

What does the Voting Rights Act require when it comes to redistricting?

To provide voters of color with an equal opportunity to elect their preferred candidates, Section 2 of the Voting Rights Act prohibits states from drawing electoral lines with the intent or effect of diluting minority voting strength.

Accordingly, the Reapportionment Committee must ensure that any maps it draws or produces comply with the “One Person, One Vote” mandate of the Fourteenth Amendment’s Equal Protection Clause and Section 2’s “nationwide ban on racial discrimination in voting,” without using either as a pretext to engage in racial gerrymandering.

OVER 100 OBJECTIONS

With preclearance in place, the U.S. Department of Justice cited over 100 objections of “discriminatory changes in voting practices or procedures in Alabama,” including at least 16 objections to proposed state or local redistricting plans that would have violated the Voting Rights Act.

Why should this matter to the Reapportionment Committee?

Thanks to the Supreme Court's decision in [Shelby County v. Holder](#), originally filed here in Alabama, this will be the first redistricting cycle without the protections of Section 5 of the Voting Rights Act, which had played a critical role in safeguarding against plans that made voters of color worse off than the existing plans.

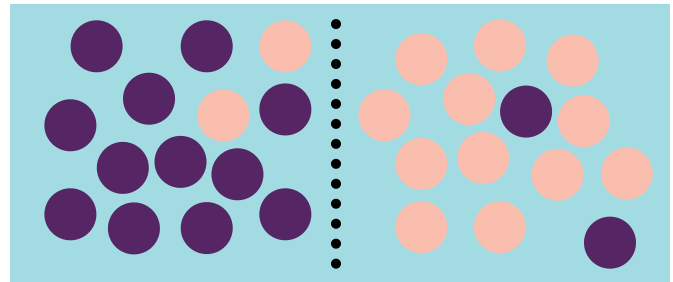
Without preclearance, the Reapportionment Committee must affirmatively facilitate a redistricting process that complies with federal mandates in force, including Section 2 of the Voting Rights Act and the Fourteenth and Fifteenth Amendments’ prohibitions on racial discrimination.

Because of Alabama’s stark patterns of voting along racial lines, the Reapportionment Committee and legislature [must carry out their obligations under Section 2 of the Voting Rights Act affirmatively in drawing maps, not merely as an afterthought after maps are drawn](#). At minimum, any maps that this body adopts must preserve any effective districts that are VRA-compliant and also consider whether additional effective opportunity districts are required.

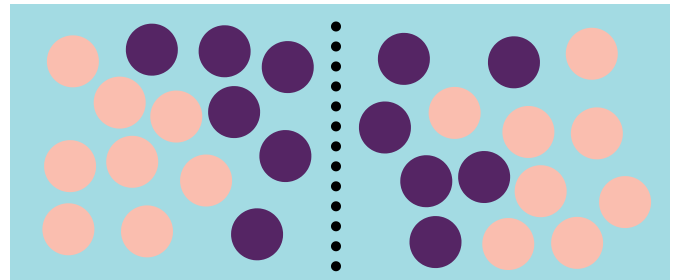
The U.S. Constitution protects against maps that intentionally “pack” or “crack” Black voters — both techniques employed by Alabama in the past to diminish the political power of Black people.

The Black populations in effective Black districts such as Congressional District 7 and in certain state legislative districts must not be cracked such that Black voters can no longer elect candidates of choice in any district in the State; but they also must not be artificially inflated beyond what is necessary for VRA compliance, which could violate the U.S. Constitution.

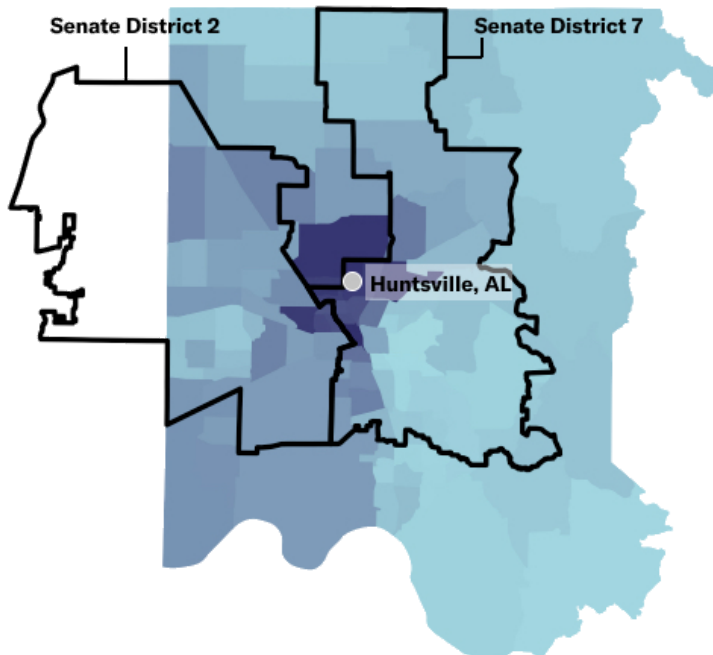
For example, in the State Legislature, current maps offer evidence of significant unnecessary packing of Black voters into several districts in the Montgomery and Birmingham areas in ways that do not reflect communities of interest and are well beyond the thresholds necessary for Black voters to elect candidates of choice.



PACKING - WHERE ONE DISTRICT HAS AN UNNECESSARILY HIGH BLACK POPULATION



CRACKING - WHERE BLACK COMMUNITIES ARE SPLIT INTO DIFFERENT DISTRICTS



By contrast, Huntsville’s Senate districts are currently cracked in a way that artificially dilutes Black voting opportunity. These uses of race are not narrowly tailored to comply with the VRA but rather unnecessarily and improperly dilute Black voting strength in neighboring districts.