

# Fair Maps=Fair Elections

FAIR ELECTIONS ACTION TEAM

LWVNC

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## Gerrymandering: A Primer



**“There is no issue that is more sensitive to politicians of all colors and ideological persuasions than redistricting. It will determine who wins and loses for eight years.”**

*- Ted Arrington, political science chair, UNC-Charlotte quoted during Shaw v. Hunt trial, March 1994*

### What IS Gerrymandering?

Merriam Webster defines gerrymandering as [the act] of dividing (a territorial unit) into election districts to give one political party an electoral majority in a large number of districts while concentrating the voting strength of the opposition in as few districts as possible. Here in North Carolina, voters experience more than our share of this currently legal practice. Yes, that’s right, gerrymandering is legal.

The NC state legislature is responsible for drawing district maps after every census or as required by court decisions or federal mandates. It is customary that members of the

party in power often attempt to draw map boundaries in order to benefit themselves or their political party.

Partisan gerrymandering has been practiced by BOTH parties for years. New software assisted map-drawing and data-driven voter analysis methods have created “gerrymandering on steroids,” enabling the party in charge to pinpoint and isolate opposition voters. The graphic below dramatizes a North Carolina gerrymander where the lawmakers drew district lines to ensure that one party's voters would be concentrated in four districts, thus guaranteeing that the other would win nine seats.

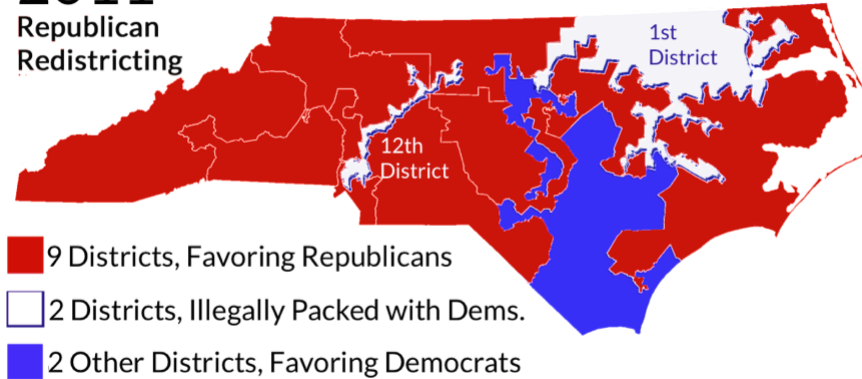
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Both parties use partisan gerrymandering to improve their share of the seats. Since the 2011 redistricting following the 2010 census, gerrymandering has come under

increased scrutiny nationwide, with ongoing federal and state litigation in North Carolina and several other states.

## 2011 Republican Redistricting



In several states, including North Carolina, court cases address racial gerrymandering, which has been found to violate the Voting Rights Act and/or the Fourteenth Amendment. Other cases, including the League of Women Voters of North Carolina v. Rucho, involve partisan gerrymandering. Federal courts have ruled against racial gerrymanders repeatedly and as of mid-2017 were considering five NC cases and many more cases nationwide. The Supreme Court has agreed to hear a Wisconsin case on the constitutionality of partisan gerrymandering.

## Why should I care about gerrymandering?

*Gerrymandering lets politicians choose their voters, instead of having the voters choose their representatives in competitive elections.*

1) **Gerrymandering greatly reduces officeholders' accountability to the voters** because they are in safe districts, as shown by the very high percentage of those who face no challenger in the primary, general election, or both. According to Common Cause of North Carolina:

- 30% of the 2016 state legislative seats had NO primary or general elections opposition.

- 40% of the 2016 state legislative seats had NO opposition in the general election.
- 2) **Gerrymandering means voters do not have a real choice, so politicians don't have to compete for their votes.** This removes or weakens competitive elections, one of the key requirements for democracy.
- 3) **Gerrymandering is a prime suspect in the "breaking" of the US political system.** Many feel it promotes political gridlock. Gerrymandering puts moderate candidates at a disadvantage in races where the primary is the only competitive race, promoting more ideologically extreme office-holders on both sides and making compromise in the public interest much harder.

## Gerrymandering:

- *Breaks down the connection between the voters and their elected officials*
- *Makes elected officials less accountable to citizens*
- *Undercuts bipartisan collaboration on the people's business*
- *Makes it harder for our elected officials to agree on how to improve our schools, build our state's economy, and strengthen our communities*
- *Leads citizens to withdraw from the political process*
- *Builds distrust of politicians and the system as a whole*

***This is how gerrymandering undermines our democracy.***



### What are the North Carolina General Assembly (NCGA) and the courts doing about it?

In North Carolina, numerous bills to create a fair districting process have been introduced since 2000 (and earlier), generally by the minority party. These bills have proposed various reforms to make redistricting more fair through non-partisan or independent redistricting.

Many of these bills have had bipartisan sponsors and/or bipartisan support. Most bills have failed to come to a vote, languishing in the Rules Committees. Only one bill has passed the House (in 2011); none have passed the Senate.

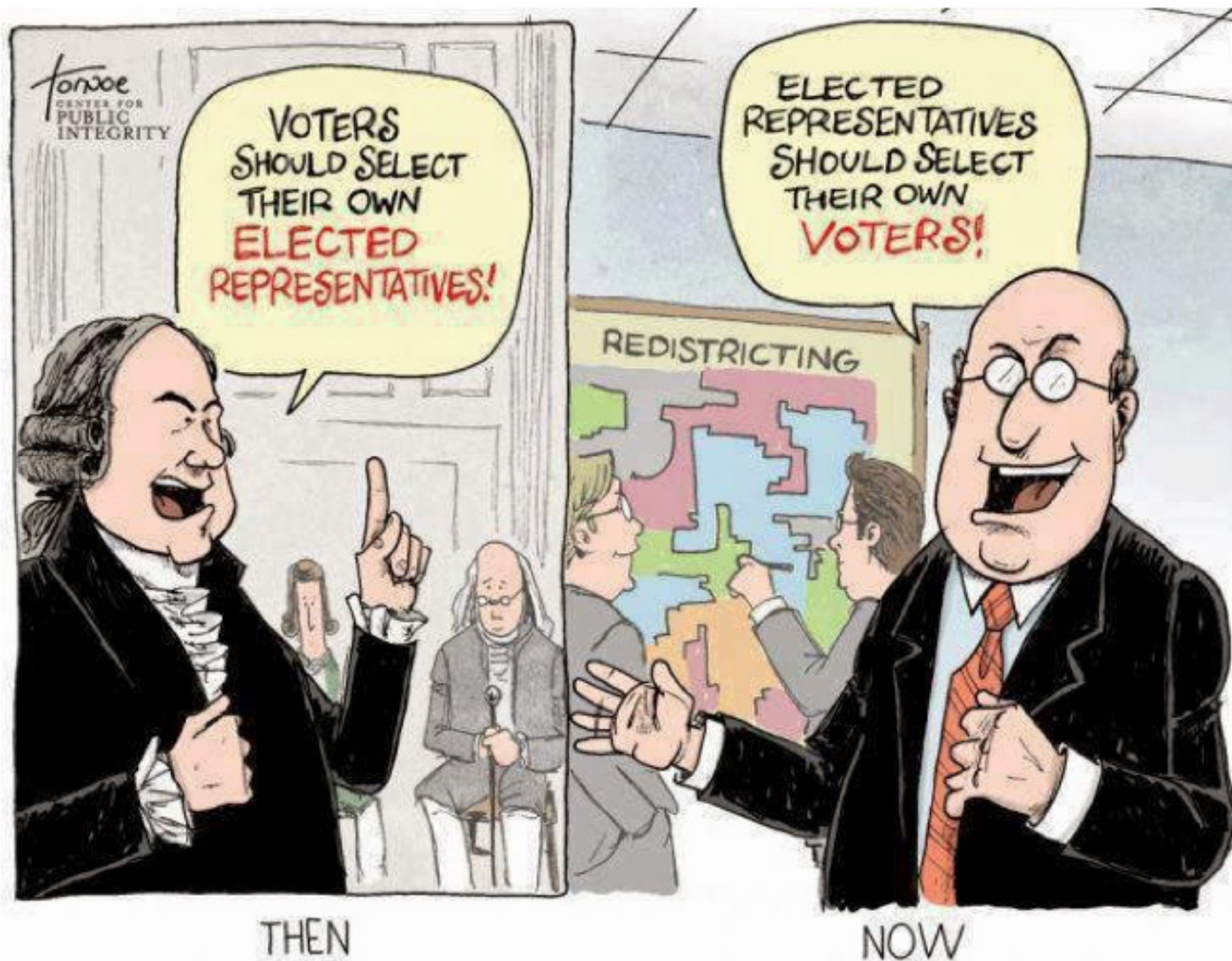
In the 2017 session, four bills were proposed in the House and two in the Senate, but no bill made it to the floor.

Gerrymandering has an especially fraught history in areas where historic voting and residence patterns along ethnic or racial lines tempt one party to use these factors to draw district boundaries in its favor; this is unconstitutional, if it can be proven. The Voting Rights Act requires that districts be drawn in ways that do not suppress the ability of minority voters to elect their preferred candidates; it does not require districts where members of a minority group constitute the majority (majority-minority districts). Thus far, use of partisan considerations remains constitutional.

	Republican	Democrat
What voters wanted*	51%	47%
What voters got		
US House	77%	23%
NC House	62%	38%
NC Senate	70%	30%

\*Statewide vote for President, Governor, Lt. Governor and US Senate. Libertarian received 2%  
Source: Common Cause of North Carolina

The League of Women Voters of North Carolina has been involved in several cases, including three current cases: LWVNC v. Rucho, now combined with Common Cause v. Rucho, challenges the North Carolina congressional plan enacted in February 2016 as a partisan gerrymander violating the 1st and 14th Amendments of the US Constitution. A separate case in federal district court, North Carolina v. Covington, challenges 28 General Assembly districts as racial gerrymanders; as of July 2017, it is awaiting the court's decisions on how to carry out the redistricting. The League is also a party to Dickson v. Rucho before the NC Supreme Court, challenging both legislative and congressional districts as racial gerrymanders.





## What can I do to end gerrymandering? How can I get involved?

The League of Women Voters of North Carolina (LWVNC) has established the Fair Elections Action Team (FEAT) to promote a state-wide educational and advocacy strategy aimed at winning NCGA approval for nonpartisan redistricting—one of the best solutions to gerrymandering. FEAT supports our 18 local Leagues in educating their members and their communities on redistricting, advocating for change with their elected officials, and collaborating with other states' Leagues. FEAT serves as the focal point for managing information and educational tools for redistricting reform, including information on the litigation to which the LWVNC is a part.

### FEAT needs you!

As part of the team, you will:

1. Design/develop/deploy materials and programs for member and community education.
2. Plan public forums or other events on redistricting reform.
3. Establish creative ways to reach out to new membership to build grass roots momentum.
4. Help League members and others keep up to date on the latest redistricting news via League or partner sponsored events.
5. Collaborate with other organizations working on this issue to increase our joint impact.

FEAT also supports the work of the League's General Assembly Team to engage with our legislators on redistricting, both in the NCGA and through At-Home Teams in our local Leagues.

***If you want to make a difference in the future of North Carolina elections, help us to end gerrymandering!***

***Email us: at featnc@gmail.com.***

*This primer was developed as a collaboration of several League of Women Voters chapters in North Carolina and is designed to educate League members on the fundamentals of what has become one of the most litigious and controversial practices in recent political history: gerrymandering. Special thanks to Barbara Bleiweis, Jennifer Bremer, and Mary W. Cox for their contributions.*

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