

INFO BRIEF

Racial Gerrymandering



What is Racial Gerrymandering?

Racial gerrymandering is a political practice that confines the voting power of racial minorities to one district as a method of voter suppression. Racial gerrymandering often culminates in ‘majority-minority’ districts. These are areas that have a disproportionately high number of Black or Latino voters, while their surrounding districts are—usually—predominantly white.¹ Consequently, racial gerrymandering dilutes the potential voting strength of minorities in other areas of a city or state. In short, gerrymandering segregates traditionally marginalized communities—low income, racial minorities—under one umbrella, or representative.

In addition to siloing minorities under one or two representatives, racial gerrymandering also provides a heightened barrier of access for voters. Districts that have been deemed majority-minority are understaffed on voting days, have workers who are poorly trained on voting procedures, utilize faulty or broken machinery, and—most often—have longer lines to vote.² Racial gerrymandering has appeared across the country in major cities like New York, Detroit, and Miami. However, it is most pervasive and apparent in southern areas of the US such as North Carolina, Virginia, and Alabama.³

Current State of Racial Gerrymandering

Racial Gerrymandering has increased following the Supreme Court’s ruling in *Shelby V. Holder* in 2013. The Shelby case firmly concluded that states are no longer required to go through a process of obtaining explicit federal permission to change their voting laws.⁴ This process—which was initially set in place for states that had a history of racial voter suppression—was no longer a barrier, giving way for legislation that explicitly discriminates against racial minorities.

There have been dozens of examples of racial gerrymandering over the past year, alone. In January of 2016, a federal appeals court found that Alabama had engaged in racial gerrymandering in 12 districts to maintain the Republican majority in the state.⁵ In December of 2016, the SCOTUS took on two cases of gerrymandering in *Bethune Hill v. Virginia State Board of Elections* and *McCrorry v. Harris*.^{6,7} North Carolina is not new to accusations of voter suppression; the districts named in *McCrorry* were contested on suspicions of racial gerrymandering in 2013 as well. While the *McCrorry* case is still being argued in the Supreme Court, on March 1st, 2017 the SCOTUS ruled in a 6-2 decision that the three-judge panel had applied the wrong legal standard to reach its conclusion that race had not predominated the drawing of the 11 challenged districts in the case of *Bethune Hill*. While the courts are taking on cases of racial gerrymandering, other entities are also addressing the issue. In December 2016, former Attorney General Eric Holder announced the Democratic National Committee’s

Sources

- 1 Soffen, K. S. K. (2016, June 9). [How racial gerrymandering deprives black people of political power](#). *Washington Post*.
- 2 Draper, R. (2014, February 19). [The league of dangerous Mapmakers](#). *The Atlantic*. Retrieved from
- 3 Kotch, A. (2016, December 9). [U.S. Supreme court may finally define racial gerrymandering in cases from the south](#). Retrieved March 2, 2017, from Facing South.
- 4 ["Shelby County v. Holder." Oyez](#). Accessed 24 Feb. 2017.
- 5 Ollstein, A. M. (2017, January 20). [Alabama found guilty of racial gerrymandering](#). Retrieved March 2, 2017.
- 6 [Bethune-Hill v. Virginia Board of Elections](#). (2017, March 1). Retrieved March 2, 2017, from Brennan Center For Justice.com
- 7 [McCrorry v. Harris](#). (2017). Retrieved March 2, 2017, from SCOTUSblog.com.
- 8 Burns, A., & Martin, J. (2017, January 13). [Eric holder to lead democrats' attack on republican gerrymandering](#). *NYTimes*.

creation of the National Commission on Voting Rights with a special emphasis at racial gerrymandering.⁸

Why Racial Gerrymandering Matters

Racial gerrymandering often privileges predominantly white communities and Republican legislatures. Areas where we find gerrymandering the most rampant are usually states dominated by a Republican supermajority. These are areas that have pockets of Democratic voters, but maintain a Republican majority in the House of Representatives. Racial gerrymandering is glaringly apparent when there is a stark imbalance in represented demographics. For example, North Carolina's only three Democratic districts are predominantly Black and Latino, while their Republican districts are predominantly White (over 65%). The same can be said for Mississippi, Alabama, and South Carolina.