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SCOTUS sides with people of Alabama in Milligan case, Legislators must redraw congressional maps to represent black and brown communities

Grassroots organizers are celebrating a landmark victory as the United States Supreme Court upheld Section 2 of the Voting Rights Act and forced the Alabama Legislature to redraw its Congressional maps to include a second majority-minority district.

SCOTUS ruled 5-4 in the *Allen v. Milligan* (formerly *Merrill v. Milligan*) case. By affirming Section 2 of the VRA, SCOTUS upholds it is acceptable to factor race into redistricting to ensure that people of color have equal voting power.

The Milligan plaintiffs — Evan Milligan, Khadidah Stone, Shalela Dowdy, Letetia Jackson, Alabama State Conference of NAACP and Greater Birmingham Ministries — argued that Alabama voters deserved a second majority-minority district to reflect Alabama's 27 percent Black population and, in failing to draw the second district, Alabama legislature violated Section 2 of the VRA. SCOTUS heard oral arguments in the case on Oct. 4, 2022.

"This decision is a crucial win against the continued onslaught of attacks on voting rights," said [LDF](#) senior counsel Deuel Ross, who argued the case before the court in October. "Alabama attempted to rewrite federal law by saying race had no place in redistricting. But because of the state's sordid and well-documented history of racial discrimination, race must be used to remedy

that past and ensure communities of color are not boxed out of the electoral process. While the Voting Rights Act and other key protections against discriminatory voting laws have been weakened in recent years and states continue to pass provisions to disenfranchise Black voters, today's decision is a recognition of Section 2's purpose to prevent voting discrimination and the very basic right to a fair shot."

The Voting Rights Act of 1965, a pivotal legislation that has been instrumental in protecting the rights of minority voters for decades, has faced numerous challenges in recent years. Section 2, in particular, has been a focal point of legal debates with some arguing for its dilution or elimination. However, today's ruling by SCOTUS reaffirms the significance of Section 2 and the essential role it plays in preserving the integrity of our democracy.

Section 2 of the Voting Rights Act prohibits any voting practice or procedure that results in the denial or abridgment of voting rights based on race, color, or membership in a language minority group. By upholding this crucial provision, the Supreme Court makes it clear that discrimination in any form will not be tolerated and that the right to vote must be protected for all citizens, regardless of their background.

"This ruling comes at a critical juncture in our nation's history, as voter suppression efforts and discriminatory practices continue to threaten the fundamental principle of one person, one vote. The decision serves as a beacon of hope, inspiring renewed confidence in the strength and resilience of our democracy and the power of the people's voice," said Annessia Hardy, executive director of [Alabama Values](#).

The preservation of Section 2 of the Voting Rights Act ensures that historically marginalized communities can exercise their constitutional right to vote without facing undue barriers or discriminatory practices. It guarantees that every voice is heard, that every vote is counted, and that our government represents the will of the people it serves.

"I strongly support [the] SCOTUS decision to uphold many years of precedent by siding with the Allen v. Milligan plaintiffs. Section 2 of the VRA ensures that minority communities have the ability to choose a candidate of choice and secure adequate and fair representation according to Census count," said R. Jordan Davis, interim networks director for voting rights at the [Southern Coalition for Social Justice](#). "This is a win not only for the people of Alabama; this is a win for Louisiana as their maps will be impacted by this decision and a win for the South. So goes the South, so goes the nation. What impacts Southern communities, directly impacts communities across our country. I am proud and hopeful that this is the first step on the path to secure federal voting rights protections for all."

The Alabama Legislature will be required to redraw its Congressional maps to more accurately represent Black and Brown communities in the state instead of packing and cracking minority voters.

“Alabama gerrymandered voters to ensure the vast majority of Black people are all in one U.S. congressional district,” said Juanica Fernandez, executive director of [State Voices Florida](#). “Thankfully, the U.S. Supreme Court recognized how profoundly wrong this is in finding that it violated Section 2 of the Voting Rights Act. We enter the future with a Black people in Alabama knowing their vote matters as much as someone who is white. Hopefully, other states will look at this precedent and realize that gerrymandering is bad for democracy and our country as a whole, or at least decide not to try what Alabama did knowing it will fail.”

“This is a victory for democracy and fair representation across the country, particularly for a state like Tennessee that has few regulations to protect communities from racial and partisan gerrymandering,” said Matia Powell, executive director of [Civic TN](#). “Because of this ruling, communities across the country have a mechanism to hold elected officials accountable to ensure fair representation and influence to elect their leaders of choice.”

“The key takeaway from today’s decision is the court’s acknowledgment that the Alabama Legislature knowingly continued its legacy of drawing illegal voting districts that disenfranchise Black voters. The Alabama Legislature must now draw new, fairer voting districts,” said Tish Gotell Faulks, the [ACLU of Alabama](#)’s legal director. “Though we were victorious today, history shows us that lawmakers will erect many more hurdles before every Alabamian, irrespective of their race, can vote for representatives that reflect their beliefs, values, and priorities. Efforts remain underway from Montgomery to Jackson to Baton Rouge, and elsewhere across the country to minimize, marginalize, and eliminate the ability of Black and brown people to have a voice in their communities. Our communities then — as now — understand that the fight to uphold our civil rights is a daily pursuit. We will persist.”

This story is developing. Alabama Values will send out updates as they become available. Read the entire ruling [here](#).

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Alabama Values is a grassroots communications organization working to raise awareness and increase engagement around community issues in Alabama. They work directly with grassroots civic organizations advocating to build power and break down barriers to civic participation for communities across the state.