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Federal Court Sides with LDF, Ruling Alabama County Commission Plan an Unconstitutional Racial Gerrymander

Yesterday, in a victory for the Legal Defense Fund (LDF) and our clients, a federal court in Alabama [permanently blocked](#) the Jefferson County Commission from implementing an unconstitutional redistricting plan that packs Black voters into two super majority-Black districts without any justification. In *McClure v. Jefferson County*, the Court found that LDF had proven that the Commission's redistricting plan was a racial gerrymander that violates the Equal Protection Clause of the 14th Amendment. LDF represents Clara McClure, the Alabama NAACP, Greater Birmingham Ministries, and the Metro-Birmingham Branch of the NAACP.

Racial gerrymandering is the practice of moving voters primarily based on their race when drawing electoral maps. Without a compelling reason, like compliance with the Voting Rights Act of 1965, the movement of voters based solely on race is unconstitutional.

For decades the Jefferson County Commission has enacted redistricting plans that packed Black voters, who comprise over 40% of the county, into just two districts. Additionally, the Commission has failed to offer the public meaningful opportunities to weigh in on the proposed maps. For example, the Commission held just one public hearing about the 2021 plan.

LDF, with co-counsel Wiggins, Childs, Pantazis, Fisher & Goldfarb and the Election Law Clinic at Harvard Law School, brought this [lawsuit](#) in April 2023, challenging all five commission districts. The Court ruled that all five districts violated the Equal Protection Clause of the 14th Amendment.

"We are so proud of our clients for securing this incredible win in our fight to deliver Jefferson County a long-overdue map that fairly represents the communities there," said **Kathryn Sadasivan, Assistant Counsel with LDF**. "We will continue to fight to make sure that the Commission's new map is fairly drawn. A nondiscriminatory redistricting process should be a given and not a far-off dream. The people of Jefferson County deserve nothing less."

"Jefferson County's Black residents deserve not to be packed into districts based solely on their race," said **Daniel Hessel, Attorney for the Election Law Clinic at Harvard Law School**. "The Court's decision is a significant step to achieving that goal, and a testament to the plaintiffs' efforts on behalf of their community."

"We look forward to the Jefferson County Commission coming to the table to finally draw a map that is fair to Black voters in the county," said **Cara McClure, Founder and Executive Director of Faith and Works Statewide Civic Engagement Collective**. "We are grateful

to the Court for calling out what we know to be true: the old map relied on a racial gerrymander, and it can no longer stand. We are excited to continue our fight for maps that are free from racial discrimination in Jefferson County.”

“Everyone in Jefferson County should care about the illegal redistricting that happened here,” **said Scott Douglas, Executive Director of Greater Birmingham Ministries.** “The Commission allocates money and resources that affect almost every part of our lives, our roads, our health care, our housing, and our community development. This win in court means that Black communities here will finally get an equal opportunity to make our voices heard and our votes not diluted by packing Black voters and their voices into as few districts as possible.”

“I am hopeful that this ruling means the unconstitutional packing of Black voters into overcrowded districts will finally end in Jefferson County,” said **Benard Simelton, President of the Alabama State Conference of the NAACP.** “Black voters have endured decades of discrimination in voting, and in a time where voting rights are being attacked on all fronts, I am grateful for this decision. The ruling takes us one step closer to ensuring that everyone has the opportunity for equal representation in our local government.”

“For years, Black voters were denied equal access to our local government,” said **Dorothea Crosby, President of the NAACP Metro-Birmingham Branch.** “We are so grateful that this illegal gerrymander has been struck down. We hope that the County Commission will work quickly to draw a new and fair map, and that we are finally on our way to a government that represents all of the voters in Jefferson County.”

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Founded in 1940, the Legal Defense Fund (LDF) is the nation’s first civil rights law organization. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the Legal Defense Fund or LDF. Please note that LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957 — although LDF was originally founded by the NAACP and shares its commitment to equal rights.