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October 25, 2021

**VIA EMAIL**

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

CC: Sen. Dan Blue, Senate Democratic Leader  
Rep. Robert T. Reives, II, House Democratic Leader  
Members, Senate Standing Committee on Redistricting and Elections  
Members, House Standing Committee on Redistricting

Senators and Representatives,

It is disappointing that the State Senate map, “SST-4,” that has been drafted, and apparently will be offered to the committees, has completely ignored important racial considerations. As we raised in our October 8, 2021 letter, the rejection of all racial data in drafting these maps raises serious legal concerns that are illustrated by SST-4.

The selections from clusters that you offered on October 5, 2021 as legal options for county clustering appear to raise further concerns. There were two cluster options for the Senate district in northeastern North Carolina, both of which you asserted were legal clusters. This body appears to be poised to select the map within SST-4 that is obviously worse for Black voters, the “Z1” cluster “Duke\_Senate 02.”

Even without considering racial data, it would have been painfully obvious to anyone with a passing familiarity with North Carolina’s political geography that excluding Warren, Halifax, and Martin from a cluster where the incumbent is the candidate of choice of Black voters – and herself Black – will be fatal to the ability of Black voters to continue electing their candidate of choice. We will provide you the data to confirm that.

The cluster that obviously does not interfere with the ability of Black voters to elect their candidate of choice is comprised of Warren, Halifax, Martin, Bertie, Northampton, Hertford, Gates, Camden, Currituck, and Tyrell. The Black Voting Age Population (“BVAP”) in that

**About Us:** The Southern Coalition for Social Justice partners with communities of color and economically disadvantaged communities in the South to defend and advance their political, social, and economic rights through the combination of legal advocacy, research, organizing, and communications.



district is 42.33%. It is a district where the Democratic candidate, in the last two presidential elections and last two gubernatorial elections, would have won. While there is racially polarized voting in these counties, collectively, using reconstituted election results, this one-district cluster would have elected the Black-preferred candidate in each of the statewide, racially contested elections we mentioned in our October 5 letter. That is, racially polarized voting is not legally significant in this cluster, and therefore, it is the obvious choice unless one wanted to undermine Black voting strength.

The cluster that the committee chair and presumably legislative leadership selected in SST-4 is comprised of Northampton, Hertford, Bertie, Gates, Perquimans, Pasquotank, Camden, Currituck, Tyrell, and Dare, and most certainly destroys the ability of Black voters to elect their candidate of choice. While Senate District 3 is not majority-Black in its current form, it is an effective crossover district that is electing the candidate of choice of Black Voters. The BVAP in District 1 (the analog to SD 3 in the current map) with the cluster you have chosen is only 29.49%. It is a district where the Republican candidate won in the last two presidential elections, the last two gubernatorial elections, and the 2020 state supreme court election. Not only is there racially polarized voting in the counties comprising this district, collectively, using reconstituted election results, this one-district cluster would not have elected the Black-preferred candidate in any of the statewide, racially contested elections we mentioned in our October 5 letter. That is, racially polarized voting is legally significant. The selection of this cluster, therefore, is inexplicable absent discriminatory intent.

This letter is being submitted as an addendum to our October 5 letter. To our understanding, none of the concerns raised in our October 5 letter have been addressed in any capacity. If the North Carolina General Assembly proceeds with the SST-4 proposed map, this body will ensure that two of the three representatives of choice of Black voters in northeastern North Carolina will not be re-elected, nor any candidate of choice of Black voters within those two districts. This extremely discriminatory result—especially in the face of the information being provided to this body—strongly suggests that such a result is intentional. Once again, we urge you to reconsider your actions and to enact a redistricting plan that is legal and fair to all voters of North Carolina.

If you have any questions, please do not hesitate to contact us.

Sincerely,

Allison J. Riggs

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