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August 22, 2017

League of Women Voters statement for the hearing on the proposed House and Senate district maps

We appreciate the Committees' work to produce maps that improve on the current maps, but it seems we still have a way to go.

We would like to emphasize that, while we don't see the Committee members as foxes and we certainly do NOT see ourselves as hens, we're still letting the foxes guard the henhouse.

We need to put the voters, not the politicians, in the driver's seat. Voter participation in drawing the maps is key to making this happen.

Real public participation requires time. Citizens have had only three days to look at the House map, two days for the Senate, and just a day for the data. By putting off the map-drawing to the last moment, the legislature has denied voters a real chance to have their say.

Some of the Committee's nine criteria, such as more compactness and less precinct-splitting, were welcome, but others have no place in drawing fair districts. But even for the appropriate criteria, the Committee gave us yardsticks that don't have any numbers on them. This makes it pretty hard to say how the new districts measure up.

For example, the criteria called for splitting fewer precincts, but didn't set a target or say how to decide when to split a precinct.

So, what about the maps?

We appreciate the Committee's reporting of at least some data on how the proposed maps perform against their criteria and we have used this information to attempt to assess them ourselves.

Since time is short, we will just hit the highpoints.

The Committee clearly made the right choice in adopting county groupings that conform to the NC Constitution, producing a map that improves on the current one in that respect, even if this does not by itself guarantee that the districts also comply. We also see some progress on compactness, with somewhat better average scores than last time for the Senate map on both measures. The House districts have much less squiggly boundaries, but the new maps apparently don't score any better on either measure. This suggests that we are still falling short of fair districts.

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The promise to split fewer precincts came without a target, but we're glad to see that the new maps split far fewer precincts. The House map still splits 49, but that's a lot less than the 394 split in 2011.

The Committee decided to avoid pitting incumbents against each other. This criterion simply has no place in a fair process. Elections should be all about protecting voters' ability to have their say, not protecting incumbents.

We haven't been able yet to assess how the use of political considerations and election results affected the maps, but misuse of these data to predetermine election outcomes is what gerrymandering is all about. We share the legislators' belief in the power of competition to benefit consumers and business. We believe it's good for democracy, too.

The exclusion of racial data makes it impossible to say whether, in all cases, minority voters have a reasonable chance to elect their preferred candidate, so we can't say whether the maps meet this core requirement of the Voting Rights Act.

Overall, given that more data are needed for a full assessment, for now we'll just grade the Committee's work "incomplete."

However the court responds to the maps that the General Assembly submits, let's work together to develop a truly fair, participatory, and transparent process for drawing our districts in the future.