https://www.lsureveille.com/news/when-we-sue-we-win-black-baton-rouge-residents-call-for-second-majority-black-congressional/article_35da528c-4a3d-11ec-bff3-f341498a4f66.html

'When we sue, we win': Black Baton Rouge residents call for second majority Black congressional district

EXHIBIT
GX-10

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Gov. John Bel Edwards stands on the side on Wednesday, Jan. 31, 2018, at the William A. Brookshire Military & Veterans Student Center Ribbon-Cutting Ceremony.

Dilyn Stewart

Black Baton Rouge residents called for a second majority Black congressional district in Louisiana at the Joint Governmental Affairs Committee's fifth public meeting on the redistricting process.

At the Nov. 16 meeting at Southern University in Baton Rouge, residents pointed out that Black people make up a third of the state's population, but only one of Louisiana's six congressional districts is majority Black.

This sentiment was repeated by Rep. Ted James, chair of the Legislative Black Caucus, who gave public comment. "One third of six is two," he repeated multiple times during his five-minute speech.

After U.S. Census results are delivered every 10 years, state legislatures use the data to redraw district lines, which determine how areas of the state are represented politically on a local, state and federal level. Louisiana's district maps for the U.S. House of Representatives, state legislature, Board of Elementary and Secondary Education and other local jurisdictions will be redrawn.

Louisiana became less rural and more diverse in the last 10 years, the 2020 Census shows. New Orleans and six surrounding parishes are no longer majority white.

2020 Census: Louisiana becoming less rural, more diverse

Redistricting in Louisiana has historically been fraught with accusations that political districts have been drawn in ways to limit the power of minority voters and keep dominant political groups in power.

During his monthly call-in radio show on Nov. 17, Louisiana Gov. John Bel Edwards made his first public comments on the redistricting process. He said he was working under the premise that the maps need to be fair and easy to understand.

“We want a fair map so that the voter has a reasonable chance of choosing their representatives rather than representatives choosing their voters,” he said.

Edwards said he’s concerned about “packing and cracking,” which are types of gerrymandering meant to weaken the voting power of a political party or racial group.

Packing forces a large number of voters from one group into a single or small number of districts to lessen their power in other districts. Cracking dilutes the power of those voters into many districts.

Rep. John Stefanski, chair of the House and Governmental Affairs Committee, which oversees redistricting, said that he hasn’t had any communication with the governor.

“The governor has the final say whether or not any bill becomes a law,” Stefanski said. “So it’s a relevant consideration through this process. At this point, I have not had any contact with the administration about anything that they would like to see.”

Stefanski pointed out that the legislature hasn’t begun drawing maps.

“When we get to a point where we start drawing maps, it's going to be something that we say, ‘I wonder if the Governor could sign something like this,’” he said.

The current redistricting cycle is the first time since the passing of the Voting Rights Act of 1965 that Louisiana is not subject to preclearance, which requires jurisdictions with a history of voter suppression to submit proposed changes to the federal government for approval before implementation.

In 2013, the U.S. Supreme Court ruled that this provision, laid out in section 4 of the VRA, was unconstitutional.

Still, Louisiana is not immune from lawsuits if its maps violate federal law. These suits have become a regular part of the process, especially in Louisiana. During the 1990 redistricting cycle, litigation and federal involvement drew out the process for most of the 1990s.

In 2018, Louisiana was sued by an organization headed by former U.S. Attorney General Eric Holder. It pointed out that Louisiana's 2nd congressional district is drawn in a way that encompasses the Black population of both New Orleans and Baton Rouge.

"Louisiana's failure to create a second majority-minority congressional district in its 2011 Congressional Plan has resulted in the dilution of African American voting strength in violation of Section 2 of the Voting Rights Act," the suit said.

Mike McClanahan, a representative from the Louisiana NAACP, raised the threat of litigation if the maps don't have two majority minority districts during his public comments to the joint committee.

Previous lawsuits on racial gerrymandering in Louisiana cited Section 2 of the VRA, which prohibits procedures that discriminate on the basis of race.

"I have something called the law on my side," McClanahan said. "I like to tell people to know how to organize, mobilize, agitate and litigate. If it don't work, I'm gonna sue you. And I can tell you now when we sue, we win."

Stefanski was asked if Louisiana Gov. John Bel Edwards would sign off on a congressional map that doesn't have two majority Black congressional districts, but Stefanski declined to speculate, simply saying that he hasn't heard from the Governor.

While Edwards has not commented on specifics of what he will veto, he did say that he would prefer if it didn't come to that.

"As governor, you hope that you can work with the legislature and others to create legislation that doesn't need to be vetoed," Edwards said. "I will veto bills that I believe suffer from defects in terms of basic fairness."

Explainer: What is redistricting and why should students care?

Piper Hutchinson