

Bartlett v. Strickland
U.S. Supreme Court case No. 07-689
Decided March 9, 2009

Issue: In a district that is not a majority-minority district, if a racial minority could elect its candidate of choice with support from crossover majority voters, can §2 require the district to be drawn to accommodate this potential?

§ 2 of Voting Rights Act cannot be invoked to require state officials to draw election-district lines to allow a racial minority to join other voters to elect the minority's candidate, even where the racial minority is less than 50 percent of voting age population in the district to be drawn.

What Happened:

North Carolina's Constitution prohibited dividing counties when redistricting. 1991

Legislature drew District 18 to include portions of 4 counties in order to comply with § 2, of the Voting Rights Act of 1965.

Pender County was divided

§2 liability applies when a minority group "is sufficiently large and geographically compact to constitute a majority in a single-member district"

In 1991 District 18 had a majority of African American. But when re drawn in 2003 was 39% minority.

Lower court held that § 2 required Pender County be split. N.C. Supreme Court reversed holding that a minority group must constitute a numerical majority of the voting-age population before sec 2 required the creation of a legislative district to prevent dilution of that group's votes.

Because African-Americans did not have a numerical majority in District 18, the court ordered the legislature to redraw the district

U.S. Supreme Ct. affirmed judgment.