

UNDERSTANDING REDISTRICTING

How does it work and why does it matter?

What is Redistricting?

Most of our political representatives, from school boards to Congress, are elected by voters who have been sorted into districts. Redrawing the boundary lines for these districts is called redistricting.

Under the U.S. Constitution, redistricting happens about every ten years, after each decade's Census, to adjust the districts and make them roughly equal in population. In North Carolina, elected representatives are authorized to redraw the district lines for their own governmental body. So, school board members draw the school board lines, City Council members draw the city council lines, and state legislators in the General Assembly draw the state legislative and Congressional district lines.

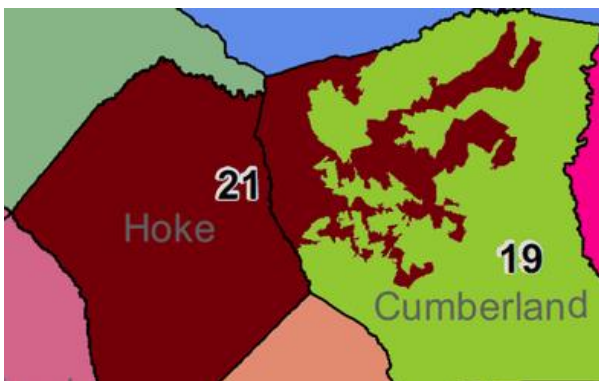
How Does Redistricting Affect Me?

The way a district's lines are drawn includes or excludes certain people. These decisions are often made based on party affiliation, race, or other factors, and will affect who gets heard, whose interests are most represented, and who can win the next election.

Too often in redrawing districts, elected officials focus on their own re-election rather than the people's interests. Redistricting then becomes a secretive process focused on advancing partisan interests; it becomes a way for politicians to pick their preferred voters and secure their power.

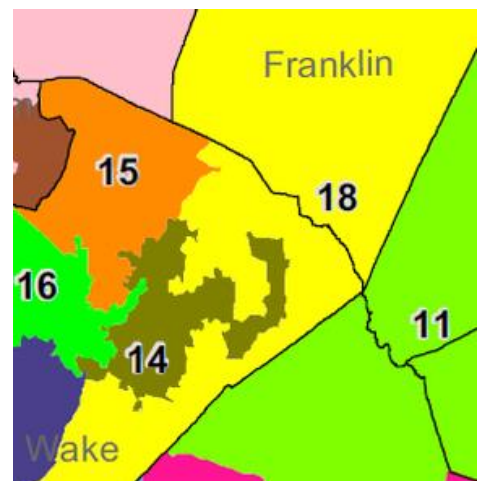
What is Gerrymandering?

Gerrymandering is the deliberate drawing of districts in a way that maximizes the power of the map drawers. Gerrymandering may result in oddly-shaped districts designed to greatly increase or decrease a certain kind of voter (e.g., Black voters or Republican voters). The illustrations below shows how gerrymandering can undercut the will of voters.



Left: Legislators drew Senate District 21 with tentacles that added black voters from Cumberland Co. to make District 19 more white.

Right: Legislators drew District 14 to pull in black voters and make District 18 more white.



How Can We Improve the Redistricting Process?

At Democracy North Carolina, we believe the redistricting process should be open, fair, and participatory. Whether redistricting is conducted by an independent, nonpartisan body or by the state

legislature or by using court-ordered standards, any process should:

- Protect voters of color by drawing districts that reflect the requirements of the Voting Rights Act and Equal Protection Clause of the 14th Amendment.
- Invite robust debate from community members, academics, and other stakeholders, and incorporate their feedback in the creation of districts.
- Reject partisan or racial gerrymandering of districts.

What's the Latest on NC's Districts?

(1) Congressional Districts: Despite an ongoing lawsuit challenging the 1st and 12th congressional districts as partisan gerrymanders, North Carolina voters will vote in the same congressional districts in 2018 that were used in 2016.

In 2016, the U.S. Supreme Court found that NC's 1st and 12th Congressional districts were illegal racial gerrymanders, requiring the General Assembly to draw new districts. But those new maps, which were used in 2016, were challenged as partisan gerrymanders in another lawsuit, *Common Cause v. Rucho*. Partisan gerrymandering places voters in districts based on which party they have historically voted for, with the intent of reducing competition and benefiting one party.

In January 2018, a federal court ruled in favor of the *Common Cause* plaintiffs and ordered the legislature to draw new districts. But the U.S. Supreme Court stayed (stopped) that order, pending decisions on similar partisan gerrymandering cases from other states. Based on the U.S. Supreme Court's timeline for deciding the other partisan gerrymandering cases, new maps are unlikely for 2018.

(2) State Legislative Districts: North Carolina voters will elect state legislators from new legislative districts in 2018, but there are still some Wake County districts being challenged in court.

In 2016, a federal panel held in *Covington v. North Carolina* that the state's legislative districts were illegal racial gerrymanders. In 2017, the U.S. Supreme Court agreed, and the NCGA was ordered to draw new maps. After reviewing proposed new maps from both the NCGA and plaintiffs, the court ultimately chose to take the map-drawing responsibility away from the legislature and appointed an expert, called a "special master," to fix the racial gerrymanders. (The General Assembly's proposed maps not only failed to correct the racial gerrymanders, they also re-drew districts in Wake and Mecklenburg counties that did not need to be fixed – violating the N.C. Constitution's prohibition on mid-decade redistricting.)

In January 2018, the *Covington* panel approved the special master's maps. The NC General Assembly appealed this decision to the U.S. Supreme Court, which approved all of the special master's redrawn districts, except those in Wake and Mecklenburg counties. In February 2018, Democracy NC, NAACP, the League of Women Voters, A. Philip Randolph Institute, and individual plaintiffs filed a new state court case, *NAACP v. Lewis*, challenging the four Wake County legislative districts that were unnecessarily re-drawn in the NCGA's 2017 maps. That case has not yet gone to trial, and at this point it is unlikely that there will be any change to the Wake legislative districts in 2018.

What Can I Do to Promote Fair Redistricting? Visit the Action Hub: demnc.co/fairmaps

Contact Democracy NC for materials and help with actions or a speaker: 919-286-6000 or info@democracy-nc.org.

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