

NC Families First – “Unfairly” Backup – North Carolina Supreme Court

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<p>VO: It’s called "The Snake." A long, skinny Congressional district drawn along I-85...</p> <p>ON SCREEN: 12th Congressional District</p>	<p>“Now the snake is gone...” “The 12th District used to stretch from Charlotte to Greensboro along I-85 ... so narrow in places that people compared it to a snake. It was overwhelmingly Democratic, and 51 percent of voters were African-American. Now the snake is gone...” (WFAE, 6/3/16)</p>
<p>VO: ...to segregate African-Americans voters.</p> <p>ON SCREEN: Segregate African American Voters (Fayetteville Observer, 2/18/16)</p>	<p>12th and 1st Congressional Districts “illegally segregate black voters from the rest of the state.” “In an effort to address the court ruling that said the 1st Congressional District and the 12th Congressional District are unconstitutional, that they illegally segregate black voters from the rest of the state, the Senate voted to change all 13 of North Carolina's congressional districts. The state House is to take up the issue today.” (Fayetteville Observer, 2/18/16)</p>
<p>VO: “The Snake” and others like it were drawn by state legislators as a partisan power grab.</p> <p>ON SCREEN: “Race-based redistricting.” - (Greenville Reflector, Editorial, 8/2/16)</p>	<p><u>On Screen</u></p> <p>Greenville Daily Reflector: “North Carolina appears determined to move backwards.” (Greenville Daily Reflector, Editorial, 8/2/16)</p> <p>“Race-based redistricting” disenfranchised African-Americans. “Decisions about the law can be difficult to reach because right and wrong usually exist on both sides of an issue. That apparently was not a problem facing the 4th U.S. Circuit Court of Appeals’ 3-judge panel in the case of North Carolina’s 2013 voter ID law. The panel’s stinging summary of its findings was razor sharp and cut straight to the problem: The willful intent to strategically disenfranchise African-Americans by the state’s Republican lawmakers; the second such finding this year, the first through <u>race-based redistricting</u>.” (Greenville Daily Reflector, Editorial, 8/2/16)</p>

Backup

Districts “crammed” more black voters into districts than necessary, and “made it easier for Republican candidates to win.” “The architects of the current maps of General Assembly districts billed them as complying with the law and the Constitution, saying they fully guaranteed that African-American candidates would be able to win seats. They were right about that, as recent electoral experience has shown. But what they didn't say was that the revised districts crammed way more African-American voters into those districts than was necessary for success - and thus took them out of adjoining districts, which made it easier for Republican candidates to win, and for the GOP to maintain its grip on the General Assembly.” (Fayetteville Observer, Editorial, [8/14/16](#))

Federal court called one district “bizarre and sprawling” – 28 districts ruled illegal racial gerrymanders. “There are 120 state House districts and 50 state Senate districts. The court found that 28 of those districts were illegal racial gerrymanders. In practice, that will require both the House and the Senate maps to be entirely redrawn. "Visually, House District 48 is one of the most bizarre and sprawling districts in the Enacted House Plan," the court wrote, referencing the district represented by Rep. [Garland Pierce](#), D-Scotland. "The district is located in portions of Hoke, Robeson, Scotland, and Richmond Counties. The base of the district is a narrow strip of land along the border between North Carolina and South Carolina." The court goes on to describe the district's three arms that reach out and grab pockets of Democratic voters.” (WRAL, [8/11/16](#))

Fayetteville Observer Editorial: Districts were “monstrously deformed districts that gave rise to the original political cartoon that coined the word ‘gerrymander.’” “And the portion of Senate District 21 - represented by Democrat Ben Clark - that's in Cumberland County, "contains multiple appendages, which are so thin and oddly shaped that it is hard to see exactly where the district begins and ends," the ruling says. "Some portions of the district are so narrow that the district is nearly noncontiguous." They are, in short, the sort of monstrously deformed districts that gave rise to the original political cartoon that coined the word ‘gerrymander.’” (Fayetteville Observer, Editorial, [8/14/16](#))

VO: And Justice Robert Edmunds? He wrote the decision supporting the

On Screen:

<p>discrimination.</p> <p>ON SCREEN: ROBERT EDMUNDS wrote 2014 decision. (Dickson, <i>et al.</i> v. Rucho <i>et al.</i>, 2014)</p>	<p>Ruling: Dickson v. Rucho, 2014</p> <p><u>Backup:</u></p> <p>Edmunds wrote 2014 decision. (Dickson v. Rucho, 2014)</p> <p>Edmunds twice ruled for election districts later ruled discriminatory. “Twice, [Edmunds]'s sided with the court's conservative majority to allow the continued use of the racially gerrymandered legislative districts.” (<i>IndyWeek</i>, 6/1/16)</p> <p>State Supreme Court gave “legal protection” to maps until federal court ruling. “The state Supreme Court’s foot dragging has narrowed the window for overturning the maps. Two election cycles have already occurred using maps that may be thrown out and now there’s likely to be a third state legislative election based on them. At a minimum, given the ruling on districts 1 and 12, North Carolina already has held votes twice in unconstitutional congressional districts. Now the legal protection the state Supreme Court provided for the gerrymandering is unraveling. The federal ruling stressed the state Supreme Court’s error by citing December’s dissent by state Associate Justice Cheri Beasley, who said disenfranchisement of black voters is not excused by saying it is based on politics rather than race.” (News & Observer, Editorial, 2/6/16)</p>
<p>VO: “But federal judges rejected Edmunds’ opinion – and said the power grab was all about race. For Supreme Court, we deserve better than Bob Edmunds</p> <p>ON SCREEN: Federal judges rejected Edmunds’ decision "Violated the constitutional rights of</p>	<p><u>On Screen:</u></p> <p>Federal judges found redistricting was “based on the illegal use of racial quotas that <u>violated the constitutional rights of black voters.</u>” “Late Friday, a panel of three federal judges ruled in favor of plaintiffs challenging the lines of North Carolina’s 1st and 12th congressional districts. The panel ruled that the redistricting was based on the illegal use of racial quotas that violated the constitutional rights of black voters. The judges ordered the lines redrawn within two weeks.” (News & Observer, Editorial, 2/6/16)</p> <p><u>Backup:</u></p> <p>April 2015: US Supreme Court “threw out” NC court ruling, ordering NC Supreme Court to</p>

black voters." - (News & Observer, Editorial, [2/6/16](#))

North Carolina Supreme Court. Vote Against Robert Edmunds.

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reconsider whether legislature relied too heavily on race when redistricting. "The U.S. Supreme Court on Monday threw out a North Carolina court ruling that upheld Republican-drawn electoral districts for state and congressional lawmakers. The justices ordered the state Supreme Court to consider anew whether the North Carolina legislature relied too heavily on race when it redrew voting districts following the 2010 census. The high court issued a similar ruling last month involving a complaint from black Alabama Democrats that the Republican-dominated legislature illegally packed black voters into too few voting districts. In Alabama, the justices said a lower court used the wrong test when it upheld legislative districts and determined that race was not the primary motivating factor in drawing boundary lines. The Supreme Court said judges in North Carolina must revisit their ruling in light of the Alabama decision." (WRAL, [4/20/15](#))

February 2016: Federal Judges rejected Edmunds on NC's congressional maps, finding them racially gerrymandered. "Three federal judges on Friday threw out the [congressional voting maps the Republican-led General Assembly drew five years ago](#), ruling that two districts were gerrymandered along racial lines." (WRAL, [2/5/16](#))

- **Three-judge panel ruled that 1st and 12th districts drawn specifically so majority of voters were black.** "The three-judge panel ruled that the 1st Congressional District, which spreads like an octopus across northeast North Carolina and has a tentacle that dips into Durham County, and the 12th Congressional District, which snakes along Interstate 85 between Greensboro and Charlotte, were drawn specifically so that the majority of voters in each were black." (WRAL, [2/5/16](#))
- **4th US Circuit Court of Appeals ruled on case.** "There is strong evidence that race was the only nonnegotiable criterion and that traditional redistricting principles were subordinated to race," 4th U.S. Circuit Court of Appeals Judge Roger Gregory wrote for the court. "In fact, the overwhelming evidence in this case shows that a (black voting-age population) percentage floor, or a racial quota, was established in both CD 1 and CD 12. And, that floor could not be compromised." (WRAL, [2/5/16](#))