# REDISTRICTING REFORM IN THE SOUTH

February 2014

# Redistricting Reform in the South

**Introduction**

Nowhere in the United States are the pernicious effects of gerrymandering and winner-take-all, single-member districts more clearly visible than in the South. In the line of states running from Louisiana to Virginia, congressional races are nearly universally uncompetitive, Democrats are systematically disadvantaged, and African Americans are underrepresented in spite of the Voting Rights Act.

This report examines different options for how redistricting in the South could be reformed through the creation of sample maps. These maps illustrate the fundamental tradeoffs inherent in different reform options – especially those options that continue to use the single-member, winner-take-all district system.

While the maps presented in this report are not the only maps that could be created under the criteria for each reform option, they represent our best effort at following the dictates of those criteria. The maps are not intended to predict exactly what would happen if different reforms were enacted, but rather to give a general idea of how effective those reforms would be at achieving their goals.

The states studied in this report are those in the belt of states from Louisiana up through Virginia, along with Tennessee. More specifically, they are: Louisiana, Alabama, Mississippi, Georgia, South Carolina, Tennessee, North Carolina, and Virginia.

The redistricting reforms considered have all been put forward as solutions to either the Republican bias of current district maps, the lack of competition in those districts, the lack of compactness in those districts, or the insufficient representation of racial minorities:

- Eliminating the Voting Rights Act such that Democratic voters are not overly concentrated in just a few majority-minority districts
- Establishing independent redistricting commissions to draw neater, more compact district lines
- Establishing independent redistricting commissions with the explicit criteria of drawing districts that will accurately represent the two parties' statewide vote shares and create competition
- Enacting fair representation voting by requiring an independent redistricting commission to draw multi-member districts that would use ranked choice voting, to the end of ensuring partisan fairness, creating competition in every district, and enhancing the representation of racial minorities

FairVote has a clear preference among these reforms: fair representation voting. As the results of this report show, fair representation voting plans are much more likely to accomplish partisan fairness, competition, clean district lines, and racial representation than other reforms without necessitating tradeoffs among those goals. They do so by giving far more voters an opportunity to elect preferred candidates.

**Methodology and Terms**

The methodology for drawing the six different maps presented for each state is listed below.

*Current Plan*: This map shows the current congressional districts in the state that were drawn in 2011-2012 redistricting process and used in the 2012 congressional elections.

*Republican Gerrymander (without racial considerations):* Republicans controlled the state legislatures in all of the states in this report during the most recent redistricting process. While many of these legislatures produced maps that were gerrymandered in favor of Republicans (North Carolina and Virginia being the most egregious examples), they were constrained by the requirement to draw majority-minority districts under Section 2 of the Voting Rights Act. This map shows the extent to which Republican legislatures could gerrymander districts in favor of their party if Section 2 were to be eliminated.

*Independent Redistricting (without partisan considerations):* This map provides an example of what an independent redistricting commission would be likely to produce if it used only nonpartisan criteria to draw districts. The only criteria used in the creation of this map were equal population, compactness, contiguity, following county lines, and preserving communities of interest. This map also assumes that the Voting Rights Act does not exist.

*Independent Redistricting (seeking partisan fairness):* This map provides an example of what an independent redistricting commission would be likely to produce if it prioritized overall partisan fairness and district competition over non-partisan considerations like compactness and following county lines. This map also assumes that the Voting Rights Act does not exist.

*Fair Representation Voting:* Fair representation voting describes voting methods based on voting directly for candidates that are already used in American local elections in which like-minded voters can elect candidates in rough proportion to their share of the vote. These maps provide examples of what an independent redistricting commission would be likely to produce if it were required to draw multi-member districts of between three and five seats that would use fair representation systems to elect their Members of Congress. For each state, two fair representation map are shown: one drawn using the same criteria as the "independent commission without partisan criteria" map, such that partisan and racial data were not taken into account, and another created by combining existing congressional district lines and considering partisan and racial data. Population data is used for the first set of maps, and Voting Age Population for the second set. In analyzing projected outcomes, we use increments of the "threshold of exclusion," which is the minimum percentage of voters able to elect a preferred candidate. In a five-seat district, 16.7% of voters would have the power to elect one seat, 33.3% of voters could elect two seats and 50% + 1 could elect three seats, a majority of seats in the district.

*Partisanship:* The partisan nature of the districts in all the maps in the report are described using FairVote's partisanship metric, which calculates the vote share that presidential candidates received in the district relative to the candidates' national average. The partisanship charts in this report are listed in terms of Democratic partisanship, which projects what the average Democratic nominee would earn in the district if the seat were open and the parties had equal national support in the election. The current district maps and the fair voting maps created with partisan and racial criteria use the results of the 2012 presidential election. All other maps use the results of the 2008 election, as they were created using Dave's Redistricting App, which has not yet been updated for the 2012 election. Racial data is also derived from the census data on *Dave's Redistricting App*.

*Competitiveness of Districts:* "Toss-up" districts are within 3% of 50% partisanship in single-member districts or within 3% of a threshold in fair representation districts. "Lean" districts are defined as those between 3% and 6% away from even partisanship. All other districts are projected as safe in a nationally even election year.

# MEASURING THE IMPACT OF REDISTRICTING REFORM IN LOUISIANA

FairVote: The Center for Voting and Democracy: www.fairvote.org          February 2014

**The Effectiveness of Different Methods of Reforming Redistricting and Representation in Louisiana**

Louisiana's congressional map is universally uncompetitive and disproportionately favors Republicans. Five of its six districts are held by Republicans and all seats will be safe in the 2014 election. Presented below are different options for reforming redistricting in Louisiana. For each scenario, the partisan breakdown, competitiveness, likely racial representation, and Democratic partisanship of every district are listed.

## Current Map
*Current delegation: 5 R, 1 D*



| District | Dem Part. |
|---|---|
| 1 | 26% |
| 2 | 74% |
| 3 | 31% |
| 4 | 38% |
| 5 | 36% |
| 6 | 31% |

| | |
|---|---|
| Partisan Breakdown | 5 R, 1 D |
| Competitive Districts | None |
| Racial Representation | 1 black majority district |

## Republican Gerrymander
**(without racial considerations)**



| District | Dem Part. |
|---|---|
| 1 | 38% |
| 2 | 42% |
| 3 | 39% |
| 4 | 34% |
| 5 | 32% |
| 6 | 38% |

| | |
|---|---|
| Partisan Breakdown | 6 R, 0 D |
| Competitive Districts | None |
| Racial Representation | None |

## Independent Redistricting
**(without partisan considerations)**



| District | Dem Part. |
|---|---|
| 1 | 38% |
| 2 | 32% |
| 3 | 39% |
| 4 | 35% |
| 5 | 48% |
| 6 | 30% |

| | |
|---|---|
| Partisan Breakdown | 5 R, 0 D, 1 ? |
| Competitive Districts | 1 Toss-up |
| Racial Representation | None |

## Independent Redistricting
**(seeking partisan fairness)**
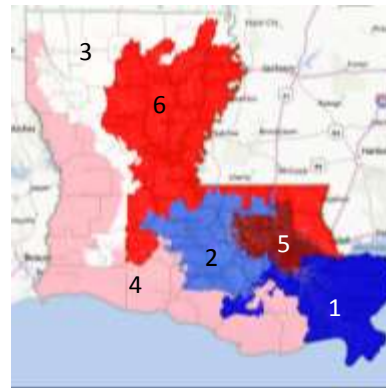


| District | Dem Part. |
|---|---|
| 1 | 60% |
| 2 | 55% |
| 3 | 47% |
| 4 | 19% |
| 5 | 18% |
| 6 | 24% |

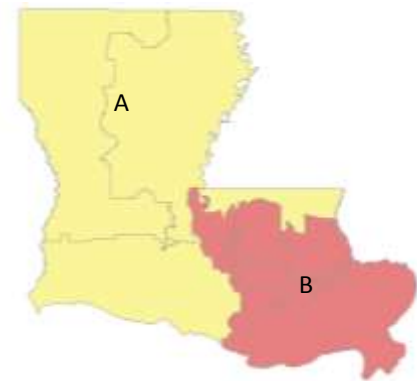| | |
|---|---|
| Partisan Breakdown | 3 R, 2 D, 1 ? |
| Competitive Districts | 1 Toss-up, 1 Lean D |
| Racial Representation | 1 black majority, 2 non-white majority |

**Fair representation voting
(without racial considerations)**



**Fair representation voting
(with racial considerations)**



| Partisan Breakdown | 4 R, 2 D |
|---|---|
| Competitive Districts | 100%: All seats potentially competitive in every election |
| Racial Representation | 2 black-majority seats, 100% of voters represented by a candidate of choice |

| Partisan Breakdown | 4 R, 2 D |
|---|---|
| Competitive Districts | 100%: All seats potentially competitive in every election |
| Racial Representation | 2 black-majority seats, 100% of voters represented by a candidate of choice |

| District | # of Seats | Dem Part. | Black Pop. |
|---|---|---|---|
| A | 3 | 39% | 32% |
| B | 3 | 35% | 32% |

| District | # of Seats | Dem Part. | Black VAP |
|---|---|---|---|
| A | 3 | 35% | 29% |
| B | 3 | 44% | 30% |

## Fair Representation by Statute: A Comprehensive Plan for Ending Gerrymandering, Enhancing Voter Choice, and Guaranteeing Racial Representation beyond the Voting Rights Act

Requiring only an Act of Congress to be enacted, FairVote's fair representation voting plan would create two multi-member "super districts" in Louisiana, each with three House seats. In both districts, it would take about a quarter of the vote for like-minded voters to elect a candidate, resulting in accurate representation of each super district's political left, center, and right.

The first plan was drawn using the criteria of an independent redistricting commission without political considerations. In both three-seat "super districts," Republicans would typically win two seats and Democrats one. Those legislators would almost certainly better reflect diversity of opinion within the parties as well, as fair representation voting would be used to nominate candidates in party primaries.

In both districts, voters would always have the ability to hold Members of Congress accountable by voting for alternative candidates within and outside of the major parties. African American voters would have the ability to elect at least one candidate of choice in each super district, irrespective of whether racial factors are considered in drawing district lines. That level of representation would hold regardless of the future of the Voting Rights Act. Women candidates would also be more likely to run and win seats.

# MEASURING THE IMPACT OF REDISTRICTING REFORM IN MISSISSIPPI

**The Effectiveness of Different Methods of Reforming Redistricting and Representation in Mississippi**

Mississippi's congressional map is universally uncompetitive and disproportionately favors Republicans. Three of its four districts are held by Republicans, and all seats will be safe in the 2014 election. Presented below are different options for reforming redistricting in Mississippi. For each scenario, the partisan breakdown, competitiveness, likely racial representation, and Democratic partisanship for each district are listed.
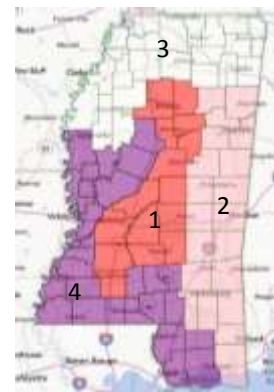
### Current Map
*Current delegation: 3 R, 1 D*
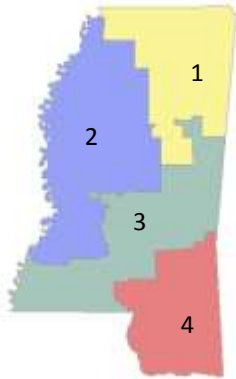


| District | Dem Part. |
|----------|-----------|
| 1 | 35% |
| 2 | 64% |
| 3 | 37% |
| 4 | 29% |

| | |
|---|---|
| **Partisan Breakdown** | 3 R, 1 D |
| **Competitive Districts** | None |
| **Racial Representation** | 1 black majority district |

### Republican Gerrymander (without racial considerations)



| District | Dem Part. |
|----------|-----------|
| 1 | 44% |
| 2 | 41% |
| 3 | 39% |
| 4 | 38% |

| | |
|---|---|
| **Partisan Breakdown** | 4 R, 0 D |
| **Competitive Districts** | None |
| **Racial Representation** | None |

### Independent Redistricting (without partisan considerations)
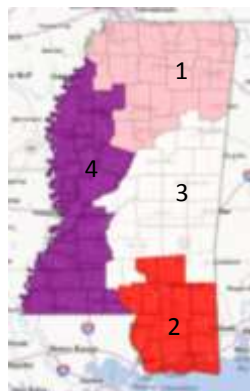


| District | Dem Part. |
|----------|-----------|
| 1 | 28% |
| 2 | 59% |
| 3 | 37% |
| 4 | 34% |

| | |
|---|---|
| **Partisan Breakdown** | 3 R, 1 D |
| **Competitive Districts** | None |
| **Racial Representation** | 1 black majority district |

### Independent Redistricting (seeking partisan fairness)
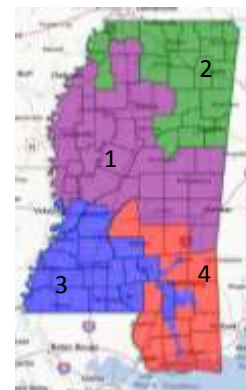


| District | Dem Part. |
|----------|-----------|
| 1 | 52% |
| 2 | 35% |
| 3 | 48% |
| 4 | 24% |

| | |
|---|---|
| **Partisan Breakdown** | 2 R, 2 ? |
| **Competitive Districts** | 2 Toss-up |
| **Racial Representation** | 1 black majority, 1 black plurality |

**Fair Representation Voting**



| District | # of Seats | Dem Part. | Black VAP |
|----------|-----------|-----------|-----------|
| A | 4 | 42% | 35% |

| Partisan Breakdown | 2 R, 1 D, 1 ? |
|---|---|
| Competitive Districts | 100%: All seats potentially competitive in every election |
| Racial Representation | 1 black-majority seat, 1 non-white majority seat |

## Fair Representation by Statute: A Comprehensive Plan for Ending Gerrymandering, Enhancing Voter Choice, and Guaranteeing Racial Representation beyond the Voting Rights Act

Requiring only an Act of Congress to be enacted, FairVote's fair representation voting plan would create one statewide multi-member "super district" in Mississippi with four House seats. It would take about a fifth of the vote for like-minded voters to elect a candidate, resulting in accurate representation of the state's political left, center, and right.

The plan was drawn using the criteria of an independent redistricting commission without political or racial considerations. Republicans would typically win two seats, Democrats would win one, and one seat would swing between the parties. Those legislators would almost certainly better reflect diversity of opinion within the parties as well, as fair representation voting would be used to nominate candidates in party primaries.

Voters would always have the ability to hold Members of Congress accountable by voting for alternative candidates within and outside of the major parties. African American voters would have the ability to elect at least one candidate of choice. That level of representation would hold regardless of the future of the Voting Rights Act. Women candidates would also be more likely to run and win seats.
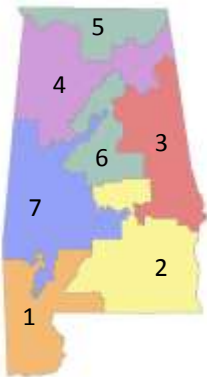
# MEASURING THE IMPACT OF REDISTRICTING REFORM IN ALABAMA

**The Effectiveness of Different Methods of Reforming Redistricting and Representation in Alabama**

Alabama's congressional map is universally uncompetitive and disproportionately favors Republicans. Six of its seven districts are held by Republicans, and all seats will be safe in the 2014 election. Presented below are different options for reforming redistricting in Alabama. For each scenario, the partisan breakdown, competitiveness, likely racial representation, and Democratic partisanship for each district are listed.
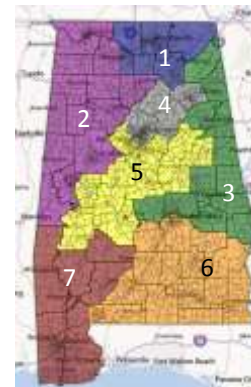
### Current Map
*Current delegation: 6 R, 1 D*



| District | Dem Part. |
|---|---|
| 1 | 36% |
| 2 | 35% |
| 3 | 35% |
| 4 | 23% |
| 5 | 34% |
| 6 | 23% |
| 7 | 71% |

| | |
|---|---|
| Partisan Breakdown | 6 R, 1 D |
| Competitive Districts | None |
| Racial Representation | 1 black majority district |

### Republican Gerrymander
### (without racial considerations)



| District | Dem Part. |
|---|---|
| 1 | 32% |
| 2 | 31% |
| 3 | 33% |
| 4 | 39% |
| 5 | 39% |
| 6 | 40% |
| 7 | 37% |

| | |
|---|---|
| Partisan Breakdown | 7 R, 0 D |
| Competitive Districts | None |
| Racial Representation | None |

### Independent Redistricting
### (without partisan considerations)



| District | Dem Part. |
|---|---|
| 1 | 35% |
| 2 | 30% |
| 3 | 50% |
| 4 | 48% |
| 5 | 31% |
| 6 | 22% |
| 7 | 32% |

| | |
|---|---|
| Partisan Breakdown | 5 R, 0 D, 2 ? |
| Competitive Districts | 2 Toss-up |
| Racial Representation | 1 non-white majority |

### Independent Redistricting
### (seeking partisan fairness)
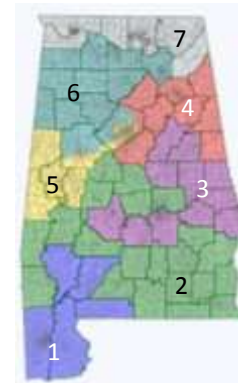


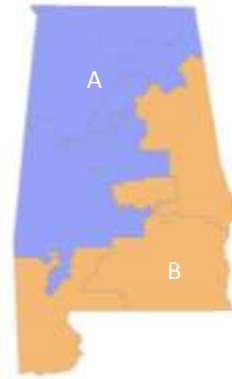| District | Dem Part. |
|---|---|
| 1 | 36% |
| 2 | 30% |
| 3 | 49% |
| 4 | 21% |
| 5 | 58% |
| 6 | 21% |
| 7 | 21% |

| | |
|---|---|
| Partisan Breakdown | 5 R, 1 D, 1 ? |
| Competitive Districts | 1 Toss-up |
| Racial Representation | 1 non-white majority |

**Fair representation voting
(without racial, partisan considerations)**

**Fair representation voting
(with racial, partisan considerations)**

| Partisan Breakdown | 4 R, 2 D, 1 ? |
|---|---|
| Competitive Districts | 100%: All seats potentially competitive in every election |
| Racial Representation | 1 black majority seat |

| Partisan Breakdown | 4 R, 2 D, 1 ? |
|---|---|
| Competitive Districts | 100%: All seats potentially competitive in every election |
| Racial Representation | 2 black majority seats, 100% of voters represented by a candidate of choice |

| District | # of Seats | Dem Part. | Black Pop. |
|---|---|---|---|
| A | 4 | 42% | 36% |
| B | 3 | 27% | 13% |

| District | # of Seats | Dem Part. | Black VAP |
|---|---|---|---|
| A | 4 | 38% | 24% |
| B | 3 | 35% | 26% |

## Fair Representation by Statute: A Comprehensive Plan for Ending Gerrymandering, Enhancing Voter Choice, and Guaranteeing Racial Representation beyond the Voting Rights Act

Requiring only an Act of Congress to be enacted, FairVote's fair representation voting plan would create two multi-member "super districts" in Alabama: one with four House seats and one with three. In both districts, it would take about a quarter of the vote for like-minded voters to elect a candidate, resulting in accurate representation of each super district's political left, center, and right.

The first plan was drawn using the criteria of an independent redistricting commission without political or racial considerations. In the three-seat "super district," Republicans would typically win two seats and one seat would slightly favor Democrats. In the four-seat district, both parties would win two seats in most elections. Those legislators would almost certainly better reflect diversity of opinion within the parties as well, as fair representation voting would be used to nominate candidates in party primaries.

In both districts, voters would always have the ability to hold Members of Congress accountable by voting for alternative candidates within and outside of the major parties. African American voters would have the ability to elect at least one candidate of choice super district A. In the plan drawn using racial data, 100% of African American voters in Alabama would be able to help elect a candidate of choice. That level of representation would hold regardless of the future of the Voting Rights Act. Women candidates would also be more likely to run and win seats.

# MEASURING THE IMPACT OF REDISTRICTING REFORM IN GEORGIA

**The Effectiveness of Different Methods of Reforming Redistricting and Representation in Georgia**

Georgia's congressional map is universally uncompetitive and disproportionately favors Republicans. Nine of its 14 districts are held by Republicans and all but one seat, that of Democrat John Barrow, will be safe in the 2014 election. Presented below are different options for reforming redistricting in Georgia. For each scenario, the partisan breakdown, competitiveness, likely racial representation, and Democratic partisanship for all districts are listed.
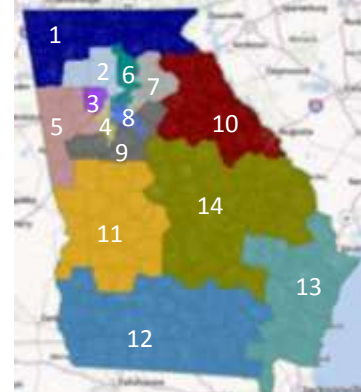
## Current Map

*Current delegation: 9 R, 5 D*
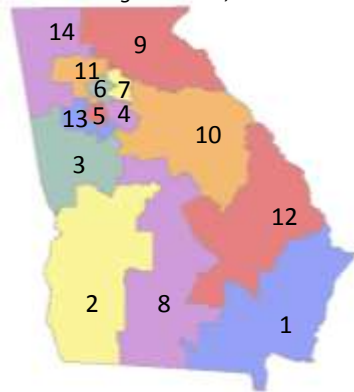


| Partisan Breakdown | 10 R, 4 D |
|---|---|
| Competitive Districts | None |
| Racial Representation | 4 black plurality districts |

| District | Dem Part. |
|---|---|
| 1 | 42% |
| 2 | 57% |
| 3 | 32% |
| 4 | 72% |
| 5 | 82% |
| 6 | 36% |
| 7 | 37% |
| 8 | 36% |
| 9 | 19% |
| 10 | 35% |
| 11 | 30% |
| 12 | 42% |
| 13 | 68% |
| 14 | 24% |

## Republican Gerrymander (without racial considerations)



| Partisan Breakdown | 12 R, 2 D |
|---|---|
| Competitive Districts | None |
| Racial Representation | 2 black majority districts |

| District | Dem Part. |
|---|---|
| 1 | 23% |
| 2 | 30% |
| 3 | 42% |
| 4 | 79% |
| 5 | 44% |
| 6 | 35% |
| 7 | 33% |
| 8 | 77% |
| 9 | 34% |
| 10 | 44% |
| 11 | 43% |
| 12 | 40% |
| 13 | 42% |
| 14 | 42% |

## Independent Redistricting (without partisan considerations)
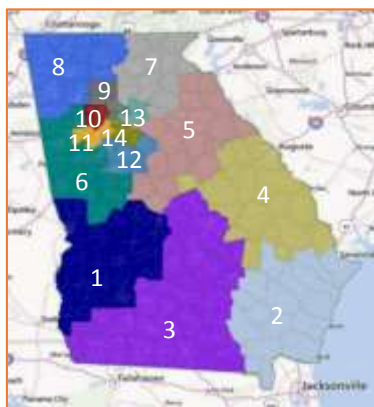


| Partisan Breakdown | 10 R, 3 D, 1 ? |
|---|---|
| Competitive Districts | 1 Toss-up, 2 Lean R |
| Racial Representation | 3 black majority, 2 majority non-white |

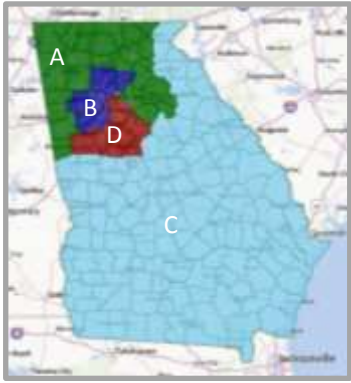| District | Dem Part. |
|---|---|
| 1 | 48% |
| 2 | 42% |
| 3 | 35% |
| 4 | 42% |
| 5 | 43% |
| 6 | 30% |
| 7 | 20% |
| 8 | 24% |
| 9 | 35% |
| 10 | 42% |
| 11 | 74% |
| 12 | 59% |
| 13 | 40% |
| 14 | 75% |

## Independent Redistricting (seeking partisan fairness)



| Partisan Breakdown | 8 R, 6 D |
|---|---|
| Competitive Districts | 1 Lean D, 1 Lean R |
| Racial Representation | 2 black majority, 4 majority non-white |

| District | Dem Part. |
|---|---|
| 1 | 63% |
| 2 | 57% |
| 3 | 63% |
| 4 | 58% |
| 5 | 57% |
| 6 | 30% |
| 7 | 29% |
| 8 | 24% |
| 9 | 24% |
| 10 | 32% |
| 11 | 54% |
| 12 | 32% |
| 13 | 43% |
| 14 | 47% |

**Fair representation voting
(without racial considerations)**



| Partisan Breakdown | 8 R, 6 D |
|---|---|
| Competitive Districts | 100%: All seats potentially competitive in every election |
| Racial Representation | 4 black majority seats |

| District | # of Seats | Dem Part. | Black Pop. |
|---|---|---|---|
| A | 3 | 47% | 30% |
| B | 3 | 30% | 12% |
| C | 5 | 41% | 34% |
| D | 3 | 58% | 42% |

**Fair representation voting
(with racial considerations)**
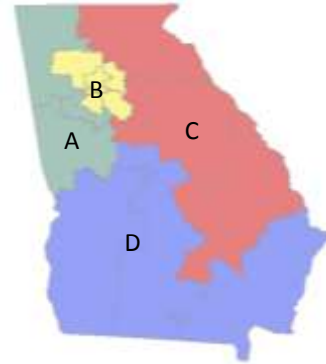


| Partisan Breakdown | 8 R, 5 D, 1 ? |
|---|---|
| Competitive Districts | 100%: All seats potentially competitive in every election |
| Racial Representation | 4 black majority seats, 1 non-white majority seat |

| District | # of Seats | Dem Part. | Black VAP |
|---|---|---|---|
| A | 3 | 42% | 27% |
| B | 5 | 52% | 31% |
| C | 3 | 32% | 21% |
| D | 3 | 45% | 35% |

## Fair Representation by Statute: A Comprehensive Plan for Ending Gerrymandering, Enhancing Voter Choice, and Guaranteeing Racial Representation beyond the Voting Rights Act

Requiring only an Act of Congress to be enacted, FairVote's fair representation voting plan would create four multi-member "super districts" in Georgia: three with three House seats and one with five. In all districts, it would take about a quarter of the vote for like-minded voters to elect a candidate, resulting in accurate representation of each super district's political left, center, and right.

The first plan was drawn using the criteria of an independent redistricting commission without political or racial considerations. In super districts A and B, Republicans would typically win two seats and Democrats one. In the five-seat district, Republicans would be expected to win three of five seats, and Democrats would likely take two of three seats in super district D. Those legislators would almost certainly better reflect diversity of opinion within the parties as well, as fair representation voting would be used to nominate candidates in party primaries.

In both districts, voters would always have the ability to hold Members of Congress accountable by voting for alternative candidates within and outside of the major parties. African American voters would have the ability to elect one candidate of choice in super districts B and D and two candidates in super district C. In the plan drawn using racial data, 100% of African American voters in Georgia would be able to help elect a candidate of choice. That level of representation would hold regardless of the future of the Voting Rights Act. Women candidates would also be more likely to run and win seats.

# MEASURING THE IMPACT OF REDISTRICTING REFORM IN SOUTH CAROLINA

**The Effectiveness of Different Methods of Reforming Redistricting and Representation in South Carolina**

South Carolina's congressional map is universally uncompetitive and disproportionately favors Republicans. Six of its seven districts are held by Republicans and all seats will be safe in the 2014 election. Presented below are different options for reforming redistricting in South Carolina. For each scenario, the partisan breakdown, competitiveness, likely racial representation, and Democratic partisanship are listed for each district.
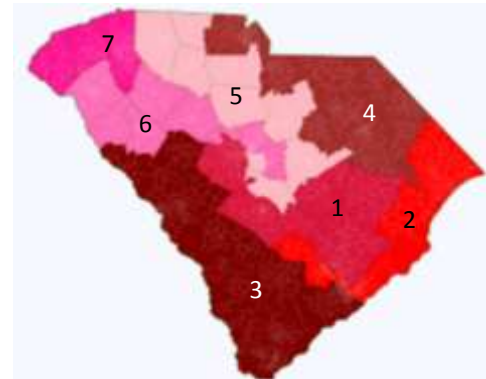
## Current Map
*Current delegation: 6 R, 1 D*



| District | Dem Part. |
|---|---|
| 1 | 39% |
| 2 | 38% |
| 3 | 33% |
| 4 | 35% |
| 5 | 42% |
| 6 | 69% |
| 7 | 43% |

| | |
|---|---|
| Partisan Breakdown | 6 R, 1 D |
| Competitive Districts | None |
| Racial Representation | 1 black majority district |

## Republican Gerrymander
## (without racial considerations)



| District | Dem Part. |
|---|---|
| 1 | 44% |
| 2 | 42% |
| 3 | 44% |
| 4 | 45% |
| 5 | 43% |
| 6 | 45% |
| 7 | 31% |

| | |
|---|---|
| Partisan Breakdown | 7 R, 0 D |
| Competitive Districts | 2 Lean R |
| Racial Representation | None |

## Independent Redistricting
## (without partisan considerations)
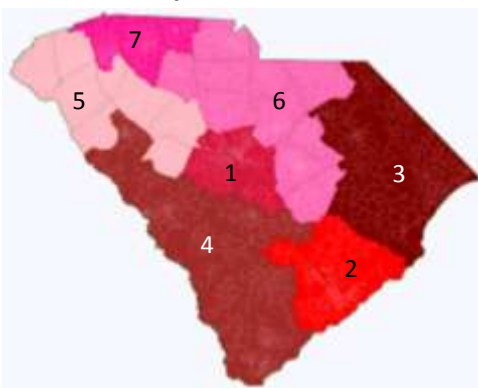


| District | Dem Part. |
|---|---|
| 1 | 48% |
| 2 | 46% |
| 3 | 44% |
| 4 | 46% |
| 5 | 31% |
| 6 | 44% |
| 7 | 35% |

| | |
|---|---|
| Partisan Breakdown | 6 R, 0 D, 1 ? |
| Competitive Districts | 1 Toss-up, 2 Lean R |
| Racial Representation | None |

## Independent Redistricting
## (seeking partisan fairness)
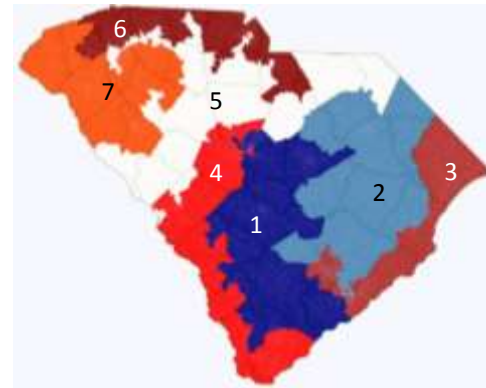


| District | Dem Part. |
|---|---|
| 1 | 63% |
| 2 | 54% |
| 3 | 37% |
| 4 | 33% |
| 5 | 50% |
| 6 | 28% |
| 7 | 31% |

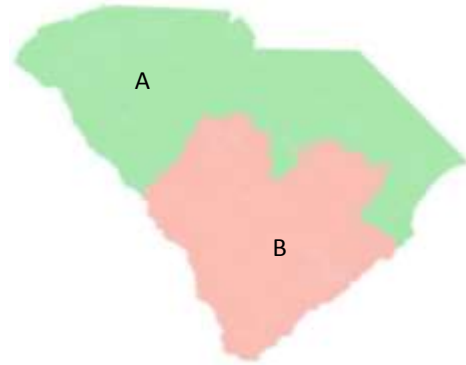| | |
|---|---|
| Partisan Breakdown | 4 R, 2 D, 1 ? |
| Competitive Districts | 1 Toss-up, 1 Lean D |
| Racial Representation | 1 black majority, 1 non-white majority |

**Fair representation voting
(without racial considerations)**

**Fair representation voting
(with racial considerations)**





| Partisan Breakdown | 4 R, 3 D |
|---|---|
| Competitive Districts | 100%: All seats potentially competitive in every election |
| Racial Representation | 1 black majority seat, 1 non-white majority seat |

| Partisan Breakdown | 3 R, 2 D, 2 ? |
|---|---|
| Competitive Districts | 100%: All seats potentially competitive in every election |
| Racial Representation | 2 black majority seats, 100% of voters represented by a candidate of choice |

| District | # of Seats | Dem Part. | Black Pop. |
|---|---|---|---|
| A | 3 | 35% | 21% |
| B | 4 | 47% | 33% |

| District | # of Seats | Dem Part. | Black VAP |
|---|---|---|---|
| A | 4 | 38% | 22% |
| B | 3 | 49% | 32% |

## Fair Representation by Statute: A Comprehensive Plan for Ending Gerrymandering, Enhancing Voter Choice, and Guaranteeing Racial Representation beyond the Voting Rights Act

Requiring only an Act of Congress to be enacted, FairVote's fair representation voting plans would create two multi-member "super districts" in South Carolina: one with four House seats and one with three. In both districts, it would take about a quarter of the vote for like-minded voters to elect a candidate, resulting in accurate representation of each super district's political left, center, and right.

The first plan was drawn using the criteria of an independent redistricting commission without political considerations. In the three-seat "super district," Republicans would typically win two seats and Democrats one. In the four-seat district, both parties would win two seats in most elections. Those legislators would almost certainly better reflect diversity of opinion within the parties as well, as fair representation voting would be used to nominate candidates in party primaries.

In both districts, voters would always have the ability to hold Members of Congress accountable by voting for alternative candidates within and outside of the major parties. African American voters would have the ability to elect at least one candidate of choice in super district B. In the plan drawn using racial data, 100% of African American voters in North Carolina would be able to help elect a candidate of choice. That level of representation would hold regardless of the future of the Voting Rights Act. Women candidates would also be more likely to run and win seats; South Carolina has not elected a woman to the House for more than two decades.

# MEASURING THE IMPACT OF REDISTRICTING REFORM IN NORTH CAROLINA

**The Effectiveness of Different Methods of Reforming Redistricting and Representation in North Carolina**

North Carolina's congressional map is universally uncompetitive and disproportionately favors Republicans. Despite Democratic House candidates winning more votes than Republican candidates in 2012, nine of its 13 districts are held by Republicans in safe seats and Democrat Mike McIntyre's district is likely to become a tenth safe Republican seat in the wake of his retirement. Presented below are different options for reforming redistricting in North Carolina. For each scenario, the partisan breakdown, competitiveness, likely racial representation, and Democratic partisanship for each district are listed.

### Current Map
*Current delegation: 9 R, 4 D*
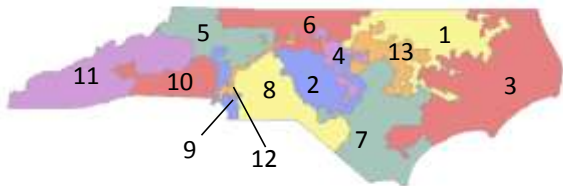


| Partisan Breakdown | 10 R, 3 D |
|---|---|
| Competitive Districts | None |
| Racial Representation | 1 black majority, 1 non-white majority |

| District | Dem Part. | District | Dem Part. | District | Dem Part. |
|---|---|---|---|---|---|
| 1 | 70% | 6 | 40% | 11 | 37% |
| 2 | 40% | 7 | 38% | 12 | 77% |
| 3 | 40% | 8 | 40% | 13 | 42% |
| 4 | 70% | 9 | 41% | | |
| 5 | 38% | 10 | 40% | | |

### Republican Gerrymander (without racial considerations)



| Partisan Breakdown | 11 R, 2 D |
|---|---|
| Competitive Districts | None |
| Racial Representation | 2 non-white majority |

| District | Dem Part. | District | Dem Part. | District | Dem Part. |
|---|---|---|---|---|---|
| 1 | 43% | 6 | 43% | 11 | 43% |
| 2 | 43% | 7 | 43% | 12 | 38% |
| 3 | 43% | 8 | 75% | 13 | 42% |
| 4 | 43% | 9 | 43% | | |
| 5 | 41% | 10 | 67% | | |

### Independent Redistricting (without partisan considerations)



| Partisan Breakdown | 8 R, 3 D, 2 ? |
|---|---|
| Competitive Districts | 2 Toss-up, 2 Lean R, 1 Lean D |
| Racial Representation | 1 non-white majority |

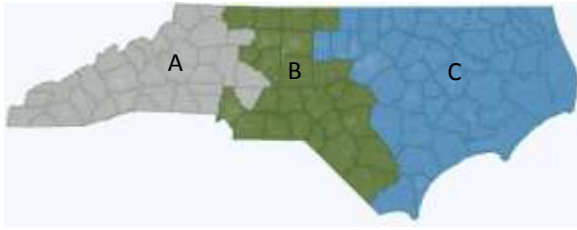| District | Dem Part. | District | Dem Part. | District | Dem Part. |
|---|---|---|---|---|---|
| 1 | 45% | 6 | 45% | 11 | 63% |
| 2 | 43% | 7 | 64% | 12 | 35% |
| 3 | 33% | 8 | 50% | 13 | 43% |
| 4 | 42% | 9 | 53% | | |
| 5 | 52% | 10 | 37% | | |

### Independent Redistricting (seeking partisan fairness)



| Partisan Breakdown | 6 R, 5 D, 2 ? |
|---|---|
| Competitive Districts | 2 Toss-up, 3 Lean D |
| Racial Representation | 2 non-white majority |

| District | Dem Part. | District | Dem Part. | District | Dem Part. |
|---|---|---|---|---|---|
| 1 | 56% | 6 | 51% | 11 | 63% |
| 2 | 54% | 7 | 35% | 12 | 33% |
| 3 | 53% | 8 | 38% | 13 | 43% |
| 4 | 49% | 9 | 33% | | |
| 5 | 40% | 10 | 58% | | |

**Fair representation voting
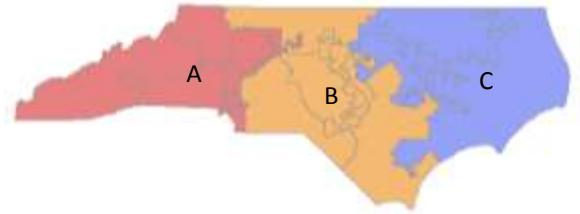(without racial considerations)**

**Fair representation voting
(with racial considerations)**

| Partisan Breakdown | 6 R, 5 D, 2 ? |
|---|---|
| Competitive Districts | 100%: All seats potentially competitive in every election |
| Racial Representation | 2 black majority seats, 2 non-white majority seats |

| Partisan Breakdown | 7 R, 5 D, 1 ? |
|---|---|
| Competitive Districts | 100%: All seats potentially competitive in every election |
| Racial Representation | 3 black majority seats, 100% of voters represented by a candidate of choice |

| District | # of Seats | Dem Part. | Black Pop. |
|---|---|---|---|
| A | 3 | 37% | 8% |
| B | 5 | 48% | 25% |
| C | 5 | 50% | 25% |

| District | # of Seats | Dem Part. | Black VAP |
|---|---|---|---|
| A | 5 | 37% | 17% |
| B | 5 | 48% | 19% |
| C | 3 | 50% | 29% |

## Fair Representation by Statute: A Comprehensive Plan for Ending Gerrymandering, Enhancing Voter Choice, and Guaranteeing Racial Representation beyond the Voting Rights Act

Requiring only an Act of Congress to be enacted, FairVote's fair representation voting plan would create three multi-member "super districts" in North Carolina: one with three House seats and two with five. In all three districts, it would take about a quarter of the vote for like-minded voters to elect a candidate, resulting in accurate representation of each super district's political left, center, and right.

The first plan was drawn using the criteria of an independent redistricting commission without political or racial considerations. In super district A, Republicans would typically win two seats and Democrats would win one. In super districts B and C, Republicans and Democrats would each win two seats and one district would swing between the parties. The candidates elected would almost certainly better reflect diversity of opinion within the parties as well, as fair representation voting would be used to nominate candidates in party primaries.

In all districts, voters would always have the ability to hold Members of Congress accountable by voting for alternative candidates within and outside of the major parties. African American voters would have the ability to elect at least one candidate of choice in super districts B and C. In the plan drawn using racial data, 100% of African American voters in North Carolina would be able to help elect a candidate of choice. That level of representation would hold regardless of the future of the Voting Rights Act. Women candidates would also be more likely to run and win seats.

# MEASURING THE IMPACT OF REDISTRICTING REFORM IN TENNESSEE

**The Effectiveness of Different Methods of Reforming Redistricting and Representation in Tennessee**

Tennessee's congressional map is universally uncompetitive and disproportionately favors Republicans. Seven of its nine districts are held by Republicans, and all seats will be safe in the 2014 election. Presented below are different options for reforming redistricting in Tennessee. For each scenario, the partisan breakdown, competitiveness, likely racial representation, and Democratic partisanship are listed for each district.
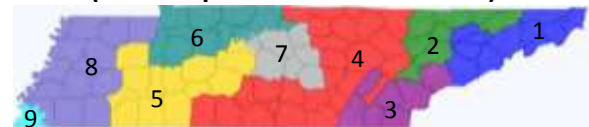
### Current Map
*Current delegation: 7 R, 2 D*



| Partisan Breakdown | 7 R, 2 D |
|---|---|
| Competitive Districts | 1 Lean D |
| Racial Representation | 1 black majority |

| District | Dem Part. | District | Dem Part. |
|---|---|---|---|
| 1 | 25% | 6 | 28% |
| 2 | 30% | 7 | 32% |
| 3 | 34% | 8 | 31% |
| 4 | 32% | 9 | 77% |
| 5 | 55% | | |

### Republican Gerrymander
### (without partisan considerations)



| Partisan Breakdown | 8 R, 1 D |
|---|---|
| Competitive Districts | None |
| Racial Representation | 1 black majority |

| District | Dem Part. | District | Dem Part. |
|---|---|---|---|
| 1 | 25% | 6 | 43% |
| 2 | 32% | 7 | 41% |
| 3 | 33% | 8 | 33% |
| 4 | 31% | 9 | 73% |
| 5 | 37% | | |

### Independent Redistricting
### (without partisan considerations)
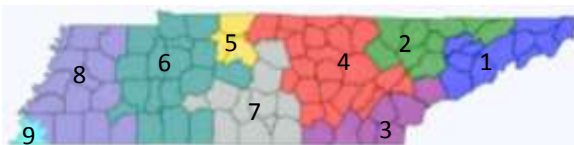


| Partisan Breakdown | 7 R, 2 D |
|---|---|
| Competitive Districts | 1 Lean D |
| Racial Representation | 1 black majority |

| District | Dem Part. | District | Dem Part. |
|---|---|---|---|
| 1 | 25% | 6 | 33% |
| 2 | 32% | 7 | 33% |
| 3 | 34% | 8 | 32% |
| 4 | 31% | 9 | 73% |
| 5 | 54% | | |

### Independent Redistricting
### (seeking partisan fairness)
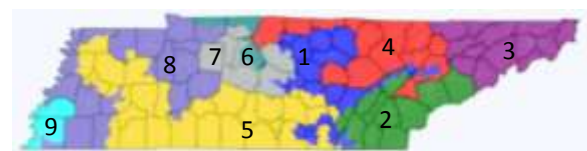


| Partisan Breakdown | 6 R, 3 D |
|---|---|
| Competitive Districts | 2 Lean D, 1 Lean R |
| Racial Representation | 1 non-white majority |

| District | Dem Part. | District | Dem Part. |
|---|---|---|---|
| 1 | 45% | 6 | 58% |
| 2 | 26% | 7 | 31% |
| 3 | 26% | 8 | 53% |
| 4 | 27% | 9 | 54% |
| 5 | 30% | | |

**Fair representation voting
(without racial considerations)**
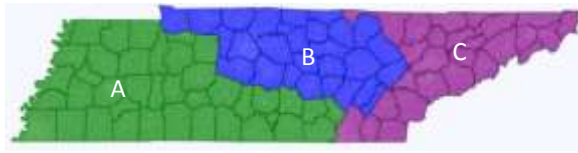


**Fair representation voting
(with racial considerations)**



| Partisan Breakdown | 6 R, 3 D |
|---|---|
| Competitive Districts | 100%: All seats potentially competitive in every election |
| Racial Representation | 1 black majority seat, 1 non-white majority seat |

| Partisan Breakdown | 6 R, 3 D |
|---|---|
| Competitive Districts | 100%: All seats potentially competitive in every election |
| Racial Representation | 1 black majority seat |

| District | # of Seats | Dem Part. | Black Pop. |
|---|---|---|---|
| A | 3 | 37% | 28% |
| B | 5 | 48% | 12% |
| C | 5 | 50% | 6% |

| District | # of Seats | Dem Part. | Black VAP |
|---|---|---|---|
| A | 4 | 48% | 28% |
| B | 5 | 30% | 6% |

### Fair Representation by Statute: A Comprehensive Plan for Ending Gerrymandering, Enhancing Voter Choice, and Guaranteeing Racial Representation beyond the Voting Rights Act

Requiring only an Act of Congress to be enacted, FairVote's fair representation voting plan would create three multi-member "super districts" in Tennessee, each with three House seats. In all three districts, it would take about a quarter of the vote for like-minded voters to elect a candidate, resulting in accurate representation of each super district's political left, center, and right. A second plan creates just two super districts, one with four seats and one with five, with similar results.

The first plan was drawn using the criteria of an independent redistricting commission without political or racial considerations. In each super district, Republicans would typically win two seats and Democrats would win one, though Democrats would have a chance to pick up a fourth seat in super district B in a strong year. The candidates elected would almost certainly better reflect diversity of opinion within the parties as well, as fair representation voting would be used to nominate candidates in party primaries.

In all districts, voters would always have the ability to hold Members of Congress accountable by voting for alternative candidates within and outside of the major parties. African American voters would have the ability to elect at least one candidate of choice in super district A in both plans. That level of representation would hold regardless of the future of the Voting Rights Act. Women candidates would also be more likely to run and win seats.

**The Effectiveness of Different Methods of Reforming Redistricting and Representation in Virginia**

Virginia congressional map is universally uncompetitive and disproportionately favors Republicans. Eight of its 11 districts are held by Republicans, and all but one seat is likely to be safe in the 2014 election if no further incumbents decide to retire. Presented below are different options for reforming redistricting in Virginia. For each scenario, the partisan breakdown, competitiveness, likely racial representation, and Democratic partisanship are listed for each district.

**Note**: A "Republican Gerrymander" map is not shown for Virginia because it is not possible to draw a map that would create more seats favoring Republicans than their current eight. Similarly, only one "Independent Redistricting map was created because independent commissions using partisan criteria or no partisan criteria would likely produce very similar maps.
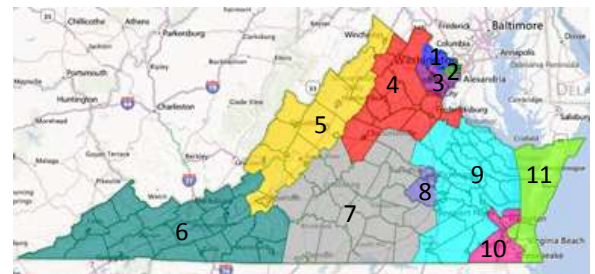
### Current Map
*Current delegation: 8 R, 3 D*
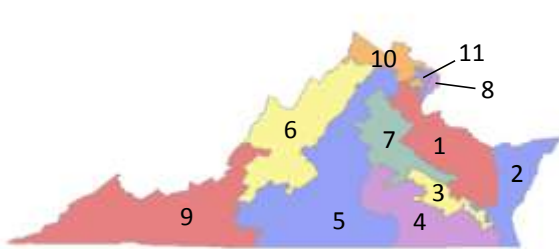


| Partisan Breakdown | 5 R, 3 D, 3 ? |
|---|---|
| Competitive Districts | 3 Toss-ups |
| Racial Representation | 1 black majority district |

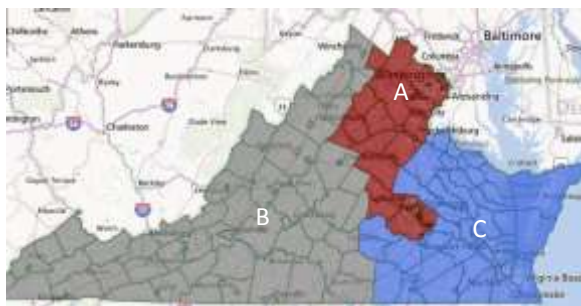| District | Dem Part. | District | Dem Part. |
|---|---|---|---|
| 1 | 44% | 7 | 40% |
| 2 | 49% | 8 | 66% |
| 3 | 78% | 9 | 34% |
| 4 | 47% | 10 | 48% |
| 5 | 45% | 11 | 61% |
| 6 | 38% | | |

### Independent Redistricting
### (with or without partisan fairness criteria)



| Partisan Breakdown | 5 R, 5 D, 1 ? |
|---|---|
| Competitive Districts | 1 Toss-up, 3 Lean D, 2 Lean R |
| Racial Representation | 1 black majority district |

| District | Dem Part. | District | Dem Part. |
|---|---|---|---|
| 1 | 55% | 7 | 41% |
| 2 | 65% | 8 | 54% |
| 3 | 55% | 9 | 45% |
| 4 | 47% | 10 | 57% |
| 5 | 39% | 11 | 52% |
| 6 | 37% | | |

**Fair representation voting
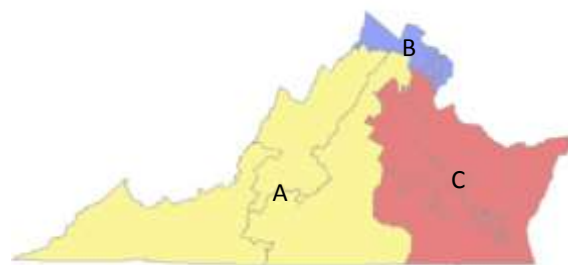(without racial considerations)**



**Fair representation voting
(with racial considerations)**



| Partisan Breakdown | 5 R, 5 D, 1 ? |
|---|---|
| Competitive Districts | 100%: All seats potentially competitive in every election |
| Racial Representation | 1 black majority seat, 1 non-white majority seat |

| Partisan Breakdown | 5 R, 5 D, 1 ? |
|---|---|
| Competitive Districts | 100%: All seats potentially competitive in every election |
| Racial Representation | 1 black majority seat, 1 non-white majority seat |

| District | # of Seats | Dem Part. | Black Pop. |
|---|---|---|---|
| A | 5 | 55% | 16% |
| B | 3 | 40% | 12% |
| C | 3 | 51% | 31% |

| District | # of Seats | Dem Part. | Black VAP |
|---|---|---|---|
| A | 3 | 39% | 12% |
| B | 3 | 58% | 11% |
| C | 5 | 51% | 27% |

**Fair Representation by Statute: A Comprehensive Plan for Ending Gerrymandering, Enhancing Voter Choice, and Guaranteeing Racial Representation beyond the Voting Rights Act**

Requiring only an Act of Congress to be enacted, FairVote's fair representation voting plan would create three multi-member "super districts" in Virginia: two with three House seats and one with five. In all three districts, it would take about a quarter of the vote for like-minded voters to elect a candidate.

The first plan was drawn using the criteria of an independent redistricting commission without political or racial considerations. Like the independent redistricting map, this fair voting plan would likely create a balanced party split of 5 Democratic, 5 Republican, and 1 swing seat. However, the candidates elected would almost certainly better reflect diversity of opinion within the parties as well, as fair representation voting would be used to nominate candidates in party primaries. The fair voting plan would also lead to more competition and more opportunities for racial minorities to win election

In all districts, voters would always have the ability to hold Members of Congress accountable by voting for alternative candidates within and outside of the major parties. African American voters would have the ability to elect at least one candidate of choice in super districts C and coalitions of racial minorities would have the ability to elect two candidates of choice in super district A. That level of representation would hold regardless of the future of the Voting Rights Act. Women candidates would also be more likely to run and win seats; an especially needed improvement for Virginia, which ranks last in FairVote's Parity Index.

**Summary: The Effectiveness of Different Methods of Reforming Redistricting in the South**



| Districting system | Democratic Seats | Republican Seats | Swing Seats | Black Majority Seats | Non-White Majority Seats |
|---|---|---|---|---|---|
| *Current Plan* | 16 | 52 | 3 | 10 | 2 |
| *Republican Gerrymander (no racial criteria)* | 8 | 60 | 3 | 4 | 2 |
| *Independent Redistricting (no partisan criteria)* | 14 | 49 | 8 | 6 | 4 |
| *Independent Redistricting (partisan fairness)* | 24 | 39 | 8 | 6 | 12 |
| *Fair Representation Voting (no racial criteria)* | 27 | 39 | 5 | 14 | 6 |
| *Fair Representation Voting (racial criteria)* | 25 | 39 | 7 | 16 | 3 |
| *Proportional Outcome[1]* | 31 | 40 | -- | 17 | 4 |

The maps in this report reveal several noteworthy facets of the reality of redistricting in the South:

- **Partisan bias toward Republicans:** The current congressional district plan in the South significantly disadvantages Democrats and does not provide adequate representation to African American voters. Of the eight states examined, only Virginia has any "swing seats" (within 3% of even partisanship).

- **Bias is not due to the VRA:** The Voting Rights Act is not to blame for the Democratic disadvantage in these Southern states. In fact, if the VRA did not exist, Republican state legislatures would be able to make things much worse for Democrats. The Republican gerrymandered maps in this report would eliminate half of the current Democratic districts in these states, along with eliminating six of the ten black-majority districts. These maps do not even appear significantly less compact than current district lines.

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[1] This row shows the seats that the two parties "should" win based on the partisanship of the Southern states in this report. The overall partisanship of the states is 43.6% Democratic. Black voters make up 24.6% of the voting age population of these states, and thus "should" win 17 seats from a descriptive representation perspective.

- **Mixed results of independent commissions:** An independent redistricting commission that does not look at any partisan or racial data in drawing district lines would not help alleviate the partisan bias of the current Southern district lines. While it would create a handful more swing seats, the hypothetical maps in this report would actually decrease the number of seats that Democrats would safely win.

  An independent redistricting commission that does look at partisan data would be able to draw maps that would be fairer to Democrats, but *would not be able to approach true proportionality* using single-member districts. The hypothetical maps in this report would create seven more Democratic seats than currently exist, but would still be eight additional seats shy of a proportional outcome. Additionally, many of the sample maps drawn using the criteria of such a commission lack compactness and appear much more gerrymandered than current district lines in the South.

- **Fair representation provides partisan and racial fairness:** Fair representation voting would allow an independent redistricting commission to achieve a fair partisan outcome and nearly proportional racial representation without sacrificing the compactness of districts or the preservation of county lines, or considering partisan and racial factors. Under these plans, Democrats would be expected to win 27 of 71 seats, and five additional seats would swing between the parties. Both parties would elect a broader spectrum of candidates reflecting the left, center, and right of their "big tents." Black voters would have the ability to elect 14 candidates of choice – four more than under the current plan.

  Again, these multi-member districts were drawn under the assumption that the Voting Rights Act does not exist. In the set of fair representation maps where racial factors were considered, black voters would have the ability to elect 16 candidates of choice.

  It is also important to remember that while only five seats would be projected to swing between the parties under these fair voting maps, every seat in every election would be potentially competitive. Fair voting systems ensure that there will always be competition within and outside of the two major parties, and that a greater diversity of candidates will be elected.


**Conclusion**

If the goals of the reformer of redistricting in the South are to create partisan fairness, enhanced racial representation, more competition, and cleaner district lines, the findings of this report strongly indicate that fair representation voting would be the most effective reform at achieving those goals. While the report does not study all possible scenarios (an independent commission working under the constraints of the Voting Rights Act, for instance), it illustrates the tradeoffs among these goals that are always necessary when working within a single-member district system.

As a result, FairVote recommends the use of fair representation voting as the model for redistricting reform in the South.