Memo of Corrections to Original Report

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May 26, 2025

Description of Population Error

Upon reviewing our report submitted on April 15, 2025, we noticed an inadvertent error in the totals used throughout the report for Tennessee's statewide and county populations, accidentally doubling Tennessee's state and county populations. The error affected our calculations of Black and white voter disenfranchisement rates as a share of the population; it had no effect on our calculations of the ratios of Black disenfranchisement to white disenfranchisement and thus has no effect on our ultimate conclusions. Below we explain the cause for the error, list the elements of our April 15, 2025 report that were affected, and provide an accompanying corrected report.

We obtained Tennessee county population data from the U.S. Census (URL: https://www.census.gov/data/tables/time-series/demo/popest/2020s-counties-detail.html). The version of the Census database we obtained was organized by Age Group per county, listing the population by 19 different age groups in ascending order by age for each of Tennessee's 95 counties. We summed across all age groups to get the population totals for each county and for the statewide population. After the submission of our April 15, 2025 report, we discovered one of these groups (AGEGRP = 0) was not an age group but was the total for all age groups combined per county. Therefore, our summation had generated a double-count for Tennessee's state and county populations. The effect of this error in our initial report was that all disenfranchisement rates calculated as a share of population were reduced by half.

We have now corrected the error in the revised report. As a result of the correction, all calculations of rates of disenfranchisement per 100 members of the population have doubled compared to what they were in our April 15, 2025 report. For example, in our April 15, 2025 report, the total rate of disenfranchisement was calculated as follows (see Table 3 in the original report): 322,984 total disenfranchised individuals as a share of Tennessee's total population of *13,821,572* equals 2.3 percent. That calculation in the corrected report is as follows: 322,984 total disenfranchised individuals as a share of Tennessee's total population of *6,910,786* equals 4.7 percent. Likewise, all rates of disenfranchisement throughout the report, when expressed as a share of the population, have doubled. No percentages where we report shares of the Tennessee population for a certain race have changed, since all population groups were subject to the same error of doubling their apparent size; such a multiplication has no effect on shares.

No changes to calculations were made other than to correct for the inadvertent doubling of Tennessee state and county population totals.

In the following section, we outline the changes made from the April 15, 2025 report. Page numbers refer to the pages in our corrected report.

Changes from April 15, 2025 Report

- Page 7: Corrected numbers in Table 2 to reflect the correct population numbers for Tennessee. The in-text numbers in the paragraph following the table were corrected accordingly.
- Page 8: Re-calculated the disenfranchisement rates based on correct population numbers. This re-calculation doubled the values in columns for total, White, and Black rates (rounding to the nearest decimal place); the Black-White Ratio column remains the same.

- Page 9: Corrected Figure 1 to reflect the correct total population number (N = 6,910,786). The graphs remain the same.
- Page 10: Corrected Figure 2 to display the correct disenfranchisement rate, which is double the original (rounding to the nearest two decimal places).
- Page 13: Corrected Figure 4 to reflect the comparison of the Black and White disenfranchisement rate based on correct population estimates. In-text percentages in the following two paragraphs were also updated accordingly.
- Page 15: Corrected Figure 5 to reflect the Black and White disenfranchisement rate based on correct population numbers. The order and trends remain the same. In-text percentages and numbers are updated in the following paragraph to comport with updated calculations.
- Page 18: The in-text percentages were updated with the disenfranchisement rates based on the correct population numbers.
- Page 24: Corrected the Black and White disenfranchisement rates based on the correct population numbers.
- Appendix B: Updated appendix tables B-1 and B-2 to reflect the correct population numbers and disenfranchisement rates by county.
- Appendix C: Updated appendix tables C-1 and C-2 to reflect the correct population numbers and disenfranchisement rates by county.

Final Comment

While any error is regrettable, this one was entirely inadvertent, and in fact correcting the error only makes our conclusions stand out more strongly. The error had no effect on the calculation of the degree of racial disparity as measured by the *ratio* of the rates of disenfranchisement of Blacks and Whites throughout the state. It did, however, double our

estimates of each of those rates. This reveals a much larger gap between the rates of White disenfranchisement and Black disenfranchisement we are analyzing than our April 15, 2025 report suggested. We appreciate this opportunity to correct the error.

IN THE CIRCUIT COURT FOR THE STATE OF TENNESSEE
THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

PAMELA MOSES,	)	
	)	
Plaintiff,	)	**Case No. CT-1579-19**
	)	**Division I**
v.	)	
	)	**Judge Felicia Corbin-Johnson**
MARK GOINS, TRE HARGETT, and	)	**Judge Suzanne S. Cook**
JONATHAN SKRMETTI, in their official capacities,	)	**Judge Barry Tidwell**
	)	
Defendants.	)	

CORRECTED EXPERT REPORT OF FRANK BAUMGARTNER AND KANEESHA JOHNSON

May 26, 2025

Racial Disparities in Felon Disenfranchisement in Tennessee

Corrected Report

Frank R. Baumgartner
Kaneesha R. Johnson
University of North Carolina at Chapel Hill

May 26, 2025

Introduction

We were contacted by attorneys for Ms. Pamela Moses about analyzing patterns of racial difference in felon disenfranchisement in Tennessee, in conjunction with a legal action contesting the practice. We previously worked on similar analyses in North Carolina in association with another legal case, contesting similar issues. Our qualifications are laid out in Appendix E.

This report corrects an error in our original report of April 15, 2025. The error relates to the size of the Tennessee population, which we had erroneously listed as double its actual value. Correcting this error, as we have done here, causes all rates of disenfranchisement to double in size. This has no effect on the "rate-ratios" between Black and White Tennesseans and therefore little effect on our conclusions. However, it does give a more accurate picture of the scope of the disenfranchisement caused by the policies under scrutiny here. The overall rate of disenfranchisement is over 4 percent of the population, but this number is below 4 percent for Whites and above 10 percent for Blacks. Seventeen counties in the state disenfranchise more than 20 percent of their Black residents. No county disenfranchises as many as half that share of its White population. In sum, we regret the error in our use of Census population statistics, and correcting the error only strengthens the conclusions of our report and better documents the extensive scope of the issue that we are analyzing.

Data

In response to a subpoena from Plaintiff, the Tennessee Department of Corrections (TDOC) provided a dataset of 544,735 conviction records to Plaintiff on July 9, 2024. Each entry in the dataset includes a unique identifier for the convicted individual (*i.e.*, KeyID), date of birth, race, sex, type of conviction, offense code of primary offense, date of conviction, as well as other data elements. On September 23, 2024, TDOC also provided Plaintiff with a full list of offense codes used in the dataset and the respective felony descriptions and felony classes for each code.

We took various steps to ensure that the final database we used in our analysis consisted of only the relevant people for this study. The database delivered to us included 544,735 records. We limited the data to people who had a conviction date after January 1, 1973, which dropped 406 observations. We omitted the two individuals who had a sentence year in the future (apparently, data errors). Next, we omitted any individual who had a death date recorded in the database, dropping 24,083 observations. As we are only concerned with the people sentenced in Tennessee, we further dropped 91,935 people who had a sentence outside of Tennessee.

The final step in our cleaning process was to drop any duplicates of individuals appearing in the TDOC database. Each person in the database is assigned a unique identifier (KeyID), therefore if a person is convicted on multiple occasions, then their KeyID should, theoretically, be the same for each conviction. To ensure that we do not overcount the number of individuals, after calculating the disenfranchising categories (explained in the next section), we retained only one of the observations for each KeyID listed. This dropped 105,076 observations. In making this adjustment, we first calculated whether the person had any conviction that fit into one of the three categories that we describe below, and we recorded a value of yes if any of the convictions was in the relevant category. To ensure there were no more duplicated individuals in the data with a different KeyID, we generated a new variable (KeyID2), which flagged whether there was anyone

with the same first name, middle name, last name, date of birth, race, and sex. We then dropped the 38 duplicate individuals according to KeyID2. The final number of observations in the cleaned dataset is 323,195.

Moving from 544,735 to 323,195 records was therefore a change that left us with:

- One record for each individual
- Only records since 1973
- Only living people
- Only people with a felony conviction in Tennessee

This was our effort to ensure that our database was designed not to make any over-counts. Our data set is likely an undercount of individuals with felony convictions residing in Tennessee given that we excluded individuals with non-Tennessee convictions from the data set TDOC provided and have not included individuals convicted in federal courts or who otherwise are not in the TDOC database we received. However, it is our understanding that the database we received, with the adjustments we made, is an accurate reflection of the individuals deemed ineligible to vote due to a felony conviction in Tennessee.

Three Categories of Disenfranchised Individuals

The database we used includes a four-digit code for the "primary offense" for each individual, which we understand to indicate the most serious offense for each conviction. It seems possible that this method may be undercounting disenfranchisement rates since the data we received related only to the "primary offense" rather than all offenses. However, it is the most serious offense, so with that caveat in mind, we have created three categories of disenfranchising offenses using the following definitions, with the number of individuals in each category provided in parentheses:

1) All felonies (N = 323,195);
2) those convicted under T.C.A. 40-29-204 (N = 13,686)[1]; and
3) those subject to de facto disenfranchisement through the interpretation of gun rights restoration rules (N = 201,636).[2]

Appendix A provides the detailed list of offense codes (and time periods) relevant to Category 2 and Category 3. The patterns that we observe with regards to race are very similar across the three categories we identify. Therefore, for the most part we focus on Category 1 in the text of this report. Appendix C provides replications for Categories 2 and 3 for analyses not explicitly laid out for those categories in the main text.

Plea Bargaining Threshold

Though not included in the documents provided by TDOC, it is important to note that the vast majority of individuals convicted of felonies in Tennessee, as in other states or in the federal system, were convicted through a plea agreement rather than by a jury trial. A 2019 Pew Research Center study found that only two percent of the nearly 80,000 federal criminal defendants went to trial in 2018.[3] A 2011 study by the Bureau of Justice Statistics[4] highlighted that 90 – 95 percent of both federal and state court cases are resolved through plea bargaining.

[1] Our understanding is that, after the submission of our initial report on April 15, 2025, the Tennessee legislature passed S.B. 407, effective May 2, 2025, which deleted T.C.A. 40-29-105 and the entirety of Part 2 of Title 40, Chapter 29, which includes T.C.A. 40-29-204. However, our understanding is that the list of permanently disenfranchising offenses under Tennessee law remains unchanged and is now incorporated into the newly revised T.C.A. 40-29-102. All existing references in our report to T.C.A. 40-29-105 and T.C.A. 40-29-204 as they were previously written (*i.e.*, before the enactment of S.B. 407) should now be understood to refer to T.C.A. 40-29-102.
[2] We understand that the Tennessee legislature recently passed S.B. 407 related to gun rights restoration. In light of this development, we understand Category 3 may no longer be relevant. We have nonetheless retained the category in our corrected report for the sake of completeness.
[3] Gramlich, J. (2019). Only 2% of federal criminal defendants went to trial in 2018, and most who did were found guilty. *Pew Research Center*.
[4] Devers, L. (2011). Plea and Charge Bargaining: Research Summary. *Bureau of Justice Statistics*.

Although there has been no comprehensive analysis across all U.S. states of the percentage of cases that make it to a jury trial, several studies and databases compare jury trial rates. A 2017 article[5] shows that in 2015, 0.78 percent of criminal dispositions in California were the result of jury trials; this number was 1.83 percent in Florida, 0.97 percent in Texas, and 1.17 percent in Pennsylvania. The National Center for State Courts (NCSC) provides caseload statistics for state and federal courts based on data reported by the state. For states with available data, the average felony jury trial rate is 1.48 percent. Table 1 provides the felony jury trial rate for states where data are available for 2023 presented in descending order.

Table 1. Felony Jury Trial Rates by State, 2023.

State	Felony Jury Trial Rate (%)
Arkansas	6.85
Oregon	3.21
New York	2.59
Michigan	2.44
Wisconsin	2.40
Nor. Mariana Islands	2.17
Minnesota	1.80
Texas	1.59
Alaska	1.50
Ohio	1.44
California	1.40
Florida	1.35
Georgia	1.35
Utah	1.27
Nevada	1.09
Vermont	1.06
Indiana	1.05
Tennessee	1.01
New Jersey	0.88
Rhode Island	0.86
Nebraska	0.82
Texas	0.80

[5] Smith, J. and G. MacQueen. (2017). Going, Going, But Not Quite Gone: Trials Continue to Decline in the Federal and State Courts. Does it Matter? *Judicature.* 101(4): 26-39.

Connecticut	0.56
Missouri	0.45
New York	0.04
Michigan	0.02
New Jersey	0.00

Source: National Center for State Courts, URL: https://www.courtstatistics.org/court-statistics/interactive-caseload-data-displays/csp-stat-nav-cards-first-row/csp-stat-criminal

In states where data are available, the average rate of felony criminal trials that are tried by jury is 1.48 percent. Arkansas has the highest jury trial rate (6.85 percent), which is more than double the second highest in Oregon (3.21 percent). Tennessee falls on the lower end of the ranking list of felony jury trials, with just 1.01 percent reaching trial in 2023. Thus, when considering felon disenfranchisement by a decision of a jury, this is likely to be a tiny fraction of the overall number. In Tennessee, this number is likely to be lower than two percent of all individuals with a criminal felony conviction.

State-wide Results

According to the 2020 Census, Black individuals represent 16.5 percent of the Tennessee population. Among those disenfranchised because of a felony conviction, however, 36.3 percent are Black. In Category 2 (those disenfranchised under T.C.A. 40-29-204), the percentage rises to 40.2 percent, and in Category 3 (those disenfranchised under the interpretation that gun rights must be restored), it is 41.9 percent. Blacks are therefore disenfranchised at a rate of 2.2, 2.4, or 2.5 times their share of the population, depending on whether we look at Category 1, 2, or 3. Table 2 shows these data.

Table 2. Summary of Disenfranchisement by Race.

Disenfranchised	Total		White		Black		Hispanic		Other	
Category	N	%	N	%	N	%	N	%	N	%
1	322,984	100.0	195,813	60.6	117,247	36.3	8,442	2.6	1,482	0.5
2	13,687	100.0	7,577	55.4	5,507	40.2	529	3.9	74	0.5
3	201,636	100.0	110,962	55.0	84,505	41.9	5,317	2.6	852	0.4
Census	6,910,786	100	5,007,034	72.5	1,142,819	16.5	478,387	6.9	282,546	4.1

The numbers in Table 2 can also be expressed as a set of rates. The rate of disenfranchisement is simply the number of those disenfranchised divided by the population. For ease of interpretation, this number is then multiplied by 100. This can then be interpreted as the percentage of individuals disenfranchised. Table 3 shows that the overall rate is 4.7 percent of the population. (From Table 1, 322,984 were disenfranchised out of a population of 6,910,786; this is 4.7 percent.) However, it is 3.9 for Whites and 10.3 for Blacks, a difference of 2.6 times. Even higher disparities are apparent for Categories 2 and 3.

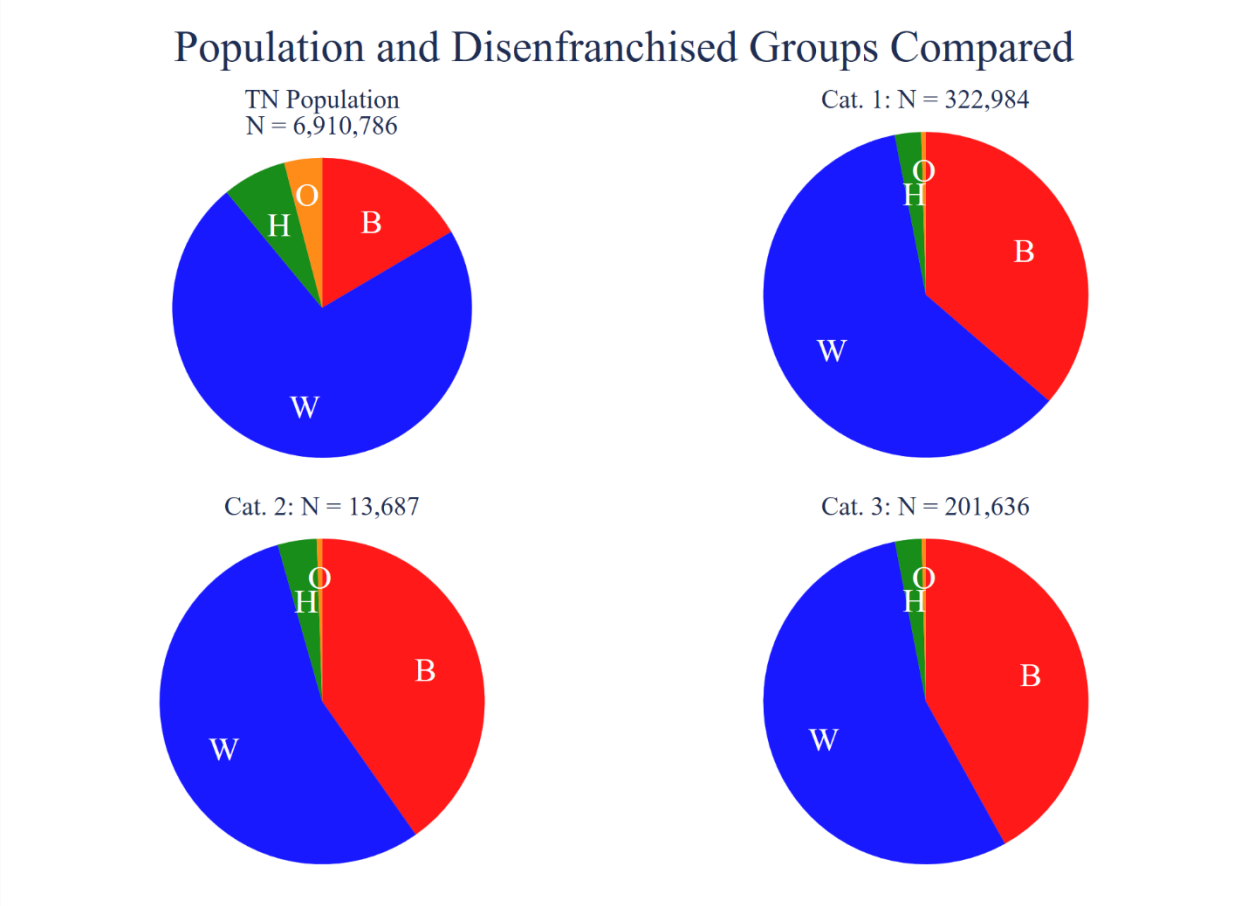
Table 3. Summary of Disenfranchisement Rates by Race.

Category	Total	White	Black	Black - White Ratio
1	4.7	3.9	10.3	2.6
2	0.2	0.2	0.5	3.2
3	2.9	2.2	7.4	3.3

The final column in the Table is a revealing statistic: The Black – White Disenfranchisement Rate Ratio. This is simply the Black rate (10.3) divided by the White rate (3.9), or 2.6. This means that Blacks are disenfranchised at 2.6 times the rate of Whites. For Category 2, the numbers are much smaller (see Table 1), but the ratio is 3.2. For Category 3, we see higher numbers (over 200,000 disenfranchised) and a rate for Blacks of 3.3 times the rate for Whites. These are consistent findings throughout this Report.

Figure 1 presents simple pie-charts that illustrate the patterns shown in Table 2. The first chart (upper-left) summaries the 2020 Census: Blacks are 16.5 percent of the population of Tennessee, Whites are 72.5 percent, and smaller numbers are Hispanic or Other. Then, for each of the three categories of disenfranchised individuals, the identical format is presented, with individuals of different races represented by the different slices of the pie, each in a distinct but consistent color.

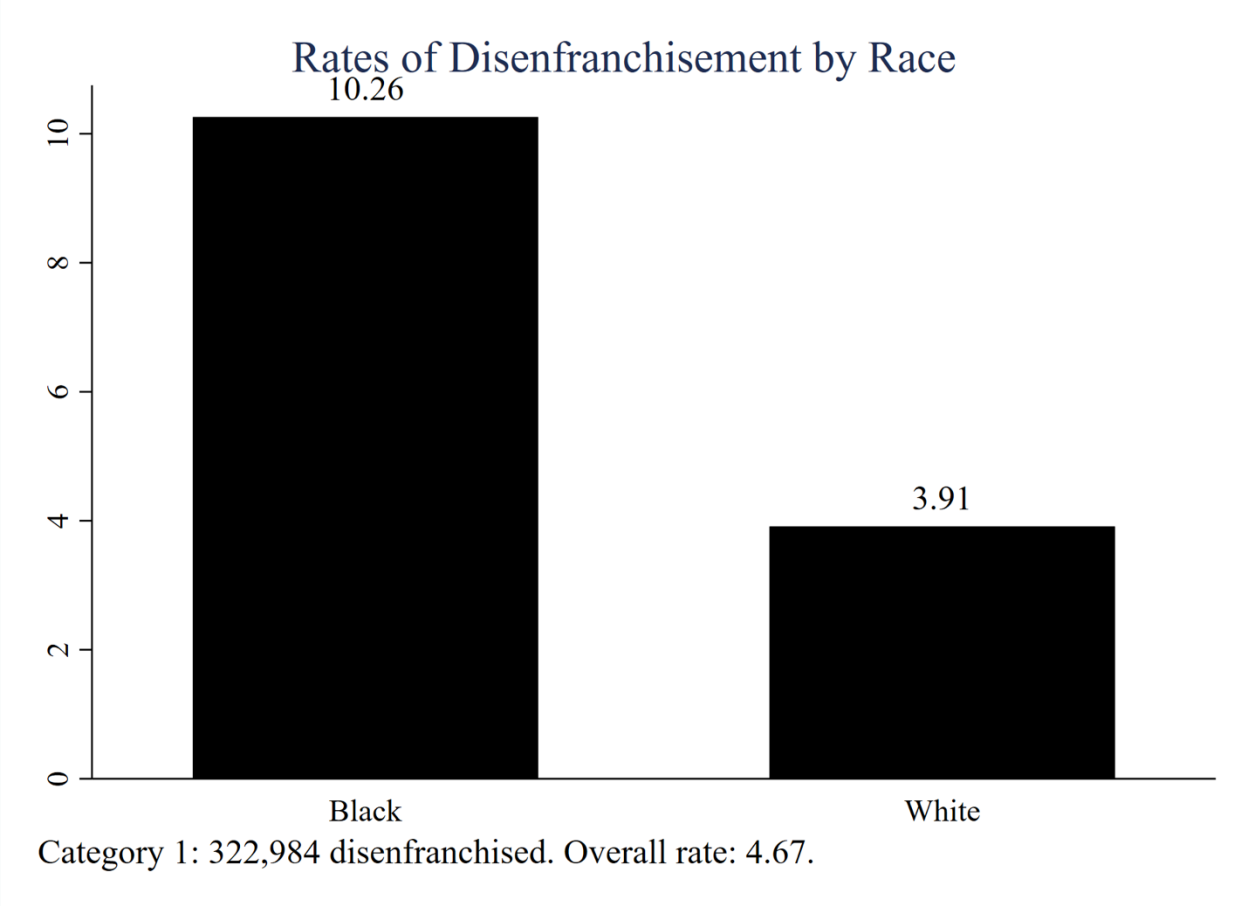
Figure 1. Comparison of the Racial Composition of the Tennessee Population and Three Categories of Disenfranchised Individuals.



A simple glance at Figure 1 shows the dramatic and consistent over-representation of Blacks among those disenfranchised, no matter which Category of disenfranchised individuals we analyze. As shown in Table 1, Blacks are just 17 percent in the census population, but are 36, 40, and 42 percent in the three Categories of those subject to the disenfranchisement practices we are analyzing here.

Figure 2 illustrates the trends laid out in Table 3. As a share of their relevant populations, the disenfranchised constitute over 10 percent for Blacks but under 4 percent for Whites

Figure 2. Rates of Disenfranchisement by Race.



Finally, Figure 3 shows the degree to which Whites and Blacks are over- or under-represented in the three Disenfranchisement Categories. The blue bars show the share of Whites disenfranchised compared to their population share, and the red bars show the same calculation for Blacks. The share is simply the percentage of those disenfranchised divided by the percentage in the population. Under the scenario where equal shares of people of different races were disenfranchised, the bars would all have identical heights of 1.0, which is reflected in the Figure by a dotted horizontal line. Bars below that line reflect under-representation among those disenfranchised (compared to the numbers in the population), and bars above, those who are over-represented.

Figure 3. Comparison of White and Black Population and Disenfranchisement Shares.

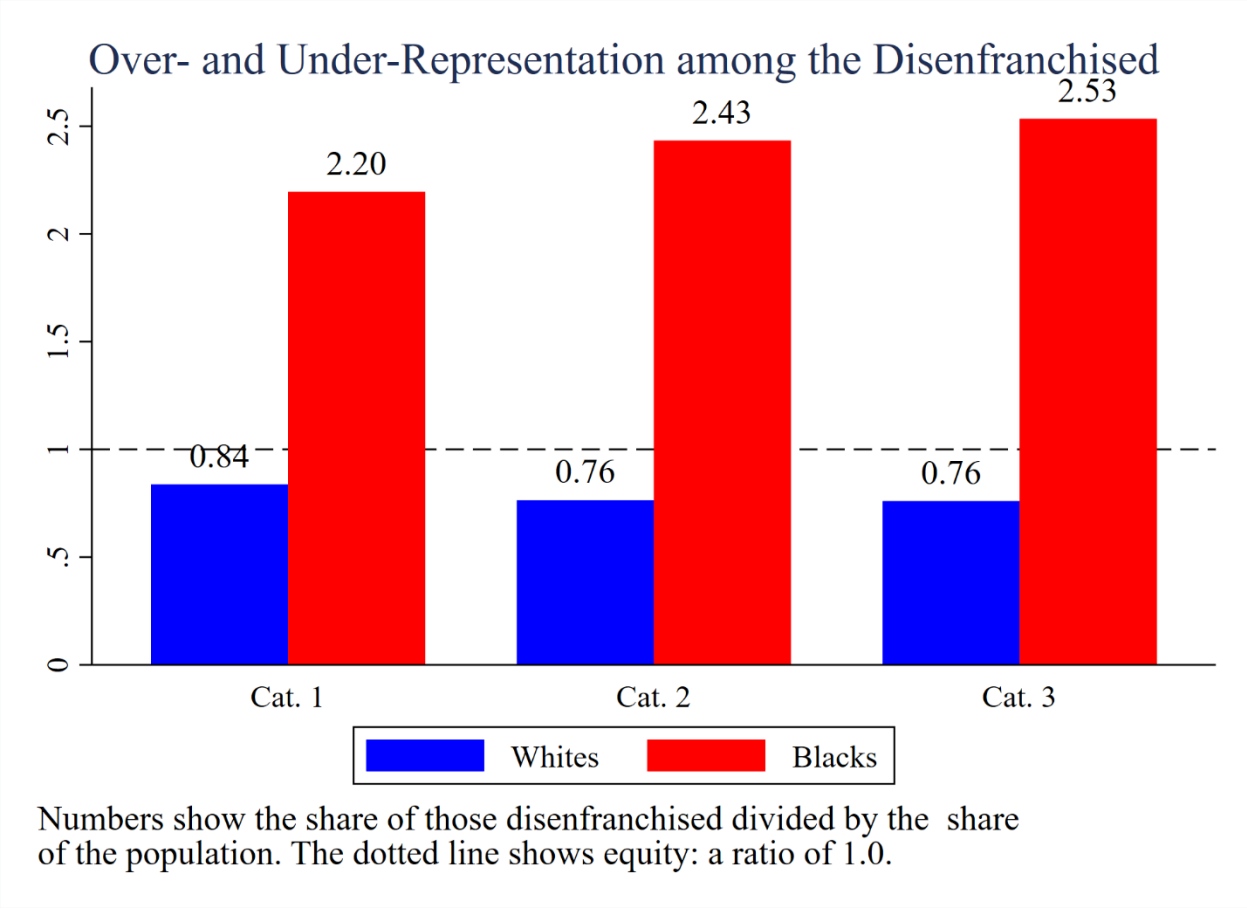


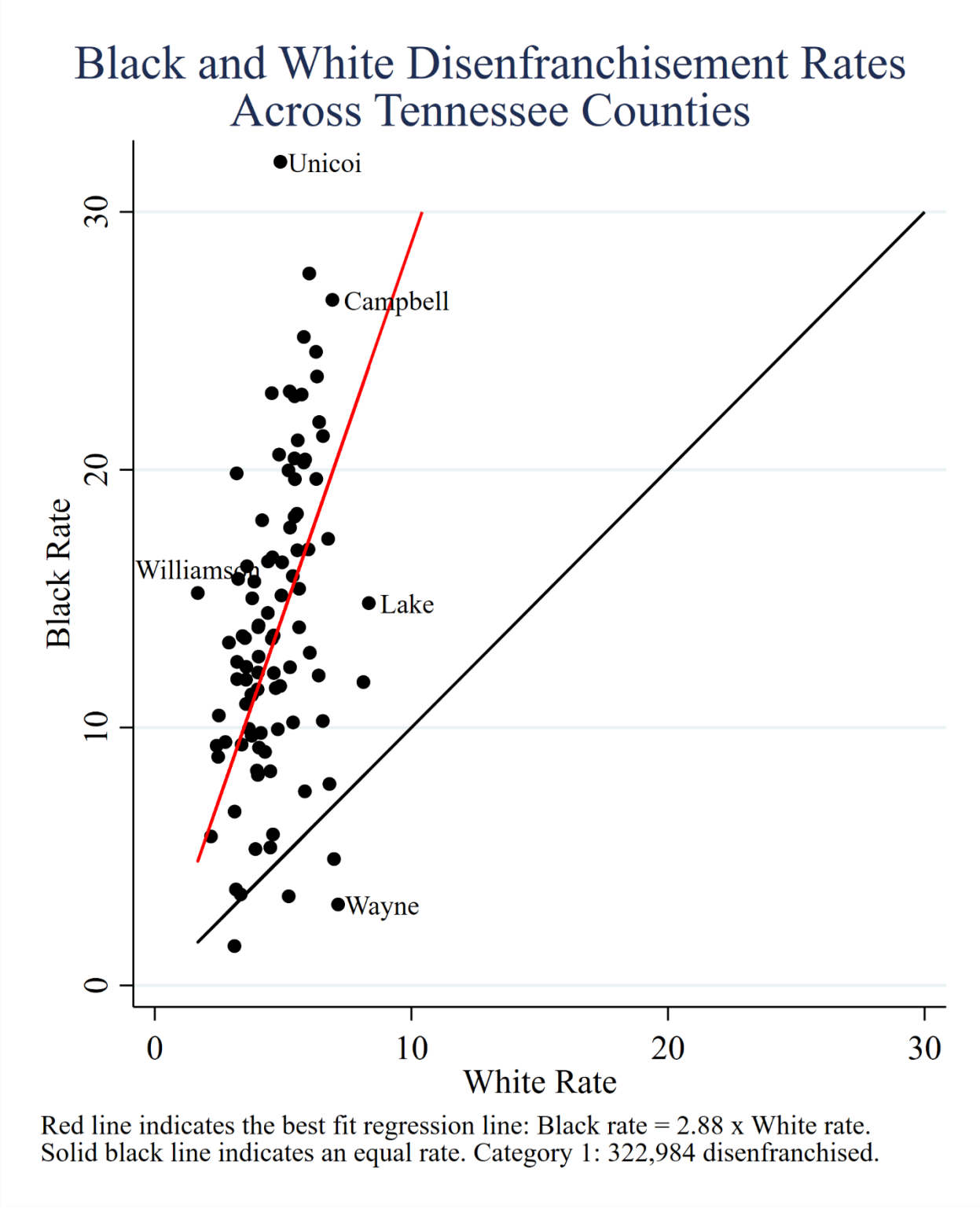
Figure 3 makes clear that Whites are consistently under-represented, and Blacks are consistently over-represented among the disenfranchised. Specifically, Whites are under-represented by approximately 20 percent (16 percent in Category 1, 24 percent in Categories 2 and 3). Blacks are over-represented by more than double (2.2, 2.4, and 2.5 times their population share) in the three respective categories.

The stark racial differences in disenfranchisement that we observe in Tennessee are present in virtually every county across the state. We turn to that demonstration next.

County-level Results

The stark racial differences in disenfranchisement rates that we laid out above are also apparent in virtually every county across the state. Figure 4 shows a comparison of each county by showing the rate of disenfranchisement for Whites on the x-axis, and the rate for Blacks on the y-axis. Each county and its respective Black and White disenfranchisement rate is represented as a black dot. Note that the White rate ranges only from approximately 1 to a maximum of about 8, but the Black rate goes up to just above 30 percent. See Appendix B for data tables providing the detailed information for all the illustrations in this section.

Figure 4. Comparison of Black and White Disenfranchisement Rates by County.



To clarify what is represented in the Figure, five particular counties are labeled (though all 95 in the state are represented). Williamson County is at the left, with only 1.67 percent of the

White population disenfranchised, but 15.22 percent of Blacks. At the top-center is Unicoi County, with 4.89 percent of Whites disenfranchised compared to 31.94 percent of Blacks. Campbell County is relatively similar, with 6.92 percent of Whites but 26.59 percent of Blacks disenfranchised. Lake County has values of 8.34 (Whites) and 14.83 (Blacks) and Wayne County shows values of 7.14 (Whites) and 3.14 (Blacks). Wayne County is one of four counties in the state that has a lower rate of disenfranchisement for Blacks than for Whites.

The solid black line reflects a slope of 1.0. If a county saw an equal rate of disenfranchisement by race, it would appear on or near this line. Four counties fall just below this line, reflecting lower rates of disenfranchisement for Blacks than for Whites, but the vast majority fall above the line, generally well above the line. The red line shows the trend: Across the 95 counties in the state, the Black disenfranchisement rate is 2.88 times the White rate, on average. No county shows a White rate above 8.34, but the Black rate goes as high as 31.94, and rates above 20 percent are by no means uncommon Table B-2 lists the 17 counties visible in Figure 4 with Black rates above 20 percent.

We can look at the consistency of these patterns in another way. Figure 5 shows the 95 counties of the state in order of their rates of disenfranchisement for Whites and Blacks.

Figure 5. White and Black Disenfranchisement Rates by County.

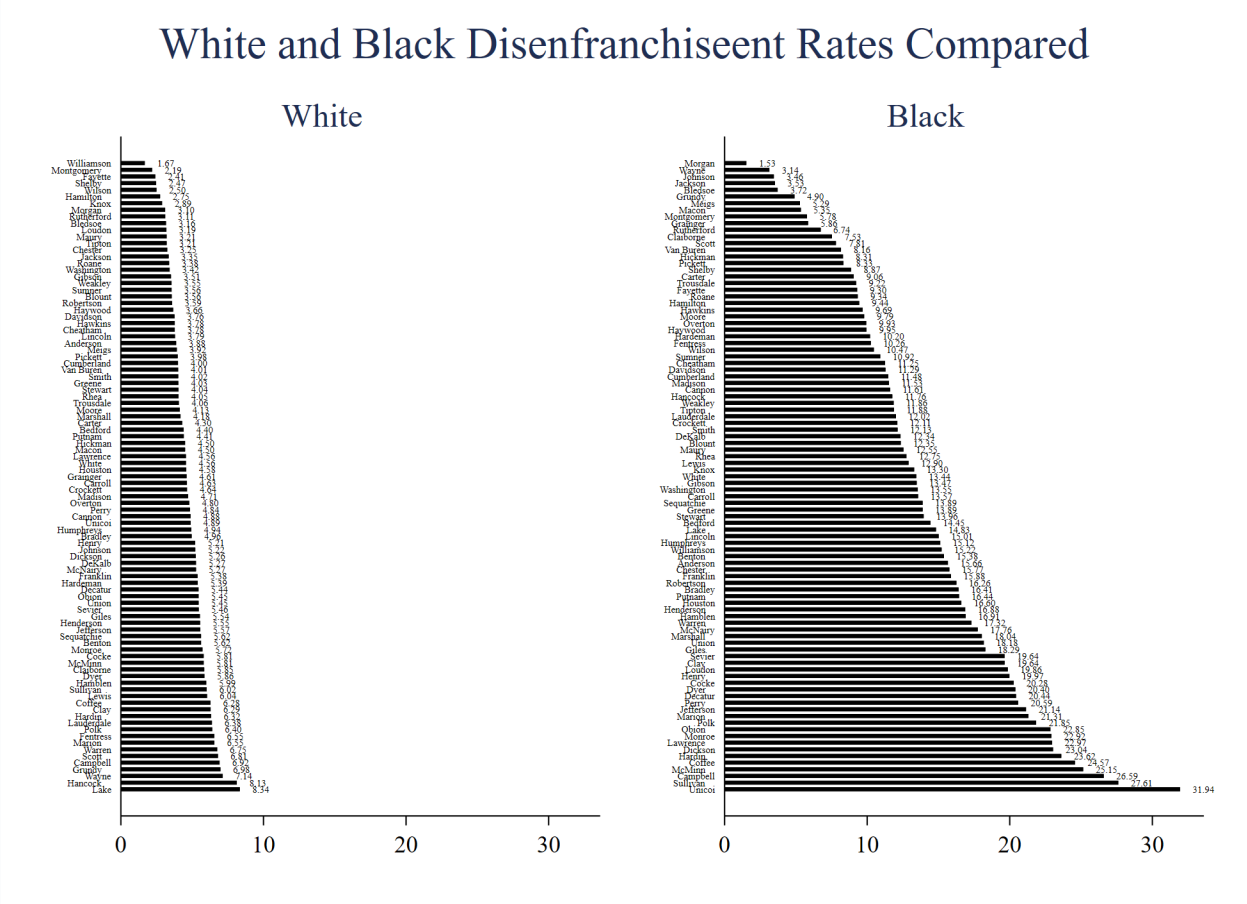
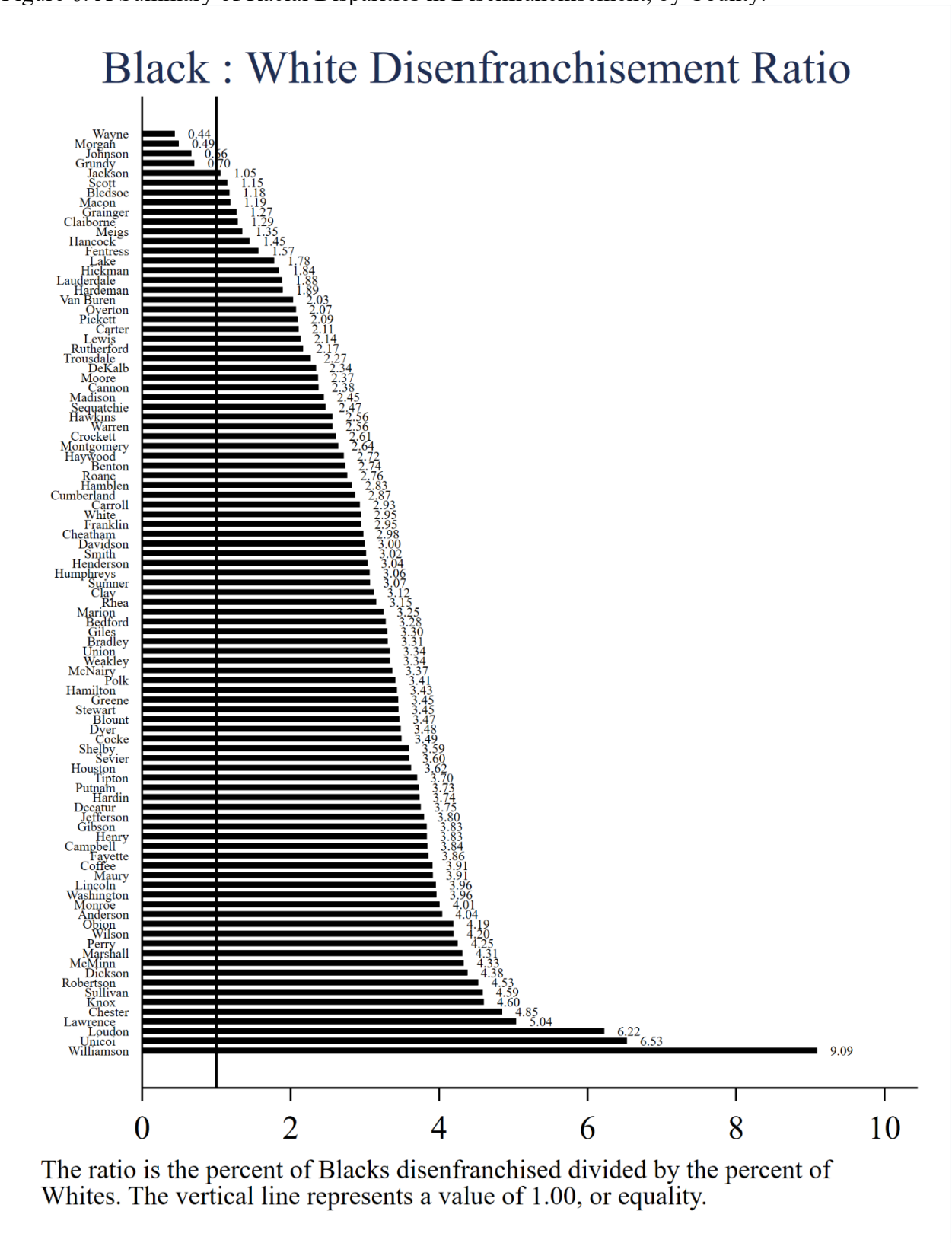


Figure 5 documents the vast disparity in the disenfranchisement rates for Black compared to White individuals across the counties of the state. The maximum value for disenfranchisement of Whites in any county in the state is 8.34 percent, in Lake County. Looking at the Black rate, only 16 counties are below that value. In other words, 79 of Tennessee's 95 counties disenfranchise Blacks at a rate higher than any county disenfranchises Whites.

The mean value across counties for Whites is 4.71 percent disenfranchised; only five counties in the state have a Black rate that low. On the other hand, 78 counties have a rate of disenfranchising Blacks at least double that of the average value for Whites; 52 have a rate triple that of the average for Whites; 16 quadruple; and four have values more than five times the average for Whites.

We can see a very clear pattern indeed when we look at Figure 6. This shows, for each county, the Black rate divided by the White rate: the Black – White Disenfranchisement rate ratio. This is a simple and valuable indicator of racial disparity.

Figure 6. A Summary of Racial Disparities in Disenfranchisement, by County.



The ratio is the percent of Blacks disenfranchised divided by the percent of Whites. The vertical line represents a value of 1.00, or equality.

Just four counties in the state have ratios below 1.0. These are Wayne, Morgan, Johnson, and Gundy counties. All of these are small, rural counties, which have relatively small Black populations of 7, 4, 2, and 1 percent, respectively. For comparison, the state-wide average for counties' Black population is 16.5 percent (see Table 2). Aside from these counties with very small Black populations, every county (*i.e.*, 91 of 95 counties) in the state sees a Black disenfranchisement rate equal to or higher than the White rate. Generally, the Black rates are substantially higher, more than double. In four cases, they are more than 5 times higher.

To take an example of what this Figure shows, consider Knox County. Its rate of disenfranchisement for Whites is 2.89 percent, but it is 13.3 for Blacks, a ratio of 4.6. Five counties have disparities even greater than this, with Williamson County's disparity rate just over 9. In that county, as mentioned above, 1.67 percent of Whites are disenfranchised, but 15.22 percent of Blacks.

Figure 6 is a simple representation of the consistency and the scope of racial disparities in disenfranchisement across the counties of the state. Except for four counties with relatively low shares of Blacks in the population, 91 counties across the state disenfranchise Blacks at a higher rate than Whites, and 78 disenfranchise Blacks at double or more the rate they disenfranchise Whites. These numbers are consistent, stark, and meaningful. From this analysis we can conclude that Tennessee's felon disenfranchisement laws have a vastly disproportionate impact on Blacks compared to Whites and that these patterns hold in virtually every county of the state.

Possible Impact on Elections

The concern about the number of disenfranchised people extends to the potential impact that it has on elections. Specifically, if the number of people disenfranchised is larger than the vote margin between the candidate with the most votes and the candidate with the second highest vote,

then the number of disenfranchised people moves beyond a question of interest in the number of affected people and becomes a question of whether the disenfranchising practices within the state could affect the outcome of elections.

Ideally, we would be able to calculate the margin between every election winner and runner-up and then calculate the number of disenfranchised people in each constituency to determine if the disenfranchised population is larger than the vote margin. However, given the nature of the available databases it is not possible to provide a comprehensive analysis of this kind. The smallest geographical unit of the TDOC dataset is the county, so the number of disenfranchised people can only be estimated at the county- or state-levels. The Tennessee Department of Elections (https://sos.tn.gov/elections/results) provides election results for all state-wide elections but does not track the election results of local elections. Due to these geographical data restrictions, we can only estimate the potential impact of disenfranchised voters in state-wide elections.

To begin our assessment, we provide the cumulative number of people disenfranchised by year and category in Table 4. (Appendix Table D-1 displays the number of people newly disenfranchised by year.) For each year, the newly disenfranchised people are added to the previous year's number of disenfranchised people, and the number of disenfranchised people who died during the year is subtracted from each category year total. Each row represents the total number of living people who are disenfranchised by year end. Table 2 showed the total number of individuals disenfranchised by Category: 322,984, 13,687, and 201,636. Table 4 shows how these numbers have grown over time to reach these totals, accounting both for new felony convictions as well as the deaths of individuals previously disenfranchised. Recall that according to the NCSC,

approximately 1.01 percent of all criminal felony cases are disposed by a jury trial. As we cannot verify this rate ourselves, we present the total number of people in each category.

Table 4: Cumulative Disenfranchised People, by Year.

Sentence Year	Category 1	Category 2	Category 3
1973	70	0	58
1974	135	0	111
1975	231	1	195
1976	322	2	270
1977	451	5	378
1978	569	6	482
1979	740	7	610
1980	1,039	9	867
1981	1,446	10	1,235
1982	1,858	12	1,580
1983	2,561	15	2,180
1984	3,349	22	2,839
1985	4,442	28	3,693
1986	5,846	100	4,750
1987	7,449	247	5,825
1988	9,692	411	7,208
1989	13,303	594	9,062
1990	18,004	762	11,832
1991	24,669	980	16,253
1992	32,271	1,191	21,087
1993	39,120	1,369	25,568
1994	45,597	1,555	29,701
1995	53,044	1,724	34,442
1996	60,405	2,008	38,975
1997	68,276	2,453	43,902
1998	76,066	2,846	48,799
1999	84,449	3,247	53,926
2000	93,176	3,647	59,104
2001	101,970	4,079	64,460
2002	110,993	4,478	69,946
2003	119,868	4,840	75,370
2004	129,414	5,244	81,354
2005	139,420	5,660	87,542
2006	149,301	6,088	93,722
2007	160,310	6,544	100,567

2008	170,985	7,014	107,134
2009	181,758	7,536	113,970
2010	193,168	8,059	121,502
2011	204,946	8,575	129,140
2012	216,731	9,052	136,644
2013	227,803	9,533	143,629
2014	238,050	9,936	149,937
2015	247,832	10,402	156,011
2016	258,015	10,851	162,269
2017	267,883	11,313	168,431
2018	278,494	11,753	175,063
2019	288,707	12,179	181,309
2020	295,672	12,419	185,621
2021	302,930	12,706	190,083
2022	311,468	13,135	195,144
2023	320,895	13,585	200,477
2024	322,984	13,686	201,636

Note: The number of people who died each year were subtracted from the cumulative total. The final year, 2024 is limited to the time of the data production by TDOC, and is incomplete.

Using the cumulative totals provided in Table 4, we can identify which election margins are lower than the total disenfranchised population. As elections are not held on December 31st of every year, we take the previous cumulative total and add the year total (by sentencing date) up to the day of the election. For example, if we want to calculate the number of disenfranchised people for the 2020 presidential election, we add the number of disenfranchised people before November 3rd, 2020, to the cumulative number of people disenfranchised in 2019. Table 5 provides the state-wide elections (U.S. Presidential, U.S. Senate, and TN Governor) with margins smaller than the number of disenfranchised people at the time of the election.

Table 5: State-wide Elections with Vote Margins less than the Number of Disenfranchised Individuals.

Year	Race	Winning Votes	Second Highest Votes	Vote Margin	Disenfranchised (Category 1)	Difference
1996	U.S. Presidential	909,146	863,530	45,616	59,538	13,922
2000	U.S. Presidential	1,061,949	981,720	80,229	92,293	12,064
2002	TN Governor	837,284	786,803	50,481	109,975	59,494
2006	U.S. Senate	929,911	879,976	49,935	148,368	98,433
2018	U.S. Senate	1,227,483	985,450	242,033	277,707	35,647

This analysis shows that there are two U.S. Presidential elections (1996 and 2000), one TN Governor election (2002), and two U.S. Senate elections (2006 and 2018) where the number of disenfranchised people could have tipped the outcome of the vote. And the numbers of those disenfranchised in these cases were substantially higher than the vote margin; the last column shows this value. For the 1996 Presidential election, the number disenfranchised at that time was almost 14,000 more than the difference in votes between the winner and the runner-up.

Although we cannot ascertain whether votes could have been flipped in elections where constituents do not adhere to county boundaries, we can provide a list of elections that were very close. Using data from the MIT Election Lab (https://electionlab.mit.edu/data) we list the elections that had a winning share of less than 53 percent for U.S. House of Representatives in Table 6.

Table 6: U.S. House Elections with Winners Gaining less than 53 Percent of the Vote.

Year	Office	District	Winning Votes	Runner Up Votes	Vote Margin	Winning Share
1992	U.S. House	3	105,693	102,763	2,930	48.8
1982	U.S. House	7	73,835	72,359	1,476	50.5
1994	U.S. House	6	90,933	88,759	2,174	50.6
1978	U.S. House	5	68,608	47,288	21,320	51.4
2002	U.S. House	4	95,989	85,680	10,309	52.1
1994	U.S. House	3	84,583	73,839	10,744	52.3
1984	U.S. House	3	99,465	90,216	9,249	52.4

The MIT Election Lab also provides Tennessee House and Senate election results at the district level. In Table 7, we provide all 2018 and 2020 Tennessee House and Senate elections where the winning vote share was less than 53 percent of the total votes cast in that election.

Table 7: 2018 and 2020 TN Elections with a Vote Margin of Less than 53 Percent

Year	Office	District	Winning Votes	Runner Up Votes	Vote Margin	Winning Share
2020	State House	97	14,712	14,246	466	50.8
2018	State Senate	31	40,504	39,086	1,418	50.9
2018	State House	56	18,312	17,300	1,012	51.4
2018	State House	18	12,865	12,118	747	51.5
2020	State Senate	20	58,746	54,755	3,991	51.8
2018	State House	49	10,953	9,912	1,041	52.5
2018	State House	67	8,531	7,290	1,241	52.5
2020	State House	13	14,242	12,664	1,578	52.9

This brief analysis makes clear that the large numbers of individuals disenfranchised because of felony convictions are large enough to affect the outcome of numerous elections.

Conclusion

We have analyzed data provided by the State of Tennessee and can support these conclusions with no doubt:

- Over 300,000 individuals are subject to possible disenfranchisement because of previous felony convictions.
- The vast majority, most likely 98 percent, of these individuals were likely adjudicated through a plea-bargaining mechanism rather than after a trial by jury.
- Blacks are vastly and dramatically over-represented among the disenfranchised compared to their share of the Tennessee population.
    - Blacks are 36 percent of those disenfranchised compared to 16.5 percent of the population.

    - Blacks are disenfranchised at a rate of over 10 percent.
    - Whites are disenfranchised at a rate of just under 4 percent.
    - The Black-White Disenfranchisement Rate Ratio is 2.6.
- These patterns are apparent in virtually every county of the state.
- The racial disparities are similar or even greater in the subsets of those with felony convictions in Categories 2 and 3 in our analysis.
- These vast numbers are enough to sway elections.

These conclusions are based on the data provided to us by the state and we reserve the right to amend in the case that additional information becomes available.

Respectfully submitted,

Frank R. Baumgartner

May 26, 2025

Kaneesha R. Johnson

May 26, 2025

Appendix A. Defining the Three Categories of Disenfranchisement

This Appendix explains the definition of the three categories of disenfranchisement. First is all those convicted of a felony. This definition is straightforward and we do not list all felonies here. They were indicated as felonies in the database we received from the state. Table A-1 then lays out the offense codes and dates that constitute Category 2; and Table A-2 provides the same information for Category 3.

Table A-1. Category 2 Crime Codes.

Code	Statute	Statute Title	Corresponding Disenfranchisement Statute
July 2, 1986 - July 1, 1996			
3220	§ 39-13-202	First Degree Murder	Murder
901	§ 39-2-202	Murder 1	Murder (Prior Statute)
3620	§ 39-13-502	Aggravated Rape	Rape
1110	§ 39-2-603	Aggravated Rape	Rape (Prior Statute)
3693	§ 39-13-531	Aggravated Rape of a Child	Rape
3632	§ 39-13-507	Aggravated Spousal Rape	Rape
3642	§ 39-13-506(C)	Aggravated Statutory Rape	Rape
2626	§ 2-19-107	Improper Registration or Voting	Voter Fraud
2618	§ 2-19-107	Voter Registration Fraud	Voter Fraud
2627	§ 2-19-107	Conspiracy to Commit Voter Fraud	Voter Fraud
2628	§ 2-19-107	Attempted Voter Fraud	Voter Fraud
2629	§ 2-19-107	FAC Voter Fraud	Voter Fraud
8080	§ 2-19-117	Assisting Disqualified Voters	Voter Fraud
8081	§ 2-19-126	Bribery of Voters	Voter Fraud
July 2, 1996 - June 30, 2006			
3220	§ 39-13-202	First Degree Murder	Murder
901	§ 39-2-202	Murder 1	Murder (Prior Statute)
3221	§ 39-13-210	Murder of Any Degree (Second Degree Murder)	Murder
902	§ 39-2-212	Murder 2	Murder (Prior Statute)
903	§ 39-2-202	Murder Perpertration of Robbery	Murder (Prior Statute)
3620	§ 39-13-502	Aggravated Rape	Rape
1110	§ 39-2-603	Aggravated Rape	Rape (Prior Statute)

3621	§ 39-13-503	Rape	Rape
1104	§ 39-2-604	Rape	Rape (Prior Statute)
3624	§ 39-13-506	Statutory Rape	Rape
1108	§ 39-2-603	Carnal Knowledge (Older Statute's Definition of Statutory Rape)	Rape (Prior Statute)
3641	§ 39-13-506(A)(1)	Mitigated Statutory Rape	Rape
3642	§ 39-13-506(C)	Aggravated Statutory Rape	Rape
3625	§ 39-13-507	Spousal Rape	Rape
3632	§ 39-13-507	Aggravated Spousal Rape	Rape
3629	§ 39-13-522	Rape of a Child	Rape
3693	§ 39-13-531	Aggravated Rape of a Child (Especially aggravated rape and especially aggravated rape of a child are included in the same UCR code)	Rape
3730	§ 39-13-532	Statutory Rape by Authority Figure	Rape
2626	§ 2-19-107	Improper Registration or Voting	Voter Fraud
2618	§ 2-19-107	Voter Registration Fraud	Voter Fraud
2627	§ 2-19-107	Conspiracy to Commit Voter Fraud	Voter Fraud
2628	§ 2-19-107	Attempted Voter Fraud	Voter Fraud
2629	§ 2-19-107	FAC Voter Fraud	Voter Fraud
8080	§ 2-19-117	Assisting Disqualified Voters	Voter Fraud
8081	§ 2-19-126	Bribery of Voters	Voter Fraud
July 1, 2006 - Present			
3220	§ 39-13-202	First Degree Murder	Murder
901	§ 39-2-202	Murder 1	Murder (Prior Statute)
3221	§ 39-13-210	Murder of Any Degree (Second Degree Murder)	Murder
902	§ 39-2-212	Murder 2	Murder (Prior Statute)
903	§ 39-2-202	Murder Perpertration of Robbery	Murder (Prior Statute)
3620	§ 39-13-502	Aggravated Rape	Rape
1110	§ 39-2-603	Aggravated Rape	Rape (Prior Statute)
3621	§ 39-13-503	Rape	Rape
1104	§ 39-2-604	Rape	Rape (Prior Statute)
3624	§ 39-13-506	Statutory Rape	Rape
1108	§ 39-2-603	Carnal Knowledge (Older Statute's Definition of Statutory Rape)	Rape (Prior Statute)
3641	§ 39-13-506(A)(1)	Mitigated Statutory Rape	Rape
3642	§ 39-13-506(C)	Aggravated Statutory Rape	Rape
3625	§ 39-13-507	Spousal Rape	Rape
3632	§ 39-13-507	Aggravated Spousal Rape	Rape
3629	§ 39-13-522	Rape of a Child	Rape

3693	§ 39-13-531	Aggravated Rape of a Child (Especially aggravated rape and especially aggravated rape of a child are included in the same UCR code)	Rape
3730	§ 39-13-532	Statutory Rape by Authority Figure	Rape
2626	§ 2-19-107	Improper Registration or Voting	Voter Fraud
2618	§ 2-19-107	Voter Registration Fraud	Voter Fraud
2627	§ 2-19-107	Conspiracy to Commit Voter Fraud	Voter Fraud
2628	§ 2-19-107	Attempted Voter Fraud	Voter Fraud
2629	§ 2-19-107	FAC Voter Fraud	Voter Fraud
8080	§ 2-19-117	Assisting Disqualified Voters	Voter Fraud
8081	§ 2-19-126	Bribery of Voters	Voter Fraud
6120	§ 39-16-102	Bribery of a Public Servant	Any felony in Parts 1, 4, 5, or part of 16
6121	§ 39-16-104	Unlawful Compensation	Any felony in Parts 1, 4, 5, or part of 16
6122	§ 39-16-105	Buying and Selling a Public Office	Any felony in Parts 1, 4, 5, or part of 16
6123	§ 39-16-107	Bribery of a Witness	Any felony in Parts 1, 4, 5, or part of 16
6124	§ 39-16-108	Bribery of a Juror	Any felony in Parts 1, 4, 5, or part of 16
6420	§ 39-16-402 except T.C.A. § 39-16-402(c)(1)	Official Misconduct	Any felony in Parts 1, 4, 5, or part of 16
6421	§ 39-16-403	Official Oppression	Any felony in Parts 1, 4, 5, or part of 16
6430	§ 39-16-408	Sexual Contact with Inmate	Any felony in Parts 1, 4, 5, or part of 16
2620	§ 39-16-502	False Reports	Any felony in Parts 1, 4, 5, or part of 16
6520	§ 39-16-503	Tampering with Evidence	Any felony in Parts 1, 4, 5, or part of 16
6521	§ 39-16-507(a)	Coercion of witness	Any felony in Parts 1, 4, 5, or part of 16
6522	§ 39-16-508	Coercion of Juror	Any felony in Parts 1, 4, 5, or part of 16
6523	§ 39-16-510	Retaliation for Past Action	Any felony in Parts 1, 4, 5, or part of 16

Table A-2. Category 3 Crime Codes.

Code	Statute	Statute Title	Corresponding Disenfranchisement Statute
July 2, 1986 - July 1, 1996			
3220	§ 39-13-202	First Degree Murder	Murder
901	§ 39-2-202	Murder 1	Murder (Prior Statute)
3620	§ 39-13-502	Aggravated Rape	Rape
1110	§ 39-2-603	Aggravated Rape	Rape (Prior Statute)
3693	§ 39-13-531	Aggravated Rape of a Child	Rape
3632	§ 39-13-507	Aggravated Spousal Rape	Rape
3642	§ 39-13-506(C)	Aggravated Statutory Rape	Rape
2626	§ 2-19-107	Improper Registration or Voting	Voter Fraud
2618	§ 2-19-107	Voter Registration Fraud	Voter Fraud
2627	§ 2-19-107	Conspiracy to Commit Voter Fraud	Voter Fraud
2628	§ 2-19-107	Attempted Voter Fraud	Voter Fraud
2629	§ 2-19-107	FAC Voter Fraud	Voter Fraud
8080	§ 2-19-117	Assisting Disqualified Voters	Voter Fraud
8081	§ 2-19-126	Bribery of Voters	Voter Fraud
July 2, 1996 - June 30, 2006			
3220	§ 39-13-202	First Degree Murder	Murder
901	§ 39-2-202	Murder 1	Murder (Prior Statute)
3221	§ 39-13-210	Murder of Any Degree (Second Degree Murder)	Murder
902	§ 39-2-212	Murder 2	Murder (Prior Statute)
903	§ 39-2-202	Murder Perpertration of Robbery	Murder (Prior Statute)
3620	§ 39-13-502	Aggravated Rape	Rape
1110	§ 39-2-603	Aggravated Rape	Rape (Prior Statute)
3621	§ 39-13-503	Rape	Rape
1104	§ 39-2-604	Rape	Rape (Prior Statute)
3624	§ 39-13-506	Statutory Rape	Rape
1108	§ 39-2-603	Carnal Knowledge (Older Statute's Definition of Statutory Rape)	Rape (Prior Statute)
3641	§ 39-13-506(A)(1)	Mitigated Statutory Rape	Rape
3642	§ 39-13-506(C)	Aggravated Statutory Rape	Rape
3625	§ 39-13-507	Spousal Rape	Rape
3632	§ 39-13-507	Aggravated Spousal Rape	Rape
3629	§ 39-13-522	Rape of a Child	Rape

3693	§ 39-13-531	Aggravated Rape of a Child (Especially aggravated rape and especially aggravated rape of a child are included in the same UCR code)	Rape
3730	§ 39-13-532	Statutory Rape by Authority Figure	Rape
2626	§ 2-19-107	Improper Registration or Voting	Voter Fraud
2618	§ 2-19-107	Voter Registration Fraud	Voter Fraud
2627	§ 2-19-107	Conspiracy to Commit Voter Fraud	Voter Fraud
2628	§ 2-19-107	Attempted Voter Fraud	Voter Fraud
2629	§ 2-19-107	FAC Voter Fraud	Voter Fraud
8080	§ 2-19-117	Assisting Disqualified Voters	Voter Fraud
8081	§ 2-19-126	Bribery of Voters	Voter Fraud
July 1, 2006 - Present			
3220	§ 39-13-202	First Degree Murder	Murder
901	§ 39-2-202	Murder 1	Murder (Prior Statute)
3221	§ 39-13-210	Murder of Any Degree (Second Degree Murder)	Murder
902	§ 39-2-212	Murder 2	Murder (Prior Statute)
903	§ 39-2-202	Murder Perpertration of Robbery	Murder (Prior Statute)
3620	§ 39-13-502	Aggravated Rape	Rape
1110	§ 39-2-603	Aggravated Rape	Rape (Prior Statute)
3621	§ 39-13-503	Rape	Rape
1104	§ 39-2-604	Rape	Rape (Prior Statute)
3624	§ 39-13-506	Statutory Rape	Rape
1108	§ 39-2-603	Carnal Knowledge (Older Statute's Definition of Statutory Rape)	Rape (Prior Statute)
3641	§ 39-13-506(A)(1)	Mitigated Statutory Rape	Rape
3642	§ 39-13-506(C)	Aggravated Statutory Rape	Rape
3625	§ 39-13-507	Spousal Rape	Rape
3632	§ 39-13-507	Aggravated Spousal Rape	Rape
3629	§ 39-13-522	Rape of a Child	Rape
3693	§ 39-13-531	Aggravated Rape of a Child (Especially aggravated rape and especially aggravated rape of a child are included in the same UCR code)	Rape
3730	§ 39-13-532	Statutory Rape by Authority Figure	Rape
2626	§ 2-19-107	Improper Registration or Voting	Voter Fraud
2618	§ 2-19-107	Voter Registration Fraud	Voter Fraud
2627	§ 2-19-107	Conspiracy to Commit Voter Fraud	Voter Fraud
2628	§ 2-19-107	Attempted Voter Fraud	Voter Fraud

2629	§ 2-19-107	FAC Voter Fraud	Voter Fraud
8080	§ 2-19-117	Assisting Disqualified Voters	Voter Fraud
8081	§ 2-19-126	Bribery of Voters	Voter Fraud
6120	§ 39-16-102	Bribery of a Public Servant	Any felony in Parts 1, 4, 5, or part of 16
6121	§ 39-16-104	Unlawful Compensation	Any felony in Parts 1, 4, 5, or part of 16
6122	§ 39-16-105	Buying and Selling a Public Office	Any felony in Parts 1, 4, 5, or part of 16
6123	§ 39-16-107	Bribery of a Witness	Any felony in Parts 1, 4, 5, or part of 16
6124	§ 39-16-108	Bribery of a Juror	Any felony in Parts 1, 4, 5, or part of 16
6420	§ 39-16-402 except T.C.A. § 39-16-402(c)(1)	Official Misconduct	Any felony in Parts 1, 4, 5, or part of 16
6421	§ 39-16-403	Official Oppression	Any felony in Parts 1, 4, 5, or part of 16
6430	§ 39-16-408	Sexual Contact with Inmate	Any felony in Parts 1, 4, 5, or part of 16
2620	§ 39-16-502	False Reports	Any felony in Parts 1, 4, 5, or part of 16
6520	§ 39-16-503	Tampering with Evidence	Any felony in Parts 1, 4, 5, or part of 16
6521	§ 39-16-507(a)	Coercion of witness	Any felony in Parts 1, 4, 5, or part of 16
6522	§ 39-16-508	Coercion of Juror	Any felony in Parts 1, 4, 5, or part of 16
6523	§ 39-16-510	Retaliation for Past Action	Any felony in Parts 1, 4, 5, or part of 16

Appendix B. Detailed Tables by County

Table B-1. Population and Number Disenfranchised by County.

	Number in Population					Number Disenfranchised				
County	Total	White	Black	Hisp.	Other	Total	White	Black	Hisp.	Other
Anderson	77,147	68,209	3,071	2,780	3,087	3,175	2,644	481	40	10
Bedford	50,237	37,171	3,856	7,605	1,605	2,349	1,637	557	148	7
Benton	15,867	14,635	416	392	424	895	823	64	8	0
Bledsoe	14,917	13,091	1,048	445	333	462	414	39	6	3
Blount	135,287	121,762	3,950	5,674	3,901	4,948	4,340	488	102	18
Bradley	108,620	91,233	5,283	8,400	3,704	5,558	4,526	867	141	24
Campbell	39,275	37,856	173	508	738	2,691	2,620	46	21	4
Cannon	14,507	13,533	267	372	335	702	661	31	9	1
Carroll	28,444	23,950	2,881	790	823	1,516	1,109	391	14	2
Carter	56,348	52,956	1,060	1,188	1,144	2,385	2,275	96	13	1
Cheatham	41,064	37,264	942	1,818	1,040	1,543	1,408	106	21	8
Chester	17,344	14,701	1,592	510	541	737	478	251	6	2
Claiborne	32,041	30,393	372	482	794	1,820	1,777	28	12	3
Clay	7,580	7,200	112	144	124	475	453	22	0	0
Cocke	35,999	33,412	710	980	897	2,131	1,940	144	31	16
Coffee	57,888	50,269	2,226	3,239	2,154	3,814	3,158	547	95	14
Crockett	13,912	10,152	1,948	1,502	310	733	471	236	24	2
Cumberland	61,151	57,587	392	1,944	1,228	2,392	2,306	45	36	5
Davidson	715,878	387,570	186,170	97,984	44,154	38,176	14,591	21,010	2,289	286
Decatur	11,436	10,487	318	375	256	647	571	65	11	0
DeKalb	20,078	17,767	308	1,461	542	990	936	38	15	1
Dickson	54,307	47,989	2,140	2,546	1,632	3,142	2,523	493	116	10
Dyer	36,808	29,091	5,393	1,319	1,005	2,837	1,704	1,100	23	10
Fayette	41,721	27,883	11,551	1,405	882	1,782	672	1,074	28	8
Fentress	18,487	17,714	78	325	370	1,177	1,160	8	7	2

Franklin	42,770	37,711	2,154	1,532	1,373	2,423	2,028	342	49	4
Gibson	50,411	38,615	9,115	1,456	1,225	2,622	1,357	1,228	33	4
Giles	30,341	25,595	3,083	754	909	2,001	1,418	564	15	4
Grainger	23,530	22,101	222	787	420	1,049	1,018	13	15	3
Greene	70,158	64,474	1,634	2,524	1,526	2,906	2,598	227	73	8
Grundy	13,528	12,889	102	195	342	909	900	5	2	2
Hamblen	64,500	50,649	2,383	9,410	2,058	3,645	3,032	403	199	11
Hamilton	366,209	255,516	68,485	26,999	15,209	13,736	7,031	6,465	201	39
Hancock	6,661	6,446	34	44	137	532	524	4	3	1
Hardeman	25,464	13,677	10,686	489	612	1,843	737	1,090	10	6
Hardin	26,824	24,725	868	603	628	1,794	1,563	205	18	8
Hawkins	56,724	53,814	826	909	1,175	2,138	2,033	80	22	3
Haywood	17,863	7,695	9,065	814	289	1,206	282	902	19	3
Henderson	27,834	24,183	2,145	741	765	1,740	1,343	362	29	6
Henry	32,200	28,009	2,378	901	912	1,957	1,459	475	17	6
Hickman	24,911	22,385	1,180	691	655	1,144	1,008	98	34	4
Houston	8,288	7,549	265	218	256	393	346	44	3	0
Humphreys	18,988	17,423	562	472	531	954	860	85	6	3
Jackson	11,617	11,025	85	261	246	376	369	3	4	0
Jefferson	54,682	49,973	1,017	2,360	1,332	3,070	2,783	215	67	5
Johnson	17,949	16,709	434	503	303	898	872	15	8	3
Knox	478,966	385,851	41,472	28,500	23,143	16,998	11,148	5,514	251	85
Lake	7,009	4,677	1,956	193	183	685	390	290	5	0
Lauderdale	25,139	15,004	8,835	603	697	2,046	958	1,062	13	13
Lawrence	44,160	41,152	788	1,116	1,104	2,097	1,876	181	34	6
Lewis	12,583	11,687	248	315	333	743	706	32	3	2
Lincoln	35,320	30,496	2,431	1,277	1,116	1,553	1,157	365	23	8
Loudon	54,887	47,538	715	5,359	1,275	1,728	1,517	142	59	10
McMinn	53,270	47,443	2,012	2,173	1,642	3,331	2,755	506	56	14
McNairy	25,855	23,227	1,577	463	588	1,516	1,224	280	9	3
Macon	25,217	22,673	243	1,673	628	1,066	1,021	13	24	8

Madison	98,833	53,896	37,276	4,683	2,978	6,943	2,540	4,298	80	25
Marion	28,838	26,337	1,131	588	782	1,981	1,726	241	10	4
Marshall	34,327	29,025	2,134	2,196	972	1,643	1,214	385	41	3
Maury	100,969	78,177	11,796	7,637	3,359	4,099	2,506	1,480	106	7
Meigs	12,755	11,983	208	241	323	490	470	11	4	5
Monroe	46,248	42,135	925	1,949	1,239	2,675	2,411	212	43	9
Montgomery	219,996	135,428	45,907	22,917	15,744	5,892	2,962	2,652	200	78
Moore	6,468	5,999	143	113	213	266	248	14	4	0
Morgan	21,030	19,491	786	317	436	621	605	12	2	2
Obion	30,793	25,236	3,269	1,561	727	2,156	1,375	747	32	2
Overton	22,509	21,562	151	367	429	1,056	1,034	15	2	5
Perry	8,382	7,721	204	159	298	418	374	42	2	0
Pickett	5,004	4,822	12	98	72	195	192	1	2	0
Polk	17,544	16,706	119	326	393	1,110	1,070	26	12	2
Putnam	79,853	69,138	1,788	6,193	2,734	3,475	3,050	294	118	13
Rhea	32,873	29,415	643	1,938	877	1,308	1,190	82	29	7
Roane	53,396	49,433	1,456	1,029	1,478	1,815	1,672	136	4	3
Robertson	72,805	58,714	5,425	6,839	1,827	3,157	2,109	882	155	11
Rutherford	341,483	227,252	54,147	38,228	21,856	11,653	7,069	3,651	709	224
Scott	21,848	21,203	64	219	362	1,458	1,443	5	8	2
Sequatchie	15,825	14,725	108	613	379	851	828	15	7	1
Sevier	98,381	85,693	1,151	8,560	2,977	5,137	4,678	226	181	52
Shelby	930,020	316,872	494,622	77,589	40,937	52,922	7,824	43,852	1,134	112
Smith	19,913	18,419	478	532	484	822	741	58	18	5
Stewart	13,656	12,536	265	350	505	552	507	37	6	2
Sullivan	158,162	146,855	3,578	3,527	4,202	9,964	8,839	988	111	26
Sumner	196,285	160,142	16,067	12,813	7,263	7,727	5,694	1,754	242	37
Tipton	60,974	46,081	11,170	1,700	2,023	2,830	1,478	1,327	18	7
Trousdale	11,609	9,649	1,301	369	290	523	392	120	9	2
Unicoi	17,925	16,415	72	1,104	334	850	803	23	22	2
Union	19,804	18,975	88	381	360	1,063	1,034	16	9	4

Van Buren	6,168	5,903	49	98	118	244	237	4	2	1
Warren	40,946	34,542	1,357	3,939	1,108	2,692	2,333	235	120	4
Washington	133,003	115,963	5,734	6,120	5,186	4,855	3,965	777	88	25
Wayne	16,231	14,463	1,115	375	278	1,078	1,033	35	9	1
Weakley	32,903	28,311	2,648	903	1,041	1,341	1,006	314	17	4
White	27,354	25,474	491	755	634	1,247	1,162	66	15	4
Williamson	247,724	205,214	10,670	14,228	17,612	5,371	3,436	1,624	261	50
Wilson	147,748	122,343	11,014	8,310	6,081	4,328	3,053	1,153	90	32
Total	6,910,786	5,007,034	1,142,819	478,387	282,546	322,984	195,813	117,247	8,442	1,482

Table B-2. Disenfranchisement Rates by County and Race, with Black-White Rate Ratio.

	Number Disenfranchised per 100 in Population					Black - White
County	Total	White	Black	Hispanic	Other	Ratio
Anderson	4.12	3.88	15.66	1.44	0.32	4.04
Bedford	4.68	4.40	14.45	1.95	0.44	3.28
Benton	5.64	5.62	15.38	2.04	0.00	2.74
Bledsoe	3.10	3.16	3.72	1.35	0.90	1.18
Blount	3.66	3.56	12.35	1.80	0.46	3.47
Bradley	5.12	4.96	16.41	1.68	0.65	3.31
Campbell	6.85	6.92	26.59	4.13	0.54	3.84
Cannon	4.84	4.88	11.61	2.42	0.30	2.38
Carroll	5.33	4.63	13.57	1.77	0.24	2.93
Carter	4.23	4.30	9.06	1.09	0.09	2.11
Cheatham	3.76	3.78	11.25	1.16	0.77	2.98
Chester	4.25	3.25	15.77	1.18	0.37	4.85
Claiborne	5.68	5.85	7.53	2.49	0.38	1.29
Clay	6.27	6.29	19.64	0.00	0.00	3.12
Cocke	5.92	5.81	20.28	3.16	1.78	3.49
Coffee	6.59	6.28	24.57	2.93	0.65	3.91
Crockett	5.27	4.64	12.11	1.60	0.65	2.61
Cumberland	3.91	4.00	11.48	1.85	0.41	2.87
Davidson	5.33	3.76	11.29	2.34	0.65	3.00
Decatur	5.66	5.44	20.44	2.93	0.00	3.75
DeKalb	4.93	5.27	12.34	1.03	0.18	2.34
Dickson	5.79	5.26	23.04	4.56	0.61	4.38
Dyer	7.71	5.86	20.40	1.74	1.00	3.48
Fayette	4.27	2.41	9.30	1.99	0.91	3.86
Fentress	6.37	6.55	10.26	2.15	0.54	1.57
Franklin	5.67	5.38	15.88	3.20	0.29	2.95
Gibson	5.20	3.51	13.47	2.27	0.33	3.83
Giles	6.60	5.54	18.29	1.99	0.44	3.30
Grainger	4.46	4.61	5.86	1.91	0.71	1.27
Greene	4.14	4.03	13.89	2.89	0.52	3.45
Grundy	6.72	6.98	4.90	1.03	0.58	0.70
Hamblen	5.65	5.99	16.91	2.11	0.53	2.83
Hamilton	3.75	2.75	9.44	0.74	0.26	3.43
Hancock	7.99	8.13	11.76	6.82	0.73	1.45
Hardeman	7.24	5.39	10.20	2.04	0.98	1.89
Hardin	6.69	6.32	23.62	2.99	1.27	3.74
Hawkins	3.77	3.78	9.69	2.42	0.26	2.56
Haywood	6.75	3.66	9.95	2.33	1.04	2.72
Henderson	6.25	5.55	16.88	3.91	0.78	3.04
Henry	6.08	5.21	19.97	1.89	0.66	3.83

Hickman	4.59	4.50	8.31	4.92	0.61	1.84
Houston	4.74	4.58	16.60	1.38	0.00	3.62
Humphreys	5.02	4.94	15.12	1.27	0.56	3.06
Jackson	3.24	3.35	3.53	1.53	0.00	1.05
Jefferson	5.61	5.57	21.14	2.84	0.38	3.80
Johnson	5.00	5.22	3.46	1.59	0.99	0.66
Knox	3.55	2.89	13.30	0.88	0.37	4.60
Lake	9.77	8.34	14.83	2.59	0.00	1.78
Lauderdale	8.14	6.38	12.02	2.16	1.87	1.88
Lawrence	4.75	4.56	22.97	3.05	0.54	5.04
Lewis	5.90	6.04	12.90	0.95	0.60	2.14
Lincoln	4.40	3.79	15.01	1.80	0.72	3.96
Loudon	3.15	3.19	19.86	1.10	0.78	6.22
McMinn	4.23	4.50	5.35	1.43	1.27	1.19
McNairy	7.02	4.71	11.53	1.71	0.84	2.45
Macon	6.87	6.55	21.31	1.70	0.51	3.25
Madison	4.79	4.18	18.04	1.87	0.31	4.31
Marion	4.06	3.21	12.55	1.39	0.21	3.91
Marshall	6.25	5.81	25.15	2.58	0.85	4.33
Maury	5.86	5.27	17.76	1.94	0.51	3.37
Meigs	3.84	3.92	5.29	1.66	1.55	1.35
Monroe	5.78	5.72	22.92	2.21	0.73	4.01
Montgomery	2.68	2.19	5.78	0.87	0.50	2.64
Moore	4.11	4.13	9.79	3.54	0.00	2.37
Morgan	2.95	3.10	1.53	0.63	0.46	0.49
Obion	7.00	5.45	22.85	2.05	0.28	4.19
Overton	4.69	4.80	9.93	0.54	1.17	2.07
Perry	4.99	4.84	20.59	1.26	0.00	4.25
Pickett	3.90	3.98	8.33	2.04	0.00	2.09
Polk	6.33	6.40	21.85	3.68	0.51	3.41
Putnam	4.35	4.41	16.44	1.91	0.48	3.73
Rhea	3.98	4.05	12.75	1.50	0.80	3.15
Roane	3.40	3.38	9.34	0.39	0.20	2.76
Robertson	4.34	3.59	16.26	2.27	0.60	4.53
Rutherford	3.41	3.11	6.74	1.85	1.02	2.17
Scott	6.67	6.81	7.81	3.65	0.55	1.15
Sequatchie	5.38	5.62	13.89	1.14	0.26	2.47
Sevier	5.22	5.46	19.64	2.11	1.75	3.60
Shelby	5.69	2.47	8.87	1.46	0.27	3.59
Smith	4.13	4.02	12.13	3.38	1.03	3.02
Stewart	4.04	4.04	13.96	1.71	0.40	3.45
Sullivan	6.30	6.02	27.61	3.15	0.62	4.59
Sumner	3.94	3.56	10.92	1.89	0.51	3.07

Tipton	4.64	3.21	11.88	1.06	0.35	3.70
Trousdale	4.51	4.06	9.22	2.44	0.69	2.27
Unicoi	4.74	4.89	31.94	1.99	0.60	6.53
Union	5.37	5.45	18.18	2.36	1.11	3.34
Van Buren	3.96	4.01	8.16	2.04	0.85	2.03
Warren	6.57	6.75	17.32	3.05	0.36	2.56
Washington	3.65	3.42	13.55	1.44	0.48	3.96
Wayne	6.64	7.14	3.14	2.40	0.36	0.44
Weakley	4.08	3.55	11.86	1.88	0.38	3.34
White	4.56	4.56	13.44	1.99	0.63	2.95
Williamson	2.17	1.67	15.22	1.83	0.28	9.09
Wilson	2.93	2.50	10.47	1.08	0.53	4.20

Appendix C. Replication of Results for Categories 2 and 3.

Table C-1. Disenfranchisement Rates by County and Race, with Black-White Rate Ratio, Category 2.

	Number Disenfranchised per 100 in Population					Black - White
County	Total	White	Black	Hispanic	Other	Ratio
Anderson	0.12	0.11	0.46	0.11	0.03	4.15
Bedford	0.30	0.27	0.83	0.22	-	3.08
Benton	0.20	0.19	0.48	0.26	-	2.51
Bledsoe	0.13	0.12	0.19	0.22	0.30	1.56
Blount	0.14	0.12	0.46	0.30	0.05	3.65
Bradley	0.20	0.19	0.45	0.17	-	2.38
Campbell	0.27	0.27	-	0.59	-	-
Cannon	0.17	0.16	0.37	0.27	-	2.30
Carroll	0.21	0.18	0.52	0.13	0.12	2.83
Carter	0.13	0.13	0.47	-	-	3.62
Cheatham	0.17	0.17	0.42	-	-	2.47
Chester	0.22	0.18	0.69	-	-	3.76
Claiborne	0.25	0.25	0.54	0.21	-	2.15
Clay	0.13	0.14	-	-	-	-
Cocke	0.29	0.29	1.13	0.10	-	3.92
Coffee	0.25	0.25	0.63	0.15	-	2.49
Crockett	0.40	0.35	0.92	0.13	-	2.61
Cumberland	0.15	0.15	0.51	0.21	-	3.34
Davidson	0.24	0.14	0.56	0.10	0.04	3.95
Decatur	0.27	0.30	-	-	-	-
DeKalb	0.24	0.21	0.65	0.55	-	3.04
Dickson	0.22	0.21	0.75	0.12	0.06	3.59
Dyer	0.26	0.20	0.61	0.15	-	3.02
Fayette	0.17	0.09	0.40	0.07	-	4.63
Fentress	0.18	0.19	-	-	-	-
Franklin	0.21	0.20	0.42	0.39	-	2.10
Gibson	0.30	0.19	0.79	0.27	-	4.07
Giles	0.25	0.23	0.45	0.13	-	1.94
Grainger	0.17	0.17	0.45	0.25	-	2.62
Greene	0.19	0.17	0.86	0.28	-	4.98
Grundy	0.27	0.28	-	-	-	-
Hamblen	0.18	0.16	0.76	0.21	-	4.78
Hamilton	0.15	0.09	0.45	0.06	-	5.29
Hancock	0.48	0.48	-	2.27	-	-
Hardeman	0.34	0.26	0.45	0.41	0.16	1.71
Hardin	0.18	0.17	0.58	0.17	0.32	3.47
Hawkins	0.17	0.17	0.48	0.22	-	2.83
Haywood	0.27	0.09	0.44	0.12	-	4.85
Henderson	0.26	0.23	0.70	0.13	-	3.07
Henry	0.18	0.16	0.50	0.11	-	3.14
Hickman	0.23	0.22	0.68	-	-	3.04

Houston	0.23	0.24	0.38	-	-	1.58
Humphreys	0.19	0.20	0.36	-	-	1.82
Jackson	0.17	0.18	-	-	-	-
Jefferson	0.23	0.21	1.47	0.17	-	7.02
Johnson	0.20	0.20	0.46	-	0.33	2.33
Knox	0.15	0.11	0.67	0.10	0.02	6.28
Lake	0.29	0.30	0.31	-	-	1.02
Lauderdale	0.41	0.27	0.70	0.17	-	2.63
Lawrence	0.27	0.25	1.52	0.36	-	6.14
Lewis	0.30	0.31	0.81	-	-	2.62
Lincoln	0.16	0.15	0.37	0.08	-	2.40
Loudon	0.15	0.15	1.40	0.02	0.16	9.50
McMinn	0.21	0.20	0.75	0.09	-	3.80
McNairy	0.20	0.19	0.38	0.22	-	2.01
Macon	0.21	0.22	0.82	0.18	-	3.81
Madison	0.34	0.18	0.61	0.23	-	3.45
Marion	0.19	0.19	0.35	0.34	-	1.86
Marshall	0.31	0.28	0.94	0.18	0.21	3.40
Maury	0.19	0.14	0.62	0.13	-	4.44
Meigs	0.22	0.22	0.48	0.41	-	2.22
Monroe	0.23	0.24	0.22	0.15	-	0.90
Montgomery	0.14	0.11	0.29	0.06	0.04	2.56
Moore	0.20	0.22	-	-	-	-
Morgan	0.15	0.16	-	-	-	-
Obion	0.21	0.14	0.83	0.19	-	5.96
Overton	0.16	0.17	-	-	-	-
Perry	0.18	0.14	1.47	0.63	-	10.32
Pickett	0.14	0.15	-	-	-	-
Polk	0.25	0.24	0.84	0.92	-	3.51
Putnam	0.19	0.19	0.67	0.15	0.04	3.52
Rhea	0.23	0.24	0.62	0.10	-	2.61
Roane	0.14	0.15	0.21	-	-	1.38
Robertson	0.16	0.12	0.66	0.16	-	5.34
Rutherford	0.13	0.12	0.25	0.11	0.06	2.13
Scott	0.32	0.33	-	0.46	0.28	-
Sequatchie	0.13	0.14	-	0.16	-	-
Sevier	0.22	0.23	0.35	0.16	0.13	1.54
Shelby	0.27	0.08	0.44	0.07	0.02	5.90
Smith	0.26	0.25	0.42	0.56	-	1.68
Stewart	0.18	0.18	0.75	0.29	-	4.30
Sullivan	0.21	0.20	0.95	0.11	0.12	4.75
Sumner	0.16	0.15	0.36	0.14	-	2.46
Tipton	0.24	0.15	0.67	0.06	-	4.48
Trousdale	0.16	0.15	0.23	0.27	-	1.59
Unicoi	0.23	0.24	1.39	-	-	5.70
Union	0.24	0.23	2.27	0.52	-	9.80

Van Buren	0.23	0.24	-	-	-	-
Warren	0.23	0.23	0.44	0.20	-	1.93
Washington	0.14	0.12	0.70	0.07	-	5.86
Wayne	0.24	0.26	-	0.27	-	-
Weakley	0.14	0.10	0.57	0.11	-	5.53
White	0.20	0.19	1.02	-	-	5.29
Williamson	0.06	0.05	0.38	0.04	-	7.37
Wilson	0.13	0.11	0.43	0.06	0.03	3.96

Table C-2 Disenfranchisement Rates by County and Race, with Black-White Rate Ratio, Category 3.

	Number Disenfranchised per 100 in Population					Black - White
County	Total	White	Black	Hispanic	Other	Ratio
Anderson	2.63	2.36	12.57	0.94	0.19	5.32
Bedford	2.69	2.30	10.68	1.08	0.25	4.65
Benton	3.66	3.61	11.06	1.53	-	3.06
Bledsoe	2.02	2.04	2.67	1.12	0.60	1.31
Blount	2.01	1.89	9.19	0.95	0.31	4.87
Bradley	2.97	2.75	11.85	0.96	0.30	4.30
Campbell	4.22	4.25	16.18	3.35	0.27	3.81
Cannon	3.01	3.04	7.49	1.08	0.30	2.47
Carroll	3.61	2.99	10.48	1.01	0.12	3.50
Carter	2.31	2.32	6.04	0.93	-	2.61
Cheatham	2.16	2.13	7.75	0.83	0.48	3.63
Chester	2.70	1.88	11.81	0.78	-	6.27
Claiborne	3.45	3.54	4.84	1.66	0.13	1.37
Clay	4.29	4.24	17.86	-	-	4.22
Cocke	3.66	3.51	16.62	2.04	0.89	4.74
Coffee	3.87	3.56	17.57	1.51	0.32	4.93
Crockett	3.33	2.67	8.98	1.00	0.65	3.37
Cumberland	2.17	2.22	7.40	1.03	0.16	3.33
Davidson	3.60	2.14	8.45	1.58	0.41	3.94
Decatur	3.76	3.60	14.47	1.60	-	4.01
DeKalb	3.38	3.64	8.77	0.34	-	2.41
Dickson	3.65	3.19	17.20	3.14	0.25	5.39
Dyer	4.97	3.30	15.72	0.91	0.70	4.76
Fayette	2.46	1.15	5.90	1.71	0.23	5.14
Fentress	3.72	3.83	5.13	1.23	0.54	1.34
Franklin	3.09	2.80	11.10	1.57	0.22	3.96
Gibson	3.58	2.14	10.48	1.17	0.24	4.89
Giles	4.33	3.45	13.66	1.19	0.11	3.95
Grainger	2.97	3.06	3.60	1.52	0.71	1.18
Greene	2.11	1.99	9.42	1.70	0.13	4.73
Grundy	4.08	4.24	4.90	-	0.29	1.16
Hamblen	3.40	3.47	12.59	1.39	0.29	3.62
Hamilton	2.25	1.37	6.77	0.41	0.11	4.95
Hancock	4.70	4.81	2.94	2.27	0.73	0.61
Hardeman	4.44	3.12	6.49	1.23	0.49	2.08
Hardin	4.40	4.00	20.16	1.49	1.11	5.05
Hawkins	2.18	2.16	6.66	1.87	0.17	3.09
Haywood	4.78	2.03	7.52	1.60	1.04	3.71
Henderson	4.10	3.45	13.01	3.37	0.39	3.77

Henry	4.06	3.24	16.15	1.22	0.55	4.98
Hickman	2.65	2.54	5.00	4.05	0.46	1.97
Houston	2.99	2.80	13.58	0.46	-	4.86
Humphreys	3.33	3.23	11.21	1.06	0.38	3.47
Jackson	2.20	2.28	2.35	0.77	-	1.03
Jefferson	3.41	3.36	14.16	1.69	0.08	4.22
Johnson	2.92	3.07	0.92	1.19	0.66	0.30
Knox	2.21	1.59	10.15	0.56	0.23	6.37
Lake	6.21	4.58	11.09	2.07	-	2.42
Lauderdale	5.37	3.77	8.74	1.16	0.72	2.32
Lawrence	3.08	2.90	18.15	1.97	0.18	6.25
Lewis	3.61	3.65	10.08	0.32	0.30	2.76
Lincoln	2.60	2.19	9.83	0.78	0.27	4.49
Loudon	1.79	1.79	11.75	0.75	0.55	6.55
McMinn	3.68	3.25	18.84	1.61	0.30	5.80
McNairy	4.28	3.72	14.77	1.51	0.34	3.97
Macon	2.50	2.69	2.88	0.66	0.64	1.07
Madison	4.20	2.34	7.60	0.88	0.37	3.25
Marion	3.96	3.69	14.32	0.85	0.13	3.88
Marshall	3.04	2.48	13.82	1.23	0.21	5.57
Maury	2.72	1.94	9.80	0.90	0.09	5.05
Meigs	2.36	2.41	2.40	0.83	1.55	1.00
Monroe	3.53	3.43	17.08	1.44	0.24	4.98
Montgomery	1.72	1.23	4.18	0.58	0.33	3.40
Moore	2.16	2.15	6.29	1.77	-	2.93
Morgan	1.66	1.76	0.76	0.32	-	0.43
Obion	4.65	3.25	18.14	1.15	0.14	5.59
Overton	3.01	3.07	7.95	-	0.70	2.58
Perry	3.07	2.88	16.67	0.63	-	5.80
Pickett	2.48	2.55	8.33	-	-	3.27
Polk	3.81	3.87	11.76	2.15	0.25	3.04
Putnam	2.74	2.72	13.42	1.00	0.29	4.94
Rhea	2.73	2.75	9.80	1.14	0.23	3.56
Roane	1.89	1.79	8.17	0.29	0.20	4.57
Robertson	2.45	1.77	11.89	1.32	0.44	6.70
Rutherford	2.04	1.73	4.65	0.94	0.60	2.68
Scott	3.87	3.97	3.13	1.37	-	0.79
Sequatchie	3.56	3.71	11.11	0.49	0.26	2.99
Sevier	3.14	3.27	10.86	1.51	1.11	3.33
Shelby	3.93	1.37	6.33	1.09	0.18	4.62
Smith	2.47	2.38	8.79	1.32	0.62	3.69
Stewart	2.56	2.55	8.68	1.43	0.40	3.40
Sullivan	3.31	3.03	19.51	1.81	0.29	6.43

Sumner	2.17	1.85	7.25	1.01	0.22	3.93
Tipton	2.86	1.79	8.08	0.76	0.15	4.52
Trousdale	2.99	2.50	7.61	1.63	0.34	3.05
Unicoi	2.70	2.78	18.06	1.27	0.30	6.50
Union	3.01	3.05	9.09	1.57	0.83	2.98
Van Buren	2.68	2.71	6.12	1.02	0.85	2.26
Warren	4.43	4.49	13.85	1.85	0.18	3.08
Washington	1.95	1.68	10.05	0.88	0.23	5.96
Wayne	4.28	4.65	1.43	1.60	-	0.31
Weakley	2.75	2.25	9.55	1.33	0.38	4.25
White	2.72	2.69	9.57	1.06	0.47	3.56
Williamson	0.96	0.72	7.42	0.74	0.11	10.33
Wilson	1.73	1.34	7.62	0.65	0.31	5.67

Appendix D. Numbers Disenfranchised by Year.

Table D-1. Number of Individuals Disenfranchised by Year.

Sentence Year	Category 1	Category 2	Category 3
1973	74	0	61
1974	65	0	53
1975	96	1	84
1976	92	1	76
1977	129	3	108
1978	120	1	106
1979	174	1	129
1980	300	2	258
1981	411	1	370
1982	414	2	347
1983	705	3	600
1984	792	7	663
1985	1,095	6	855
1986	1,406	72	1,058
1987	1,607	147	1,079
1988	2,246	164	1,385
1989	3,616	183	1,858
1990	4,711	168	2,775
1991	6,679	218	4,430
1992	7,764	215	4,935
1993	7,037	178	4,598
1994	6,655	193	4,250
1995	7,704	176	4,915
1996	7,578	285	4,678
1997	8,135	458	5,121
1998	8,011	399	5,050
1999	8,625	413	5,291
2000	9,000	412	5,366
2001	9,111	446	5,551
2002	9,307	420	5,670
2003	9,264	387	5,687
2004	9,927	428	6,227
2005	10,401	437	6,443
2006	10,324	452	6,475
2007	11,462	486	7,159
2008	11,115	489	6,860
2009	11,267	548	7,172

2010	11,889	553	7,854
2011	12,289	531	7,981
2012	12,362	507	7,910
2013	11,672	512	7,410
2014	10,835	447	6,747
2015	10,395	503	6,487
2016	10,857	493	6,737
2017	10,591	501	6,658
2018	11,336	502	7,144
2019	10,982	482	6,772
2020	8,030	320	5,075
2021	8,496	401	5,364
2022	9,659	529	5,904
2023	10,409	543	6,071
2024	2,393	142	1,400

Appendix E: Qualifications

Baumgartner

I am employed as the Richard J. Richardson Distinguished Professor in Political Science at the University of North Carolina at Chapel Hill. I received my BA, MA, and PhD degrees in political science at the University of Michigan (1980, 1983, 1986). I have been a faculty member since 1986 and have had full-time tenure-track or tenured academic positions at the University of Iowa, Texas A&M University, Penn State University, and UNC-Chapel Hill, where I have worked since 2009 as the inaugural holder of the Richardson Chair. I received tenure in 1992; was promoted to the rank of full professor in 1998; and to the rank of distinguished professor in 2005. I regularly teach courses at all levels and many of those courses involve significant instruction in research methodology. My research generally involves statistical analyses of public policy problems, often based on originally collected or administrative databases.

I have published over a dozen books and more than 100 articles in peer-reviewed journals, articles in law reviews, and chapters in peer-reviewed edited books. I have received a number of awards for my work, including six book awards, awards for database construction, and so on. I am a fellow of the American Academy of Arts and Sciences, an honorary society dating back to 1780. I was a fellow of the John Simon Guggenheim Memorial Foundation for the 2023-24 academic year. I have been invited as a visiting scholar in universities in the US, UK, France, Italy, Spain, and Switzerland. I have given over 100 invited academic lectures in universities in many countries. I have received multiple grants from the National Science Foundation totaling over $2 million as well as research grants from the State of Pennsylvania, from national funding agencies in Norway, Spain, and France, as well as from the Region of Catalonia and the European Science Foundation.

I have published two books about the death penalty. The first, *The Decline of the Death Penalty and the Discovery of Innocence* (Baumgartner et al., 2008), focused on public opinion

toward capital punishment and the impact of the "innocence" argument on public opinion and on the number of death sentences handed down, nation-wide. My co-authors and I were awarded the Gladys M. Kammerer Award for the best publication in the field of US national policy from the American Political Science Association for this book in 2008. The second book, *Deadly Justice: A Statistical Portrait of the Death Penalty* (Baumgartner, Davidson, et al., 2018), provides a statistical overview of a broad range of questions relating to the "modern" (post-*Furman*) application of the death penalty: demographic characteristics of the offenders and victims, rates of use, comparison to homicide numbers, geographical patterns, eligible crimes in different states, cost, deterrence, rates of reversal, time from death sentence to execution, and so on. The book derives from and is the main text in a course I teach about the death penalty that regularly enrolls over 400 students at UNC-Chapel Hill.

My book *Suspect Citizens: What 20 Million Traffic Stops Tell Us About Policing and Race* (Cambridge University Press, 2018) won the C. Herman Pritchett Award for the best book published in 2018 from the APSA Section on Law and Courts (2019). This book uses statistical methods to analyze race- and gender-based disparities in the outcomes of millions of routine traffic stops. The results of our study have informed public policy discussions regarding police and have been cited in judicial rulings concerning the fourth amendment (see CV for a list).

I have also published a number of death penalty-related studies in law reviews and peer reviewed academic journals. Several of these makes use of a comprehensive database of over 9,000 death sentences across the country, noting the county and year of the death sentence (see Baumgartner et al. 2020; Baumgartner, Caron, and Duxbury 2022, Haney, Baumgartner, and Steele 2022). Others (e.g., Lyman, Baumgartner, and Pierce, 2021; Baumgartner 2022) involve a "Baldus-style" analysis of a set of homicides to determine the statistical correlates of being

sentenced to death. (A "Baldus-style" analysis refers to one similar to that conducted by Prof. David Baldus and presented in litigation leading to the US Supreme Court decision in *McCleskey v. Kemp*, 481 U.S. 279 (1987). See Baldus et al. 1983.) I have published work on the geographical distribution of death sentences and executions, based on a previous version of the database I use here and on a more limited one on cases eventually leading to execution (see Baumgartner et al. 2020, Baumgartner, Box-Steffensmeier et al. 2018, and Baumgartner et al. 2016). Many of these elements of my research are reflected in my book, *Deadly Justice* (see Baumgartner, Davidson et al. 2018). My most recent peer-reviewed articles drawing from a database similar to the one used here include Baumgartner, Caron, and Duxbury (2022), on the linkage between public opinion and the death penalty, and Haney, Baumgartner, and Steele (2022), on the application of the death penalty to offenders aged 18, 19, or 20 at the time of their crimes.

Regarding the death penalty, I have testified on matters relating to the use of the death penalty with offenders in the age group of 18, 19, and 20 years of age (*State v. Guzek*, Marion County OR, No. 17CV08248; court testimony in Salem OR, October 10, 2019); the patterns of use of the death penalty in Pennsylvania (*Cox v. Commonwealth of Pennsylvania*, oral testimony in court, Philadelphia, PA, August 5, 2022); gender differences in use of state peremptory strikes in the case of *State v. Bell* (testimony in Onslow County Superior Court, Jacksonville, NC, December 6, 2022); the constitutionality of the Kansas death penalty system, based on numerous challenges (*State v. Young*, Wichita Kansas, court testimony on February 9, 2023); the constitutionality of the Arizona death penalty system based on race and gender disparities in its use (*State v. Ross*, Maricopa County Arizona, court testimony on August 16–17, 2023), and various challenges to the Louisiana death penalty (including the Roper-extension question, geographical arbitrariness, declining rates of use, and race and gender disparities in its use (testimony in *State v. Neveaux*,

Jefferson Parish, LA, February 20, 2024; similar testimony in the cases of *State v. Horn*, DeSoto Parish LA, May 29, 2024 and *State v. Jones*, Terrebonne Parish LA, September 20, 2024). Further, I have provided affidavits or reports in court cases in Missouri, Florida, North Carolina, Texas, South Carolina, and California as well.

Regarding racial disparities in traffic stop outcomes, I have published extensively in the field, testified before legislative bodies in Texas, Illinois, Washington; I have on-going legal work in association with the public defenders' offices in Washington, DC, Cook County, IL, Mecklenburg County, NC, and with the ACLU of Northern California concerning traffic stops in Siskiyou County, CA.

Regarding the California Racial Justice Act, I have worked on a capital cases in Riverside and Sacramento Counties, and non-capital cases in San Diego County.

Regarding felon disenfranchisement, I was the author of an expert report and testified in Wake County (NC) Superior Court in a case regarding racial disparities in the impact of felon disenfranchisement (*Community Success Initiative v. Moore*, testimony on August 18, 2021).

I have never been denied by a court when presented as a potential expert witness.

I have provided affidavits or reports in state or federal cases in Missouri, Florida, North Carolina, Texas, South Carolina, and California as well. I have also been the lead signatory or co-signatory on amicus briefs to the US Supreme Court as well as state supreme courts in Pennsylvania and Washington. My published works have been cited in opinions by the US Supreme Court as well as by the Supreme Courts of North Carolina, Oregon, Arizona, and Iowa. Please refer to my CV for a full list of these activities.

These experiences provide me with the context and background to provide opinion or testimony in this case.

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Johnson

I am employed as a post-doctoral researcher and in Fall 2025 I will be starting as an Assistant Professor on the tenure track at the University of North Carolina at Chapel Hill in the department of Political Science. I received my BA in political science from the University of North Carolina at Chapel Hill (2016), my MLS from the University of Chicago Law School (2022), and my PhD in government from Harvard University (2023). My research generally involves racial and ethnic politics and mixed method analyses, including statistical and historical archival research, of public institutions and policies. I have extensive experience conducting analyses on large administrative datasets. I have previously been awarded several prestigious fellowships,

including the Weiner Scholarship in Inequality and Social Policy at the Harvard Kennedy School, a dissertation library research fellowship at the University of North Carolina at Chapel Hill, and fellowships from the American Political Science Association.

I have been invited to give dozens of academic talks and lectures in various countries on my research. I also teach courses at all levels, including at the undergraduate and graduate level, which usually involves instruction on various methodological techniques, and have advised students on their thesis projects.

I have published peer-review articles on road safety laws (Nwanaji-Enwerem, Nwanaji-Enwerem, and Johnson, 2021), prison data collection (Johnson, 2021), and the death penalty (Baumgartner et al., 2016). I have co-authored a book, *Deadly Justice: A Statistical Portrait of the Death Penalty* (Baumgartner, Davidson, et al., 2018), which presents a statistical overview of a broad range of questions relating to the "modern" application of the death penalty: demographic characteristics of the offenders and victims, rates of use, comparison to homicide numbers, geographical patterns, eligible crimes in different states, cost, deterrence, rates of reversal, time from death sentence to execution, and so on.

My dissertation book project, which focused on the development of social services in North Carolina and the racially disparate impact of punitive policies, was awarded the Robert Noxon Toppan prize for the best dissertation upon a subject of political science from the Harvard University Department of Government and received an honorable mention from the American Political Science Association's Race and Ethic Politics section. In this project, I completed extensive analysis of administrative and census data, which included geocoding and cross-database merging.

I have worked with various organizations, as either a principal researcher or research assistant, to conduct data analysis on several topics, including felon disenfranchisement in North Carolina (The Freedom to Vote: Felony Disenfranchisement in North Carolina, Southern Coalition for Social Justice, 2019 and *Community Success Initiative v. Moore*), prosecutorial behavior (The Justice Collaborative, 2019), and racially disparate outcomes of the foster care system in Massachusetts (Citizens for Juvenile Justice, MA). I have been hired as an expert witness on several death penalty cases in North Carolina and South Carolina.

These experiences provide me with the relevant context and background to provide testimony in this case.

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