

To: Sen. Phil Berger, President Pro Tempore, North Carolina Senate
Rep. Tim Moore, Speaker, North Carolina House of Representatives
Sen. Daniel, Sen. Hise, and Sen. Newton, Co-Chairs, Senate Standing Committee on Redistricting and Elections
Rep. D. Hall, Chair, House Standing Committee on Redistricting

CC: Sen. Dan Blue, Senate Democratic Leader
Rep. Robert T. Reives, II, House Democratic Leader
Members, Senate Standing Committee on Redistricting and Elections
Members, House Standing Committee on Redistricting

10/1/2021

Dear Legislators,

Over the last four weeks, hundreds of North Carolinians have packed 13 public redistricting hearings held by the NC Legislature's Joint Redistricting Committee.

Attending these hearings was not easy for many North Carolinians. Although our state is experiencing a surge in COVID-19 cases,¹ lawmakers did not provide a way for the public to participate in hearings remotely. There were also no guarantees of social distancing or personal protective equipment at in-person hearings.

Hearings were held at only 13 locations across the state. This is compared to 63 public hearing sites that were offered in 2011.² All hearings were held on weekdays, with some beginning as early as 3:00 p.m. – a time when many North Carolinians are working, caregiving, or in school.

The shortage of hearing sites forced some North Carolinians to travel for hours to reach their closest public hearing site. Incorrect information about hearing locations was circulated to the public on more than one occasion.³

Despite these barriers, North Carolinians showed up to demand a transparent, fair, and inclusive redistricting process. Some spoke specifically about the uniqueness of their community – and how previous cycles of redistricting have denied them accountable representation, essential resources, and divided their neighborhoods at the expense of political gain.

A central theme was echoed in this testimony: North Carolinians are asking you to do better.

¹ COVID-19 patients in ICUs reaches pandemic high in NC amid ongoing delta surge, Raleigh News & Observer, August 26, 2021. Retrieved from <https://www.newsobserver.com/news/coronavirus/article253760313.html>.

² North Carolina Redistricting - 2011 Public Hearing Information (n.d.). Retrieved from <https://www.ncleg.gov/Legislation/SupplementalDocs/2011/publichearings/redistricting>

³ See <https://twitter.com/duncanreporting/status/1435719336585486337?s=20> and <https://twitter.com/bribrough/status/1437857482668392450?s=20>

The undersigned organizations urge you to immediately implement the following processes to ensure the public can meaningfully engage with the map drawing process ahead:

1. Offer the public a meaningful way to learn about and engage in the redistricting process online.

The North Carolina General Assembly's redistricting [website](#) does not contain any component of redistricting education. It is simply a warehouse for data, and does not provide any meaningful context or education about the redistricting process. The website is both hard to use and confusing – especially for community members who may not be computer savvy.

The North Carolina General Assembly must help residents understand the redistricting process. We cannot expect North Carolinians to provide meaningful public input if they do not have this foundation.

We ask you to immediately establish a standalone website where the public can learn about redistricting and participate in the process. It should be accessible, educational, intuitive, and easy to use. This website should be accessible in multiple languages. States with such websites include [Texas](#), [Virginia](#), and [California](#).

2. Include North Carolinians who speak different languages in the redistricting process.

Language interpretation and live streaming have not been offered at any public hearing in 2021. The need for interpretation is evident – at least one community member offered to provide live streaming and Spanish interpretation services himself, free of charge.⁴ Additionally, community members who provided their own interpreter were not offered additional time to translate their two-minute testimony.

Interpretation in commonly spoken languages in North Carolina – including Spanish, Chinese (Mandarin), Vietnamese, and Urdu – must be offered to all community members who participate in the redistricting process. This includes offering interpretation at all future public hearings. All redistricting materials should also be translated into the various languages commonly spoken by North Carolinians and published online. Lastly, the state legislature's redistricting website must also be accessible in multiple languages.

3. Guarantee that public comment is taken into consideration when drawing maps.

Over the past several weeks, North Carolinians have submitted hundreds of public comments about how the redistricting process should be conducted. This valuable information will help inform map drawers of how lines should be drawn – and provide vital information to those observing the process.

⁴ See testimony here: <https://www.youtube.com/watch?v=js4lq6nCynE&t=5535s>

We ask the Joint Redistricting Committee to immediately disclose how public comments will be reviewed and integrated into the map drawing process. Particular attention should be paid to comments containing “local knowledge of the character of communities,” which is an explicit component of North Carolina’s approved redistricting criteria.⁵

Lastly, we ask that all public comments submitted about the redistricting process be disclosed online, and that new comments be added on a weekly basis.

4. Perform all map drawing in public view.

In 2019, a court required the General Assembly to draw remedial maps in “full public view” and barred legislators from undertaking “any steps to draw or revise the new districts outside of public view.”⁶ Despite this requirement, several issues were flagged — including legislators and participants moving maps in and out of the meeting room during the redistricting process, holding conversations relevant to the redistricting process away from microphones, and failing to respond to public commentary.

All map drawing and revisions, including related redistricting discussions and meetings, must be performed in the public eye. This means that the public may observe the process in person or by viewing online. All recordings of the live video feed should be permanently accessible to the public on the redistricting website.

Any changes made to maps must be accompanied with an explanation made available to the public. All conversations or commentary by those engaged in the map-drawing process during any revisions should be audible to public observers. Maps should not be removed from the meeting room during the drawing or revising process except for secure storage. Final maps should be accompanied by a written justification for the districts chosen.

5. Ensure the public can observe the map drawing process in an online format.

All videos related to map drawing provided for public consumption should be time stamped and of a quality such that the public can view all relevant details of the proposed maps, including that all people — both staff and lawmakers — at a map-drawing computer are clearly identified by name and can be clearly seen and heard.

Hearing notices should include a contact phone number for those observing the process to

⁵ Criteria Adopted by Joint Meeting of Committees, August 12, 2021. Retrieved from <https://www.ncleg.gov/documentsites/committees/Senate2021-154/2021/08-12-2021/Criteria.adopted.8.12.pdf>.

⁶ See https://www.nccourts.gov/assets/inline-files/18-CVS-14001_Final-Judgment.pdf?Bwsegeo1VV20zhJsp9hoClvmoRp3A6AR, p. 350.

report technical issues. Should technical issues arise that prevent public observation, map drawing or revising should halt until those issues are resolved.

6. Disclose all parties involved with the map drawing process.

The public deserves to know who is participating in redistricting and why they are there. The legislature should disclose all consultants, attorneys, or other third parties participating in the redistricting process. This should be done immediately to the extent already known, and going forward, within 24 hours of engagement.

Participants should be introduced during public meetings if they are substantially involved in the process. This disclosure will further public confidence by ensuring that there are no conflicts of interest and that the key players are known to the public.

7. Disclose all systems used in map drawing to the public.

Any criteria, system, or data used to develop draft maps should be publicly disclosed in committee meetings and preserved in written form online before it is applied in drawing or revising any maps. This information should be disclosed to the public in advance of its use.

8. Release draft maps for public inspection as soon as possible.

As soon as any draft State House, State Senate, or Congressional district maps are available, the committee should immediately release them to the public. This will allow adequate time to review and provide timely, actionable comments.

The committee must release all maps and any iterative versions on a central location on the redistricting website. These maps must be in formats that allow the public to understand what data was utilized when drafting the maps, including block assignment files and shapefiles.

Moreover, the committee should include data descriptions in Excel sheets for members of the public who do not have access to mapping software, and a textual description of where the lines are to ensure visual accessibility.

9. Hold public hearings after draft maps are released.

Chairman Hise has stated that the committee does not plan to hold public hearings after maps are released to the public.⁷ This is both disappointing and unexpected, as public hearings were held at 19 sites after draft maps were released in 2011.⁸

⁷ NCGA Joint Redistricting Committee, August 18, 2021. See video at 48:48. Retrieved from <https://www.youtube.com/watch?v=Fi7MRCyUUI4&t=1285s>.

⁸ North Carolina Redistricting - 2011 Public Hearing Information (n.d.). Retrieved from <https://www.ncleg.gov/Legislation/SupplementalDocs/2011/publichearings/redistricting>.

North Carolinians know their communities best – and can provide useful and important feedback to legislators after viewing draft maps. We call on you to offer a robust public hearing schedule after maps are released to the public, with public hearings concluding by October 18, 2021, at the latest.

Public hearings must be offered in a way that allows for participants to both watch and meaningfully participate in hearings remotely. It should be noted that states including Texas, South Carolina, Georgia, and Alabama offer similar remote participation to their community members.

As we enter this next critical phase of redistricting, North Carolinians deserve nothing less than a participatory, inclusive, and transparent process.

As committee members repeatedly heard over the past four weeks, the maps you draw are not just political in nature – they have real, long-lasting consequences on communities across North Carolina.

Now is the time for you to rise to the level demanded by your constituents. We challenge you to draw maps that reflect the vibrancy and diversity of North Carolina – and in such a manner that ensures a trustworthy process.

Sincerely,

Democracy NC
7 Directions of Service
A Better Chance A Better Community (ABC2)
American Civil Liberties Union of NC
Campus Vote Project
Care in Action NC
Carolina Jews for Justice
Center for Biological Diversity
Common Cause NC
El Pueblo
Emancipate NC
Equality NC
Fair Elections Center
Fayetteville Police Accountability Community Taskforce
Fortaleza
Forward Justice
Friends of the Earth
Helping All People Excel

Freedom Tree at IDR
Interfaith Initiative for Social Justice
League of Women Voters Henderson County
League of Women Voters of Charlotte-Mecklenburg
League of Women Voters of North Carolina
Mexican American Legal Defense and Educational Fund (MALDEF)
Moore County NAACP
NARAL Pro-Choice North Carolina
National Association of Social Workers North Carolina
National Association of University Women
National Council of Negro Women, Inc. - North Carolina Coalition
National Council of Negro Women - Capital Area Section
National Council of Negro Women Durham Section
Native Organizers Alliance
NC Citizen
NC Counts Coalition
NC League of Conservation Voters
NC NAACP Eastern NC
NC National Organization for Women
NCPIRG
New River Catawba Tribe
New Rural Project
North Carolina Asian Americans Together
North Carolina Conservation Network
North Carolina Council of Churches
North Carolina Justice Center
Occaneechi Band of the Saponi Nation
Progress NC
Raleigh NOW
Redhawks American Indian Educational and Culture Awareness Council Inc
Southern Coalition for Social Justice
State Innovation Exchange
Winston Salem Justice Collective
Winston-Salem Women of Action
You Can Vote
Zioness Movement - Raleigh Durham Chapter