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Federal Court of Appeals Affirms Louisiana's Congressional Map is Discriminatory

NEW ORLEANS – The Fifth Circuit Court of Appeals today agreed with a lower court that the congressional map enacted by the Louisiana Legislature following the 2020 census is discriminatory and likely violates the federal Voting Rights Act.

The decision comes after the Supreme Court upheld the Voting Rights Act in a similar case in Alabama and nearly 18 months after court proceedings in which Black Louisianans and civil rights groups presented their case for enjoining the map.

The appeals court set out a timeline for the state Legislature to adopt a new map. If it does not do so or if it adopts a map that continues to violate the Voting Rights Act, the Fifth Circuit's decision instructs the lower court to promptly conduct a trial and adopt an appropriate remedial map.

The decision is the latest development in *Robinson v. Ardoin*, a lawsuit that argues that Louisiana's congressional map dilutes the voting power of Black Louisianans and violates Section 2 of the Voting Rights Act by failing to provide Black voters an equal opportunity to elect their candidates of choice in a second Louisiana congressional district. Plaintiffs argue that the Voting Rights Act requires that a new district is drawn before the 2024 and future election cycles.

The lawsuit was filed in March 2022 by the Louisiana State Conference of the NAACP, Power Coalition for Equity and Justice, and individuals Press Robinson, Dorothy Nairne, E. René Soulé, Alice Washington, and Clee Ernest Lowe.

The plaintiffs are represented by the American Civil Liberties Union, ACLU of Louisiana, Legal Defense Fund, Harvard Election Law Clinic, Louisiana attorneys John Adcock and Tracie Washington, and Paul, Weiss, Rifkind, Wharton & Garrison LLP.

Black Louisianans make up nearly one-third of the voting-age population in the state yet are severely underrepresented in the state's congressional map, which packed

Black voters from the two largest and majority-Black cities in the state, New Orleans and Baton Rouge, into a single congressional district.

That district also came about as a result of Voting Rights Act litigation and in response to a court order. Prior to that earlier litigation, no Black person had been elected to Congress from Louisiana since Reconstruction.

“This decision means that Louisiana should have a second majority Black congressional district. The court was also very clear that this matter must be resolved by next May so that a map that is compliant with the Voting Rights Act will be in place for the November 2024 election,” said **Sarah Brannon, deputy director with the ACLU’s Voting Rights Project.**

“Black voters and their voices matter – they have always mattered,” said **Alanah Odoms, executive director of the ACLU of Louisiana.** “Today’s ruling has strengthened our resolve to continue the fight for fair maps that affirm the fundamental voting rights of our community.”

“Today’s outcome affirms the fundamental right of Black Louisianans, whose voting power has continually and severely been diluted, to fully engage and participate in the political process and confirms that Louisiana’s congressional map likely violates Section 2 of the Voting Rights Act,” said **Kathryn Sadasivan, LDF assistant counsel.** “The Fifth Circuit decision indicates that Black Louisianans are entitled to elect their candidates of choice in two congressional districts, and in time for the 2024 elections.”

“For more than a generation, Black voters in Louisiana have been packed into a single congressional district that dilutes our voting power,” said **Mike McClanahan, president of the Louisiana State Conference of the NAACP.** “It is time for our votes to be fairly counted, and our voices to be heard. Today’s decision pushes the state closer to enacting a congressional map with two majority Black districts that truly accounts for all of us.”

“At every step of the redistricting process, Black Louisianans have fought hard for our communities’ right to be fully represented,” said **Ashley Shelton, president and CEO of Power Coalition.** “The people of Louisiana deserve to be a part of a fair political process that works for all, not just some. We look forward to continuing to advocate for voters as they push for a fair map.”