

For the Michigan Independent Citizens Redistricting Commission (MICRC)

Voting Rights Act

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The Voting Rights Act, also known as the VRA, was enacted by Congress in 1965. Section 2 of the VRA is a nationwide prohibition against voting practices and procedures (including redistricting plans and at-large election systems and voter registration procedures) that discriminate on the basis of race, color, or membership in a language minority group. Section 2 prohibits not only election-related practices that are intended to be racially discriminatory, but also those that are shown to have a racially discriminatory result.

The Voting Rights Act protects minority voters' opportunity to elect their candidates of choice through the analysis of election results, voting patterns, and racial block voting analysis, as Dr. Lisa Handley did for the Commission.

- **The VRA DOES NOT** require the creation of any majority minority districts.
- **The VRA DOES NOT** require that Michigan or any state have any majority minority districts.
- **The VRA DOES NOT** guarantee, require, or mandate that any state has a certain number of majority minority districts.

These VRA analyses inform redistricting commissions' decision making on the demographic composition of each district they draw to ensure minority voting rights are not weakened or damaged.

The United States Supreme Court¹ has been crystal clear that the Voting Rights Act neither mandates nor requires a numerical majority of voters in any district, anywhere. Instead, the Supreme Court states that the VRA only requires that a compact and politically cohesive minority group, for example, Black voters in Detroit, have the opportunity to elect their candidates of choice, **NOT** that these voters must live in majority Black districts. Creating majority-minority districts without appropriate, VRA recognized and required analyses is illegal and violates the US Constitution's 14th amendment as a racial gerrymander.

¹ *Cooper v. Harris*, 137 S. Ct. 1455 (2017); *Alabama Black Caucus v. Alabama*, 135 S. Ct. 1257 (2015).