

FIGHT FOR

FAIR

MAPS

Multiple federal protections regulate racial discrimination in redistricting.

Foremost among them are the
**U.S. Constitution &
Voting Rights Act of 1965.**

The Constitution

After Reconstruction, the Constitution was amended to directly address the legacy of slavery and impact of racial discrimination—including in the political process.

For example, the 15th Amendment explicitly prohibits government actors from denying or abridging a citizen's right to vote “on account of race, color, or previous condition of servitude.”

The Constitution

Courts have interpreted several amendments to directly impact redistricting. For example, the Equal Protection Clause of the 14th Amendment protects against racial gerrymandering.

Racial gerrymandering occurs when race is the “predominant” motivating factor during the redistricting process—meaning lawmakers cast aside other traditional redistricting principles to sort voters based on their race.



The Voting Rights Act

Thanks to the sacrifices of foot soldiers who marched from Selma to Montgomery Alabama in 1965, the Voting Rights Act (VRA) became widely hailed as the most effective piece of civil rights legislation in our nation's history.

Multiple provisions of the VRA address redistricting.

Section 2: Prohibits any voting qualification or prerequisite that results in a denial or abridgement of the right of any citizen to vote on account of race or color.

In redistricting, Section 2 prohibits vote dilution, which occurs when maps are drawn in a way that “packs” or “cracks” Black (or other minority) voters into districts to dilute the influence of their votes on the outcome of an election.



Section 2 plaintiffs can prove that the VRA requires the creation of a new “opportunity district” if they show:

First, that it is *possible* to draw a new majority-Black district because the Black population is sufficiently large and geographically compact (*Gingles I*)

and

Second, that current patterns of racialized political polarization (*Gingles II/III*) and enduring racial discrimination (Senate Factors) make the district *necessary* to afford Black voters an equal opportunity to participate in the political process and elect the candidates of their choice

Louisiana v. Callais
sits at the intersection of constitutional and
Voting Rights Act claims

Redistricting requires balancing protections in the Constitution and the Voting Rights Act



Under the Equal Protection Clause, lawmakers cannot use race *predominantly* in sorting voters into or out of a district with a compelling interest.

While Section 2 *requires* that lawmakers consider race to ensure voters have fair representation.

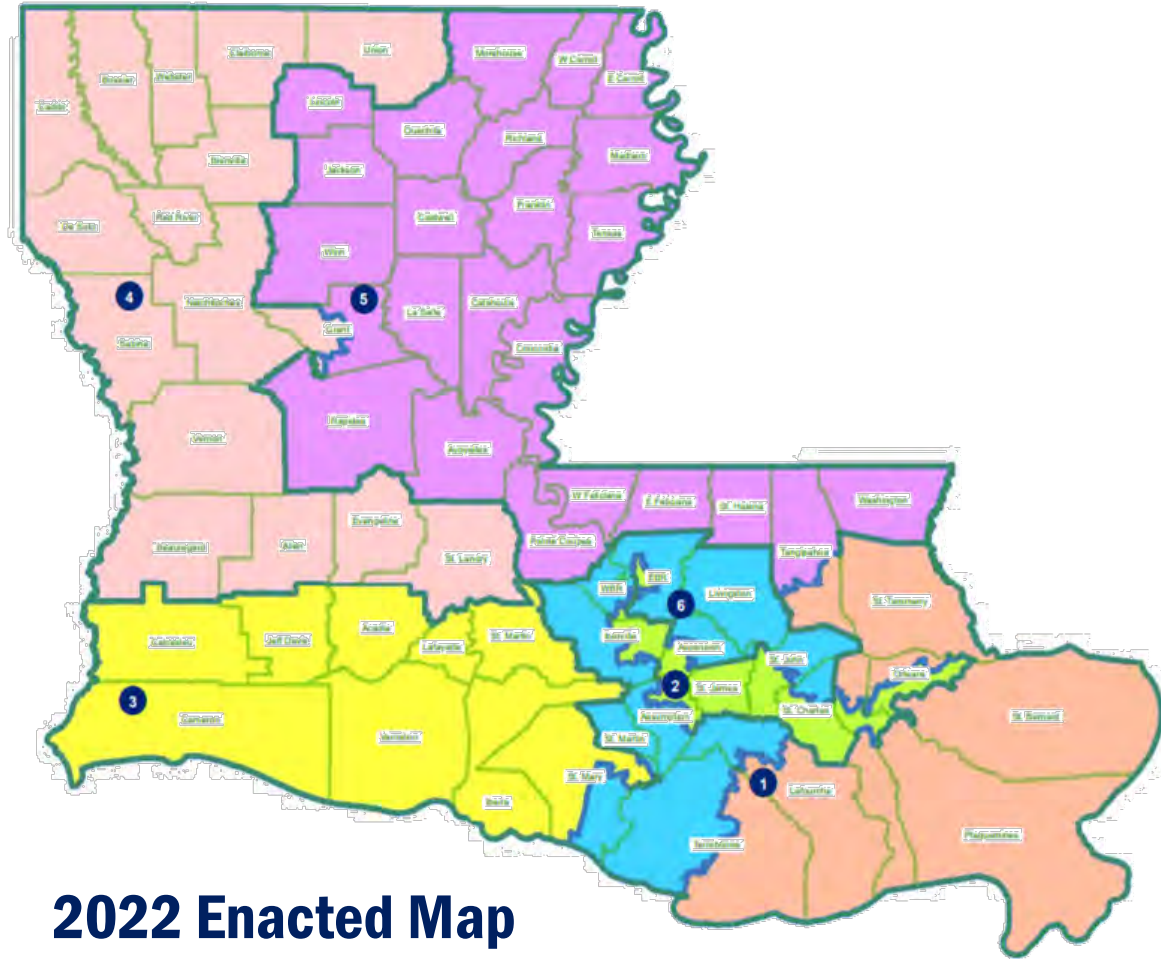
The U.S. Supreme Court has long provided guidance on how to navigate that balancing act....

- Where race *was not* the predominant factor in map-drawing and was balanced with other traditional redistricting principles or policy considerations, racial gerrymandering did not occur, so the Equal Protection Clause was not violated.
- However, if race *was* the predominant factor for a specific district, compliance with the Voting Rights Act can serve as a compelling interest for lawmakers to rely on race—so long as they had “good reasons” to believe it was necessary.



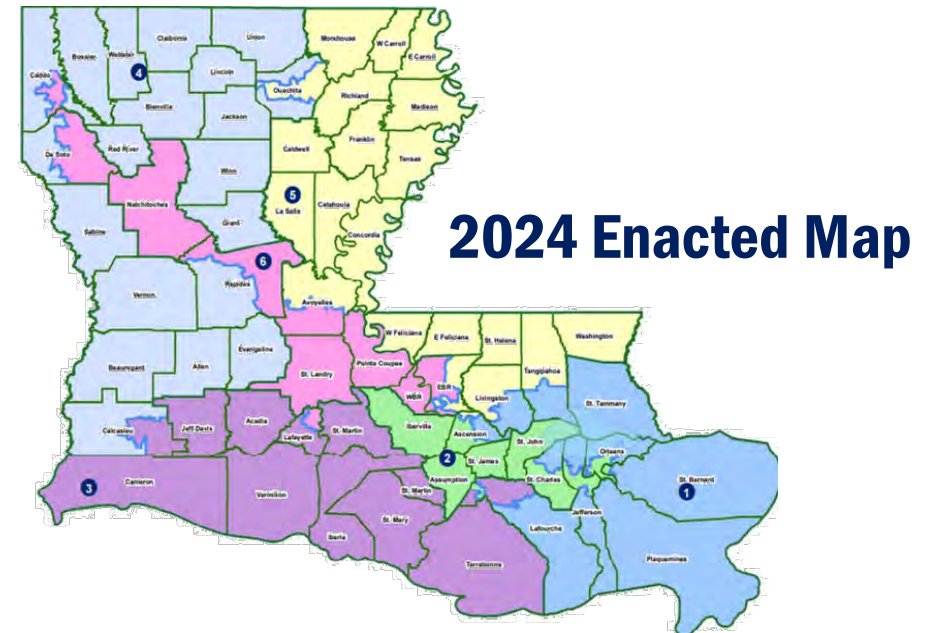
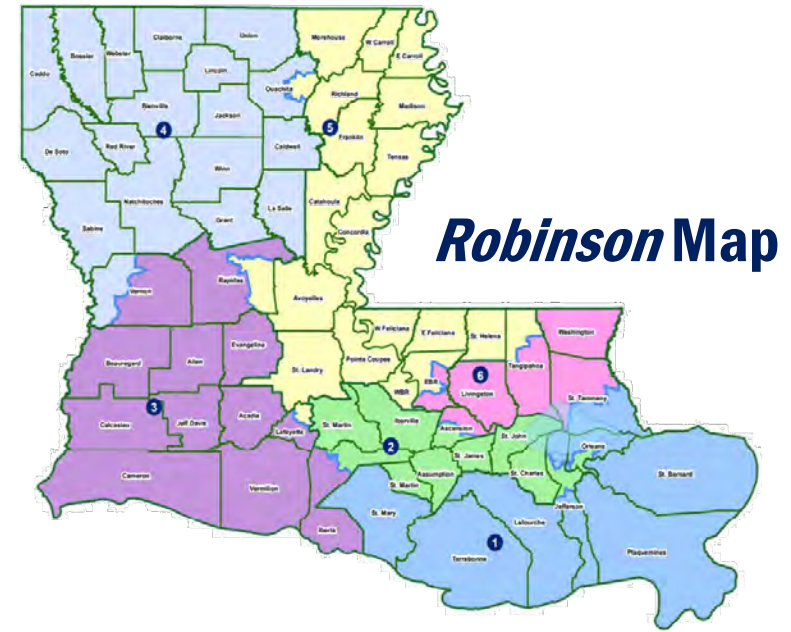
In ***Louisiana v. Callais***, the U.S. Supreme Court was asked to determine if a divided district court panel erred in deciding that Louisiana lawmakers did not properly balance constitutional and VRA protections when enacting a new congressional map with two majority-Black districts in 2024, following years of separate Section 2 litigation.

The Louisiana Legislature passed the current map in 2024 after multiple federal courts determined that a map with only one district where Black voters could elect their candidate of choice—the map enacted in 2022—likely violated Section 2 in *Robinson v. Landry*.



Instead of adopting a map vetted in that litigation, with a new opportunity district connecting Baton Rouge with the parishes north along the Mississippi River Delta, the Legislature chose a different map that connected communities in Baton Rouge and Shreveport, tracing the Red River and I-49.

The Legislature cited political preferences for this decision—namely, protecting powerful incumbents (and as an implicit consequence, unseating the Governor’s political rival, former Congressman Garret Graves).



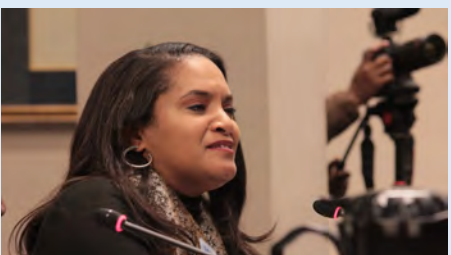
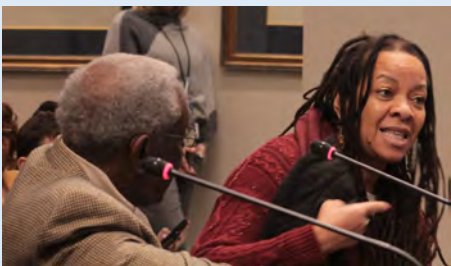


**The Supreme Court heard oral arguments on March 24, 2025.
But instead of deciding the case, the Court set the case for
reargument on a specific legal question.**

Specifically, the Court asked for supplemental briefing from parties on "whether Louisiana's creation of a second majority-minority congressional district violates the Fourteenth or Fifteenth Amendments to the U.S. Constitution."

The supplemental question presented changed the scope of the case and gave the State Defendants an opportunity to abandon their commitment to defending Louisiana's map.

This leaves the ***Robinson Intervenor-Appellants*** as the only party defending Black voters' rights to fair and representative districts at reargument.



The *Robinson* Intervenor-Appellants are nine Black voters and two organizations—the Power Coalition for Equity and Justice & the NAACP Louisiana State Conference—who, for years, have been fighting for a congressional map that reflects their communities.

Louisiana v. Callais is the third redistricting case
LDF and ACLU have argued at the Supreme Court since
the 2020 Census



Allen v. Milligan
Alabama case under Section 2



Alexander v. SC NAACP
South Carolina racial gerrymandering case

The outcome of the case will not only determine the next steps for Louisiana's congressional map but may also shape the future of redistricting cases nationwide and forecast the resiliency of our nation's democratic values.

TALKING POINTS:

The right to vote is the cornerstone of American democracy and the Voting Rights Act (VRA) is one of our strongest tools for protecting it. Section 2 of the VRA, which prohibits racially discriminatory voting policies and district maps, is among the Act's most important features.

This year marks 60 years since the passage of the VRA. This history-making statute marked the beginning of a transformation in our pursuit of a multiracial democracy. Finally, Black people and other voters of color could more equally engage in the political process.

Since its passage, the VRA has been a critical tool to push back against formidable forms of racial voter suppression — from literacy tests, to poll taxes, and racially dilutive electoral maps.

Yet just as Black people and other voters of color have made gains in the political arena, suppression tactics have evolved. Black people's political power remains under attack by majority-white legislatures while core protections of the VRA have been undercut by U.S. Supreme Court decisions.

Voter assistance restrictions, polling site closures, onerous registration requirements, and other policies disproportionately burden voters of color. Maps that dilute the voting strength of communities of color remain among the most persistent threats to a fair and representative democracy.

TALKING POINTS:

***Louisiana v. Callais* is the latest attempt to erode the VRA's protections by attempting to limit Section 2's application in the redistricting process and the promise of fair maps.** This effort to weaken our ability to challenge and remedy racially discriminatory maps is an affront to the communities who fought for generations to be heard at the ballot box.

The VRA was passed and repeatedly reauthorized by bipartisan majorities in Congress to root out racial discrimination in our elections, of which our country has a long and well-documented history. In states like Louisiana, these legacies continue today and make the political process less open to Black communities. As a result, these communities suffer from unresponsive representation and neglect of their unique needs and interests. Section 2 is a critical checkpoint to guard against this form of racial discrimination.

Louisiana established a second majority-Black congressional district because multiple federal courts found that the VRA required a new map that reflected Louisiana's diverse population and responded to persistent racialized politics and discrimination. The new map meant that Black people, who make up one-third of Louisiana's population, could finally have an equal opportunity to participate in the political process.

TALKING POINTS:

Inclusive representation is foundational to a healthy democracy. It ensures that all communities, regardless of race, have a seat at the table for policy decision-making.

While Louisiana's map was shaped with other political priorities at the forefront (like protecting Louisiana's powerful incumbents, including Speaker Johnson), the map finally also accounted for Section 2's protections, allowing Black voters to elect candidates who genuinely represent their communities' concerns and interests.

In *Callais*, opponents of Louisiana's map do not only aim to overturn it. They now seek to pit critical civil rights protections against one another, claiming that attempting to address racial discrimination under Section 2 is itself discriminatory and violates the 14th and 15th Amendments—the very constitutional provisions adopted in the wake of the Civil War to protect against discrimination in voting. The VRA was later passed to enforce these exact constitutional principles.

This case is not just about Louisiana. It is about whether communities of color—in the state *and beyond*—can have meaningful representation.



TALKING POINTS

The stakes could not be higher as we approach a decision. When the Supreme Court chose to rehear cases in the past, it was often a signal of deeper engagement, with the results that have expanded, not contracted, constitutional protections. Some of the most important rulings in American history were reargued, including *Brown v. Board*, *Roe v. Wade*, and *Miranda v. Arizona*.

***The Court is listening closely,
and now we must all tune in.
The promise of the VRA and our
right to a free, fair, and
representative democracy hang
in the balance.***



TALKING POINTS: Messages to avoid

- × Avoid partisan frameworks.
- × Avoid doom and gloom. Do not project Court behavior – especially in a negative frame. The law and the facts are on our side.
- × Do not demonize the Court or specific justices.

WHAT CAN YOU DO?





VOTING RIGHTS ACT ON THE LINE

Louisiana v. Callais

**FIGHT FOR
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THIS IS WHAT IS AT STAKE →

SPREAD THE WORD

Digital messaging toolkit:

bit.ly/CallaisToolkit

Follow & repost updates

@NAACP_LDF on IG, FB, Threads, X

@legaldefensefund.bsky.social on Bluesky

@aclu_nationwide on IG, Threads

Find *Louisiana v. Callais* info at: naacpldf.org/case-issue/louisiana-v-callais

Background and talking points: bit.ly/LaFairMaps

**FIGHT FOR
FAIR
MAPS**

RALLY

WHERE:

Steps of the U.S. Supreme Court

DATE:

Wednesday, October 15, 2025

TIME:

9:00am to 11:30am





FIGHT FOR
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For any questions or for your principal or senior leadership to join the rally speaker line-up:

Email Troi Barnes (tbarnes@naacpldf.org) & Tori Wenger (vwenger@naacpldf.org) by Tuesday, Sept. 30

Can't join the rally in person?

Stream the arguments live or host a listening session!

Visit [SupremeCourt.gov](https://www.supremecourt.gov) or the Supreme Court C-SPAN for argument audio.

Tune into the rally at youtube.com/NAACP_LDF



JUSTICE KETANJI BROW

U.S. Supreme Court

RACIAL GERRYMANDERING & VOTING RIGHTS

Louisiana v. Callais & Robinson v. Callais

This case involves tension between the Voting Rights Act & illegal racial gerrymandering.

Questions?