VIA EMAIL

To: Sen. Phil Berger
    President Pro Tempore, North Carolina Senate
    Rep. Tim Moore
    Speaker, North Carolina House of Representatives
    Chairs, Senate Standing Committee on Redistricting and Elections
    Rep. Destin Hall
    Chair, House Standing Committee on Redistricting

CC: Sen. Dan Blue, Senate Democratic Leader
    Members, Senate Standing Committee on Redistricting and Elections
    Members, House Standing Committee on Redistricting

September 25, 2023

Dear Legislators:

We write in advance of the North Carolina General Assembly (NCGA)’s 2023 redraw of our state’s Congressional, state House, and state Senate voting districts to request an open and transparent redistricting process.

Open and transparent redistricting is not only fundamental to a representative democracy, but it is also crucial to strengthening trust in our elected officials and government. The recent actions (and inactions) of legislative leaders make us deeply concerned that the NCGA will once again fail at its responsibility to create a robust, transparent, and thoughtful process for receiving vital public input to draw new maps.

We have outlined below the elements of an inclusive redistricting process that could provide a more robust opportunity for public input that all North Carolinians deserve.

Implement a Redistricting Timeline That Allows for Informed Public Comment

The data needed to redraw district maps is currently available. There is no reason the NCGA cannot immediately provide public notice of the full timeline for redrawing our voting maps. This timeline should also provide ample opportunity for accessible public hearings both before and after draft maps are published, to allow for public input needed to redraw any district lines.
Specifically, the NCGA’s Joint Redistricting Committees should:

- Immediately consider and publicly adopt redistricting criteria that are compliant and consistent with the law. These criteria should outline the considerations for changing current district lines. The public adoption of these criteria can then facilitate more informed public comment on proposed redistricting considerations and plans.

- Take into account public input before proposing draft maps and after releasing them for public comment.

- Immediately explain the basis for any changes to current district lines.

- Allow for at least two weeks of public comment and legislative hearings after draft maps are released and prior to a vote in the legislature.

- Build in time to hold public comment hearings in each North Carolina Congressional district and each metropolitan and micropolitan area, with opportunities for in-person and virtual public testimony that incorporates language access.

- Promptly provide a public written evaluation of the Congressional, state Senate, and state House plans following their release, explaining why the committees drew the districts in the way they did, how the committees followed their own criteria, and how they addressed or incorporated public comment.

- Vote and pass the plans before the end of October to provide ample time for candidate considerations.

Provide Genuine and Meaningful Opportunities for Public Comment

The NCGA must show a genuine and robust commitment to hearing public comment. Ahead of any hearings, the NCGA should provide the public with access to:

1. A comprehensive and easily accessible redistricting website that includes:
   a. All redistricting information for 2023, including historical information from the 2021 process, on a unified redistricting website;
   b. Basic information that explains what redistricting is, why it is done, and why it is happening in 2023; and
   c. An explanation of county clusters, why they are used, and how the NCGA chose clusters for the state legislative districts.

2. Easily-accessible and understandable online access to draft maps with shapefiles.

3. Live-streams of the map drawing process and all public hearings in their entirety.

4. Language access. Live interpretation for redistricting hearings in the most common languages spoken in North Carolina, including Spanish.
5. **Audio and visual support** for the hearings and map-drawing for people with disabilities, including American Sign Language, interpretation and closed captioning.

6. **Public hearings held outside of traditional business hours**, allowing working voters to attend and provide input.

7. **An online comment portal**, which includes:
   a. a verification mechanism that ensures entries are made by individuals, not an automated computer program, to prevent fraudulent activity;
   b. clear instructions for when public commentary should be submitted to be considered by the legislature; and
   c. public access to all comments.

**Avoid Secret Maps and Other Processes That Harm Public Confidence in Our Democracy**

During the 2021 redistricting cycle, the NCGA misled the public. For example, despite claims that all map-drawing was occurring in public, it was later revealed that undisclosed and unelected partisan parties and nonpublic “concept maps” were used to craft North Carolina’s voting maps. The discovery of these “secret maps” was widely reported and damaged the perception of the open and transparent redistricting process that lawmakers promised.¹

In 2021, the NCGA also failed to follow its own redistricting criteria. Lawmakers adopted redistricting criteria in 2021 that included a ban on partisan considerations. Yet, state courts found that the state House, state Senate, and Congressional plans were all the result of “intentional pro-Republican partisan redistricting.” Districts were clearly drawn to maximize partisan advantage, disregarding community representation and input.

Furthermore, Republican leaders in the NCGA chose to utilize county cluster groupings which were favorable only to their party, at the expense of the majority of North Carolinians, including voters of color. Within these groupings, legislators consistently cracked and packed Democratic voters. One clear example is the Buncombe, Burke, and McDowell Counties’ cluster. As the trial court explained, “rather than pair Buncombe County with Henderson County which has become a ‘bedroom community’ of Asheville, Legislative Defendants grouped Buncombe County with Burke and McDowell counties, to the east.” Both Burke and McDowell Counties have a higher number of Republican-leaning precincts.

In 2023, the NCGA process should be informed by the voices and realities of all North Carolinians, regardless of race or party. In 2021, dozens of Triad residents provided comments asking for a Congressional district to represent their Triad region including the cities of Greensboro, High Point, and Winston-Salem. Instead of incorporating these comments, the NCGA did the opposite, splitting the Triad between four Congressional districts, and dividing each Triad city from the other, only to pair each city with distant rural towns or suburban areas in other regions of the state. Voters in the Sandhills like other parts of the state made similar

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¹ See, e.g., WRAL, “Secret maps, now gone, were used to draw parts of NC election map,” (Jan. 5, 2022), [https://www.wral.com/story/concept-maps-were-used-to-draw-parts-of-house-voting-map/20064317/](https://www.wral.com/story/concept-maps-were-used-to-draw-parts-of-house-voting-map/20064317/)
requests that went unheeded. Lawmakers must take the opportunity to do better for their constituents in 2023.

Finally, the NCGA should avoid using new tactics to obstruct what should be an open and transparent process. Advocates from both sides of the political aisle are decrying a troubling last-minute addition to the state budget which would allow lawmakers to destroy their public records, including emails and other correspondence used to draft North Carolina voting maps. This will make it possible for “information to be shielded from public view [such that it] perpetuates the skepticism of government that has been building in recent weeks and months.”

The stakes could not be higher.

The NCGA has an opportunity in 2023 to provide genuine openness, transparency and the opportunity for North Carolinians to engage in a process that will impact their elections in the decade to come. We urge you to make the promise of democracy real by leading a redistricting process that creates voting plans reflective of the actual demographics, values, interests, and needs of North Carolinians.

Everyday North Carolinians must be able to map their own future— and currently only you have the power to make this a reality.

Respectfully,

A Better Chance A Better Community
Acción Hispana
Action NC
Action Institute NC
Advocacy House Services Inc
American Civil Liberties Union of North Carolina
All On The Line
Association of Mexicans in North Carolina, Inc.
Carolina Jews for Justice
Center for Participatory Change
Lila Lgbtq Latinx Inc.
Lionel Lee Jr. Center for Wellness
Making Visions
MoCo Life 910, Inc.
Moore County NAACP
Muslim Women For
NAACP Charlotte-Mecklenburg Branch
Nariah's Way Foundation
NC Counts Coalition
NC League of Conservation Voters
North Carolina Asian Americans Together

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CiMA-Compañeros Inmigrantes de las Montañas en Acción
Clean Water for North Carolina
Common Cause NC
Democracy North Carolina
Eastern Cherokee Organization
El Centro Hispano
El Pueblo
El Refugio, Inc
Emancipate NC
ENLACE
Equality NC
F.E.L.P
Faith & Victory Christian Church
Fayetteville Pact
Fayetteville Police Accountability Community Taskforce
First Chronicles Community Church
Forward Justice Action Network
Helping Hands USA
Hola Carolina
Iglesia La Semilla United Methodist Church
Indivisible Guilford County
Inspired Creations Enterprise Inc.
League of Women Voters Catawba Valley
League of Women Voters of North Carolina
Let’s Make It Happen Together, Inc.
Next In Line Community Outreach
North Carolina Business Council
North Carolina Coalition - National Council of Negro Women, Inc.
North Carolina Justice Center
North Carolina NAACP
North Carolina Voters for Clean Elections
Northampton County NAACP
Parkway UCC
Pasquotank County NAACP
Planned Parenthood Votes South Atlantic
Pro-Choice North Carolina
Project Cover
Qué PASA
Scotland Neck Community Task Force Team
Selfless Nonprofit Organization
Social Change
Southern Coalition for Social Justice
Spiritual Destiny Int’l Ministries
TFBU Foundation
The Help Center NC
Triangle Cultural Awareness Foundation
U2U
Unidxs Western North Carolina
We Stand Up, Indivisibles
You Can Vote