



Fact Sheet: RUCHO V. COMMON CAUSE

Common Cause challenged congressional districts drawn by North Carolina's legislature in 2016 as a partisan gerrymander violating the U.S. Constitution. Although the U.S. Supreme Court ultimately ruled that partisan gerrymanders cannot be challenged in federal court, Common Cause's extensive work to use the case as a venue for public education resulted in unprecedented public attention on the need for redistricting reform nationwide. The record the plaintiffs built in this case also allowed separate plaintiffs in *Harper v. Lewis* to quickly and successfully overturn North Carolina's congressional map in time for the 2020 election.

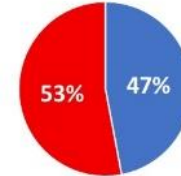
THE ISSUE

Partisan gerrymanders robbed North Carolinians of their ability to elect the candidates of their choice.

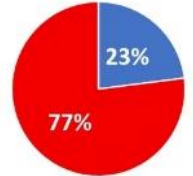
- In 2016, a federal court ordered North Carolina legislators to redraw the congressional map after ruling that legislators racially gerrymandered two districts.
- During this redraw, legislators publicly stated that their goal was to ensure a 10-3 Republican majority, which the map produced in 2016 and 2018.
- In 2016, North Carolina had 2.6 million registered Democrats, 1.9 million Republicans, and 1.8 million unaffiliated voters.

2016 U.S. House Races in N.C.

Votes Won
Statewide



Total Seats
Won (10-3)



THE CASE

In 2016, Common Cause challenged the redrawn congressional map as an unconstitutional partisan gerrymander.

- On August 27, 2018, a three-judge federal district court panel ruled unanimously for the second time that the 2016 remedial map was an unconstitutional partisan gerrymander. The court found violations of the First Amendment, Fourteenth Amendment, and Article I, sections 2 and 4 of the United States Constitution.
- On June 27, 2019, the Supreme Court reversed the trial court and ruled in a 5-4 decision in *Rucho* and *Lamone v. Benisek* that partisan gerrymandering is a nonjusticiable political question that federal courts will not police.
- On October 28, 2019, a state court ruled in favor of separate plaintiffs in *Harper v. Lewis* using the record built in *Rucho* to strike down the state's congressional districts as a violation of the North Carolina Constitution.

"Partisan gerrymandering of the kind before us not only subverts democracy (as if that weren't bad enough). It violates individuals' constitutional rights as well."

- Justice Elena Kagan, dissenting in Rucho v. Common Cause