gerrymandering in 1812



*Note:* Adapted from the Boston Gazette article, “*The Gerrymander: A New Species of Monster,*” published March 26, 1812.

### *Early Courts and Gerrymandering*

Beginning in the late 1880s, the state legislature approved laws disenfranchising most Black voters in Tennessee and made it virtually impossible for the continued election of Black officeholders (Wright 2000). In the 1960s, population shifts and legislative reapportionments led to increased Black representation in Tennessee. Despite population shifts, the Tennessee

legislature had not reapportioned its legislative seats since 1901. The plaintiffs alleged, and the Supreme Court agreed, that the result was a dilution of the urban voter that violated the equal protection clause of the Fourteenth Amendment. The landmark reapportionment case *Baker v. Carr* (1962), which challenged malapportionment in the state legislative body, provided the constitutional precedent that eventually led to the creation of several majority Black districts in Tennessee. *Baker*, on its own, only declared the state legislative malapportionment justiciable (Lax 2006).

In 1964, the Court established a "one-man, one vote" standard for statewide primary elections in *Wesberry v. Sanders* (Lax 2006). The Supreme Court held that the Georgia statute setting up the ten Georgia Congressional districts violated the Constitution and was null and void. The grounds for the *Wesberry v. Sanders* decision were the malapportionment of the population, affecting the population among the ten districts. For example, Georgia's Fifth Congressional District, as set up under the statute, had a population according to the 1960 Census of 823,680 (Carpenter 1964). The average population of all ten districts was 394,312, less than half of the Fifth. One district had only 272,154 people, less than one-third as many as the Fifth. Since the malapportionment was thus rather extreme, the actual result reached by the Court is not too surprising, especially in the light of the Court's decision two years prior in *Baker v. Carr* (*Wesberry v. Sanders* 1964).

One man, one vote was extended to both houses of state legislatures in *Reynolds v. Sims* (1964). In *Reynolds v. Sims* (1964), the Court asserted that the equal protection clause of the U.S. Constitution did not require precise numerical equality but "honest and good faith effort to construct districts...as nearly of equal population as is practicable. (Gofman 1982). In 1964,

citizens of Birmingham, Mobile, and Gadsden, Alabama, convinced the United States Supreme Court that the Constitution guarantees equal voting rights for White people (Blacksher 1982). The problem presented in *Reynolds v. Sims* grew out of the Alabama Legislature's refusal since 1901 to reapportion itself (1982). In *Reynolds v. Sims* (1964), Alabama voters challenged the continued use of districts apportioned after the 1900 census, which, applying 1960 census figures, resulted in a majority of state legislators representing only about a quarter of the total population (Hebert 2010). The Supreme Court held in *Reynolds v. Sims* that the Fourteenth Amendment requires state legislatures to apportion themselves by population (Blacksher 1982).

Even today, state legislators responsible for drawing new district maps remain free to manipulate district lines for maximum partisan advantage without much fear of judicial obstruction. Though the Supreme Court established that partisan gerrymandering cases are justiciable under the Equal Protection Clause, a judicially manageable standard to regulate such gerrymanders remains elusive (Hebert 2010). According to Hebert (2010), the prevailing approach in challenging partisan gerrymandering is to seek redress from the federal courts. When party leaders find themselves out of power and thus shut out of the redistricting process, they turn to the courts to demand a fair outcome. During the "Reapportionment Revolution" of the 1960s, the Supreme Court decided a series of cases that definitively established the principle that equal numbers of people deserve equal representation, or "one person, one vote" (p. 545). Before this point, politicians simply chose not to redistrict as a way of keeping themselves in power, freezing districts in time (Hebert 2010, 545).

## *Gerrymandering and Voters*

I review the state of Georgia's election results from 2008 through 2012 to evaluate the impact of gerrymandering on voter participation and behavior. My objective is to collect individual and district-level information about Georgia's voters from the 2008 and 2012 general elections. Socio-demographic attributes, combined with information about respondents' partisanship, help improve voter choice predictions compared to random guesses (Kim and Zilinsky, 2022). I will evaluate voter participation data from the State of Georgia turnout by Demographics Voter File Database to determine if redistricting has any effect on voter turnout. There has been minimum gerrymander research centered on the individual voter. My research intends to focus on individual voters and their districts to determine the impact of gerrymandering on voter turnout.

Since its inception in the United States, gerrymandering has been unpopular (Sloan 2017). Sloan further believes that gerrymandering, at its core, is fundamentally unfair and unconstitutional, and its evils have been espoused since its first use. According to some political analysts, gerrymander techniques have been consistently denounced as undemocratic and unconstitutional (Lowenthal 2019). The Framers envisioned that the House of Representatives would stand as the legislative body closest to the pulse of the people. To ensure this, they constructed Congress in such a way as to make the House more directly accountable to the voters through regularly held competitive elections. Partisan gerrymandering acts as a direct threat to Framers' vision, putting a partisan barrier between elected officials and the voters. The Framers were aware of the conflict that could arise if federal elected officials were to draw their district boundaries and how this would ultimately disrupt the voting process where elected officials handpick voters instead of voters choosing their elected officials.

Partisan gerrymandering practices damage faith in democracy by engendering distrust of government, which can lead to lower voter participation rates (Diller 2018). Henderson, Sekhon, and Titunik (2016) believe that gerrymandering alters the political and electoral context for some voters but not others, thus offering a promising research design to study many questions of interest in political science. Gerrymandering is associated with the redistricting issues of malapportionment, racial or linguistic discrimination, lack of identification with districts, lack of competition, electoral bias, and secrecy in the redistricting process. The rational choice theories say that people participate in the electoral process based on the payoff from voting. The payoff from voting depends upon the expected benefit, the likelihood that your vote will make a difference, the accuracy of your judgment, and the cost of voting. The foundation of this dissertation is based on the significance of voters' perception of gerrymandering and to evaluate if disenfranchising of gerrymandering may extend to voters.

Rational choice theories say that bureaucracies do not make decisions whether to vote or not to vote, only individuals do. Studies suggest that campaign mobilization factors such as candidate spending and electoral competition play a substantial role in influencing voter participation in elections. Despite these theories, I plan to show that Georgia's gerrymandered districts impact voter participation and behavior. While the overall effects of gerrymandering on individual turnout appear to be substantively low, the effects of changes in partisan composition in a voter's district that result from redistricting can decrease turnout likelihood by more than 4% (Hunt 2018). However, this small percentage of gerrymandering does influence voter turnout.

Hayes and McKee (2009) argue that while the effects of legal and institutional arrangements on political participation have been evaluated, the effects of redistricting on political participation require more study. Political analysts have examined registration records

before and after a round of redistricting to test whether gerrymandering affected an individual's decision to participate in elections and found that by severing the ties between constituents and their incumbents, redistricting raises information costs leading to increased levels of nonvoting in U.S. House contests (Hayes 2009). This study is unique in that the impact of state redistricting on citizens' voting participation is evaluated by asking voters directly if gerrymandering impacted their decision to vote in an election.

### **The Effects of Gerrymandering on Voter Turnout**

The disenfranchising effect of gerrymandering may extend to voters. One important consideration is whether supporters of the losing party believe they are being punished for how they vote. This consideration is the basis of *Benisek v. Lamone* (2018), a Maryland partisan gerrymandering case. The case was brought by Republican voters against a Democratic gerrymander. The plaintiffs argue that the state's redistricting was a retaliation against citizens who voted for the losing party and, therefore, violated their First Amendment rights. Research shows that social pressure, or the drive to gain praise and avoid punishment, significantly increases voter turnout (Gerber 2008). It is reasonable to argue, then, that if voters feel they have already been punished or that punishment is a likely outcome, social pressure to vote may dissipate, and turnout may decrease. Analysts shed light on the influence gerrymandering has on voter turnout. Research provides support for the idea that gerrymandering affects the size of the electorate (which is well known to affect voter turnout and individual voters' feeling of internal political efficacy (Downs 1957; Lassen and Serritzlew 2011; Sørensen 2013)).

Our democracy is overwhelmingly threatened when the voters lack confidence in their political system. My research attempts to analyze whether gerrymandering practices cause

voters to lose confidence in our electoral process. Shannon-Missal asserts that American voters have an ever-increasing feeling that political institutions do not have voters' interests at heart (2013). Many factors contribute to the increasing lack of confidence in our political systems by voters. The influence of dark money in our elections (Mann 2014) and the emergence of the twenty-four-hour news cycle contribute to the increasing lack of confidence in our political systems by voters (Levendusky 2014). The Honorable Alan S. Lowenthal believes no other factor has contributed more to negative public perception about voting and elections than gerrymandering and its side effects (2019). Since *Baker v. Carr* and its associated cases, malapportionment has been taken out of the equation. District populations are nearly equal. Gerrymandering today refers to either a racial or a partisan gerrymander. Further, in an age of voter disillusionment with their elected officials, the term "gerrymandering" has come to represent more than the malapportionment of political districts for partisan gain, it has come to represent political exceptionalism and corruption more broadly (Lowenthal 2019). Political exceptionalism is when elected officials gerrymander districts that favor one voting perspective to the marginalization of others (Waymer et al. 2016).

### **Gerrymandering and State Legislatures**

States that allow their legislatures to control the redistricting process are more likely to have "higher partisan bias, lower electoral responsiveness, and reduced public confidence in the electoral system" (Stephanopoulos 2013, 772). Public opinion also reflects this assertion. A 2013 Harris Poll found that 64 percent of respondents believe that redrawing districts is often used to take power away from voters (McCarthy 2016). Further, the same poll found that 71

percent thought that those who benefit from redrawing districts should not have a say in the process (2016).

Districts are built on the principle that the representative is elected to serve the constituency and embolden and empower the community to participate in elections. District mapmakers in many states are motivated to protect political parties and incumbents. There is a positive correlation between the statewide partisan advantage as measured by the efficiency gap (Stephanopoulos 2018). The efficiency gap is a statistic used to quantitatively assess the effect of gerrymandering (Stephanopoulos 2014). The basic efficiency gap computation is to add up overall electoral districts and the wasted votes of each party's candidates. The efficiency gap is the difference between the two parties' wasted votes, divided by the total number of votes. Stephanopoulos and McGhee argued that in a non-partisan redistricting with two roughly equally popular parties, the efficiency gap would be zero, with an equal number of wasted votes from either party (2014). An efficiency gap above 7% or below -7% can be considered gerrymandered (2014). Gerrymandered districts lead to a lack of competitive elections, more polarized elected officials, and a disengaged constituency (Stephanopoulos 2018). By putting a barrier between representatives and their constituents, gerrymandering makes a representative more responsive to political factions and special interests than to their constituents and voters (Lowenthal 2019). As discussed previously, efficiency gap results run counter to the type of government envisioned by the founders, in which the power rested in the people. Instead, gerrymandering has flipped this vision, allowing politicians and political parties to select the voters who will vote in their elections.

Gerrymandering creates safe seats by drawing districts to remove the likelihood of a competitive election. As described earlier, the party drawing the maps tries to secure their

majority through “cracking” and “packing,” ensuring party leadership in a statehouse and congressional delegation. Maps drawn to maximize the number of registered voters for a specific party minimize the chances for turnover and secure the dominance of a single party or candidate. As a result, over the last thirty years, the United States has seen the number of competitive congressional elections decrease as the number of safe seats has increased (Pildes 2011). A party that has manipulated political districts to create enough safe seats to protect its majority removes its accountability to the people (Issacharoff 2002; Pildes 2006).

Stephanopoulos (2018) argues that making politicians more accountable to their party than the voters shift representatives to the ideological poles, diminishing any chance for bipartisan cooperation and compromise, ultimately making the party whip more important than the community advocate.

Gerrymandering, which causes a reduction in competition, allows fewer opportunities for voters to exercise their right to act as a check on their representatives. Fair Vote (2023) highlights the overwhelming lack of competition in the U.S. House of Representatives elections. This report narrates how safe seats draw fewer qualified opposition candidates if they attract any challengers at all. The voter’s voices are diminished when a meaningful choice in electoral competition is not present. Between 2009 and 2016, Gallup found a steep decline in the percentage of Americans who have confidence in the honesty of our nation’s elections (McCarthy 2016). In just these seven years, voter trust fell from 59% to 30% (2016). Further, Gallup found that those lacking faith in the electoral system rose from 40% to 69% (2016).

## Gerrymandering in Georgia

Lengthy delays in redistricting led to vast disparities in population between 1841 and 1912 in many states. The Neil Act of 1917 provided that all political parties nominate candidates for Georgia state-house offices to be governed by the “unit system” of nomination. Under the unit system, it is the number of unit votes that a candidate receives, not the popular votes, determining whether a candidate is nominated for a particular office. For example, Fulton County had three members in the chamber of the legislature, and it thus had six-unit votes, while Echols County had one representative in the legislature, and it had two-unit votes or one-third as many as Fulton County. Yet Fulton County approximately had a population of 330,000 people to Echols County’s population of 2,744. Political analysts at the time believed that Georgia was “undoubtedly the most completely gerrymandered state in the Union today” (Gosnell 1933, 570). “This gerrymander system was designed by politicians for the good of their order” (Gosnell 1933, 573). At the time, the gerrymandered system affected members of the legislature, all elective state-house officials, members of the national House of Representatives, and of the United States Senate from Georgia. Gerrymandering emerged when the rural group of politicians seemingly became determined to keep the urban population from having their proper say in the political affairs of the commonwealth (Gosnell 1933). Many people living on farms either moved to cities within the state or migrated to other states. Over 600,000 Georgia farms were abandoned in the period from 1920 to 1930. Researchers noted that:

Thus, it seems that Georgia must be content to let the gerrymander system continue in effect for a long while. Possibly, at some remote time in the future, the people will be aroused to the inequalities of the system, and after a campaign of education, a change for the better may be brought about. (Gosnell 1933, 573).

By 1960, Georgia's Fifth Congressional District had 823,489 people, while the state's Ninth District had 272,154 people, a difference of more than 550,000 people (Bullock 2010). As previously stated, it was not until the early 1960s and a series of Supreme Court cases that voters saw their first respite from malapportionment with the Supreme Court's ruling in *Baker v. Carr* (1962), a case that challenged Tennessee's failure to redistrict since 1901. And challenges based on the Equal Protection Clause, one person, one vote was set as precedent, and the litigation against gerrymandering began. Though the differences in population and redistricting were inconsistent and undemocratic, it was not until the Supreme Court ruled the practices unconstitutional that the malapportionment stopped (Lowenthal 2019). Before these rulings, politicians saw the disparity between districts as a tool to maintain factional control and hurt their opponents, mainly in urban areas (Lowenthal 2019).

Gaddie and Bullock (2007) say that in Georgia's 2001 plan, every convention of redistricting was set aside. To implement their initial plan, Democrats took the step of pursuing judicial review for preclearance under the Voting Rights Acts of 1965 (VRA). Ultimately, the map was undone by the state's inability to justify seemingly legal population deviations to the satisfaction of the courts. The court knocked the tripod of the gerrymandering—strategic dislocation of Republican incumbents, together with the careful placement of Black and Democratic voters, respectively, and the packing of Republican voters into few, homogeneous districts—out from under the Democratic majority in the General Assembly. According to Gaddie and Bullock, the defects in Georgia's legislative maps illustrate how far a party that has lost public favor will go to retain power. The Democrat's gerrymandering attempt spawned two lawsuits challenging the Georgia maps, *Georgia v. Ashcroft* (2003) and *Larios v. Cox* (2004). The Georgia redistricting litigation was politically significant because it disrupted the political

strategy designed to continue control of a party that had lost its popular majority. A three-judge panel in the northern district of Georgia sought to minimize the detrimental effects on incumbents to the greatest extent possible while crafting a neutral-principle map where the reapportionment plans do not violate the one-person principle of the Equal Protection Clause. This decision denied Democrats a sufficient number of incumbents and attractive districts in which to run. As a result of the panel changes, half the gains of Republicans in Georgia in 2004 can be attributed to the placement of incumbents and the change in the partisan and racial composition of the legislative districts. Gaddie and Bullock demonstrate that federal judges acting in a non-partisan manner produced significant partisan changes in Georgia.

This study concentrates on three gerrymander characteristics: 1) incumbent gerrymandering, 2) partisan gerrymandering, and 3) racial gerrymandering. The State of Georgia's 2008 and 2012 general election voter turnout information is analyzed to determine whether gerrymandering after the 2010 census had an impact on voter participation and behavior in the 2012 general election following the redrawing of districts in the state. What impact does gerrymandering have on state legislative election voter participation is the guiding research question.

In the next chapter, I present hypotheses that analyze the impact that gerrymandering has on voter participation in two Georgia counties. I provide a conceptual discussion surrounding three characteristics of gerrymandering and their relation to the electoral process. I explore voter behavior when gerrymandering exists. I discuss gerrymander reform and offer the perspectives of those who support gerrymandering.

## **CHAPTER 2**

### **LITERATURE REVIEW AND THEORY**

In this chapter, I define gerrymandering and review its history in Georgia. I outline my hypotheses surrounding three characteristics of gerrymandering. I discuss the judicial history of gerrymandering, explaining how legislative districts should be reasonably drawn equally so that individual voters select their representatives instead of elected officials deciding who votes for them. I review gerrymander scenarios after the 1990, 2000, and 2010 Census. The focal point of this research is the individual voter therefore, I discuss how gerrymandering impacts voter turnout and voter behavior. Lastly, I discuss alternative non-legislative redistricting to analyze the pros and cons of gerrymandering and its impact on voters.

Hebert and Jenkins (2011) explain the redistricting process in America. Upon the release of the official population numbers, U.S. congressional seats are reapportioned among the states, depending on which states have gained seats and which have lost. According to Hebert and Jenkins, state legislators then get to work developing new congressional and state legislative district maps to both national and state-level population shifts over the past decade. These authors (2011) explain how, in most states, redistricting generally comes down to a legislative battle like any other, requiring the input of the state's legislative bodies and the approval (or veto) of the Governor. Redistricting is a common process in the United States of drawing district boundaries that have existed since the early 1800s. Grofman and Brunell (2010) discuss how districting practices in the U.S. differ from those in other countries. Their work explores the belief that social science can be useful to the courts in clarifying the value choices that must be made in providing standards of statistical measurement for gerrymandering that are, at present,

arbitrary at best. It specifically addresses the following questions: ‘Who gets to make decisions about redistricting?’; ‘What are the types of criteria by which redistricting plans might be evaluated?’; and ‘Who benefits from a given plan?’ Grofman and Brunell (2010) say it is thought that these three questions may deal with institutions, ideas, and interests, respectively. A useful way to think about redistricting criteria is in terms of a fivefold division of criteria into ones based, respectively, on a person, place, race, political party, and candidate status. In addition, Grofman and Brunell (2010) describe the effect of redistricting. They believe that it is generally shown that if a person is not interested in redistricting, that person must not be interested in politics or democratic theory.

Every ten years, as directed by the Constitution, the U.S. Census Bureau conducts an "actual Enumeration" of American residents (U.S. Const. art. I, § 2, cl. 3). Upon the release of the official population numbers, U.S. congressional seats are reapportioned among the states, depending on which states have gained seats and which have lost (Hebert 2011). Census governs the allocation of representatives, electoral votes, and government funding. For state legislative districts, the Equal Protection Clause of the 14<sup>th</sup> Amendment to the U.S. Constitution requires that districts be substantially equal (U.S. Const. amend. XIV, § 2). When redistricting, state legislatures are provided certain criteria with which to draw the lines to make districts easy to identify and understand and to ensure fairness and consistency.

In this study, gerrymandering is described as the practice of manipulating electoral districts to partisan advantage and securing safe seats for a party, group, or individual at the expense of others (Pierce 2011). While redistricting maps are often associated with federal congressional districts, gerrymandering is widespread throughout all political maps: state legislatures, city councils, and even school boards (Lowenthal 2019). While the practice has

always been unpopular and widely condemned (Sloan 2017), politicians' ability to protect their positions of power and expand their influence is too tempting for them to give up. History has shown that state legislatures with this power will not give it up of their own accord (Lowenthal 2019). Democracy works best when the voters themselves lead it. However, if voters do not believe our democracy is working fairly, they will not participate (Wike 2017).

"And for almost 200 years until *Baker v. Carr*, abusive partisan districting was a relatively simple matter because there was no constitutional requirement that districts be equinumerous and malapportionment was so powerful a tool for diluting the opposition's votes that partisans needed no other" (Polsby 1991, 303). Critics of redistricting argue that it encourages gerrymandering and decreases electoral competitiveness. Also, others claim that partisan redistricting, or "gerrymandering," leads to declining competition and increasing polarization (Polsby 1991, 303). Both views are unfounded. Some scholars contend that gerrymandering biases electoral systems in favor of the party that controls redistricting as compared to what would have happened if the other party controlled it.

There has been a decline in the number of competitive congressional districts during the past two decades, with this decline to increasing control of campaign resources by incumbents, assuring their reelection (Crosson et al. 2020). Cain, MacDonald, and McDonald (2005) and McDonald (2006) suggest that the protection of incumbents by state legislatures is one strong explanation for the lack of competition in elections. Similarly, Carson and Crespin (2004) suggest that commissions produce more competitive elections than when state legislatures are controlling the redistricting process.

## Gerrymandering in Georgia

A problem in the South is that race and party are highly correlated with one another. For example, polarization between Black and White voters has increased nationwide since the mid-1990s and is particularly high in the South (Stephanopoulos 2016). This is called racially polarized voting, when the political preferences of majority-race and minority-race voters diverge substantially, and the racial majority votes with enough cohesion to usually defeat the minority's candidate choice (Elmendorf et al. 2016). Andra Gillespie, a political science professor at Emory University, says, "In Georgia, Black voters generally vote Democrat, and White voters vote Republican because Democrats have a perceptual advantage over Republicans when it comes to civil rights, an issue important for Black voters." (Robinson 2023). Even though the concept of racially polarized voting is at the heart of the VRA, the federal courts do not recognize partisan gerrymandering as a problem. In *Thornburg v. Gingles* (1986), the Supreme Court held that racially polarized voting is a necessary—but not sufficient—condition for a vote dilution claim under Section 2 of the VRA. Black Georgians are overwhelmingly Democrat, but as noted, federal courts cannot rule on partisan gerrymandering. It is typical for the party in power to redraw maps to their benefit. Republicans had control of the maps in 2011.

Sam Hirsch (2004) says that the 2001-2002 round of congressional redistricting was the most incumbent-friendly in modern American history. Hirsch's congressional study parallels recent state legislative analysis, similar to Georgia's 2012 elections. The new district lines not only insulated incumbents from competition but also froze into place a key feature of the 1990s districts, "distributional bias," that gives Republicans a roughly 50-seat head start in the battle to control Congress. Hirsch believes that in combination, these two features—extreme protection

of incumbents and powerful pro-Republican bias—might prevent Democrats from regaining control of Congress in this decade, even if public opinion shifts heavily in their favor. Most of Hirsch's article is devoted to showing how and why redistricting has helped to transform the U.S. House of Representatives into a body that will no longer accurately reflect the majority. Hirsch references the intent of the Framers that the House should respond to the majority's changing political preferences.

Following the release of the 2010 census data, the Georgia Legislative Black Caucus filed a lawsuit on March 28, 2011, seeking the dissolution of five cities in Dekalb and Fulton counties. The suit against the state alleged that normal procedures were circumvented to create cities with White super-majorities, which diluted minority votes and violated the VRA and the U.S. Constitution (Edwards 2013). The 2010 Census figures showed Fulton County was 44.5% White and 44.1% Black, while Dekalb County was about 54% Black and 33.3% White (Matteucci 2011). However, on December 23, 2011, the U.S. Department of Justice (DOJ) gave pre-approval to Georgia's redistricting plan under the VRA. This was the first time in Georgia's history that all of the state's maps (House, Senate, and U.S. Congress) were approved upon the first review. However, state Democrats said that past DOJ approvals did not stop revisions by the courts and that the party pursued legal action.

### **Concepts and Ideas**

Our Founding Fathers intended for redistricting to be a mechanism to ensure that House and state legislative representatives (Brama 2019) fairly and reasonably equally represent all voters in a district. Politicians like Governor Gerry realized that the redistricting process could be manipulated to protect incumbents. When the redistricting process is no longer used as a tool

to ensure fair representation, it becomes gerrymandering. An adverse consequence of gerrymandering is political self-segregation and polarization. In an effort toward framing redistricting for this study to be described as gerrymandering, three characteristics are identified:

1. Incumbent Gerrymandering - Shift in incumbent to secure reelection
2. Partisan Gerrymandering - Shift in district makeup towards partisanship
3. Racial Gerrymandering - Shift in district ethnic composition (cracking and packing) of minority districts

### **Incumbent Gerrymandering**

Self-interested politicians use redistricting in many states to ensure they face little serious opposition from challengers. Legislative redistricting increases electoral responsiveness by protecting incumbents. Incumbents manipulate reelection prospects by packing their districts with friendly voters, which scares off or trounces challengers attempting to take their seats. Several authors have observed a decline in the number of competitive congressional districts during the past two decades (Li et al. 2022). Theories from the 1960s and the 1970s are still relevant today, attributing to the decline in the number of competitive congressional districts, which are of major causal significance to changing methods of drawing district boundaries and increasing control of campaign resources by incumbents (Ferejohn 1977).

Redistricting always has the potential to harm incumbents. Several works make the case that redistricting severs the incumbency bond, and this accounts for why representatives perform better among their old constituents (voters who have the same incumbent before and after redistricting) (see Ansolabehere, Snyder, and Stewart, 2000; Desposato and Petrocik, 2003; McKee 2008; Petrocik and Desposato, 1998). Redistricting generally has the effect of lowering

incumbent vote shares (Desposato and Petrocik, 2003). Hood and McKee (2010) evaluated the electoral effects of redistricting on political behavior. By evaluating the results of a survey utilizing individual-level data, they found that a relationship between redistricting and incumbent recognition does exist. Redrawn voters were much less likely to recognize their incumbent, and it's the inability to recognize one's incumbent, irrespective of whether the representative has changed due to redistricting, which accounts for a reduced likelihood of voting for the incumbent.

Competition in U.S. House elections has been declining for more than 50 years and based on both incumbent reelection rates and the percentage of close races, the 2002 and 2004 House elections were the least competitive of the postwar era (Abramowitz et al. 2006). According to the redistricting hypothesis, state legislatures using sophisticated new computer-based technology have been skillfully drawing congressional district lines to either maximize partisan gains, creating as many districts as possible that favor the majority party by packing minority party voters into as few districts as possible, or to protect incumbents of both parties.

Abramowitz and colleagues state the incumbency hypothesis argues that declining competition in House elections is due less to changes in the partisan composition of House districts than to the growing advantages of incumbency. He believes there are two types of advantages to which incumbent politicians might owe their extraordinarily high reelection rates: advantages that derive from holding office and campaign-related advantages. Since the 1970s, there has been a substantial increase in the number of House districts that are safe for one party and a substantial decrease in the number of marginal districts. However, this shift has not been caused by redistricting but by demographic change and ideological realignment within the electorate.

Moreover, even in the remaining marginal districts, most challengers lack the financial resources needed to wage competitive campaigns (Abramowitz et al. 2006).

### **Partisan Gerrymandering**

Historically, partisan gerrymandering has taken two forms. The first creates districts of unequal population sizes. Since numerous Supreme Court rulings in the early 1960s, including *Reynolds v. Sims (1964)*, establishing the one person, one vote principle, states have been required to draw congressional districts with equal population changes. Before these Supreme Court rulings, gerrymanders often created districts with significant population differences. Parties redrew some district maps multiple times within a single ten-year period to suit their own needs, while some districts remained unchanged for decades.

The second form of partisan gerrymandering is the manipulation of district lines to ensure electoral success and to maintain the party in power. According to authors Hebert and Jenkins (2011), partisan gerrymandering results when the party in power in the state legislature redraws election districts to ensure the election or reelection of its members while decreasing the political safety of party opponents. They contend that this is largely done by "packing," moving voters from the opposition party into only a few districts, or "cracking," splitting a population that would otherwise produce a majority into minority portions of other districts. Hebert and Jenkins say that the result is a collection of "safe" districts for the representatives of the party in power and the marginalization of the opposition. For example, in states where one party does not have sufficient control of the state legislature to push through a completely lopsided partisan gerrymander, state party leaders may instead collaborate on a bipartisan sweetheart gerrymander, ensuring that each incumbent congressperson or legislator remains safe from political challenge.

Legislative redistricting increases partisan bias (Gelman 1994). Gerrymandering biases electoral systems in favor of the party that controls redistricting as compared to what would have happened if the other party controlled it (Gelman 1994). Although critics believe that redistricting reduces partisan bias as compared to an electoral system without redistricting (1994), partisan gerrymandering has eliminated competitive elections (Ferejohn 1977). With “packing and “cracking,” the partisan mapmaker seeks to draw lines that concentrate the opposition's electoral support in just a few districts. According to Polsby (1991), the net result is that many more of the opposition party's supporters have their votes squandered by being thrown into contrived landslides. The gerrymandering party can thus win more seats in proportion to its electoral support than it would if the district lines were drawn without regard for partisan considerations.

Gelman and King (1994) demonstrate the benefits of legislative redistricting, including partisan gerrymandering, for American representative democracy. They analyze two long-standing controversies in American politics. The first concern is that although some scholars believe that redistricting reduces electoral responsiveness by protecting incumbents, others believe that the relationship is spurious. Gelman and King (1994) proclaim to demonstrate that both sides are wrong. According to Gelman and King (1994), electoral responsiveness is the degree to which the partisan composition of the legislature responds to changes in voter preferences (p. 542). They say that redistricting increases responsiveness. Second, while researchers believe that gerrymandering dramatically increases partisan bias and others deny this effect, they show both sides are, in a sense, correct. Gerrymandering biases electoral systems in favor of the party that controls redistricting as compared to what would have happened if the other party controlled it. In addition, Gelman and King state that any type of redistricting

reduces partisan bias as compared to an electoral system without redistricting. They found that incorrect conclusions in both pieces of literature resulted from misjudging the enormous uncertainties present during redistricting periods, making simplified assumptions about the redistricting goals, and using inferior statistical methods.

### **Racial Gerrymandering**

A problem with racial gerrymandering is the irregularity of legislative district shapes. One central empirical contention of racial redistricting revolves around the policy's partisan impact. Lublin and Voss (2000) contend that racial redistricting emerged as one of the most fiercely debated policy questions among scholars, judges, and politicians during the 1990s. They clarify that although the battle has raged along multiple fronts, such as normative, constitutional, and methodological, the central empirical contention revolves around the policy's partisan impact. Critics of racial redistricting claim, and Republicans hope, that packing Black voters into majority-minority districts cripples the Democratic party outside of the safe seats it creates for Black representatives. By contrast, some analysts downplay the damage nearby Democrats typically will suffer. Lublin and Voss believe that the true electoral effect of racial redistricting remains unclear and found that virtually all studies of racial redistricting's partisan impact have focused solely on one or two congressional elections. They believe that these high-profile contests provide few actual cases to test how electoral borders shape Democratic fortunes, especially in the critical range where African Americans fall just short of a majority.

Epstein and O'Halloran (1999) developed a statistical methodology for evaluating voting districts designed to promote minority interests. They begin by stating that the key phrase in voting rights litigation is that minorities should have an "equal opportunity to elect the candidate

of choice,” but this is riddled with problems in implementation (Epsten and O’Halloran 1999, 367). Therefore, they presented an alternative estimation approach that employed categorical regression analysis. This method provides a general definition of candidates of choice, uses relevant elections for the analysis, avoids the bias inherent in ecological regression, and allows researchers to measure the implications of competing districting plans for the substantive representation of minority interests. They then applied their definitions to recent South Carolina State Senate elections. Their findings indicate that given present voting patterns, this elective body was rather over-gerrymandered: the districts as drawn were more than necessary to assure minority voters an equal opportunity, and in expectation, they are likely to dilute rather than enhance substantive minority representation. The point of equal opportunity occurred at around 45 percent to 47 percent of the Black voting-age population (BVAP), and highly gerrymandered districts resulted in a legislature that was more polarized and less favorably disposed towards minority concerns.

Epstein and O’Halloran’s (1999) findings suggest that neither side is completely correct; minorities may win office outside of majority-minority districts, minority voters can be represented well by nonminority officeholders, and majority-minority districts may over-concentrate minority voters to the detriment of their impact on policy. On the other hand, a race-neutral approach to districting will probably result in a minimization of minority influence on public policy, as minorities still face significant difficulties in gaining office. Consequently, the argument favoring some degree of concentrated-minority districts remains strong.

According to Lowenthal (2019), cracking and packing techniques are more common today because of the 1960s Supreme Court rulings. Cracking a district spreads the opposition across many districts so that the majority of districts do not have a large enough population of

opposition supporters to enable the opposition to viably compete in elections (Pierce 2011). Packing a district, on the other hand, concentrates opposition supporters in a disproportionately low number of districts, creating safe seats for a single opponent while diluting opposition strength in the other district.

### **History of Gerrymandering and the Courts**

Again, partisan gerrymandering is counter to the Framers' intent and is unconstitutional (Lowenthal 2019). Gerrymandering continued unabated throughout the eighteenth, nineteenth, and twentieth centuries, regardless of the state or which political parties were in charge. Formal calls were made to address the issue. For example, in his annual address to Congress, President Benjamin Harrison called gerrymandering "political robbery" and called on Congress to take action, stating, "The power of Congress is ample to deal with this threatening and intolerable abuse" (Harrison 1891).

After the Civil War, White Southerners regained political power through violent intimidation during elections to repress minority voting (Byman 2021). Once in power, Whites amended state constitutions and adopted Jim Crow laws to prevent African Americans from voting. Beginning in the 1960s, the federal courts restructured the nation's political institutions through a decision involving redistricting, which would strike down malapportioned legislatures. Before the 1960s and after the Civil War, southern governments practiced voting laws that excluded most Black voters. The *Baker v. Carr* (1962) ruling held that the U.S. Supreme Court had the power to review legal challenges to the constitutionality of failing to reapportion after every census, which had given rise to grossly unequal districts.

The Fourteenth Amendment and its Equal Protection Clause were examples of steps calling for equality among voters despite increasing gerrymandering practices. With *Reynolds v. Sims* (1964,) the Supreme Court had to put limits on malapportioned districts by establishing that new lines must be drawn every decade because politicians abused the election process to benefit one party over another.

Congress passed the VRA seeking to eliminate discriminatory election rules. The VRA ensured that states with a statistically significant number of minority voters drew districts with enough minority populations within them to allow for minority candidates to have an equal opportunity to be elected, allowing racial and ethnic minority groups to select representatives from their communities (Lowenthal 2019). The VRA rejected these discriminatory election laws to ensure that state legislatures reflect the racial and ethnic diversity of all people they represent. The VRA and its amendments require jurisdictions with a low level of minority participation in the 1960s and 1970s to submit all legislation that changes election laws or procedures to either the Attorney General of the United States or the district court of the District of Columbia for review and approval before implementation (Gaddie 2007). This process of judicial review is also called preclearance. Until 2013, Georgia, along with Alabama, Louisiana, Mississippi, South Carolina, Virginia, about half of North Carolina, and parts of eight other states, must prove the racial fairness of their districting plans as a result of being subject to Section 5 of the 1965 VRA. In essence, states that have a history of minority voter suppression laws are required to complete the preclearance process for all redistricting plans.

*Shelby County v. Holder* (2013) was a landmark U.S. Supreme Court ruling that gutted the VRA by eliminating critical protections from discrimination. The decision on June 25, 2013, held that a key part of the VRA was unconstitutional and put it on Congress to update the

legislation. Without the full protections of the VRA, state and local governments with a long history of discrimination are free to adopt election policies that they have not been able to in decades.

The task of apportioning both congressional and state legislative seats has historically fallen to state governments. However, the U.S. Constitution, from its start, has expressly granted Congress a role in overseeing how states hold elections for their members. Article I, Section 4 of the Constitution provides: “The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations.”

The Supreme Court’s inability to make a fractured opinion on cases such as *Davis v. Bademer* (1986) and *Vieth v. Jubelirer* (2004) has generated confusion about whether partisan gerrymandering cases are justiciable and whether courts can devise manageable standards to review such claims. In *Shaw v. Reno* (1993), the Court also ruled racial gerrymandering unconstitutional unless narrowly tailored to meet a compelling government interest. The Courts have yet to rule partisan gerrymandering unconstitutional or even put barriers to limit extreme partisan gerrymandering. In *Davis v. Bademer*, Indiana Democrats alleged that the apportionment of Indiana’s state legislature diluted the impact of Democratic votes in key districts and violated the Equal Protection Clause of Amendment XIV of the Constitution. The Supreme Court ruled that Indiana’s district plans did not constitute an illegal partisan gerrymander; however, the Court did maintain that partisan gerrymandering claims are justiciable under the Equal Protection Clause. They ruled similarly in *Vieth v. Jubelirer*, agreeing that federal courts have the right to intervene in such matters but ruling the current cases did not show characteristics of illegal partisan gerrymandering. The lack of any

meaningful resolution from Congress or the Supreme Court has resulted in continued control of the process by state political parties (Lowenthal 2019).

McCrary and Lawson (2000) say that courts, both state and federal, often play a substantial role in the adoption and implementation of changes in public policy. Properly understood, the impact of court decisions must be examined in the context of actions and reactions by other branches of government, political parties, and interest groups. McCrary (2000) contends that among the most transformative court decisions over the last half-century are those involving legislative reapportionment and minority voting rights. Beginning in the 1960s, the federal courts restructured the nation's political institutions through decisions striking down malapportioned legislatures and local governing bodies through what used to be termed the "reapportionment revolution," perhaps the only revolution ignored altogether by historians (Baker 1966). Shortly thereafter, the courts extended their attack on quantitative vote dilution (which the "one-person, one-vote" standard is designed to address) to include protection against electoral rules that dilute the voting strength of racial minorities (McCrary 2000).

Christopher Liebold (2014) takes a look at gerrymandering, the laws that have made it possible, and the court cases that have shaped it. As a result of better mapping technology and the current way congressional races are held, gerrymandering has produced a more radical United States Congress. The main study is on the State of Ohio, where GOP-drawn maps have produced a delegation of 75% Republicans despite getting only 50% of the vote. This has affected democracy and has, in the case of Ohio, made only one out of sixteen seats competitive. With primary challenges being all that is left for congressmen to fear, they have been pushed to the left or right and have nearly eliminated the political center. It is a difficult problem to solve as neither party wants to give up the chance of "redrawing the map," and the electorate rarely

realizes the importance of the elections leading up to the time of reapportionment (Liebold 2014). Before there can be a new American Middle Ground in politics, there must be a way for moderates to be elected.

### **Gerrymandering After the 1990 Census**

Before 1990s redistricting, VRA required proof of “intent” to discriminate, a much higher standard. Redistricting after the 1990 Census shows characteristics of racial gerrymandering. According to Frank Parker (1995), redistricting after the 1990 Census resulted in historic increases in the number of majority-Black and majority-Hispanic congressional and legislative districts and accompanying advances in the number of Black and Hispanic members of Congress and state legislators. State legislatures and federal and state courts created additional majority-minority districts because they wanted to avoid discrimination and believed such districts were required by Section 2 of the VRA to avoid a redistricting plan that resulted in discrimination, or some instances to remedy Justice Department objections under Section 5 of the VRA.

In *Shaw v. Reno* (1993), White voters challenged two newly created majority-Black congressional districts in North Carolina, contending in their complaint that race-conscious redistricting violates the Fourteenth Amendment. The Supreme Court, by a 5-to-4 vote, held for the first time that plaintiffs could challenge bizarrely shaped majority-minority districts as an equal protection violation, even though the redistricting plan was racially neutral on its face and there were no allegations that the plan was adopted for a racially discriminatory purpose or had a racially discriminatory effect. Parker (1995) explains that plaintiffs could state a constitutional violation, the Court ruled, by alleging that the oddly shaped districts "cannot be understood as

anything other than an effort to separate voters into different districts based on race and that the separation lacks sufficient justification." According to Parker, the Court's decision has enormous consequences for minority voters seeking to overcome decades of discrimination in the electoral process and underrepresentation in Congress, state legislatures, and local governmental bodies. Parker says that if the *Shaw* decision is broadly interpreted to impose severe limits on the creation of majority-minority districts, it will end the substantial progress in increasing minority participation in legislative bodies made since the VRA was passed and could produce the first reduction in minority representation in Congress since the post-Reconstruction period. In addition, Parker believes that the decision is poorly reasoned and inadequately grounded in constitutional doctrine. It raises serious questions of standing to sue, application of the discriminatory purpose requirement, lack of compactness as an essential feature of racial gerrymandering, and compliance by states with the requirements of the VRA.

Parker (1995) presents statistics showing how, before the latest round of redistricting, minorities remained substantially underrepresented in Congress and state legislatures. Despite a national voting age population that is 11.1 % Black and 7.3 % Hispanic, Blacks made up only 4.9% of members of Congress and 5.4 % of all state legislators, and Hispanics constituted only 2.5 % of Congress and 1.7 % of state legislators. After the 1990 Census, state legislatures and federal and state courts adopted new redistricting plans that produced some of the largest increases in minority representation since the VRA was passed. The number of majority Black and Hispanic congressional districts doubled, from 26 to 52, and this resulted in a 50% increase (from 26 to 39) in the number of Black members of the U.S. House of Representatives and a 38% increase (from 13 to 18) in the House Hispanic caucus. Redistricting plans also were adopted that increased the number of majority-Black state legislative districts, resulting in a 23%

increase (from 448 to 511) in the number of Black state legislators. In the South, there was a 55.8% increase (from 43 to 67) in the number of Black state senators and a 34% increase (from 159 to 213) in the number of Black state representatives. The most dramatic increases in Black representation in state legislatures occurred in Mississippi, where Black representation almost doubled (from 22 to 42), and Louisiana, where the number of Black legislators increased 60% (from 19 to 31). Nonetheless, Parker (1995) points out that despite these gains, the growth in minority representation in Congress and state legislatures did not exceed the minority population percentages in these states and still fell short of providing proportional representation for minorities. State legislatures in seven states drew new majority-Black and Hispanic congressional districts, and federal and state courts created them in seven other states. State legislatures adopted minority districts primarily to avoid discrimination; to comply with Section 2 of the VRA, as construed by the Supreme Court in *Thornburg v. Gingles* (1986); and to avoid Justice Department objections under Section 5 of the VRA, or, if an objection was lodged, to remedy the Justice Department objection. Section 2 of the VRA, amended by Congress in 1982 to obviate the necessity of proving discriminatory intent in voting rights cases, prohibits any discriminatory practice, including redistricting plans, that has discriminatory results (Parker 1995). Beginning in 1989, the Bush administration pushed for legislation aimed at “outlawing gerrymandering” (Devroy 1989). The GOP lawmakers, the Bush Justice Department, and Black legislators struck a bargain to maximize the number of majority-minority districts under the effects of the 1982 VRA (Bullock 1995). Republican legislatures proposed to neutralize the map-drawing criteria in an attempt to hinder partisan gerrymandering but instead were accused of an attempt to circumvent the Democratic Party’s chance of gaining congressional districts after the 1990 census (Li 1990). According to Aistrup (1996), the result of these map-drawing

processes is the creation of additional white-dominated districts that are theoretically more likely to support Republican candidates. This redistricting process lessened the need for GOP candidates to moderate their conservative policy positions because the votes of white liberals and moderates became increasingly marginalized as the percentage of blacks in the district declined (Aistrup 1996, 11). The “Faustian” bargain struck by GOP lawmakers, the Bush Justice Department, and Black legislators to maximize the number of majority-minority districts under the effects standard of the 1982 VRA. In 1992, it had the effect of bleaching the surrounding white districts, most of which voted Republican in the 1994 GOP red wave election.

### **Gerrymandering after the 2000 Census**

After the 2000 Census, the Courts played a significant role in manipulating gerrymandering. Nathaniel Persily (2001) focuses on the legal inadequacies of the census redistricting dataset (the P.L. 94-171 data file). Due to a series of Supreme Court decisions in the wake of the creation of majority-minority districts in the 1990s, jurisdictions in the 2000 round must conform to the uncertain rule of avoiding districts that have race as their “predominant factor” (Persily 2001, 10). States will have particular difficulty in abiding by such a rule in the upcoming redistricting since the only data the Census Bureau will release in time for redistricting will be data for race/ethnicity and voting age. As a technical matter, all districts based solely on census data, even in areas with no racial diversity, will be suspect under the Supreme Court’s standard.

Lublin and Voss (2000) estimate competing logit models of the link between the racial composition of districts and parties and then analyze these models for all state legislative elections held in the South from 1990 to 1998. They use these models and a decomposition

model developed by Grofman and Handley (1998) to decompose changes in seats won by the Democrats since 1990 into redistricting realignment and interaction effects. They state although racial redistricting harmed the Democrats in all states and cost the Democrats control of at least two state Houses, the ongoing realignment toward the Republicans played a much greater role in Democratic losses. They found little evidence to support the White-backlash theory but concluded that Democratic candidates fare better in highland districts compared to other heavily White regions of the South.

### **Gerrymandering after the 2010 Census**

The Courts show signs of sidestepping decisions on gerrymandering tactics after the 2010 Census. The 2010 Census revealed that the U.S. population continued to migrate south and west. Between 2000 and 2010, the nation's population as a whole grew at a slower rate than in previous decades, averaging just 9.7 percent (Cullen 2012). This demographic shift had a huge impact on congressional and legislative reapportionment. Southern and Western states picked up ten new congressional seats from states in the Northeast and Midwest. Also, the 2010 Census showed a large growth in minority populations. Every major ethnic or racial minority group gained in proportion to the total U.S. population and, as a whole, grew 29 percent. The Hispanic population grew four times faster (43 percent) than the population as a whole, mostly in the South and West, and now comprises 16 percent of the total population. Nearly half of the population in the West (47 percent) is now from a minority group. This minority group shift had a big effect on how congressional and state legislative maps were drawn in many states. Several

states added new majority-minority state legislative and congressional districts to ensure fair representation of minority groups.

Since 1965, Section 5 of the VRA has required federal approval—preclearance—of any changes to voting laws or procedures in nine states and portions of seven others that have had a history of discrimination. Thousands of local jurisdictions with elected governing bodies fall under Section 5’s provisions, from the local school board to the state legislature. Then, the 2009 U.S. Supreme Court decision in *Northwest Austin Municipal Utility District No. 1 v. Holder* cast some doubt on the continuing need for preclearance and whether the VRA’s requirements were still applicable to the same group of states identified decades ago. The court decision suggested that questioning the continuation of preclearance was a legitimate pursuit (Cullen 2012). “Section 5 is no longer corrective—it is now punitive,” says Texas Senator Kel Seliger (Cullen 2012, 32). He argues preclearance is no longer needed because “there will always be recourse through the court system.” (Cullen 2012, 32) Texas, along with Alabama, Florida, and Georgia, have disputed the continuing need for preclearance in their filings with the court. And while Florida and Georgia received preclearance of their redrawn districts, the rejection of Texas’ plans puts the state on the fast track to challenge the constitutionality of Section 5 before the U.S. Supreme Court.

In the *Shelby County v. Holder* (2013) decision, the Supreme Court invalidated a decades-old “coverage formula” naming jurisdictions that had to pass federal scrutiny under the VRA, referred to as “preclearance,” to pass any new elections or voting laws. Those jurisdictions were selected based on their history of discrimination in voting. The decision also left it to Congress to come up with new criteria for coverage. In practice, the decision means that communities facing new discriminatory voting laws have had to file suits themselves or rely on

Justice Department suits or challenges from outside advocates. Some believe that the outcome of *Shelby v. Holder* is a classic gerrymandering that results in voter disenfranchisement. An important outcome of this Supreme Court's decision is whether the justices will rule in future cases that partisan gerrymandering claims can be settled by a court.

The case *Rucho v. Common Cause* challenged the congressional redistricting plan enacted by the Republican-controlled North Carolina General Assembly in 2016. State Republican Senator Robert Rucho and Representative David Lewis were the state's redistricting committee chairmen. Republican legislators leading the redistricting effort instructed their mapmaker to use political data to draw a map that would produce a congressional delegation of ten Republicans and three Democrats. As one of the two Republicans chairing the redistricting committee stated, "I think electing Republicans is better than electing Democrats. So, I drew this map to help foster what I think is better for the country" (588 U.S.\_\_\_\_2019). The new 2016 maps were subject to immediate challenge by the Common Clause. The Common Clause was made of the North Carolina Democratic Party, the League of Women Voters, and several individuals in separate lawsuits against Rucho and other state legislatures.

On June 27, 2019, the Court ruled in a 5 to 4 majority opinion that "partisan gerrymandering claims present political questions beyond the reach of the federal courts" 588 U.S. (2019). This decision vacated and remanded the lower court's decision with instructions to dismiss for lack of jurisdiction. The 2019 decision surrounding *Rucho v. Common Cause* closed the door to federal challenges of partisan gerrymandering.

## **The Effects of Gerrymandering on Voter Turnout**

Recent studies suggest that campaign mobilization factors such as candidate spending and electoral competition play a substantial role in influencing voter participation in elections. An analysis by Hogan (1999) focuses on the relative influence of these campaign effects along with a variety of contextual features on district-level turnout in state legislative elections. Models testing a variety of variables across seven states in 1994 point to the overwhelming influence of socioeconomic and political context, with campaign mobilization effects contributing a much smaller degree of explanatory power. While some mobilization factors (such as campaign spending) have the potential to exert a strong impact on turnout, factors beyond the control of candidate campaigns are responsible for much of the observed variation in turnout across state legislative districts (Hogan 1999). Additionally, Goldberg et al. (2014) say while intensive political campaigns overall foster citizens to turn out to vote, they do so, especially for intermittent voters, who need to decide anew at each ballot whether to turn out or not.

Henderson, Sekhon, and Titunik (2016) believe that legislative redistricting alters the political and electoral context for some voters but not others, thus offering a potentially promising research design to study many questions of interest in political science. Henderson, Sekhon, and Titunik (2016) apply this design to study the effect that descriptive representation has on co-ethnic political engagement, focusing on Hispanic participation following California's 2000 redistricting cycle. These authors show that when redistricting draws legislative boundaries in California's 1990, 2000, and 2010 apportionment cycles, they systematically sort higher-participating Hispanic voters into majority-Hispanic (MH) jurisdictions represented by co-ethnic candidates, biasing subsequent comparisons of Hispanic participation across districts. Similar

sorting occurs during redistricting in Florida and Texas, though here the pattern is reversed, with less-participating Hispanic voters redistricted to MH districts. Their study highlights important heterogeneity in redistricting, largely unknown or underappreciated in previous research. Ignoring this selection problem could significantly bias estimates of the effect of Hispanic representation, either positively or negatively.

Six redistricting issues are identified and discussed—malapportionment, racial or linguistic discrimination, lack of identification with districts, lack of competition, electoral bias, and secrecy in the redistricting process. The strategy proposed involves the generation of a large number of districting solutions so that each may be assessed in the light of three objectives: (i) minimize electoral bias; (ii) foster voter participation and sense of identity; (iii) equalize population size taking minority representation into account (Henderson 2016). After Henderson, Sekhon, and Titunik correct for these biases using a hierarchical genetic matching algorithm, they find that, in California, being moved to a district with a Hispanic incumbent has little impact on Hispanic participation in their data.

Charles Hunt (2018) tests the measurement of the voter-level effects of redistricting and redistricting as a whole at the highly precise individual level and among different but significant subsets of voters. By predicting turnout with individual-level change in competitiveness and candidate and district characteristics, Hunt's project specifies the impact of redistricting on voting behavior with a focus on the individual voter that has been missing from the literature. He performs a case study on the state of Florida. Redistricting in the state of Florida, which was subject to national legislative redistricting and reapportionment before the 2012 election, offers a valuable exogenous test by which changes in competitiveness, incumbency, and partisanship resulting from redistricting can be assessed as drivers or depressors of turnout. The results of

Hunt's experiment indicate that while the overall effects of redistricting on individual turnout appear to be substantively low, the effects of changes in partisan composition in a voter's district that result from redistricting can decrease turnout likelihood by more than 4%. Hunt believes that these results call into question what it means for a voter to be "redistricted."

In the 100 years since the ratification of the Nineteenth Amendment to the US Constitution, women now eclipse men in the US electorate both because of their larger proportion of the eligible population and as a function of stronger turnout behavior (Junn et al. 2020). Since the 1980s, women voters have supported Democratic Party presidential candidates at a higher rate than male voters (Kaufman et al. 2005). However, white women are the group of female voters who overwhelmingly support Republican Party candidates for president (Junn et al. 2020). As stated earlier, 58% of the participants in this study are women, and 92% are African American. News coverage of the 2008 and 2012 elections talked about "women and minorities" as key parts of Obama's winning coalition. According to exit polls for the 2012 election, 96% of Black women voted for President Obama, while 56% of White women voted for Governor Romney (Garcia Bedolla et al. 2013). The Obama campaign undertook a massive and concerted effort to turn out the Black vote (i.e., Black religious and civic groups) by organizing extremely successful voter registration and get-out-the-vote efforts. The voter turnout gap by education in presidential elections has not noticeably decreased since the 1970s (Leighley et al. 2014). A positive association between educational attainment and voting contributes to the effect of education, allowing individuals to obtain political information and develop the skills needed to vote (Condon 2015).

## **Voter Behavior**

My research would not be complete without a brief analysis of individual voter behavior. At the most general level, the rational choice theory may be characterized by methodological individualism, a focus on the individual decision-maker or voter. The premise underlying this focus is that firms and bureaucracies do not make a decision; only individuals do. Organizations and other social institutions provide incentives that guide an individual's choices as well as rules for aggregating those choices (Compare and Contrast 2020). However, all collective actions may be reduced to a set of individual decisions. Thus, the appropriate unit of analysis for rational choice theory is the individual decision-maker and, in this research, the individual voter. The second defining element of rational choice theory is the presumption that institutions matter. Rules and norms that define procedures for making collective choices favor some interests over others and some outcomes over others. Whether it be public versus private ownership or unanimity versus majority voting rules, the nature of institutional arrangements affects individual behavior and subsequent collective action. In this research, rational choice theorists would argue that the state legislative gerrymander practice impacts an individual's decision to vote.

A citizen decides to participate in the electoral process based on the payoff from voting (Downs 1957, Franklin 2004, Riker and Ordeshook 1968). The payoff from voting depends upon the expected benefit, the likelihood that your vote will make a difference, the accuracy of your judgment, and the cost of voting. It is for an individual voter not to vote, given the costs associated with voting and the minimum chance of influencing the electoral outcome and voter self-interest. The probability-that a citizen's vote will affect the outcome is so small that the expected gains from voting are outweighed by the costs in time and effort (Ferejohn and Fiorina, 1974). Ferejohn and Fiorina's research implies that in both two and three-candidate plurality

elections, individuals never choose their second choice in a three-candidate election. Tullock's (1968) theoretical approach to the rational behavior model is that a citizen decides to participate in the electoral process based on the payoff from voting. The payoff from voting depends upon the expected benefit, the likelihood that your vote will make a difference, the accuracy of your judgment, and the cost of voting.

Riker and Ordeshook (1968) believe that Downs' (1957) theory that voting is irrational is doubtless ideological to democrats. Riker and Ordeshook's theoretical approach to the rational behavior model introduces into the voting calculus a direct utility gain from the act of voting and the subjective perception of the closeness of the election. The decision to vote, thus, includes psychic rewards from voting (Silberman 1975). Riker and Ordeshook exclaim that the writers who constructed these analyses were engaged in an endeavor to explain political behavior with a calculus of rational choice, yet they were led by their argument to the conclusion that voting, the fundamental political act, is typically irrational. Riker and Ordeshook (1968) describe a calculus of voting from which one infers that it is reasonable for those who vote to do so and also that it is equally reasonable for those who do not vote to do so. These researchers present empirical evidence that citizens behave as if they employed this calculus.

Yoram and Silberberg (1973) set out to continue the research that testable hypotheses about political behavior could be formulated from the assumption of maximizing behavior on the part of individual voters. They applied this economic reasoning to the problem of voter participation and demonstrated that varying voter turnout at different elections can be explained in part based on rational, wealth-maximizing behavior on the part of the electorate. Yoram and Silberberg found that an individual engages in political activity out of the belief that he has a significant chance of affecting the outcome.

Silberman and Durden (1975) explain the variation in voter participation across congressional districts in the 1962 and 1970 congressional elections. The results of their study support the rational behavior theory of voting participation. They found that the role of the winning majority determines voter turnout. As the majority increases, the turnout decreases. Since the winning majority strongly influences turnout, the act of voting as a “civic duty” is not the only determinant of voter participation (Silberman and Durden 1975, 107). The results of their study substantiate the hypothesis that an individual will participate in political activity the greater the probability that he has a significant chance of influencing the outcome of the collective decision-making process.

Silberman and Durden (1975) concluded that Negroes experienced a decrease in the cost of political participation and an increase in their perceived benefits. Therefore, the negative impact of the Negro factor declined from 1962 to 1970. On the other hand, the female results indicate that the “female liberation” movement has not yet significantly affected females' cost/benefit position concerning political participation. Retired and unemployed individuals have benefited from political participation and feel intensely about the issues of “old age” and unemployment; thus, these groups show an increase in voter turnout. Finally, the findings confirm the hypothesis that high-income individuals participate in voting more than low-income individuals.

Crain, Pautler, and Tollison (1975) seek to devise an empirical procedure with which one may detect the effect of information variables on voter turnout. They examined three types of informational sources: newspapers, free broadcasting time, and paid political broadcasting. Though their statistical results are not spectacular, marginal results raised the issue of the effects

of information on voting. These results show a positive association between informational sources and voting.

Grofman (1995) self-proclaimed to have eventually become a critic of Downs' rational choice approach model. He says that numerous critics of rational choice have asserted the rational choice approach to turnout can only be rescued by heroic measures, such as the introduction of citizen duty, that do not fit easily within a rational choice framework. Grofman's critique of the Downsian model is simple. He believes it is worth restating the obvious points that *ceteris paribus*, turnout is lower when the weather is bad, when the barriers to registration are steep, and in elections whose outcomes few care about (Grofman 1995, 102).

Jung's multilevel analyses using the Electoral Systems Rules data show that partisanship significantly moderates the effects of the information costs and intrinsic benefits of voting turnout (2017). According to Jung, partisanship and the three terms of the rational turnout model, the expected benefits, the information costs, and the intrinsic benefits of voting have been regarded as strong predictors of turnout. The costs and benefits of voting still affect one's turnout calculi, but their effects might reduce when partisanship is involved (Jung 2017).

### **Redistricting Reform**

Again, at its core, gerrymandering is fundamentally unfair and unconstitutional, and its evil has been recognized since its first use. As mentioned earlier, politicians and political parties are self-serving and will not give up power or influence easily. "Overwhelming trends show voter dissatisfaction with Congress and its increasing polarization and an ever-increasing desire to see independent commissions replace self-benefitting politicians in the redistricting process"

(Lowenthal 2019, 16). Lowenthal believes that to make our democracy work again, we need fair maps and independent commissions. The power vested in Congress by the Elections Clause in Article I of the Constitution (Section 2, Clause 3) may regulate the times, places, and manner of congressional elections and could compel states to draw congressional districts using independent commissions.

Charles Blahous (2019) contends that reforms aiming to balance the effects of redistricting upon opposing political parties would fail to address potentially critical adverse consequences of gerrymandering, such as political self-segregation and polarization. In contrast, he says that to reform frameworks based on political balancing, much constitutional, legislative, and judicial history supports the simpler principle that legislative districts should be reasonably compact. Blahous states:

Congress's constitutional power to make or alter the rules for congressional elections is undisputed. Accordingly, enacting a federal law that limits the irregularity of legislative district shapes would represent a more promising and apolitical approach to gerrymandering reform, as well as one more likely to provide stability, predictability, and reduced risk of capricious judicial intervention than an approach based on balancing the interests of political parties. (2019, 2)

Blahous (2019) examines whether gerrymandering is a pressing public policy problem requiring a remedy and concludes that Americans share a stake in constraining the practice, irrespective of whether they belong to a majority or a minority political party. The identification of an optimal remedy, however, depends on how one defines the gerrymandering problem. His study concludes, for reasons detailed throughout the text, that the gerrymandering problem is most usefully defined in terms of the irregularity of legislative district shapes rather than in terms of political interests. The study then evaluates various possible processes by which reforms might be implemented, settling on federal legislation as the best option among the alternatives. This study, focusing on congressional elections for the years 1982–2008, suggests that non-

legislative methods of redistricting encouraged strong, well-financed challengers to step forward and decreased the likelihood that incumbents would run unopposed.

Gaddie and Bullock (2007) state that redistricting is the most nakedly partisan activity in American politics. These authors say that the decennial activity of allocating political power results in conflict among regional, partisan, racial, and ethnic communities of interest. Alan A. Abramowitz (1983) contends that political science research generally acknowledges that when one party completely controls the redistricting process, it will perpetuate its majority even if doing so unfairly disadvantages the minority party. Gaddie and Bullock say that tendencies toward political excess are most likely to be deterred when redistricting is done by (1) a non-partisan commission; (2) a divided government, forcing bipartisan cooperation; or (3) the judiciary, working with third-party, neutral mapmakers to check majority excesses.

James Cottrill (2012) believes that growing concern over gerrymandering has led some states to transfer redistricting responsibility from legislatures to commissions, boards, or other less overtly partisan bodies. His study focuses on congressional elections for the years 1982-2008. Cottrill's study suggests that non-legislative methods of redistricting encourage strong, well-financed challengers to step forward and decrease the likelihood that incumbents would run unopposed. The data from Cottrill's research, however, do not show that non-legislative redistricting either reduces the typical margins of incumbents' victories or increases the likelihood that incumbents would lose. The data sometimes runs contrary to expectations and raises questions about the common contention (especially by reformers) that non-legislative approaches (NLA) will promote the turnover of elected officials. The benefits of non-legislative redistricting depend both on the types of outcomes that are desired and on the specific NLA that is adopted.

Lindgren and Southwell (2013) examine the various methods of electoral districting in the post-2000 Census years to determine the variation in competitiveness for subsequent elections to the U.S. House of Representatives. Evidence in their research from this period suggests that "backup" and independent commissions resulted in more competitive districts, as measured by a margin of victory and challenger win rate, after controlling for partisan and contextual factors. Lindgren and Southwell state that most advocates for electoral reform in the U.S. emphasize the lack of competition in U.S. House races and subsequently argue that redistricting commissions are the optimal way to remedy the problem of incumbency advantage in U.S. House elections.

Since several states established electoral reform commissions after the 2000 census, Lindgren and Southwell (2013) believe it is now possible to re-examine the findings of this previous research by examining all five post-2000 Census elections as a time series. Their purpose is to determine if there are distinguishable differences in the rate of competitiveness across redistricting methods. Their research used several different measures of competitiveness to look for any differences by who drew the districts, starting with a margin of victory, including a cross-sectional time-series generalized least squares (GLS) regression to analyze the entire decade's worth of elections, controlling for the variation across elections. This methodological approach is more effective. It addresses the effect of redistricting commissions on competitiveness, as we are not restricted to one election year. Their analysis thus provides a "window" of the past decade of redistricting across a variety of methods and the consequences, if any, for electoral competitiveness. Lindgren and Southwell hypothesize that States with districts that are drawn by commissions will have more competitive races, as shown by closer margins of victory.

Lindgren and Southwell (2013) also concluded that a key characteristic is to ensure that these commissions are independent and that they require competition as a criterion in the redistricting process. They found that partisan and advisory commissions do not seem to affect the margin of victory. The independent/backup commissions found in Arizona, Connecticut, Indiana, Idaho, Iowa, and Washington have led to margins of victory that are, on average, over 10-12 points closer than those districts redrawn under the traditional legislative process. In contrast to the more "null hypothesis" conclusions of previous researchers (often based on a single election), this researcher's analysis of the entire decade suggests that the type of redistricting process does indeed have a noticeable effect.

### **Hypotheses**

#### **H0: Gerrymandering does not affect voter turnout.**

The null hypothesis in this study states that gerrymandering does not affect voter turnout. Specifically, for this study, gerrymandering district maps in advance of the 2012 Georgia election does not affect voter turnout. Despite its apparent problems, gerrymandering has had defenders. Gerrymandering, in some of its aspects, could benefit democracy because it "reinforces the majority party's capacity to govern alone, making it easier to attribute responsibility for political acts" and thus furthers the goal of party accountability (Schuck 1987, 1361). Social science studies of political redistricting generally present a complex picture, underscoring or muting the variable effects and inherent trade-offs of the redistricting principles and processes (Butler and Cain 1991; Morrill 1981). Early studies on redistricting effects discounted them as a major factor in partisan seat balance and incumbency advantage

(Abramowitz 1983; Born 1985; Erikson 1972; Ferejohn 1977). McKee (2008), among others, concludes that the electoral consequences of redistricting are ultimately unpredictable for mapmakers, given the independence of American voters. The practice of gerrymandering is intended to establish a political advantage for a particular party or group by manipulating district boundaries. As previously noted, “Cracking” and “Packing” are two methods used to gerrymander (Grofman et al. 1990, 178). These methods often group voters based on characteristics like race or party affiliation.

**H1: Voters are more likely to turn out to vote when assigned to districts with an incumbent.**

The first hypothesis analyzes if voters are more likely to turn out to vote when assigned to districts with an incumbent. I predict that more Georgia voters turned out to vote when assigned to districts in the 2012 election with an incumbent. Desposato and Petrocik (2003) explore the personal vote costs of redistricting. After redistricting, incumbents often face significant numbers of new voters—voters that were previously in a different incumbent’s district. Desposato and Petrocik state that existing conceptualizations of the incumbency advantage suggest that the cost to incumbents of having new voters should be relatively small and predictable. Desposato and Petrocik propose a different formulation: a variable incumbency advantage. They argue that any incumbency advantage among the electorate is a function of short-term effects, partisanship, and electoral saliency. These researchers use a massive untapped dataset of neighborhood-level electoral data to test their model and to demonstrate how the intersection of the personal vote, redistricting, and short-term environmental variables can provide a healthy margin to incumbents—or end their careers.

Desposato and Petrocik (2003) formulated and tested a model of the personal vote costs of redistricting. They observed significant vote costs due to redistricting. The inevitable boundary shuffles associated with redistricting mean that incumbent legislators often face significant numbers of new voters after redistricting. Their analysis demonstrates that legislatures lose part of their incumbency advantage—and expected vote share—among these new voters. Also, they demonstrate that the existing “bonus model” of incumbency should be reformulated. Incumbents facing new voters don’t simply lose the stable 6 to 7 percent bonus that incumbency provides—because incumbency is not a bonus. Rather, incumbency is an anchor that stabilizes the votes of the less partisan. When redistricting cuts, these voters lose from their old representative, their behavior depends on their underlying partisanship, the saliency of the election, and short-term political tides. Their analysis has shown that the interaction is as large as 15 points or none at all. The average seven-point incumbency advantage is an average and not a bonus on which incumbents can depend.

**H2: Voters are more likely to turn out to vote when assigned to districts with candidates of their partisan identification.**

Voters are more likely to turn out to vote when assigned to districts with candidates of their partisan identification. The researcher hypothesized that Georgia voters were more likely to turn out to vote when assigned to districts in the 2012 election with candidates of their partisan identification. Even though the Supreme Court has established that partisan gerrymandering cases are subject to judicial review under the Equal Protection Clause, no standard judicial review has been established. As it stands, Hebert and Jenkins (2011) say that state legislators responsible for drawing new district maps remain free to manipulate district lines for maximum partisan advantage without much fear of judicial obstruction. The overwhelming result of

redistricting has been rampant self-dealing in the form of partisan gerrymandering. "Instead of a system of government that provides voters the opportunity to elect their representatives, what has evolved is a flipped system that provides elected officials the opportunity to choose their constituents" (Hebert 2011, 543).

**H3: Voters are more likely to turn out to vote when assigned to districts where the candidate is the same race.**

The last hypothesis foretells voters are more likely to turn out to vote when assigned to districts where the candidate is the same race. I predict that voters were more likely to turn out to vote when assigned to districts where the candidate was the same race in the 2012 elections. Fraga (2016) believes that recent work challenges traditional understandings of the link between race and voter turnout, suggesting there is limited evidence of increased minority voting due to co-ethnic representation and majority-minority districts. He examines 65.3 million registration records from 10 states to trace individual-level participation before and after the 2012 round of redistricting, testing whether a shift in congressional representation, candidacy, and/or district ethnic composition affected an individual's decision to participate. Fraga separates results for non-Hispanic, White, Black, Latino, and Asian American registrants; he finds that individuals change their behavior in response to the racial context, with African Americans more likely to vote when assigned to majority-Black districts with Black candidates or incumbents. He finds that White and Asian registrants also turn out in higher numbers when a co-ethnic candidate is on the ballot, but Latinos may be less likely to vote in the short term when assigned to majority-Latino districts.

After the VRA, courts extended their attack on quantitative vote dilution (which the "one-person, one-vote" standard is designed to address) to include protection against electoral rules

that dilute the voting strength of racial minorities (McCrary 2000). Lublin and Voss (2000) contend that racial redistricting (racial gerrymandering) emerged as one of the most fiercely debated policy questions among scholars, judges, and politicians during the 1990s. Authors (Herbert 2011) contend that this is largely done by “packing,” moving voters from the opposition party into only a few districts, or “cracking,” splitting a population that would otherwise produce a majority into minority portions of other districts. “Instead of a system of government that provides voters the opportunity to elect their representatives, what has evolved is a flipped system that provides elected officials the opportunity to choose their constituents” (Hebert 2011, 543).

In the next chapter, I explain my research methods and study expectations. The nature of the study deals with the lives of those who voted or did not vote in the 2008 and 2012 Georgia general elections. This is a two-part mixed method quantitative and qualitative research design. First, a quantitative study applying a database similar to the one Charles Hunt (2018) used in his research on which types of voters are most susceptible to the changes caused by redistricting is completed. The second part of this study is a qualitative study. A questionnaire focusing on the voters from DeKalb and Fulton County districts who participated in the 2008 and 2012 general elections is conducted. The questionnaire attempts to evaluate the voter turnout in the counties after their districts show gerrymander characteristics.

## **CHAPTER 3**

### **RESEARCH METHODS**

What happens when competition in elections is limited or no longer exists due to gerrymandering? This research provides insight into these questions by analyzing the impact gerrymandering has on legislative districts and individual voters. Hayes and McKee (2009) say that while the effects of legal and institutional arrangements on political participation have been evaluated, the effects of gerrymandering on political participation require more study. Political analysts recently examined registration records before and after a round of redistricting to test whether gerrymandering affected an individual's decision to participate in elections. By severing the ties between constituents and their incumbents, redistricting raises information costs, leading to increased levels of nonvoting in U.S. House contests (Hayes 2009).

The first hypothesizes partisan effects and assumes that gerrymandering favors one party over another. A second hypothesizes incumbent effects and presumes that gerrymandering favors incumbents regardless of party. The absence of both types of effects may be considered an indication of an unbiased map drawing plan, although there are other factors to consider before reaching this conclusion. Basehart and Comer (1991) examine both the partisan and incumbent effects hypotheses concerning redistricting in the 1980s in 15 states. In addition, their study identifies the processes and procedures used in redistricting in each of the 15 states and examines whether variation in the redistricting process affected the electoral fortunes of political parties and incumbents. The third hypothesis gerrymandering prefers district lines are drawn to prevent racial minorities from electing their preferred candidates.

## Methodology

This is a two-part mixed method quantitative and qualitative research design. First, a quantitative study applying a database similar to the one Charles Hunt (2018) used in his research on which types of voters are most susceptible to the changes caused by redistricting is completed. Individual and district voter participation of Georgia voters, before and after the 2012 round of redistricting, is analyzed. Charles Hunt (2018) tests the measurement of the voter-level effects of redistricting and redistricting as a whole at the highly precise individual level and among different but significant subsets of voters. By predicting turnout with individual-level change in competitiveness and candidate and district characteristics, this project specifies the impact of gerrymandering on voting behavior with a focus on the individual voter that has been missing from the literature. The Georgia Voter Turn Out by Demographic database and the DeKalb and Fulton County Georgia General Election District Results data are utilized to obtain individual and district-level data from the voter file in the state of Georgia for the 2012 election, the first federal election to be held following the redistricting resulting from the 2010 census is the population sampled.

The second part of this study is a qualitative study. The nature of the study deals with the lives of those who voted or did not vote in the 2008 and 2012 Georgia general elections. A questionnaire distributed to voters from DeKalb and Fulton County districts who participated in the 2008 and 2012 general elections is conducted. A list-based sampling approach selects questionnaire participants. The questions comprise the core research question, what impact does gerrymandering have on voter turnout, and many associated questions related to the central question, which, in turn, improve further understanding of whether individuals believe

gerrymandering impacted their decision to vote. The researcher's goal is to ask open and closed-ended questions that allow my respondents to talk unrestrictedly about why they did or did not vote in the general election and allow me to gather demographic information from the respondents. A questionnaire is used to obtain the knowledge, beliefs, self-understandings, and self-perceptions voters had about gerrymandering during the 2008 and 2012 elections.

Qualitative research investigates research questions of how, what, and why in situations, calling for in-depth exploration to provide a greater understanding of the phenomenon (Creswell 2007; Yin 2014). Questionnaires are an information-gathering technique used frequently in mixed-method research that draws on quantitative and qualitative data sources and analysis (McGuirk et al. 2016). Questionnaires are useful for gathering original data about people, their behavior, experiences and social interactions, attitudes and opinions, and awareness of events (McLafferty 2010; Parfitt 2005). They can provide insight into social trends, processes, values, attitudes, and interpretations, and they are one of the more practical research tools in that they can be cost-effective, enabling extensive research over a large geographically dispersed population (McGuirk et al. 2016). Although a questionnaire allows the researcher to gather individual opinions from voters, they have weaknesses. Questionnaires have limited sampling and respondent availability, and it is harder to draw probability samples based on e-mail addresses (Nayak 2019).

The Likert scale is extensively used in numerous social science studies (Clark et al., 2019). The Likert scale was devised to measure attitude (a multidimensional construct involving cognitive, affective, and psychomotor elements) in a scientifically accepted and validated manner (Guler et al., 2020). A Likert scale was utilized in this study, enabling the researcher to measure participants' responses regarding questions about voting in the 2008 and 2012 elections.

The questionnaire hypotheses are tested with valid percentages and crosstabulation analysis. A crosstabulation is a statistical technique that displays the joint distribution of two or more variables. Simply stated, crosstabs are data tables that present an entire group's results (multiple variables). Crosstabulations can be used with any level of data (nominal, ordinal, and interval) and provide greater insight than single statistics (Manheim et al., 2006). The strength of the association in a crosstab table is measured by a correlation coefficient and its statistical significance. In this analysis, all variables are nominal (i.e., they are classified without a natural order or rank). Thus, Lambda is used as a measure of association between variables. Lambda ranges from 0.00 to 1.00. A lambda of 0.00 reflects no association between variables. A lambda of 1.00 is a perfect association. Lambda does not give you a direction of association, suggesting an association between two variables and their strengths exists. The questionnaire with results greater than fifty percent or yielding a Lambda greater than 0.100 shows a strong association with the variables outlined in this study by the researcher.

Fraga (2016) examined 65.3 million registration records from 10 states to trace individual-level participation before and after the 2012 round of redistricting, testing whether a shift in congressional representation, candidacy, and/or district ethnic composition affected an individual's decision to participate. This state legislative analysis will parallel studies similar to Fraga's research in congressional redistricting. Table 1 displays one of the primary variables in this study: Georgia residents who voted in the 2008 general election and residents who voted or did not vote in the 2012 election. The x and y columns show residents who voted (v) and residents who did not vote (~v) in either election. The categories in Table 1 depict Georgia resident's voter participation in the 2008 and 2012 elections as follows: a) BOTH residents that voted in the 2008 and the 2012 elections; b) 2008 ONLY residents who only voted in 2008; c)

2012 ONLY residents who voted only in 2012; d) NEITHER residents who did not vote in either 2008 or 2012. Individuals born after 1990 who were not old enough to vote will be removed from the category NEITHER.

**Table 1:** Georgia Residents Who Voted in the 2008 General Election and Residents Who Voted or Did Not Vote in the 2012 Election.

<i>Georgia Residents General Election Voting</i>			
2012			
2008		Vote (v)	Did Not Vote (~v)
	Vote (v)	Both	2008 Only
	Did Not Vote (~v)	2012 Only	Neither

***Population and Sampling***

The leading hypothesis of this study is that gerrymandering affects an individual’s decision to participate in the electoral process. In this study, individual and district voter participation before and after the 2012 round of redistricting is analyzed. The unique setting of this study is that during the 2010 census cycle, Georgia was still under the preclearance for all redistricting plans outlined in Section 5 of the 1965 VRA. Georgia and eight other states with a history of minority voter suppression laws were required to complete the preclearance process. Georgia’s Voter Turn Out by Demographics voter file contains variables for some 13 million voters, including address, party affiliation, date of registration, and whether they voted in any election since 2002. For this project, the sample is narrowed only to voters who could have voted in the 2008 and 2012 elections, excluding those who voted in open-seat races (to better

isolate the incumbency factor), which means that the number of observations for the full model is closer to 12 million voters. A comparison of the voter turnout for the 2008 and 2012 elections is evaluated.

The goal of this research is to determine what impact gerrymandering has on voter turnout accordingly, residents from DeKalb and Fulton counties are recruited to participate in this research. DeKalb and Fulton counties filed lawsuits against the state in March of 2011, claiming that the new redistricting plan sought to dissolve five cities in the two counties. The lawsuit alleged that the dissolution of these five cities created White super-majority districts, which diluted the minority votes in those districts. The lawsuit indicates that residents in DeKalb and Fulton counties were adversely affected by gerrymandering. Soliciting residents' responses to the questionnaire will give a better understanding of whether gerrymandering influenced these residents to vote or not vote in the 2012 election.

The sampling strategy consisted of identifying the DeKalb and Fulton County residents on the Voter File list. These residents were randomly selected, and 100 questionnaires were mailed. No mailed questionnaires were returned. Then, residents were emailed the questionnaire requesting the questionnaire be returned via email. The response rate was low; only 12% of the questionnaires were returned. The respondents to the email questionnaire volunteered their street address so that I was able to identify their district for further analysis.

### **Georgia Voter Files**

The voter turnout by demographics database can be accessed from the Secretary of State website under election results and statistics. The voter turnout by demographics information is organized by election date. Voter turnout demographic data is identified for each county in

Georgia. Voter turnout by demographics files gives election turnout by race, gender, and age for each county for the general elections held in Georgia on November 4, 2008, and November 6, 2012. The age is broken down into the following categories: (18-24); (25-29); (30-34); (35-39); (40-44); (45-49); (50-54); (55-59); (60-64); (65 & OVER). The gender and race data are categorized as follows: (BLACK FEMALE); (BLACK MALE); (WHITE FEMALE); (WHITE MALE); (ASIA-PI FEMALE); (ASIA-PI MALE); (HISP-PI FEMALE); (HISP-PI MALE); (OTHER FEMALE); (OTHER MALE); (UNKNOWN).

Individual-level voter turnout variables for the periods before and after gerrymandering are identified from the Georgia voter file database.

- Individual-level variables:
  - Party identification
  - Race
  - Gender
  - Age
  - Income (zip code)
  - Vote 2008
  - Did not vote in 2008.
  - Vote 2012
  - Did not vote in 2012.
  - Gerrymander awareness

District-level voter turnout independent variables for the periods before and after gerrymandering are identified from the Georgia voter file database.

- District-level variables:
  - Partisan district
  - Average income (zip code)
  - Candidate race
  - Incumbent and not returning or moving to a new district.

Open and closed-ended questions are conducted with the voters from the legislative districts of the 2008 and 2012 general elections. Closed-ended questions seek quantitative information about respondents' attributes (for example, level of educational attainment) or

behavior (for example, did you vote in the 2008 election). A major benefit of closed-ended questions is the responses are easily coded and analyzed, an advantage when interpreting a large number of questionnaires (McGuirk et al. 2016). A criticism of closed-ended questions is the loss of spontaneity in respondent's answers and the removal of the possibility of 'interesting replies that are not covered by the fixed answers' (Bryman 2012, 250). In general, open questions have a greater potential to yield in-depth responses with the goal of qualitative research: to understand how meaning is attached to process and practice (McGuirk et al. 2016). Open questions offer less structured response options than closed questions and 'give voice' to respondents by allowing them to offer alternative, unexpected answers.

Mailed questionnaires have a clear advantage of cost and targeted coverage, and respondents may feel more able to take time to consider their responses if unhampered by the presence of an interviewer (McGuirk et al. 2016). Mail questionnaires are endangered to low response rates unless respondents are highly motivated to participate. Response rates of 30 to 40 percent of mailed questionnaires are considered good, although effective follow-up steps can increase the rate somewhat (Cloke et al. 2004). Distributing questionnaires electronically (for example, via e-mail) is a recent variation on mail distribution and brings new potential for innovation and experimentation (Babbie 2013, 284). A major benefit of electronic distribution is that it 'compresses' physical distance and expands enormously the reach of the questionnaire (McGuirk et al. 2016). For example, people with mobility restrictions will find it easier to respond to an online questionnaire rather than a mailed questionnaire.

Questionnaire participants are selected by obtaining random samples from databases. The Georgia Voter File Database of registered voters' addresses and telephone numbers are appended to it. A random sampling technique allows me to select addresses from the database of

registered voters. Olken et al. explain the purpose of sampling in a database management system is to estimate the results of aggregate queries (e.g., SUM, COUNT, or AVERAGE), to retrieve a sample of records from a database query for subsequent processing and internal use by the query optimizer (1995, 26). I use a fixed-size, simple, random sample of DeKalb and Fulton counties from the entire Georgia Voter File Database. Fixed-size indicates that the target sample size has been specified by me (Olkin et al. 1992). This approach eliminates the problems of random digit dialing (RDD), such as interviewing voters outside of a district and wasting time by calling telephone numbers that are not working resident numbers (Kennedy 2018). A simple random sampling is superior to RDD for the simple fact that I am contacting households that I know are tied to a registered voter. The purpose of random sampling is to provide privacy protection for records on individuals contained in statistical databases (Olkin et al. 1995). My objective is to obtain information concerning a voter's perspective on why they vote. My goal is to ask open-ended questions that will allow my respondents to talk unrestrictedly about why they did or did not vote in the general election.

### **Questionnaire**

The guiding question for my research is, “What impact does gerrymandering have on voter participation?” The researcher reviewed the state of Georgia’s election laws from 2008 through 2012 to evaluate the impact of gerrymandering on voter participation. Individual and district-level information about Georgia’s voters from the 2008 and 2012 general elections was collected. The researcher assessed voter participation data from the State of Georgia turnout by Demographics Voter File Database, the Georgia General Assembly database, the DeKalb and

Fulton County Election Results data, and various other election result databases to determine if gerrymandering has any effect on voter turnout.

To determine if gerrymandering has any effect on voter turnout, I created a custom questionnaire that asked voters about their voter experience in the 2008 and 2012 elections. Gerrymandering is associated with the redistricting issues of (not malapportionment, handled in *Baker v Carr*) racial or linguistic discrimination, lack of identification with districts, lack of competition, electoral bias, and secrecy in the redistricting process. The secrecy in the redistricting process is when a partisan legislature shields its work on discriminatory voting maps to prevent the public from finding out how and why the decision was made (Green 2020). In recent years, partisan or racially gerrymandered maps were drawn in secrecy, behind closed doors, even requiring Congress and state legislatures to sign a non-disclosure agreement requiring them to keep their map drawing deliberations confidential (Kusnetz, 2012). The rational choice and public choice theories say that people participate in the electoral process based on the payoff from voting. The payoff from voting depends upon the expected benefit, the likelihood that your vote will make a difference, the accuracy of your judgment, and the cost of voting.

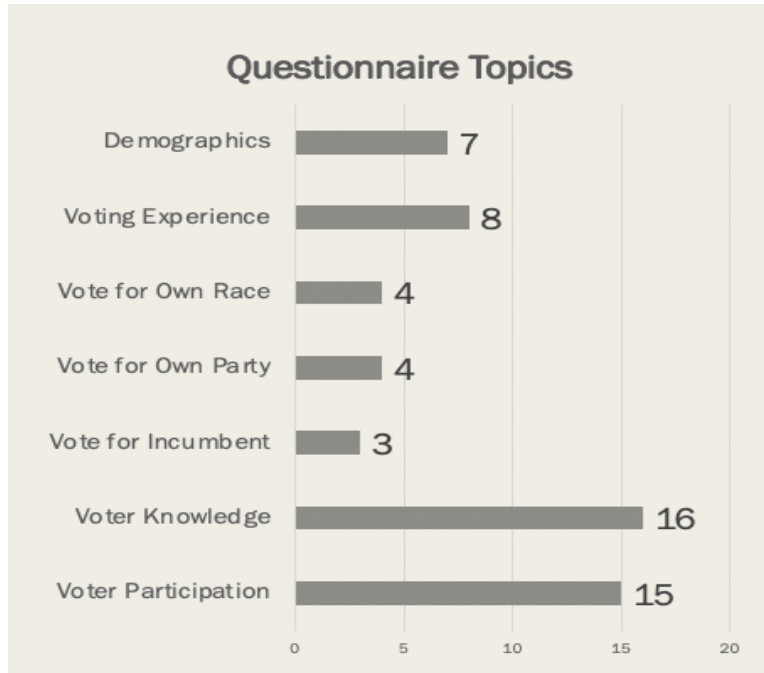
Gerrymandering has an impact on the behavior of voter participation. About the same percentage of registered voters participated in both the Georgia House of Representatives and the Senate 2008 (75%) and 2012 (73%) elections. I identified seven variables to evaluate why voters participated in the elections. These variables are listed below.

#### Questionnaire Variables

- **Demographic questions:** What is your race, age, gender, and income?
- **Voting experience:** How was your voting experience?
- **Vote for your race:** Did you vote for someone of your race?
- **Vote for your party:** Did you vote for the candidate of your party?
- **Vote for the incumbent:** Did you vote for the incumbent?

- **Voter knowledge:** Why did you vote?
- **Voter participation:** Did you vote?

**Figure 2:** Gerrymander Questionnaire Topics



The questionnaire consists of 29 total questions. There are seven demographic questions. Eight of the questions evaluate the voter’s experience. Eight of the questions ask if the voters vote for a candidate of their race or their party. Three questions identify if the voter votes for an incumbent. There are 16 questions about voter knowledge. For example, a voter is asked, are you familiar with gerrymandering? There are 15 questions related to voter participation. Asking, did you vote in the election, and why did you vote?

The goal of my research is to identify a better understanding of gerrymandering and voter turnout. Single-party control of map drawing is the biggest predictor of gerrymandering abuses. Historically, both parties have engaged in gerrymander mapping. This study concentrates on three problems of map drawing: 1) incumbent gerrymandering, 2) partisan gerrymandering, and 3) racial gerrymandering. The State of Georgia's 2008 and 2012 general election voter turnout

database is analyzed to determine whether the map drawing process after the 2010 census had an impact on voter participation in the 2012 general election following the redrawing of districts in the state. What impact does redistricting have on state legislative election voter participation is the guiding research question.

In the next chapter, the changes in DeKalb and Fulton Counties' districts following the 2011 gerrymandering are examined to show the districts had characteristics of incumbent, partisan, and racial gerrymandering. The percentage of the registered voters who participated in the 2008 general election is compared to the voters in the 2012 election to determine voter turnout. The demographics of the registered voters from the Voter File are examined to show gerrymander characteristics during the 2012 election.

## **CHAPTER 4**

### **GERRYMANDER ANALYSIS**

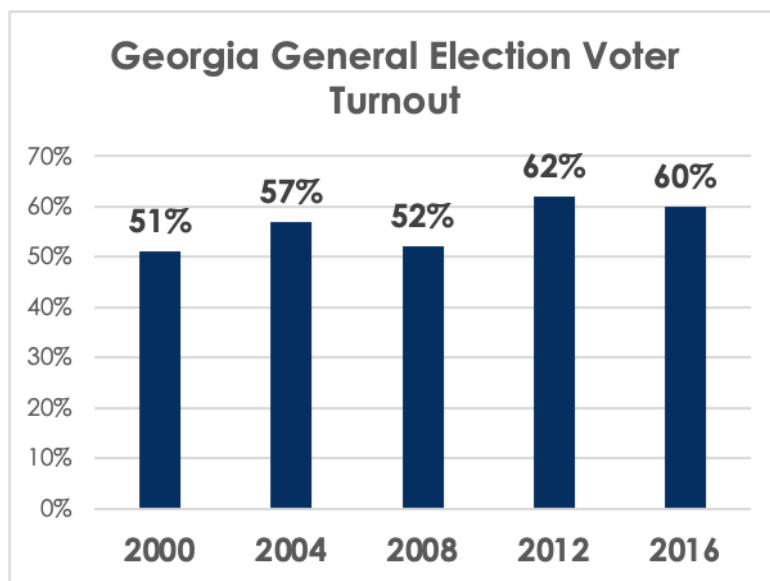
In Chapter 4, the changes in DeKalb and Fulton Counties' districts following the 2011 gerrymandering are examined to show the districts had characteristics of incumbent, partisan, and racial gerrymandering. The breakdown of the number of incumbents who returned in the 2012 election expresses the relative influence incumbents had on the redrawing of the maps. The partisan makeup of the districts in 2008 versus 2012 is analyzed to reveal the strength that the majority Georgia Republican State Legislature had on the redistricting in DeKalb and Fulton counties. Finally, I review the racial composition of the districts to determine whether the candidate's race in the 2012 election represented the majority Black population in the districts.

#### **Georgia State Legislative Election Results**

##### *State Level Analysis*

Fifty-two percent (52%) of all Georgia registered voters participated in the 2008 general election. In 2012, the first election after the 2010 Census, the turnout in 2012 increased by 10% to 62%. The voter turnout in Georgia fluctuated, either increasing or decreasing by an average of 5% from 2000 to 2016, years before and after 2008 and 2012.

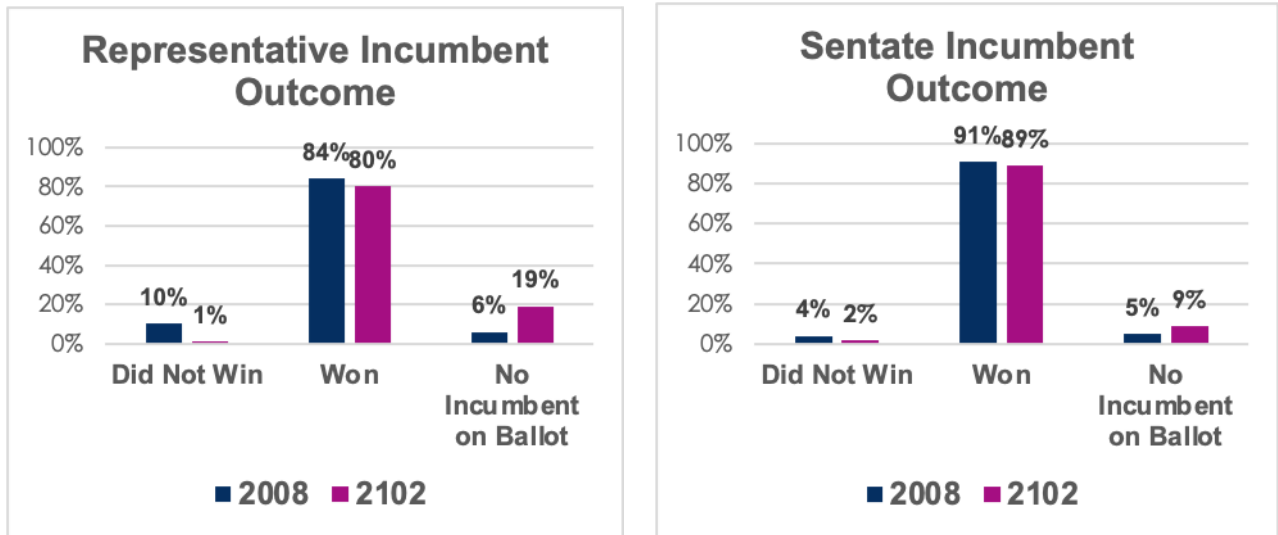
**Figure 3: Georgia General Election Voter Turnout**



Sources: Author's calculations from the Federal Election Commission; United States Census Bureau, 2008, 2012, and 2016 Census.

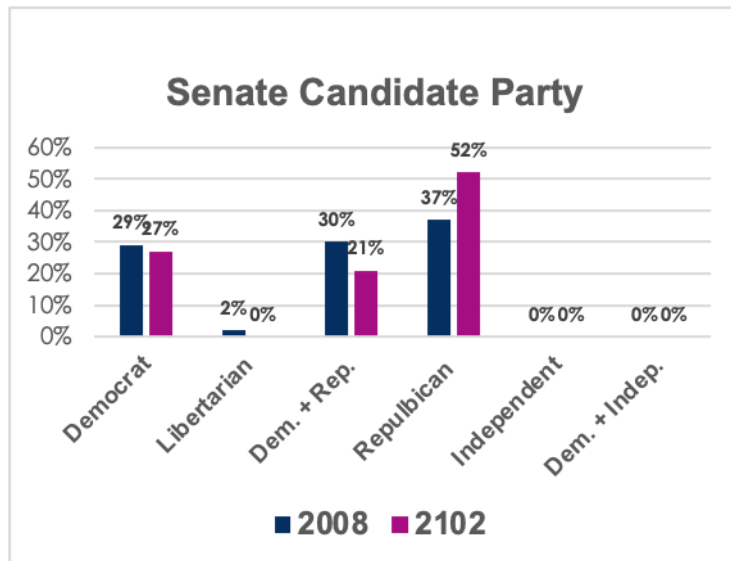
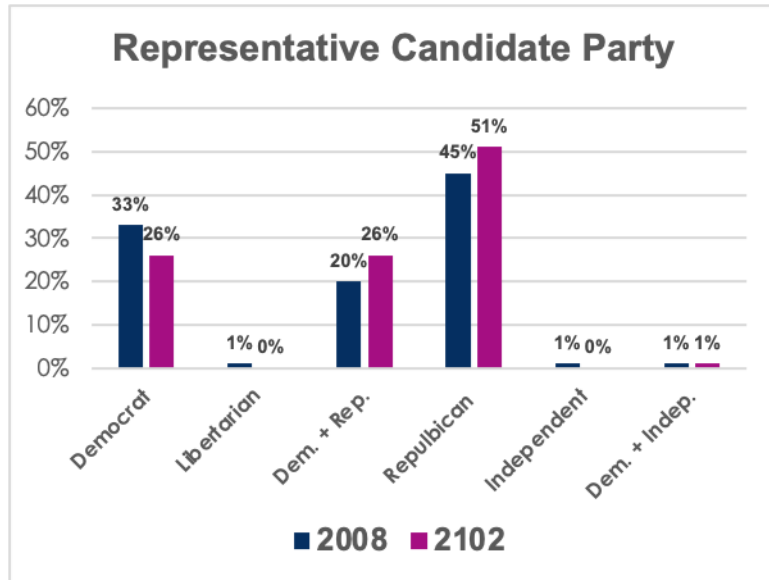
I compare the percentage of incumbents who did not win, who won, and races where there was no incumbent on the ballot between the 2008 and 2012 elections. For both the House of Representatives and the Senate, more incumbents won in 2008 than in 2012. The number of incumbents who won decreased by 4%, and the percentage of incumbents who did not win decreased to 1% in 2012 for the House of Representatives. In 2012, the percentage of no incumbents on the ballots increased by 13%. For the Senate, the number of incumbents who won decreased by 2%, and the percentage of no incumbents on the ballots increased by 4% in 2012. More Senate incumbents did not win in 2008 than in 2012. Redrawn voters are much less likely to recognize their incumbent and their inability to recognize one's incumbent, irrespective of whether the representative has changed due to redistricting, which accounts for a reduced likelihood of voting for the incumbent.

**Figure 4: Incumbent Election Outcome**



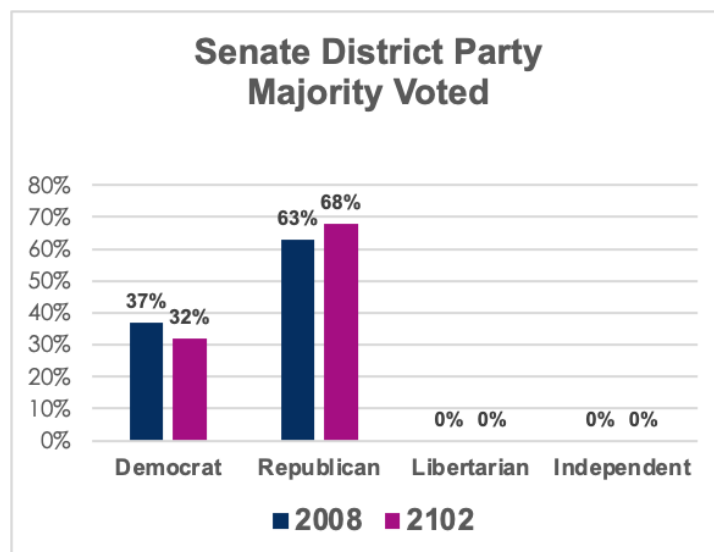
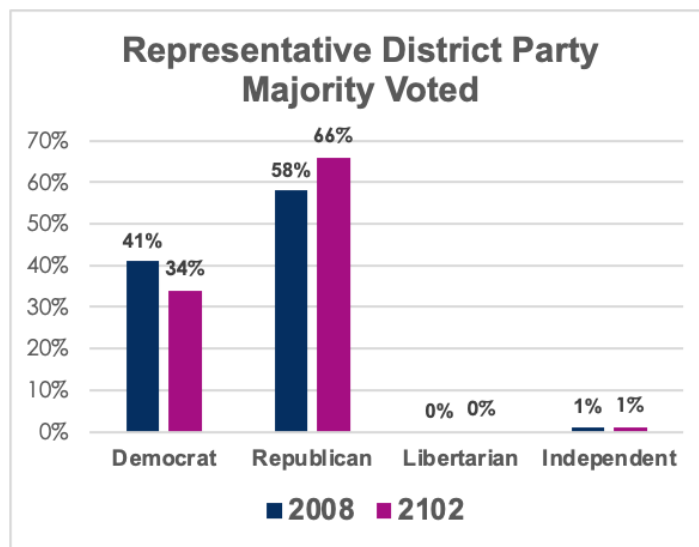
There were more uncontested Republican candidates on district ballots in 2008 and 2012. In the House of Representatives, 7% more uncontested Democrat candidates were on the ballot in 2008; 21% of the races had contested Democrat and Republican candidates on the ballot; one (1) Democrat and Independent on the ballot each year. In the Senate, uncontested Republican candidates on the ballot increased by 15%; there were 2% fewer uncontested Democrat candidates on the ballot in 2012 than in 2008; 9% more of the ballots had contested Democrat and Republican candidates on the ballot in 2008. The 2008 District 21 has three (3) contested candidates on the ballot (Democrat, Republican, and Independent write-in). In the 2012 Senate election, District 30 has a special primary with four (4) uncontested Republican candidates on the ballot. The number of contested races increased by 4% in 2012.

**Figure 5: Candidate Party Election Outcome**



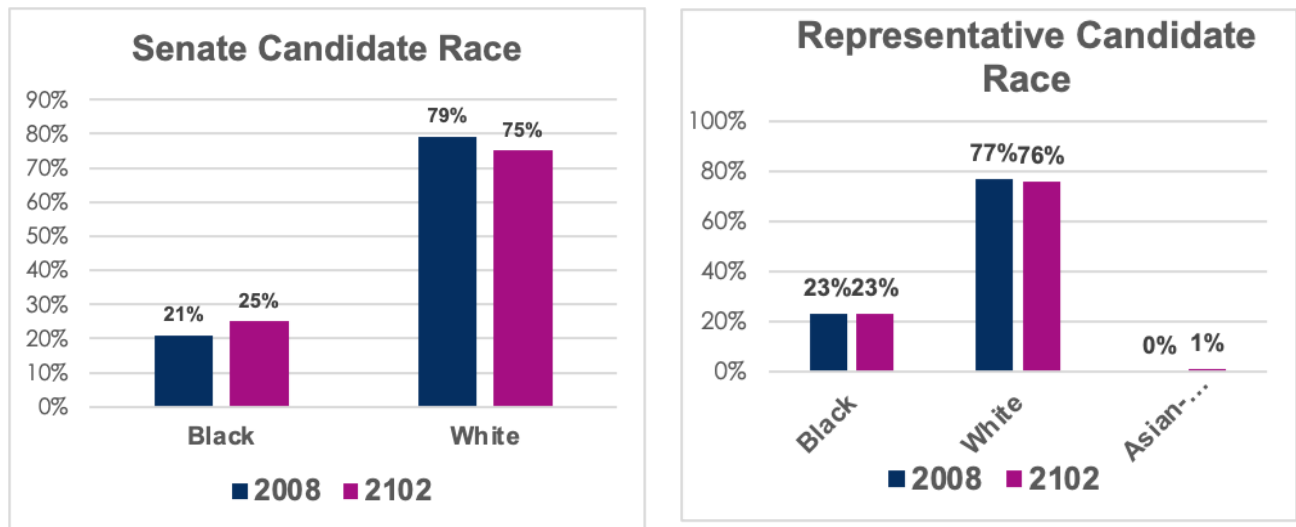
The researcher evaluated the political party receiving the majority of votes in a district. I called this category District Party. More voters voted for Republicans in 2008 and 2012. One district voted for an Independent candidate each year (2008 District 141; 2012/District 145) in the House of Representatives election. In the Senate elections, Democrats winning elections dropped by 7% in 2012. In the Senate elections, Democrats winning elections dropped by 5% in 2012.

**Figure 6: District Party Majority Voted**



The House of Representatives and Senate candidates were majority Black or White in 2008 and 2012. In 2012, there was one Asian-Pacific House of Representative candidate in District 102. In 2008 and 2012, the number of White representative candidates on the ballot was three times the number of Black candidates. For both elections, there were more Senate White candidates on the ballot than Black candidates, and there were 4% more White candidates on the ballot in 2008 than in 2012. In 2012, the number of Black Senate candidates on the ballot increased by 4%.

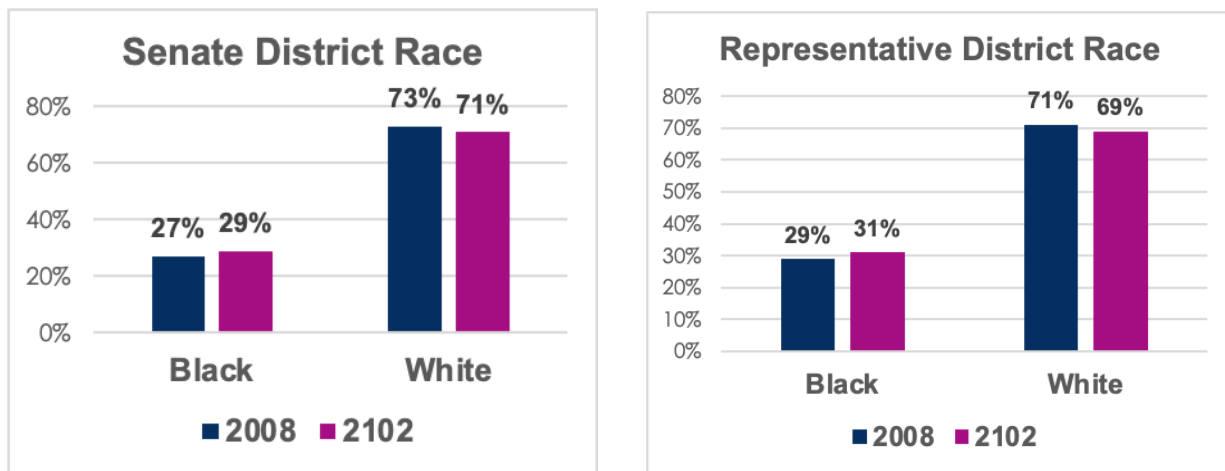
**Figure 7: Candidate Race Election Outcome**



The category District Race is the majority of the registered voters who participated in elections in each district. For both years and in the House and Senate elections, White registered voters were the majority participants in more districts. In the 2008 House election, the majority of the voters were White for 127 of the districts, and 52 were the majority Black voters. In the 2012 House election, the majority of the voters were White for 124 of the districts, and 16 were the majority Black voters. The majority of Black districts decreased in 2012, and there was a

minimum increase in Asian-Pacific voters. There were so few majority Black districts in 2012 because Black districts were removed (gerrymander cracking) during the 2011 map drawing, and these districts are identified later in this chapter. In the 2008 Senate election, the majority of the voters were White for 41 of the districts; 15 were the majority Black voters. In the 2012 Senate election, the majority of the voters were White for 40 of the districts, and 55 are the majority Black voters.

**Figure 8: District Race Election Outcome**



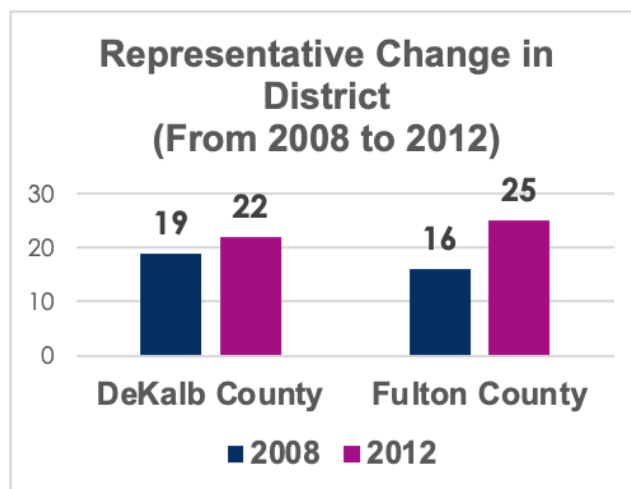
The foundation of this dissertation is based on the significance of voters' perception of gerrymandering. Gerrymandering is associated with the redistricting issues of malapportionment, racial or linguistic discrimination, lack of identification with districts, lack of competition, electoral bias, and secrecy in the redistricting process. The rational choice and public choice theories say that people participate in the electoral process based on the payoff from voting. The payoff from voting depends upon the expected benefit, the likelihood that your vote will make a difference, the accuracy of your judgment, and the cost of voting.

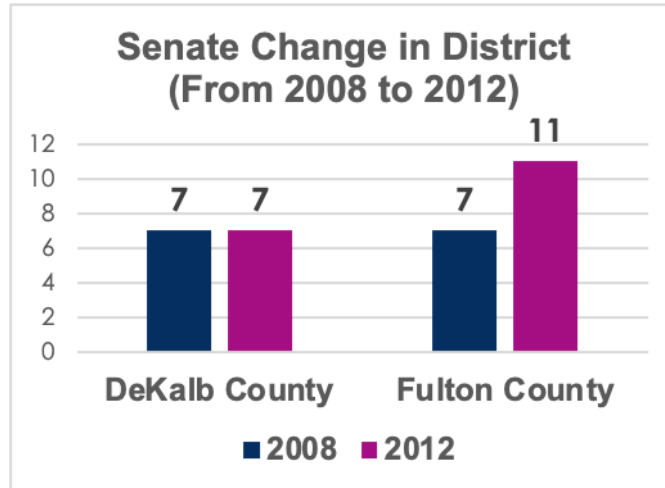
## District Level Analysis

On November 4, 2008, voter turnout was 78% for DeKalb County and 75% for Fulton County. During the November 6, 2012 election, DeKalb County voter turnout was 74%, and Fulton County's was 71%. Voter turnout decreased for both counties. DeKalb County's turnout decreased by 4%, and Fulton County's decreased by 3%.

The populations for DeKalb and Fulton counties increased after the 2010 Census. Despite an increase in population, the number of Senate districts for DeKalb County did not change. There were 7 Senate districts in 2008 and 2012. However, Fulton County's number of Senate districts increased by 4, from 7 in 2008 to 11 in 2012. Both DeKalb and Fulton Counties' Representative districts increased after the 2011 redistricting. DeKalb County Representative districts increased by 3. There were 19 Representative districts in 2008 and 22 in 2012. Fulton County Representative districts increased significantly by 9, from 16 in 2008 to 25 in 2012.

**Figure 9: Change in Districts from 2008 to 2012**





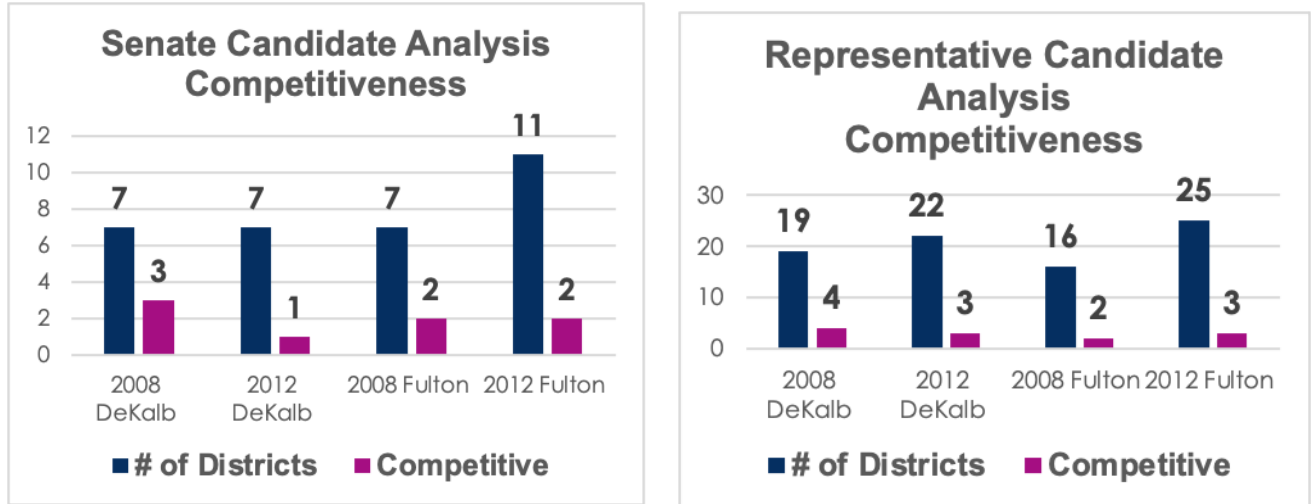
### *Competitiveness Analysis*

In 2008, DeKalb County Senate elections comprised three (3) competitive elections, while in 2012, there was only one competitive election. Fulton County had two competitive Senate elections in 2008 and 2012. As pointed out in the previous section, the number of districts in 2012 increased from 7 districts to 11. Further analysis shows how the number of competitive Senate districts in 2008 was 29% and dropped to 18% in 2012. The number of Representative competitive elections in DeKalb County decreased from 4 in 2008 to 3 in 2012 (21% of districts were competitive in 2008, and only 7% were competitive in 2012). The number of Representative competitive elections in Fulton County increased from 2 to 3 (13% districts competitive in 2008 and 12% competitive in 2012).

Many states show figures suggesting the growing influence of partisan gerrymandering, through which the party that controls a legislative chamber draws legislative boundaries that create safe seats. For example, the party in control plots to guarantee a smaller number of competitive districts. The decrease in the competitive races in DeKalb County suggests that the

majority Republican Georgia legislature effectively redrew the district maps to guarantee a smaller number of competitive districts.

**Figure 10: Candidate Analysis Competitiveness**



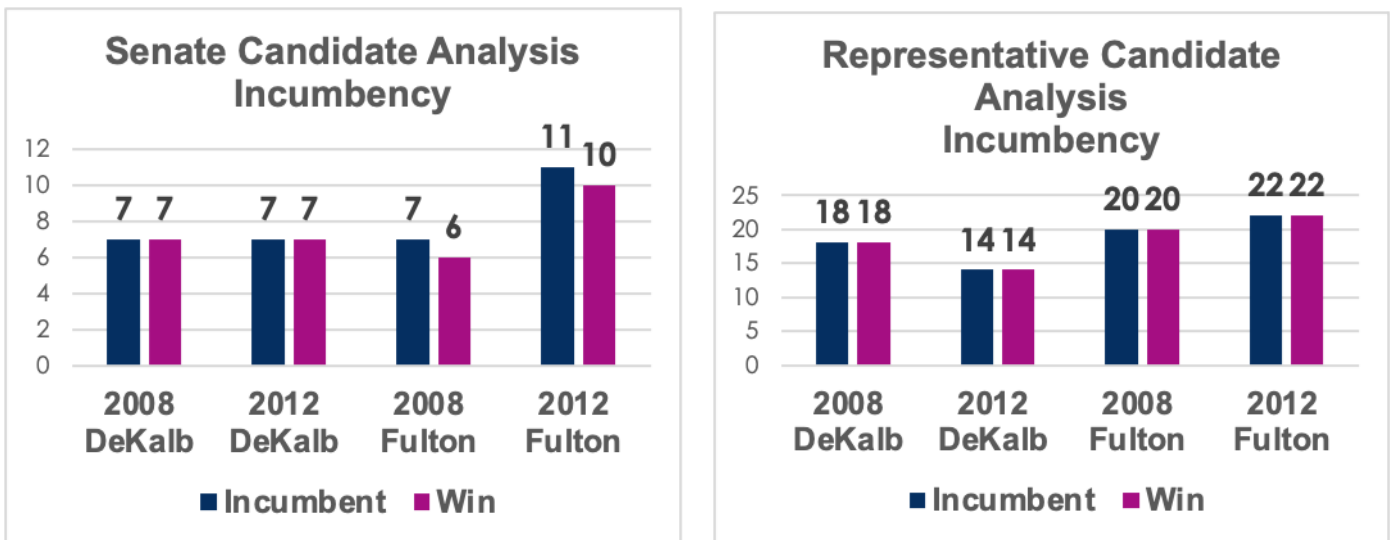
***Incumbency Analysis***

There were seven incumbents in the 2008 and 2012 DeKalb County elections. In both years, the incumbents won their elections. In 2008, there were seven incumbents in the Fulton County election, and 6 of them won their elections. In the 2012 election, 11 incumbents were running for re-election, and 10 of the incumbents won their elections. In each state representative election, 2008 and 2012, every incumbent who ran for re-election won their elections.

The researcher hypothesized that voters are more likely to turn out to vote when assigned to districts with an incumbent. More voters will turn out to vote when assigned to districts in the 2012 election with an incumbent. The inevitable boundary shuffles associated with redistricting mean that incumbent legislators often face significant numbers of new voters after redistricting.

Redistricting means that incumbent legislators often face significant numbers of new voters after redistricting, and they lose part of their incumbency advantage—and expected vote share—among these new voters (Desposato and Petrocik 2003). Even with a 2% decrease in voter turnout in both the 2008 and 2012 elections, more incumbents won re-election. This is a strong indication that incumbents did not lose their advantage.

**Figure 11: Candidate Analysis Incumbency**



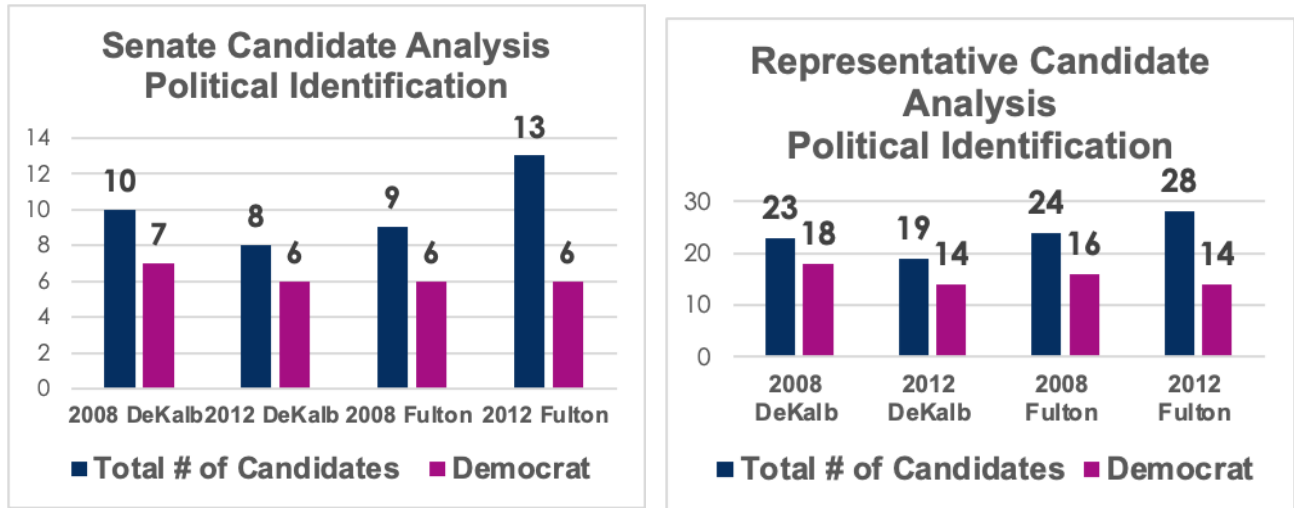
***Political Identification Analysis***

DeKalb County was the third most Democratic-leaning county in 2008, only behind Clayton and Hancock Counties. Seventy-nine percent of the votes cast in the 2008 presidential election were for Barack Obama. Sixty-seven percent of Fulton County residents voted for

Obama. All seven districts in the 2008 DeKalb County Senate elections consisted of Democratic candidates. The 2008 DeKalb and 2012 Fulton counties senator elections respectfully also consisted of majority democratic candidates (6 of the seven districts were represented by Democratic candidates). After the 2010 Census results, five additional districts were added to the Fulton County senatorial map in 2012. In the 2012 Fulton Senator elections display that 6 of the 11 districts were represented by Democratic candidates. The other five districts represented Republican candidates.

There was no change in the number of Democratic Senate candidates represented in the 2008 versus the 2012 election. In both years, relatively, the number of Democratic candidates was 7 and 6. Therefore, the redrawing of the state senate maps in DeKalb and Fulton Counties did not affect the number of Democratic candidates running for office. The number of representative Democratic candidates for both counties decreased from 2008 to 2012. DeKalb County Democratic candidates decreased by four, and Fulton County Democratic representative candidates decreased by 2. These decreases suggest that the redrawn maps in 2012 gave, in this case, Republican candidates the opportunity to gain additional seats in majority Democratic counties.

**Figure 12: Candidate Analysis Political Identification**

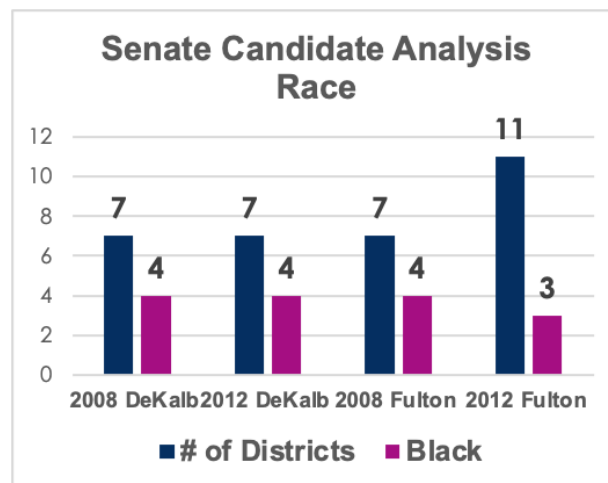
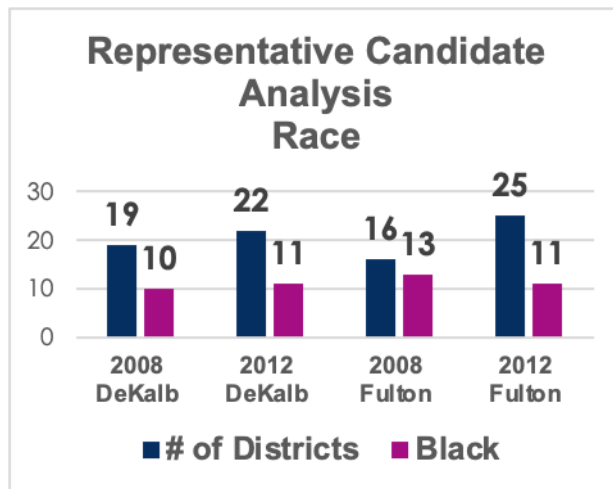


***Race Analysis***

The 2010 Census figures showed Fulton County was 44.5% White and 44.1% Black (11.4% Other Races), while Dekalb County was about 54% Black and 33.3% White (12.7% Other Races) (Matteucci 2011). DeKalb did not show a change in the number of Black Senate candidates from the 2008 to the 2012 election. There were 4 Black candidates in 2008 and 4 Black candidates running for a State Senate position in 2012. No change in the Black Senate candidates in DeKalb County implies that redistricting did not influence Black representation. In Fulton County, the number of Black candidates decreased by 1. There were 4 Black candidates in 2008 and 3 Black candidates in 2012. Furthermore, the number of Senate districts in Fulton County increased by 4 (7 districts in 2008; 11 districts in 2012). Substantially, only 3 of the 11 districts in 2012 had Black candidates running for a State Senate seat. The 2012 election drastically had less than 4 of the seven districts in 2008 with Black candidates. The number of

Representative districts increased in 2012 for both DeKalb and Fulton Counties. The number of DeKalb County Black Representative candidates increased by 1 in 2012. However, in Fulton County, the number of Black Representative candidates decreased by 2. The decrease in Black candidates in Fulton County indicates that redistricting caused less Black candidate representation in the Representative election of 2012. This is an example of “cracking and packing.”

**Figure 13: Candidate Analysis Race**



## **Gerrymandered DeKalb & Fulton**

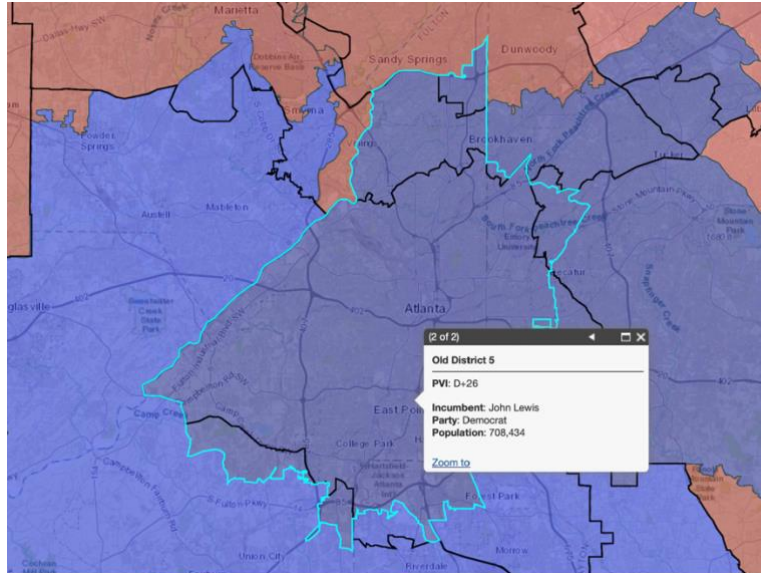
### **County Districts**

District changes between the 2008 and 2012 elections for the Senate and Representative were analyzed to identify districts that were gerrymandered. The district changes for DeKalb and Fulton County are analyzed. In the DeKalb County Senate elections, District 5 was removed in 2012. District 44 was added to DeKalb County Senate elections in 2012. For Fulton County, Districts 6, 21, and 28 were added in 2012. No districts were removed from Fulton County Senate elections in 2012. The removals and additions of districts in DeKalb and Fulton are examples of gerrymandering cracking and packing, changing the partisan composition, candidate's race, election competitiveness, and incumbency of the counties.

### ***Incumbency/Competitiveness***

Table 2 shows the gerrymandered districts in the Senate elections. District 5 was removed in DeKalb County, and District 44 was added. John Lewis was the U.S. Senator for District 5. District 5 was a Democrat and majority-Black district with a population of 708,434. Both districts were non-competitive in the elections. With the swap of District 5 and District 44, Districts 40 and 43 were competitive elections in 2008 however, they were not in 2012. In Fulton County, District 6 was the only new competitive election added in 2012, and District 56 remained a competitive election for both years. For DeKalb and Fulton County, all the incumbents won their districts in 2012.

**Figure 14:** DeKalb County Old District 5 Map



Source: DeKalb County Georgia Interactive District Maps.

### ***Political Identification***

As stated earlier, DeKalb and Fulton County both were majority Democratic partisanship. The candidate District 44 added to DeKalb County in 2012 was a Democrat. For Fulton County, Districts 6, 21, and 28 were won by Republican candidates. Therefore, three non-Democrat districts were added or “packed” to the Fulton County Senate in 2012.

### ***Race***

In DeKalb County, a Black candidate participated in the 2012 election with the addition of District 44. In the Fulton County Senate election, three non-Black candidates were added to the 2012 elections with the additions of District 6, 21, and 28.

**TABLE 2**

**GERRYMANDERED SENATE DISTRICTS IN DEKALB & FULTON COUNTY  
COMPARING CHANGES FROM 2008 TO 2012 GENERAL ELECTION**

<b>DEKALB COUNTY DISTRICT CHANGE IN 2012</b>			
<b>Gerrymander Category</b>	<b>Removed</b>	<b>Added</b>	<b>Existing Changed</b>
Competitive Compare	5	44	40, 43
Incumbent Compare	5	44	42
Partisan Compare	5	44	
Race Compare	5	44	

<b>FULTON COUNTY DISTRICT CHANGE IN 2012</b>			
<b>Gerrymander Category</b>	<b>Removed</b>	<b>Added</b>	<b>Existing Changed</b>
Competitive Compare		6, 21, 28	
Incumbent Compare		6, 21, 28	56
Partisan Compare		6, 21, 28	
Race Compare		6, 21, 28	

Source: Author's calculations from Georgia's Secretary of State Election Results records.

***Incumbency/Competitiveness***

Table 3 shows gerrymandered districts in the House elections. For DeKalb County, Districts 57, 58, and 60 were removed in 2012. No districts were added in 2012. For Fulton, Districts 22, 25, 40, 45, 80, and 95 were added, and Districts 44, 46, and 66 were removed in 2012. DeKalb's Districts 79, 80, and 85 were competitive elections in 2008. However, they were not in 2012. District 93 became competitive in 2012. In 2012, Fulton County new Districts 22, 25, 40, 45, and 80 were non-competitive elections. District 95 was the only new competitive election added in 2012. Districts 54 and 58 became competitive elections in 2012. DeKalb's Districts 86, 92, and 94 incumbent candidates did not win in 2012; the District 91 incumbent did win. Fulton's incumbents in Districts 53, 55, and 61 won, and the incumbent in District 56 did not win in 2012.

### *Political Identification*

DeKalb candidate Districts 85 and 94 changed to Democrat in 2012. For Fulton County, Districts 22, 25, 40, 45, 80, and 95 were all non-Democrat winners. Democrat Districts 44, 46, and 66 were removed in 2012. District 55 remained Democrat, and District 58 changed to non-Democrat. Therefore, seven non-Democrat districts were added to Fulton County House in 2012.

### *Race*

In DeKalb County, Districts 92 and 94 changed to Black representatives. In the Fulton County House election, six non-Black representatives were added to the 2012 elections with the additions of Districts 22, 25, 40, 45, 80, and 95. Three Black representatives did not return in 2012 with the removal of Districts 44, 46, and 66. District 58 changed to a non-Black representative in 2012.

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**TABLE 3**  
**GERRYMANDERED REPRESENTATIVE DISTRICTS IN DEKALB & FULTON COUNTY**  
**COMPARING CHANGES FROM 2008 TO 2012 GENERAL ELECTION**

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<b>Gerrymander Category</b>	<b>DEKALB COUNTY DISTRICT CHANGE IN 2012</b>		
	<b>Removed</b>	<b>Added</b>	<b>Existing Changed</b>
Competitive Compare	57, 58, 60		79, 80, 85, 93
Incumbent Compare	57, 58, 60		86, 91, 92, 94
Partisan Compare	57, 58, 60		85, 94
Race Compare	57, 58, 60		92, 94

---

<b>Gerrymander Category</b>	<b>FULTON COUNTY DISTRICT CHANGE IN 2012</b>		
	<b>Removed</b>	<b>Added</b>	<b>Existing Changed</b>
Competitive Compare	44, 46, 66	22, 25, 40, 45, 80, 95	
Incumbent Compare	44, 46, 66	22, 25, 40, 45, 80, 95	53, 55, 56, 61

Partisan Compare	44, 46, 66	22, 25, 40, 45, 80, 95	55, 58
Race Compare	44, 46, 66	22, 25, 40, 45, 80, 95	

---

Source: Author's calculations from Georgia's Secretary of State Election Results records.

### *Voter List Analysis*

Even though the Georgia Legislative Black Caucus lawsuit filed in 2011, alleging that normal procedures were circumvented to create cities with White super-majorities, which diluted minority votes and violated the VRA and the U.S. Constitution, the DOJ gave pre-approval to Georgia's redistricting plan under the VRA. The demographic information available on the Voter List for both counties is reviewed to determine if gerrymandered characteristics can be identified in those districts added. Registered voters voluntarily submitted their Race and Last Voted Party on the Voter List. For Senate elections, District 44 was added to DeKalb County, and Districts 6, 21, and 28 were added to Fulton County. For House elections, Fulton County added Districts 22, 25, 40, 45, 80, and 95. I experienced an issue where the Fulton County Voter List did not identify the added districts. It appears that these districts were lumped into a generic "9999" district, making it impossible to analyze specific demographic data for specific districts. Therefore, I only analyzed DeKalb County District 44 Voter List Race and Last Voted Party demographic information.

The removal of District 5 in DeKalb County is an example of gerrymander cracking, which changed the partisan and majority race composition of the added District 44. District 5 was comprised of 136,449 registered voters during the 2008 elections. Forty-five percent (61,267) of the registered voters said they were Black, not of Hispanic origin, and 38% (52,242) were White, not of Hispanic origin. Forty-nine percent (66,089) registered voters last voted

Democrat, and 5% (7,384) last voted Republican. The added District 44 was comprised of 42,319 registered voters during the 2012 elections. Sixty-five percent (27,794) of the registered voters said they were Black, not of Hispanic origin, and 19% (8,164) were White, not of Hispanic origin. Forty-nine percent (20,788) registered voters last voted Democrat, and 2% (900) last voted Republican. The researcher identified District 44 as a gerrymandered district because District 5 was removed from DeKalb County senate election districts. The removal of District 5 reduced the population within the added district by 94,130 voters. Most of the lost voters were mostly Democratic and Black voters.

***DeKalb County Efficiency Gap***

The efficiency gap would be zero, with an equal number of wasted votes from either party. An efficiency gap above 7% or below -7% can be considered gerrymandered. The wasted Black votes are 79%, and the wasted vote for Democrat voters is 47%. Both wasted votes are well over the 7% margin, indicating that the removal of District 44 was a cracking gerrymander that diluted the majority of Black and Democratic votes when the new Fulton County maps were drawn.

**Figure 15: DeKalb County Efficiency Gap**

*The computation for wasted Black voters from the removal of District 5 in DeKalb County is:*

$$\frac{61,267 \text{ (District 5 Black Voters)} - 27,794 \text{ (District 44 Black Voters)}}{42,319 \text{ (District 44 Total Voters)}} = \frac{33,473}{42,319} = 79\%$$

*The efficiency gap computation for Democratic voters lost from the removal of District 5 in DeKalb County is:*

$$\frac{20,788 \text{ (Democrat Voters)} - 990 \text{ (Republican Voters)}}{42,319 \text{ (District 44 Total Voters)}} = \frac{19,798}{42,319} = \mathbf{47\%}$$

In the next chapter, the results of the questionnaire are analyzed. The questionnaire asks voters about their voter experience during the 2008 and 2012 elections. The socio-demographic factors of the questionnaire respondents are discussed. The questions evaluate the voter's experience, ask if the voters vote for a candidate of their race or their party, identify if the voter votes for an incumbent, and inquire about voter knowledge.

## **CHAPTER 5**

### **QUESTIONNAIRE ANALYSIS**

In the previous chapter, I identified districts in both counties that experienced “cracking and packing” gerrymandering. A questionnaire was utilized in this research, which asked voters in these gerrymandered counties about their voter experience in the 2008 and 2012 elections. In Chapter 5, the questionnaire results are evaluated using descriptive statistics, percentages, and contingency tables showing the relationship between socio-demographic variables and the participant's responses to the questionnaire. The results of the open-ended questions are analyzed. The results of the questionnaire are tested with valid percentages and frequency of observations that have multiple characteristics.

#### **Socio-demographic Factors**

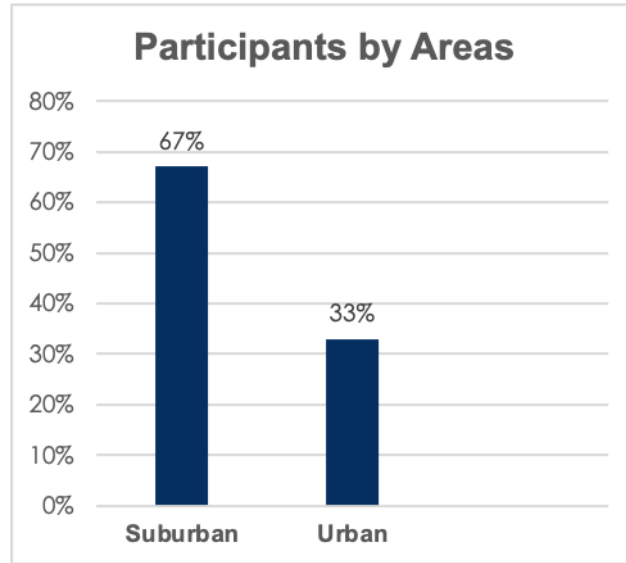
Socio-demographics are a combination of social and demographic factors that define people in a specific population. Socio-demographic questions are necessary to include in nearly every research enterprise involving human subjects to provide an accurate description of the research sample (Hughes et al. 2016). According to the 2012 Census estimates, DeKalb County's total population was 694,671. The population consisted of 54% Black, 30% White, 5% Asian, 10% Hispanic, and 1% Other races. DeKalb County's median household income was \$52,759. About 32% of the population was under age 17, 7% were aged 18 to 24, 39% were aged 25 to 49, 16% were aged 50 to 64, and 6% were aged 65 and older. Fifty-three percent

(53%) of the population were women. In the 2012 Census, Fulton County's total population was 973,754. Fulton County consisted of 44% Black, 41% White, 6% Asian, 8% Hispanic, and 1% other races. Fulton County's median household income was \$56,709. About 42% of the population was under age 19, 7% were aged 20 to 34, 24% were aged 35 to 49, 17% were aged 50 to 64, and 10% were aged 65 and older. Fifty-one percent (51%) of the population were women. Twelve residents from Fulton and DeKalb counties responded to the questionnaire. Participants were asked seven socio-demographic questions, identifying statistical data relating to the population.

- QF1. Are you from a rural, suburban, or urban area?
- QF2. What is your gender?
- QF3. What is your age?
- QF4. What is your annual household income?
- QF5. Which best describes your political identification?
- QF6. Which best describes your Race/Ethnicity?
- QF7. What highest degree or level of education have you completed?

Sixty-seven percent (67%; 8 individuals) of the respondents live in what they consider a suburban area, while only 33% (4 individuals) of the respondents believe they live in an urban area. None of the respondents believe they live in a rural area.

**Figure 16:** Questionnaire Participants by Areas



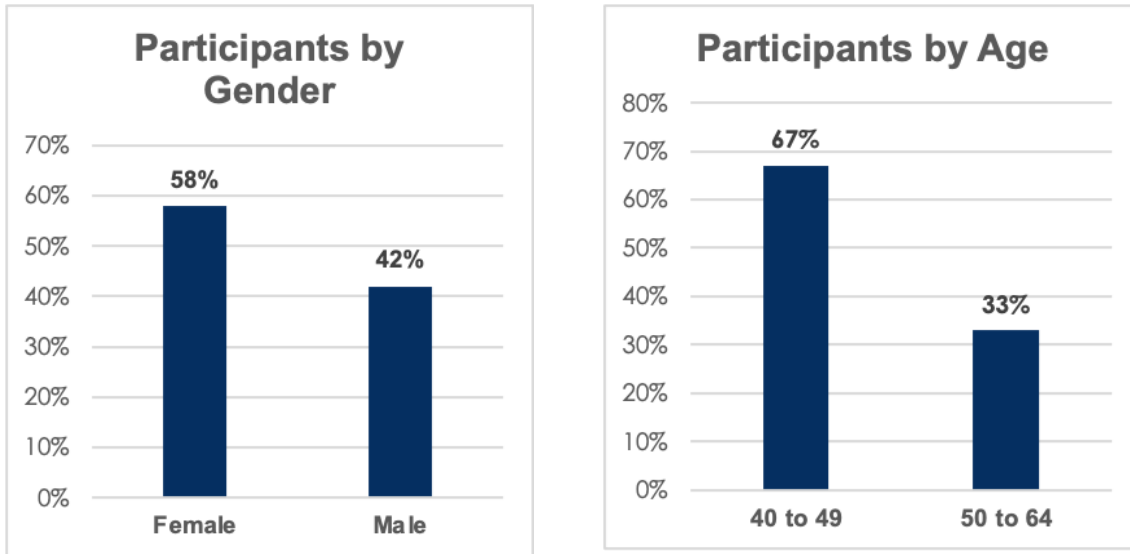
**Table 4:** Participants by Area Results

**ARE YOU FROM A RURAL, SUBURBAN, OR URBAN AREA?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	SURBURBAN	8	66.7	66.7	66.7
	URBAN	4	33.3	33.3	100.0
	Total	12	100.0	100.0	

Fifty-eight percent (58%; 7 individuals) are female and 42% (5 individuals) are male. Thirty-three percent of the respondents are between the ages 40 and 49 (4 individuals), and 67% are between the ages 50 to 64 (8 individuals). No respondents are between the ages 18 to 29, 0 to 39, and 65 or older.

**Figure 17:** Participants by Gender Results



**Table 5:** Participants by Gender and Age Results

**WHAT IS YOUR GENDER?**

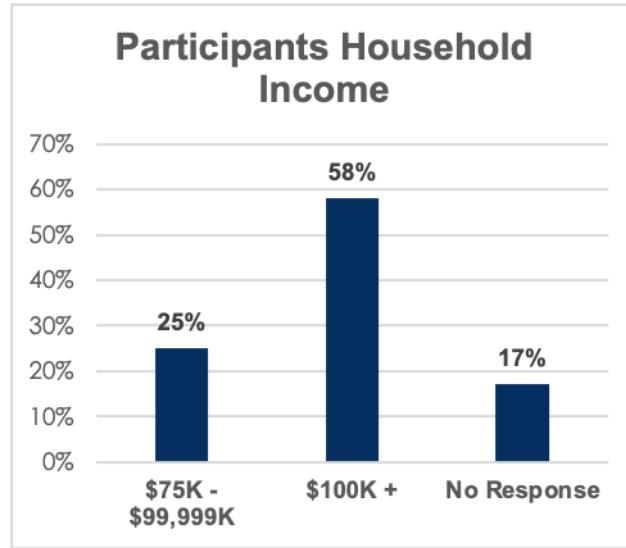
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	FEMALE	7	58.3	58.3	58.3
	MALE	5	41.7	41.7	100.0
	Total	12	100.0	100.0	

**WHAT IS YOUR AGE?**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	40-49	4	33.3	33.3	33.3
	50-64	8	66.7	66.7	100.0
	Total	12	100.0	100.0	

Fifty-eight percent (58%; 7 individuals) of the respondents have an annual household income of \$100,000 or more. Twenty-five percent (25%; 3 individuals) of their annual household income is between \$75,000 to \$99,999. Seventeen percent (17%; 2 individuals) of the respondents had no response to the question of what your annual household income is.

**Figure 18:** Participants by Household Income Results

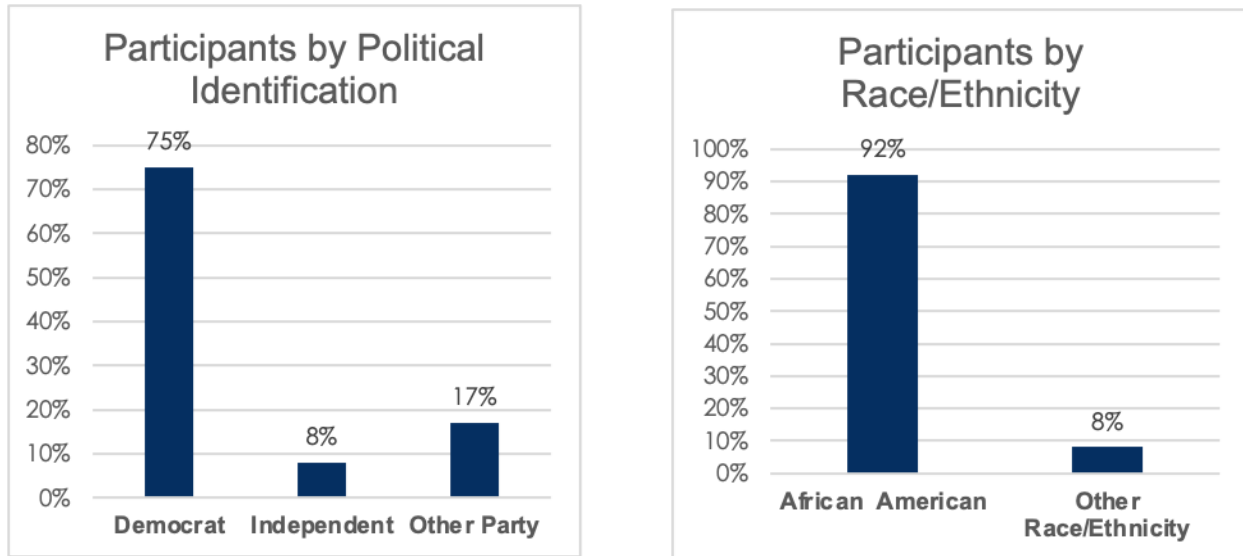


**Table 6:** Participants Annual Household Income Results

<b>WHAT IS YOUR ANNUAL HOUSEHOLD INCOME?</b>					
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	\$75K - \$99,999	3	25.0	25.0	25.0
	\$100K+	7	58.3	58.3	83.3
	NO RESPONSE	2	16.7	16.7	100.0
	Total	12	100.0	100.0	

Seventy-five percent (75%; 9 individuals) of the respondents identify as Democrat, 8% identify as Independents (1 individual), and 17% identify as Other Party (2 individuals). No respondents identify as Republican. Ninety-two percent (92%; 11 individuals) are African American, and 8% replied Other as race/ethnicity (1 individual).

**Figure 19:** Participants by Political Identification Results



**Table 7:** Participants Political Identification and Race/Ethnicity Results

**POLITICAL IDENTIFICATION:**

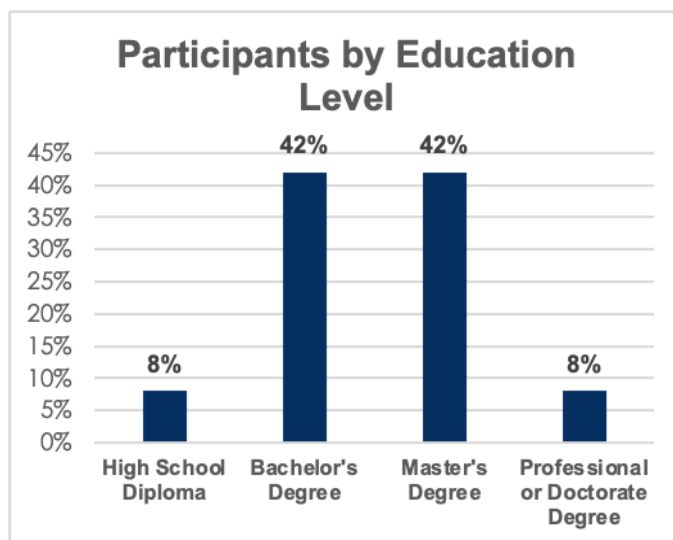
		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	DEMOCRAT	9	75.0	75.0	75.0
	INDEPENDENT	1	8.3	8.3	83.3
	OTHER PARTY	2	16.7	16.7	100.0
	Total	12	100.0	100.0	

**RACE/ETHNICITY**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	AFRICAN AMERICAN	11	91.7	91.7	91.7
	OTHER	1	8.3	8.3	100.0
	Total	12	100.0	100.0	

Forty-two percent (42%; 5 individuals) have a bachelor’s degree, and 42% (5 individuals) have a master’s degree. Eight percent (8%; 1 individual) have a high school diploma, and eight percent (8%; 1 individual) have a professional or doctorate.

**Figure 20:** Participants by Education Level Results



**Table 8:** Participants Level of Education Results

**HIGHEST DEGREE OR LEVEL OF EDUCATION YOU COMPLETED:**

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	HIGH SCHOOL	1	8.3	8.3	8.3
	BACHELOR'S DEGREE	5	41.7	41.7	50.0
	MASTER'S DEGREE	5	41.7	41.7	91.7
	PROFESSIONAL DEGREE OR DOCTORATE	1	8.3	8.3	100.0
	Total	12	100.0	100.0	

**H0: Gerrymandering does not affect voter turnout.**

The 2008 and 2012 contests were presidential elections. Voter turnout tends to be higher in large elections in the United States, highest for presidential elections, and lower turnout for congressional, state, and local elections (Edlin et al. 2007). Individuals support elections because they believe when their party wins, resources will be distributed to those who voted for them (Davis et al. 2017). The Public Choice Theory of voting behavior says that people vote when the likelihood that their vote will make a difference (Tullock 1968). Voters are asked a

series of closed and open questions to clarify whether they voted in the 2008 and 2012 elections, why they voted or did not vote, and the nature of their voting experience. Where and when individuals vote impacts the voter experience (Stein et al. 2012). Stein et al. analyzed data collected from exit polls with Election Day voters in the 2008 Colorado presidential election and found that voting places that are more accessible and open significantly enhance voter performance and evaluation. Participants were asked if they knew their voting district for the elections to gauge if alternative factors impacted their voter experience. Thus, the researcher hypothesized that gerrymandering does not affect voter turnout, rather, an alternative factor, such as awareness of one's voting district, influences whether an individual votes. A crosstab test is performed between participants' demographic variables and the dependent variables below:

- Q1. Did you vote in the 2008 Georgia legislative election?
- Q2. Did you vote in the 2012 Georgia legislative election?
- Q3. Which of these describes why you did NOT vote in the 2012 Georgia legislative election?
- Q4. Did you know your voting district in the 2008 Georgia legislative election?
- Q5. Did you know your voting district in the 2012 Georgia legislative election?
- Q11. How would you best characterize your experience with voting in the 2008 Georgia legislative election?
- Q12. How would you best characterize your experience with voting in the 2012 Georgia legislative election?
- Q14. Why did you vote in the 2008 election? (I did not vote in the 2008 Georgia election.)
- Q15. Why did you NOT vote in the 2008 election? N/A (I voted in the 2008 Georgia election.)
- Q16. Why did you vote in the 2012 election? N/A (I did not vote in the 2012 Georgia election.)
- Q17. Why did you NOT vote in the 2012 election? N/A (I voted in the 2012 Georgia election.)

Open-ended questions were asked to give participants a voice and to gain better insight into their closed-question responses. When asked to answer in their own words why they voted or did not vote in the elections, 8% of the participants did not explain. At the same time, 8% of the respondents did not vote in the elections. Those who did not vote said, "I moved from

California to Georgia and did not know any of the candidates,” and they also said, “I did not vote in 2012 because I did not know any of the candidates and I was not interested in politics.” These responses indicate that when voters are not familiar with the candidates on the ballot, they will not participate in elections. Eighty-four percent (84%) of the respondents voted in the elections. Participants who voted did so because “I always vote in the general elections,” “I voted because it was important to get my interests and concerns expressed,” and I voted because I have the right to vote and wanted to see some changes in my area.” Individuals who voted statements draw a parallel to the rational choice theories mentioned earlier that say people participate in the electoral process based on the payoff from voting. The payoff from voting depends upon the expected benefit, the likelihood that your vote will make a difference, the accuracy of your judgment, and the cost of voting. These voters believe that “every vote counts” and that voting “is my civic duty.” One participant stated, “I am a super voter, and I vote in every election because voting is important,” and another participant said, “I voted to be a part of the democratic process.” Voters participated “to ensure that my vote was cast for the candidate of my choice” and “to make sure my vote was counted.” These participants voted “because it was very important to get my interests and concerns expressed.” “I vote at every election because my parents taught me that, and in 2008, I was hopeful that this country would elect its first Black president”. Their statements show that they vote because they believe that their vote will impact the outcome of elections. Subsequently, voting is a civic duty for these voters, and they believe that not voting is a moral injustice to society.

The researcher hypothesized that voter turnout would decrease in state district races that have been allegedly gerrymandering following redistricting. Questionnaire participants were asked, “Did you vote in the 2008 and 2012 elections?”. Their responses show an increase of

8.4% in voter turnout in the 2012 election. This increase in voter participation indicates that alleged gerrymandered districts do not decrease voter turnout, however, with a sample size this small, it is impossible to draw any generalizable conclusions.

Further analysis reveals that in both 2008 and 2012, 75% of the respondents knew their voting precinct, while 16.7% of the respondents did not know their voting precinct. Interestingly, even though the same percentage of voters did not know their precinct in 2008 and 2012, more voters voted in the counties' 2012 election than in the 2008 election.

**Table 9:** Participants Vote or Did Not Vote in Election Results

<b>Did You Vote in the Election?</b>				
	<b>2008</b>		<b>2012</b>	
	<b>Percentage</b>	<b>Frequency</b>	<b>Percentage</b>	<b>Frequency</b>
<b>YES</b>	83.3%	10	91.7%	11
<b>NO</b>	16.7%	2	8.3%	1
<b>Total</b>		12		12

**H1: Voters are more likely to turn out to vote when assigned to districts with an incumbent.**

Q6. Did you vote for an incumbent candidate in the 2012 Georgia legislative election?  
 Q20. Do you generally vote for incumbent candidates in legislative elections? Explain your answer.

Hypothesis 1 tested whether voters are more likely to turn out to vote when assigned to districts with an incumbent. I predict that more Georgia voters would turn out to vote when assigned to districts in the 2012 election with an incumbent. After redistricting, incumbents often face significant numbers of new voters—voters that were previously in a different

incumbent's district, and the cost to incumbents of having new voters should be relatively small and predictable (Desposato et al. 2003). The variable "Do you generally vote for incumbent candidates?" was asked to ascertain if the voter was aware if they voted for an incumbent in the 2012 election, the general election after redistricting.

One-fourth of the participants (25%) generally vote for an incumbent. The participants responded to open-ended questions stating they vote for a candidate if an incumbent is an effective voice for their district and gets results. Seventeen percent (17%) of the participants are not sure if the candidate they voted for is an incumbent. The participants said they did not research the candidates. Over half of the participants (58%) did not vote for the incumbent. The participants stated in the questionnaire that they generally do not vote for an incumbent and vote for the candidate who best represents the people in their district.

The researcher hypothesized that voters are more likely to turn out to vote when assigned to districts with an incumbent. Questionnaire participants were asked, "Did you generally vote for incumbent candidates in legislative elections?". These statements reflect comments respondents made to the questionnaire. The 25% of respondents who generally vote for an incumbent did so "if the incumbent is an effective voice for their district and gets results" and "if they have done a decent job or if there is no other option." These respondents are loyal to incumbents and will generally vote for the incumbent candidate. Seventeen percent (17%) responded that they are not sure if they generally vote for the incumbent because "it depends on the candidate in that race; I'm not tied to the incumbent necessarily" and "it depends on if my selection is the incumbent." These respondents will not vote for a candidate just because they are the incumbent. They research candidates and vote for the individual who they believe will do the best job. And 58% do not generally vote for the incumbent because "I did my homework

on the candidates,” “I usually vote Democrat, and I usually don’t vote for the incumbent; if the candidate’s views are more in line with mine,” and “I vote for the most qualified candidate.” They “vote for the candidate who I think will do their best for the people they represent.” These respondents will vote for the incumbent if they believe they performed well during their previous administration. “It depends on what the candidate is supporting during the campaign,” and “If the candidate has represented well, I will vote; If not, I will vote for another candidate.”

**Table 10:** Area (Vote for Incumbent)

**Do you generally vote for incumbent candidate in legislative elections?**

	<b>Suburban</b>	<b>Frequency</b>	<b>Urban</b>	<b>Frequency</b>	
<b>Yes</b>	13%	1	50%	2	
<b>No</b>	75%	6	25%	1	
<b>Not Sure</b>	13%	1	25%	1	
<b>Total</b>		8		4	12

Sixty-seven (67%) of the participants live in a suburban area. Seventy-five percent (75%) of those living in a suburban area did not vote for an incumbent, while 12.5% voted for an incumbent, and 12.5% were not sure whether they voted for an incumbent. Participants generally do not vote for the incumbent in elections. They research and vote for the most qualified candidate. Thirty-three percent (33%) live in an urban area. Fifty percent (50%) of those living in urban areas voted for an incumbent, while 25% did not vote for an incumbent, and 25% were not sure whether they voted for an incumbent. Participants who voted for an incumbent do so if there is no other option. Participants are not sure if they vote for an incumbent, rather, they consider what the candidate is supporting during the campaign and do not always vote for an incumbent.

**Figure 21:** Level of Income (Vote for Incumbent)

<b>Do you generally vote for incumbent candidate in legislative elections?</b>			
	<b>\$75K - \$99,999</b>	<b>\$100K+</b>	<b>No Response</b>
<b>Yes</b>	67%	14%	0%
<b>No</b>	33%	57%	100%
<b>Not Sure</b>	0%	29%	0%

Two participants did not reveal their level of income; however, they stated: “They do not generally vote for an incumbent.” The majority of the participant’s income is \$75,000 to \$99,999 and \$100,000 or more. The Atlanta Metropolitan area has several headquarters of international and national companies. Thus, the participant’s income levels greater than \$75,000 is an efficient representation of most residents living in Fulton and DeKalb counties. Sixty-seven percent (67%) of the participants with income of \$75,000 to \$99,999 generally vote for an incumbent, and 33% do not generally vote for an incumbent. Fourteen percent (14%) with an income greater than \$100,000 generally vote for an incumbent, while 57% do not generally vote for an incumbent. They vote for the candidate with views consistent with their own. Participants with income over \$100,000, 29%, are not sure if the candidate they vote select is an incumbent.

**Figure 22:** Level of Education (Vote for Incumbent)

<b>Do you generally vote for an incumbent candidate in legislative elections?</b>				
	<b>High School Diploma</b>	<b>Bachelor's Degree</b>	<b>Master's Degree</b>	<b>Professional Degree or Doctorate</b>
<b>Yes</b>	0%	60%	0%	0%
<b>No</b>	100%	40%	60%	100%

Not Sure      0%      0%      40%      0%

It is well-documented that education is positively correlated with voter turnout at the individual level. However, the increased educational levels in most Western countries have not caused an aggregate increase in voter turnout (Brody 1978; Persson 2013). Sixty percent (60%) of participants with a bachelor's degree generally vote for an incumbent, while 40% generally do not. They vote for an incumbent when he has done a good job. Sixty percent (60%) of participants with a master's degree generally do not vote for an incumbent, and 40% are not sure if their candidate is an incumbent. Participants are not sure if the candidate they vote for is an incumbent or not. Individuals with a high school diploma (100%) and a professional degree or doctorate (100%) generally do not vote for an incumbent. The relative education model forwarded by Nie, Junn, and Stehlik-Barry (1996) proposes that education has no direct effect on voter turn-out, it works only as a proxy for social status. This model proposes that the individual-level effect of education functions as a sorting mechanism that influences individuals' social network positions, which in turn affects voter turnout (Persson 2013).

Hypothesis 2 asks voters if they are more likely to turn out to vote when assigned to districts with candidates of their partisan identification. Political identification and race/ethnicity have a strong association with participants voting for candidates of their partisan identification. For example, the growth of liberal minority populations has shifted the median position on economic issues to the left and away from the median White citizen's position; the parties have responded to these changes by shifting their positions, and Whites have become less likely to support the Democratic Party as a result (Zingher 2018). Whites have become increasingly likely to vote for the Republican Party in presidential elections (Zingher 2014). The

questionnaire participants were asked two questions to determine if they voted for candidates of their partisan identification.

**H2: Voters are more likely to turn out to vote when assigned to districts with candidates of their partisan identification.**

- Q7. Did you vote for your party candidate in the 2008 Georgia legislative election?
- Q8. Did you vote for your party candidate in the 2012 Georgia legislative election?

The majority of the respondents in both counties are not White. Thus, it should be expected that they generally vote for a Democratic candidate. For the 2008 election, 66.7% of the respondents voted for a candidate of their party, 8.3% did not vote for a candidate of the same party, and 25.0% were not sure if they voted for a candidate of the same party. In 2012, 75.0% of the respondents voted for a candidate of the same party. The same percentage (8.3%) of respondents did not vote for a candidate of the same party in 2012, and respondents not sure if they voted for a candidate of the same party decreased to 16.7% in 2012.

**Table 11: Association between Vote Own Party and Demographic Factors**

<b>Did you vote for a candidate of your own party in the 2008 election?</b>		
	<b>LAMBDA</b>	<b>SIG.</b>
Political Identification	0.500	0.121
Race/Ethnicity	0.250	0.296

<b>Did you vote for a candidate of your own party in the 2012 election?</b>		
	<b>LAMBDA</b>	<b>SIG.</b>
Political Identification	0.667	0.121
Race/Ethnicity	0.333	0.296

According to Graves and Lee (2000), voters prefer candidates of their race or ethnicity. Bullock notes that “voting for a candidate of one’s race may be a product of racism, or it may be the result of reliance on a simple, readily available cue.” (1984, p. 240). For example, individuals may vote for a candidate of their race or ethnicity based on the assumption that a candidate who shares their racial or ethnic background also shares their basic political views. In most partisan elections, the minority candidate (most are African American or Latino) in question shares the partisanship of the majority of the voters of his or her racial or ethnic group (Michelson 1994). Hypothesis 3 asks if their race had an impact on whether they voted for a candidate of the same race and ethnicity.

**H3: Voters are more likely to turn out to vote when assigned to districts where the candidate is the same race.**

- Q9. Did you vote for a candidate of your same race/ethnicity in the 2008 Georgia legislative election?
- Q10. Did you vote for a candidate of your same race/ethnicity in the 2012 Georgia legislative election?
- Q21. Do you generally vote for candidates of your same race/ethnicity in legislative elections? Explain your answer.

I theorize that participants do generally vote for candidates of the same race/ethnicity. During 2008, 50% of the counties voted for a candidate of the same race/ethnicity, 17% did not, and 33% were not sure if they voted for a candidate of the same race/ethnicity. In 2012, respondents who voted for a candidate of the same race/ethnicity increased to 75%; 8% did not, and 8% were not sure if they voted for a candidate of the same race/ethnicity.

**Figure 23:** Age (Vote Same Race/Ethnicity)

<b>Do you generally vote for a candidate of the same race/ethnicity?</b>		
	<b>40-49</b>	<b>50-64</b>
<b>Yes</b>	0%	33%

<b>No</b>	33%	25%
<b>Not Sure</b>	0%	9%

There are two dominant age categories in the study. All of the participants are either aged 40 to 49 or 50 to 64. Thirty-three percent (33%) of the aged 40-49 do not generally vote for a candidate of the same race/ethnicity. Within the age category 50 to 64, 33% generally vote for a candidate of the same race/ethnicity, 25% do not generally vote for a candidate of the same race/ethnicity, and 9% are not sure if they voted for a candidate of the same race/ethnicity.

**Figure 24:** Level of Education (Vote Same Race/Ethnicity)

<b>Do you generally vote for candidates of the same race/ethnicity?</b>				
	<b>High School Diploma</b>	<b>Bachelor's Degree</b>	<b>Master's Degree</b>	<b>Professional Degree or Doctorate</b>
<b>Yes</b>	0%	25%	0%	8%
<b>No</b>	8%	17%	34%	0%
<b>Not Sure</b>	0%	0%	8%	0%

Eight percent (8%) of the participants with a high school diploma do not generally vote for a candidate of the same race/ethnicity. Of those participants with a bachelor's degree, 25% generally do not vote for a candidate of the same race/ethnicity, and 17% do not generally vote for a candidate of the same race/ethnicity. Thirty-four percent of the participants with a master's degree generally do not vote for a candidate of the same race/ethnicity, while 8% of the participants with a professional degree or doctorate generally vote for a candidate of the same race/ethnicity.

**Figure 25:** Household Income (Vote Same Race/Ethnicity)

<b>Do you generally vote for candidates of the same race/ethnicity?</b>			
	<b>\$75K - \$99,999</b>	<b>\$100K+</b>	<b>No Response</b>
<b>Yes</b>	25%	8%	0%
<b>No</b>	0%	42%	17%
<b>Not Sure</b>	0%	8%	0%

Twenty-five percent (25%) of the participants with a household income between \$75,000 and \$99,999 generally vote for a candidate of the same race/ethnicity. Eight percent (8%) of the participants with a household income of \$100,000 or more generally vote for a candidate of the same race/ethnicity, 42% do not generally vote for a candidate of the same race/ethnicity, and 8% are not sure if the candidate they voted for was a candidate of the same race/ethnicity. Seventeen percent (17%) of the participants did not classify their household income; however, they responded they do not generally vote for a candidate of the same race/ethnicity.

**The Impact of Gerrymandering on Voters**

- Q13. What is gerrymandering? I am not familiar with the term gerrymandering.
- Q18. Do you believe that gerrymandering had any influence on your decision to vote or not to vote in the 2008 Georgia election? I am not familiar with the term gerrymandering.
- Q19. Do you believe that gerrymandering had any influence on your decision to vote or not to vote in the 2012 Georgia election? I am not familiar with the term gerrymandering.
- Q22. Please provide any additional comments concerning gerrymandering and your voter participation.

The Honorable Alan S. Lowenthal believes no other factor has contributed more to negative public perception about voting and elections than gerrymandering and its side effects (2019). Most citizens are not informed about gerrymandering. According to the authors of *The American Voter*, “many people know the existence of few if any of the major issues of policy”

(Campbell et al. 1960, p. 170). I asked the probing questions above about gerrymandering to deepen the knowledge and understanding of whether the participants were familiar with the term gerrymandering.

Thirty-three percent (33%) of the respondents were not familiar with the term gerrymandering, and 68% said that they were familiar with the term and provided a statement concerning whether they knew or did not know what gerrymandering is. When asked, “Do you believe that gerrymandering had any influence on your decision to vote or not in 2008?” 42% were not familiar with the term gerrymandering, and 58% were familiar with the term. When the same question was asked for 2012, 33% were not familiar with the term, and 68% were familiar with the term.

The socio-demographic variable, age, has a strong percentage of 58% of the respondents between the ages 50 and 64 who were familiar with the term gerrymandering and provided a definition of the term. There was no percentage when asked, “Do you believe that gerrymandering had any influence on your decision to vote or not vote in 2012?” but when asked if gerrymandering influenced participants in 2008, five socio-demographic factors showed high percentages. Age has the strongest association with a Lambda of 0.400. Members of the electorate prefer to vote for co-partisan candidates who are closest to themselves in age (Webster et al. 2019).

**Figure 26:** Age and Gerrymandering Questionnaire Results

<b>Are you familiar with the term gerrymandering?</b>		
	<b>40-49</b>	<b>50-64</b>
<b>I am not familiar with the term.</b>	26%	8%
<b>Provided response in own words.</b>	8%	58%

The responses to the questionnaire concerning various socio-economic demographics give insight into the voting behavior of individuals voting in counties that contain gerrymandered districts. Respondents' age, household income, race, and partisan identification are some of the socio-economic demographics that were cross-analyzed with gerrymander questions. The increase in voter participation from 2008 to 2012 indicates that alleged gerrymandered counties do not decrease voter turnout, however, with a sample size this small, it is impossible to draw any generalizable conclusions. Respondents did not always vote for the incumbent; however, they did vote for a candidate who has performed well in the past. They research a candidate's platform and vote for the candidate who they believe will best represent their concerns. In 2012, more respondents voted for a candidate of the same race than in 2008, suggesting that with gerrymandered districts in the counties, individuals are more likely to vote for a candidate of the same race.

In Chapter 6, I summarize the analysis of the State of Georgia legislative elections on an individual voter level and the impact gerrymandering has on voter turnout in DeKalb and Fulton Counties. The research's deficiency is provided. The hypotheses concerning the impact of voter turnout when gerrymandered characteristics exist are summarized. I give final comments on the gerrymandered characteristics, incumbency, political identification, and race. Additional research discoveries and modern gerrymandering are discussed.

## **CHAPTER 6**

### **CONCLUSION**

Converse (1964) argued that incoherence and temporal instability are the most striking characteristics of most public attitudes about most political issues most of the time. Current analysis shows that public broadcasting TV is a major source of political information and can

increase political participation (Sorensen 2019). Accordingly, gerrymandering is an election process that most citizens are not informed about. The goal of this research is to analyze state legislative elections on an individual voter level to determine the impact gerrymandering has on voter turnout. The results from analyzing DeKalb and Fulton Counties district composition in 2008 and 2012 expose characteristics of gerrymandering. The decrease in the competitive races in both counties suggests that the majority Republican Georgia legislature effectively redrew the district maps to guarantee a smaller number of competitive districts. The decreases in Democrat candidates suggest that the redrawn maps in 2012 allowed Republican candidates to gain additional seats in historically majority Democrat districts. A decrease of Black candidates in Fulton County's 2012 Representative elections (a majority Black demographic district) indicates that redistricting caused less Black candidate representation. That said, the small sample size and lack of statistical testing make it impossible to draw definitive conclusions about the impact of gerrymandering on turnout. Thus, the following discussion summarizes the findings without definitively answering the questions posed by this dissertation.

### ***Incumbency***

Hypothesis 1 analyzes whether voters are more likely to turn out to vote when assigned to districts with an incumbent. I predict that more voters turn out to vote when assigned to districts with an incumbent. After redistricting, incumbents often face significant numbers of new voters—voters that were previously in a different incumbent's district and the cost to incumbents of having new voters should be relatively small and predictable (Desposato et al., 2003). Even with a 2% decrease in voter turnout in both the 2008 and 2012 elections, more incumbents won re-election. This is a strong indication that incumbents did not lose their advantage. Voters in

the districts were not disenfranchised by alleged gerrymandering, which characteristically diminishes the pool of familiar candidates. Individual voter analysis shows that the variable “Do you generally vote for incumbent candidates?” has a strong association with the variables area, annual household income, and level of education. Suggesting that the voter’s area, annual household income, and level of education in these districts influence whether respondents vote for an incumbent or not.

### ***Political Identification***

When redistricting cuts voters loose from their old representative, their behavior depends on their underlying partisanship, the saliency of the election, and short-term political tides. Political identification and race/ethnicity have a strong association with participants voting for candidates of their partisan identification. Indicating that voter’s political identification and their race guide whether they vote for their party.

### ***Race***

The 2010 Census figures show Fulton County was 44.5% White and 44.1% Black, while Dekalb County was about 54% Black and 33.3% White (Matteucci 2011). On December 23, 2011, the U.S. DOJ gave pre-approval to Georgia’s redistricting plan under the VRA. This was the first time in Georgia's history that all of the state’s maps (House, Senate, and U.S. Congress) were approved upon the first review. However, state Democrats claimed that the two districts were gerrymandered by the majority Republican legislatures, and the party pursued legal action. Overall, half of the respondents usually vote for a candidate of the same race, and half usually do not vote for a candidate of the same race or are unsure. The variable “Do you generally vote for

candidates of your same race/ethnicity?” has a strong association with the variables age, annual household income, and level of education. Implying that a voter's age, annual household income, and level of education impact whether individuals vote for candidates of the same race/ethnicity in gerrymandered districts.

### ***Additional Discovery***

According to data from the 2012 (Coley et al.) Educational Testing Service research shows that voting is becoming increasingly associated with individual characteristics: age, education, literacy levels, knowledge of public affairs, and income. Although education has often been considered to be a direct cause of voter turnout, Persson (2013) found in his research that the direct effect is quite marginal. The relative education model solves the paradox concerning the relationship between education and turnout; if there is little direct causal effect of education on turnout, we have no reason to expect that increased levels of education at the aggregate level should result in higher levels of voter turnout (Persson 2013).

Questionnaires have limited sampling and respondent availability, and it was harder to draw respondents based on mail and e-mail addresses. The mail questionnaires received no responses as respondents were not highly motivated to participate. Individuals often delayed or ignored the questionnaire emails, and only 20 individuals responded to the email questionnaire. The limited responses received did not garner enough respondents to generate significant data analysis.

### ***Modern Gerrymandering***

The impact of *Baker v. Carr*, *Wesberry v. Sanders*, and *Reynolds v. Sims*'s decision on legislative politics and policymaking provided the constitutional precedent that eventually led to the creation of several majority Black districts. There are currently three lawsuits on trial challenging Georgia's state and congressional maps that were redrawn by Republicans in 2021. The state is accused of diluting the voting power of Black Georgians through racial gerrymandering, a violation of Section 2 of the VRA. A decision on these lawsuits is expected in the fall of 2024. These lawsuits are being tried right after the Supreme Court decision ruling that Alabama's congressional map violated the VRA. Black voters in Alabama won a majority victory in *Allen v. Milligan* (2023). The high court ruled that Republican lawmakers violated the VRA when they redrew the state's congressional map after the 2020 census and failed to create a second Black district.

Bullock, a political science professor at the University of Georgia, says that in Georgia and the nation, legal challenges to political maps are nothing new and have been happening for at least 30 to 40 years (Robinson 2023). According to the Pew Research Center (Budiman 2020), over the last decade, nearly 500,000 Black people moved to Georgia, and Black residents now make up a third of Georgia's population. The plaintiffs argue that Georgia's maps do not reflect this growth and that the maps dilute Black voters' political power. The lawsuits claim the state engaged in racial gerrymandering when Black voters around the state were "packed" into districts. Nearby districts then became more White and less likely to elect a candidate that Black voters support. The lawsuits propose the creation of new majority-Black districts in the state House and Senate by "unpacking" and "uncracking" districts near big cities and in the state's "Black Belt," which stretches roughly from Augusta to southwestern Georgia (Robinson 2023).

Growing concern over gerrymandering has led some states to transfer redistricting responsibility from legislatures to commissions, boards, or other less overtly partisan bodies. These transfers in redistricting responsibility offer scholars an opportunity to study the impact of redistricting processes on elections. The data, however, do not show that non-legislative redistricting either reduced the typical margins of incumbents' victories or increased the likelihood that incumbents would lose. The data sometimes run contrary to expectations. As previously stated, this raises questions about the common contention (especially by reformers) that NLA will promote the turnover of elected officials. The benefits of non-legislative redistricting depend on the desired outcomes and the specific NLA adopted.

### ***Future Research Implications***

This research is a mixed quantitative and qualitative design. The quantitative research focuses on identifying districts in DeKalb and Fulton Counties that were gerrymandered, utilizing the Georgia Secretary of State Election Results databases. The change in gerrymander characteristics (incumbent, partisan, racial, and competitiveness) was analyzed from the 2008 to the 2012 elections. Gerrymander districts were identified from my analysis. Next, partisan, racial, and age demographics were analyzed for some of the districts that were gerrymandered. The qualitative research is important to me because it focuses on how the individual voter's turnout is impacted by gerrymandering. My goal was to ask questions to gain insight into the voting behavior of individuals who vote in areas that are allegedly gerrymandered. The responses revealed that gerrymandering did not impact whether an individual voted or did not vote in the 2012 election, following alleged gerrymandered district maps. In future research on this subject, I would not perform a mixed research design. I would pick one or the other,

concentrating on identifying gerrymandered districts or voter behavior in gerrymandered districts to allow the researcher to focus on obtaining more questionnaire respondents.

Two databases were used in this research: the Georgia Secretary of State Election Results and the DeKalb and Fulton County Voter Lists. The election result database helped compare election results between 2008 and 2012. I was able to differentiate if a candidate was an incumbent, the candidate's partisan identification, the candidate's race, and whether a district election was competitive from 2008 to 2012. I was effective in using the change in these gerrymander characteristics from the 2008 to the 2012 election to identify gerrymandered districts. Next, I attempted to utilize the voter list databases to analyze registered voters' demographics. I was able to complete an overview analysis of the Voter List demographic data for the districts added to the DeKalb County elections. However, I was only able to complete an overview of one district added in the Fulton County elections. This issue is explained below.

The first issue with the voter list was an error on the DeKalb County Voter List Date Registered to Vote Column. The date registered to vote column for DeKalb County has the year since 1905 for all individuals on the list, which cannot be true given the late birth year of individuals on the list. A 1905 year registered to vote is a generic year entry. Secondly, the 2008 Voter List is not differentiated from the 2012 Voter List for either county. There is no way to determine if the voter list was scrubbed from 2008 to 2012, making it impossible to continue a comparison of the 2008 to 2012 methodology I used to identify gerrymandered districts. As mentioned in the paragraph above, I identified gerrymandered districts in the 2012 election. One (1) district was in the DeKalb County Senate election, and three (3) districts were added to the Fulton County Senate election. There were no districts added to the DeKalb County House election. However, three (3) districts were removed, and six (6) districts were added to the Fulton

County House election. I experienced an issue where the Fulton County Voter List did not identify the added districts. It appears that these districts were lumped into the 9999 district, which made it impossible to analyze specific demographic data.

I identified District 44 as a gerrymandered district because District 5 was removed from DeKalb County senate election districts. Notwithstanding being identified as gerrymandered, District 44 Voter List race demographics align with the 2010 Census figures for DeKalb County of 54% Black and 33.3% White. Essentially, District 5 was “cracked,” diluting the majority Black and Democratic vote when the district was removed from DeKalb County senate election districts. The last voted party demographic is also aligned with data showing DeKalb County was a majority Democratic partisanship county. The Wasted vote for Black voters is 66%, and the wasted vote for Democrat voters is 47%. Both wasted votes are well over the 7% margin, indicating that the removal of District 44 was a cracking gerrymander that diluted the Black and Democratic votes when the new Fulton County maps were drawn.

The questionnaire participants were randomly selected from the Voter File list, and 100 questionnaires were mailed. No questionnaires were returned. Then, residents were emailed the questionnaires, requesting to return the completed questionnaire via email. The mail and email method generated a low response rate of 12%. In the future, I would solicit questionnaire participants from social and community organizations located in these counties. I would reach out to community leaders and elected officials in the areas and ask if their constituents would complete the questionnaire. I believe this strategy will produce a more significant number of residents participating in this research.

Most of the research surrounding gerrymandering focuses on its benefit to the incumbent elected official. DeKalb and Fulton County were selected for this research because, in 2011,

residents in these counties filed a lawsuit against the state, alleging that the new redistricting maps violated the VRA, diluting the minority votes in the counties. The lawsuits were considered unsuccessful because the Supreme Court ultimately approved the map versions originally presented by the Georgia State Legislatures. I believe applying this research to those who have imposed litigation against their state for violating the VRA is necessary. By doing so, researchers can analyze racial gerrymandering from the perspective that it has on the voter rather than the benefit gerrymandering has for an incumbent. In the future, this research should continue to focus on the voter and be performed when the U.S. Census Bureau's enumeration results in the redrawing of maps in jurisdictions that believe they are gerrymandered.

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## Appendix 1: Data Collection Instruments



Date: August 31, 2020

Dear Participant:

My name is Karen M. Newsome and I am a doctoral student at Auburn University. For my dissertation, I am examining the impact of redistricting on state legislative elections. Because you are a Georgia resident, I am inviting you to participate in this research study by completing the attached survey.

The following questions will require approximately 30 minutes to complete. There is no compensation for responding nor is there any known risk. In order to ensure that all information will remain confidential, please do not include your name. Copies of the project will be provided to my instructor and to the Graduate School director of Auburn University. If you choose to participate in this project, please answer all questions as honestly as possible and return the completed questionnaires promptly in the provided envelope. Participation is strictly voluntary and you may refuse to participate at any time.

Thank you for taking the time to assist me in my educational endeavors. The data will provide useful information regarding voter participation in state elections. If you would like a summary copy of this study, please complete and detach the Request for Information Form and return it to me in a separate envelope. Completion and return of the questionnaire will indicate your willingness to participate in this study. If you require additional information or questions, please contact me at the number listed below.

If you are not satisfied with the manner in which this study is being conducted, you may report (anonymously if you so choose) any complaints to:

Dr. Kelly Krawczyk, Ph.D. Program Director Department of Political Science  
Haley Center 8030E  
Auburn University  
Auburn, AL 36849  
 [\(334\) 844-6460/kak0037@auburn.edu](mailto:(334)844-6460/kak0037@auburn.edu)

Sincerely,

Karen M. Newsome  
 [\(205\) 470-0273/mccy\\_ks@yahoo.com](mailto:(205)470-0273/mccy_ks@yahoo.com)

Dr. Mitchell Brown  
 [\(334\) 844-6170/brown11@auburn.edu](mailto:(334)844-6170/brown11@auburn.edu)

Detach here

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### Request for information

Please send a copy of the study results to the address listed below.

Name:  
Address:

**Please do not return this form with your survey.** Return to: Karen M. Newsome/Department of Political Science/Haley Center 8030E, Auburn, AL 36849.



## Appendix 2: Voter Participation Survey Questionnaire

**Respondents to this questionnaire should be Georgia residents who were eligible to vote or who voted for state legislative candidates (Georgia State Senate and/or Georgia State House of Representatives) who were on the ballot during the 2008 and 2012 presidential elections.**

- Q1. Did you vote in the 2008 Georgia legislative election?  
 Yes  
 No, I did not vote in the 2008 Georgia election and I don't usually vote  
 No, I did not vote in the 2008 Georgia election and I usually vote
- Q2. Did you vote in the 2012 Georgia legislative election?  
 Yes  
 No, I did not vote in the 2012 Georgia election and I don't usually vote  
 No, I did not vote in the 2012 Georgia election and I usually vote
- Q3. Which of these describes why you did NOT vote in the 2012 Georgia legislative election?  
 N/A (I voted in the 2012 election)  
 I didn't know any of the candidates  
 I didn't know where to vote  
 I'm disgusted with politics  
 This election was not about my concerns and issues  
 Other reason
- Q4. Did you know your voting district in the 2008 Georgia legislative election?  
 Yes  
 No  
 Not Sure
- Q5. Did you know your voting district in 2012 Georgia legislative election?  
 Yes  
 No  
 Not Sure
- Q6. Did you vote for an incumbent candidate in the 2012 Georgia legislative election?  
 Yes  
 No  
 Note Sure
- Q7. Did you vote for your own party candidate in the 2008 Georgia legislative election?  
 Yes  
 No  
 Not Sure
- Q8. Did you vote for your own party candidate in the 2012 Georgia legislative election?  
 Yes  
 No  
 Not Sure
- Q9. Did you vote for a candidate of your same race/ethnicity in the 2008 Georgia legislative election?  
 Yes  
 No  
 Not Sure

Q10. Did you vote for a candidate of your same race/ethnicity in the 2012 Georgia legislative election?

- Yes
- No
- Not Sure

Q11. How would you best characterize your experience with voting in the 2008 Georgia legislative election?

- I had a pleasant experience voting
- I felt fearful or intimidated voting
- I had problems voting

Explain your selection.

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Q12. How would you best characterize your experience with voting in the 2012 Georgia legislative election?

- I had a pleasant experience voting
- I felt fearful or intimidated voting
- I had problems voting

Explain your selection.

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**Answer the following questions in your own words.**

Q13. What is gerrymandering?

- I am not familiar with the term gerrymandering.

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Q14. Why did you vote in the 2008 election?

- N/A (I did not vote in the 2008 Georgia election.)

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Q15. Why did you NOT vote in the 2008 election?

N/A (I voted in the 2008 Georgia election.)

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Q16. Why did you vote in the 2012 election?

N/A (I did not vote in the 2012 Georgia election.)

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Q17. Why did you NOT vote in the 2012 election?

N/A (I voted in the 2012 Georgia election.)

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Q18. Do you believe that gerrymandering had any influence on your decision to vote or not to vote in the 2008 Georgia election?

I am not familiar with the term gerrymandering.

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Q19. Do you believe that gerrymandering had any influence on your decision to vote or not to vote in the 2012 Georgia election?

I am not familiar with the term gerrymandering.

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Q20. Do you generally vote for incumbent candidates in legislative elections? Explain your answer.

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Q21. Do you generally vote for candidates of your same race/ethnicity in legislative elections? Explain your answer.

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Q22. Please provide any additional comments concerning gerrymandering and your voter participation.

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**The following questions are for statistical purposes only.**

QF1. Are you from a rural, suburban, or urban area?

- Suburban
- Urban
- Rural

QF2. What is your gender?

- Female
- Male

QF3. What is your age?

- 18-29
- 30-39
- 40-49
- 50-64
- 65+

QF4. What is your annual household income?

- <\$25k
- \$25k-\$34,999k
- \$35k-\$49,999k
- \$50k-\$74,999k
- \$75k-\$99,999k
- \$100k+

QF5. Political Identification:

- Republican
- Democrat
- Independent
- Other Party

QF6. Race/Ethnicity:

- White
- African American
- Hispanic
- Other

QF7. Highest degree or level of education you completed:

- Some High School
- High School
- Bachelor's Degree
- Master's Degree
- Ph.D. or higher
- Trade School
- Prefer not to say

### **Appendix 3: Georgia State Legislative Districts Information**

There are 236 seats in the Georgia State Legislature. All 236 seats, 56 in the Georgia State Senate and 180 in the Georgia House of Representatives are up for election every two years.

#### **Georgia House of Representative Election**

##### **2008**

The Georgia House of Representatives is the lower house of the Georgia General Assembly. According to the Georgia Constitution of 1983, this body is to comprise no fewer than 180 members elected for two-year terms (*Statute 21-2-544*). Each member represented an average of 53,820 residents as of the 2010 Census (*Census Bureau 2011*). After the 2000 Census, each member represented 48,980 (*Census Bureau 2001*).

##### **2012**

- Elections for the office of Georgia House of Representatives were held in Georgia on November 6, 2012. All **180 seats** were up for election.
- Heading into the November 6 election, the Republican Party held the majority in the Georgia House of Representatives:

*Table 2 (Georgia 2012 General Election House of Representative Republican Party Majority)*

Note: Table obtained from Ballotpedia. Retrieved from [https://ballotpedia.org/Georgia\\_House\\_of\\_Representatives\\_elections,\\_2012](https://ballotpedia.org/Georgia_House_of_Representatives_elections,_2012) on June 2, 2020.

*Table 3 (Incumbent Retiring: A total of six incumbents did not run for re-election in 2012)*

Those incumbents were:

Name	Party	Current Office
Martin Scott	 Republican	House District 2
Roger Williams	 Republican	House District 4
Amos Amerson	 Republican	House District 9
Doug Collins	 Republican	House District 27
Michael Harden	 Republican	House District 28
Roger Lane	 Republican	House District 167

Note: Table obtained from Ballotpedia. Retrieved from [https://ballotpedia.org/Georgia House of Representatives elections, 2012](https://ballotpedia.org/Georgia_House_of_Representatives_elections,_2012) on June 2, 2020.

## Georgia State Senate Election


### 2008

The Georgia State Senate is the upper house of the Georgia General Assembly. According to the Georgia Constitution of 1983, this body is to be composed of no more than 56 members elected for two-year terms (*Statute 21-2-544*). Each member represented an average of 172,994 residents, as of the 2010 Census (*Census Bureau 2011*). After the 2000 Census, each member represented 157,437 (*Census Bureau 2001*).



### 2012

- Elections for the office of Georgia State Senate were held in Georgia on November 6, 2012. A **total of 56 seats** were up for election.

*Table 4 (Heading into the November 6 election, the Republican Party held the majority in the Georgia State Senate)*

Georgia State Senate		
Party	As of November 5, 2012	After the 2012 Election
 Democratic Party	20	18
 Republican Party	36	38
<b>Total</b>	<b>56</b>	<b>56</b>

*Table 5 (Incumbents Retiring: A total of two incumbents did not run for re-election in 2012)*  
Those incumbents were:

Name	Party	Current Office
Greg Goggans	 Republican	Senate District 7
George Hooks	 Democratic	Senate District 14

Note: Ballotpedia retrieved from [https://ballotpedia.org/Georgia\\_State\\_Senate\\_elections,\\_2012](https://ballotpedia.org/Georgia_State_Senate_elections,_2012) on June 6, 2020.