

# Expert: No 'racial targeting' in NC district map fixes

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The Associated Press

RALEIGH — The expert who federal judges asked to redraw some North Carolina House and Senate district lines defended his final recommendations Friday, rejecting Republican arguments that he created boundaries with racial population quotas and helped Democrats.

Stanford University law professor Nathaniel Persily released his proposal, which altered two dozen of the General Assembly's 170 districts, mostly in the counties in or around Raleigh, Greensboro, Charlotte and Fayetteville. Some adjusted districts returned to the shapes that the legislature first drew in 2011.

The judges will meet Jan. 5 in Greensboro before deciding whether to adopt the changes, about five weeks before candidate filing begins for next November's elections. GOP lawmakers already have said it was premature for the judges to hire Persily as a special master, and House Speaker Tim Moore already has signaled map changes could be appealed to the U.S. Supreme Court.

Persily produced a draft three weeks ago designed to address the concerns of a three-judge panel that redistricting performed by the Republican-controlled legislature in August didn't

shed previously unlawful racial bias from four districts. Other district changes, the judges wrote, appeared to violate a state constitution prohibition because they were redrawn when they didn't have to be.

Reacting to the draft, a lawyer representing GOP leaders accused Persily of creating his own "racial sorting" by reducing — without legal justification — the black voting-age population in the four districts where the judges still worry racial gerrymandering exist. Lawmakers said they used no racial data while forming lawful maps in August.

Persily wrote Friday that he focused on "race-neutral criteria" like creating more compact districts and minimizing precincts split between districts and presented data to prove it. Still, he said, it should be expected that the black population would fall in the districts when other redistricting principles are emphasized.

The "plan is inoculated against the kind of attack that the legislative defendants seek to lodge with respect to racial predominance," Persily wrote. It eliminates "all of the constitutional infirmities the court has identified."

Persily's final plan tweaked lines and precincts so that only one pair of senators — Democrat Gladys Robinson and Republican Trudy Wade of Guilford County — were put in the same district,

compared to several House or Senate pairs in the draft. Eliminating all the potential "double-bunking" in the House was designed to "avoid even the appearance of partisanship," Persily wrote.

That didn't stop the chairmen of the House and Senate redistricting committees from blasting Persily's proposal as one that helps Democrats, which have been in the legislative minority since the 2010 elections. They want the maps approved in August used in the 2018 elections.

The process is "a thinly-veiled political operation where unelected judges, legislating from the bench, strip North Carolinians of their constitutional right to self-governance," Rep. David Lewis and Sen. Ralph Hise said in a release.

Persily's proposal likely would improve Democratic chances for winning two or three more House seats and two in the Senate. The maps approved in August kept Republicans able to retain veto-proof majorities in the chambers. But Democrats are bolstered after successful elections in Virginia last month.

In a release, state Democratic Party Chair Wayne Goodwin said Persily did his job and Republican "efforts to delegitimize the special master and our judicial system are dangerous and destructive."