



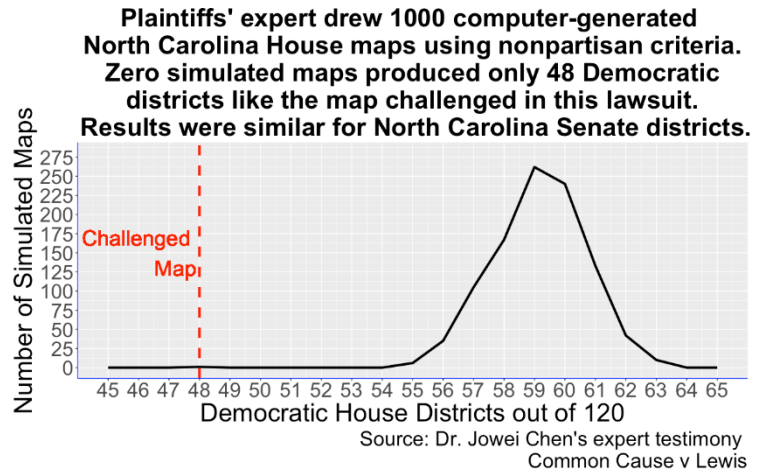
Fact Sheet: COMMON CAUSE V. LEWIS

On September 3, 2019 a North Carolina state trial court struck down the state's General Assembly districts for violating the North Carolina Constitution.

THE ISSUE

Partisan gerrymandering robs North Carolinians of the ability to elect their candidates of choice.

- Republican leaders stated that they drew maps following the 2010 census "to ensure Republican majorities in the House and Senate." In 2012, Republicans won veto-proof supermajorities in both chambers despite winning just above 50% of the vote in each. A federal court struck down these districts as racial gerrymanders and ordered a redrawing of districts.
- Using the same consultant who drew the skewed and unconstitutional racial gerrymanders, Republicans drew new districts in 2017 that gave them substantial majorities in the House and Senate despite winning fewer votes than Democrats in both chambers in 2018.



THE CASE

In 2018, Common Cause challenged the redrawn state legislative maps as a partisan gerrymander violating the North Carolina Constitution.

- Plaintiffs included Common Cause, the NC Democratic Party, and individual NC voters.
- Three expert witnesses demonstrated through unrebutted testimony that the maps showed clear intent to advantage Republicans and disadvantage Democrats.
- The court ruled that the Republican-led legislature's 2017 remedial districts violated the North Carolina Constitution's Equal Protection (Art. I, § 19), Free Elections (Art. I, § 5), Freedom of Assembly (Art. I, § 12), and Freedom of Speech Clauses (Art. I, § 14).
- The legislature drew new districts in a court-mandated transparent process.
- The judges appointed Stanford political scientist Nate Persily to help them determine whether to approve the districts legislators drew. Common Cause filed a motion opposing the state house districts.

"The partisan gerrymandering of the 2017 Plans strikes at the heart of the Free Elections Clause. Using their control of the General Assembly, Legislative Defendants manipulated district boundaries, to the greatest extent possible, to control the outcomes of individual races so as to best ensure their continued control of the legislature." - Court opinion in Common Cause v. Lewis