

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

February 14, 2022

Dear Legislators:

Now that the North Carolina Supreme Court has asked you to redraw both the legislative and congressional districts, we again<sup>1</sup> ask that you:

- Engage in an open process which includes performing all mapmaking in the public view with transparency about any assistance provided to mapmakers;
- Release any and all draft maps to the public in a timely manner; and
- Take into consideration the full range of public comment provided throughout the redistricting cycle.

**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. 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.”<sup>2</sup> In response, during the 2021 redistricting cycle, lawmakers pledged to follow the 2019 requirements — yet they failed to make this “the most transparent redistricting cycle in history.”

Despite these requirements, legislators and participants still moved maps in and out of the

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<sup>1</sup> Letter sent 8/2/21;

<https://democracync.org/wp-content/uploads/2021/08/Aug-2-2021-Ltr-re-Ensuring-Fair-Redistricting-in-NC-in-2021-1.pdf>;  
sent 9/3/21; <https://democracync.org/wp-content/uploads/2021/09/Public-Hearing-Demands-Letter-Coalition-Sign-On.pdf>;  
sent on 10/1/21

<https://democracync.org/wp-content/uploads/2021/09/Public-Hearing-Demands-Letter-Coalition-Sign-On.pdf>

<sup>2</sup> See

[https://www.nccourts.gov/assets/inline-files/18-CVS-14001\\_Final-Judgment.pdf?Bwsegeo1VV20zhJsp9hoClvmoRp3A6AR](https://www.nccourts.gov/assets/inline-files/18-CVS-14001_Final-Judgment.pdf?Bwsegeo1VV20zhJsp9hoClvmoRp3A6AR), p. 350.

meeting room, held conversations relevant to the redistricting process away from microphones, and failed to respond to public commentary. Lawmakers even withheld the truth: having strategy sessions and using now-destroyed secret concept maps outside of public view.

In order to begin to rebuild the public's trust during this expedited process, at a minimum all map drawing and revisions, including related redistricting discussions and meetings, must be performed in the public eye. This means that the public must be able to observe the process in person or online. All recordings of the live video feed should be permanently accessible to the public on the redistricting website and correctly labeled. All public mapmaking, hearings, and sessions should host language interpretation for non-English-speaking North Carolinians.

Hearing notices should include a contact phone number for those observing the process to report technical issues. Should technical issues arise that prevent public observation, map drawing or revising should halt until those issues are resolved.

## **2. Disclose all parties, systems, and documents involved with the map drawing process.**

The public deserves to know who is participating or providing assistance during this remedial stage. The legislature should disclose all legislative staff, consultants, attorneys, or other third parties participating in the redistricting process.<sup>3</sup> 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 or during map drawing sessions if they are substantially involved in the process. This disclosure will further public confidence by ensuring real transparency in the process, that there are no conflicts of interest, and that the key players are known to the public.

Following the N.C. Supreme Court's order, any changes made to maps must be accompanied with an explanation and made available to the public. All conversations or commentary by those engaged in the map-drawing process during any revisions should be clearly audible to public observers. Maps should not be removed from the meeting room during the drawing or revising process except for secure storage. Any concept maps or other mapmaking resources should also be preserved and disclosed to the public. Final maps should be accompanied by a written justification for the districts chosen.

Moreover, any criteria, system, or data used to develop draft maps must be publicly disclosed in committee meetings and preserved before it is applied in drawing or revising any maps. Legislators and legislative employees have an obligation to preserve any documents, including all drafts and requests, concerning state legislative and Congressional redistricting.<sup>4</sup>

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<sup>3</sup> Under N.C.G.S. § 120-129(2), a legislative employee is defined as "employees and officers of the General Assembly, consultants and counsel to members and committees of either house of the General Assembly or of legislative commissions who are paid by State funds, students at an accredited law school while in an externship program at the General Assembly...and employees of the School of Government at the University of North Carolina at Chapel Hill[.]"

<sup>4</sup> See N.C.G.S. § 120-133.

### **3. 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.

As you repeatedly heard this past fall, the above demands are but a few of the public's overarching demands for a more fair and transparent map making process. 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, and the North Carolina Supreme Court. We challenge you to draw maps that reflect the vibrancy and diversity of North Carolina — and in such a manner that builds confidence in this process.

Sincerely,

A Better Chance a Better Community (ABC2)  
ACLU of North Carolina  
Action NC  
Asociación Dominicana  
Carolina Jews for Justice  
CIMA-• Compañeros Inmigrantes de las Montañas en Acción  
Common Cause NC  
Communications Workers of America  
Democracy North Carolina  
Down Home North Carolina  
Education Justice Alliance  
El Pueblo  
Emancipate NC  
Equality North Carolina  
Fayetteville Alumnae Chapter Delta Sigma Theta Sorority, Inc.  
Friends of the Earth  
Indivisible NC District 9  
Interfaith Initiative for Social Justice  
Just Economics

League of Women Voters N.C.  
Mujerxs Organizando Oportunidades Notables/MOON  
NALEO Educational Fund  
NC A. Philip Randolph Institute  
NC Alliance for Retired Americans  
NC Counts Coalition  
North Carolina Asian Americans Together  
North Carolina Black Alliance  
North Carolina Business Council  
North Carolina Coalition - National Council of Negro Women, Inc  
North Carolina Justice Center  
North Carolina Voters for Clean Elections  
Planned Parenthood South Atlantic  
Pro-Choice North Carolina  
Repairers of the Breach  
Respuesta Rápida de Durha  
Southern Christian Leadership Conference - Wake County  
Triangle Native American Society  
Umstead Park United Church of Christ  
Wake County Southern Christian Leadership Conference