



**For Immediate Release**  
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## **U.S. Supreme Court Holds Partisan Gerrymandering Claims Nonjusticiable**

The U.S. Supreme Court today in *Rucho v. Common Cause* and *Lamone v. Benisek* ignored its own precedent established in three prior cases in holding that challenges to partisan gerrymandering are nonjusticiable and cannot be heard by federal courts. The Court left the remedy for addressing this issue with Congress and state legislators. For decades, civil rights and other advocates have urged the Court to recognize claims of partisan gerrymanderings and endorse a standard for proving these claims. The Court's decision leaves rampant political manipulation unchecked by federal courts.

The NAACP Legal Defense Fund, Inc. (LDF) filed an [amicus brief](#), co-authored with Justin Levitt, Professor at Loyola Law School, urging the Court to recognize that partisan gerrymandering claims can and should be heard by federal courts and to establish a standard that prevents discrimination through extreme partisanship in the redistricting process.

“Instead of intervening to protect the power of the people to choose their representatives, the Supreme Court dangerously ignored its duty to address constitutional violations that work to entrench the power of any political party,” said Leah Aden, Deputy Director of Litigation at LDF. “Without such a standard, officials will continue to manipulate voting maps and deny millions of voters – often voters of color – of the opportunity to elect their preferred candidates.”

As noted in LDF's initial [amicus brief](#), both major political parties have a history of unconstitutionally drawing redistricting lines to lock in partisan power well beyond the political considerations already included in the redistricting process. While there were no direct claims that the officials in these cases created their partisan advantage by racially discriminating against voters of color, the plan in North Carolina, for example, is based on existing maps that impermissibly packed voters of color to achieve partisan gains.

“Partisan gerrymandering is antithetical to our fundamental sense of justice and fairness in this country. It is one of the most egregious of constitutional violations. By holding that this unconstitutional action is beyond the reach of federal courts, the Supreme Court not only ignores *stare decisis*, but abdicates its responsibility. To allow a political party – any party – to draw congressional districts in a way that entrenches its power deprives entire communities of their ability to elect the representatives that they choose. What's more is that we know that partisan gerrymandering has a deep racial correlation. This allows political

parties to use African American and other racial minority communities to become unwitting pawns in political power grabs,” says Sherrilyn Ifill, President & Director-Counsel of LDF.

LatinoJustice PRLDEF, Asian Americans Advancing Justice (AAAJ), Asian American Legal Defense and Education Fund (AALDEF), Lambda Legal, and The Leadership Conference on Civil and Human Rights were also signatories on the original brief.

Read LDF’s brief [here](#).

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*Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization and 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. 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 NAACP Legal Defense Fund or LDF.*

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