



At-Large Voting in North Carolina Counties and the Effects on Marginalized Populations

Danielle M. Ward

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League of Women Voters of North Carolina (LWVNC)
3509 Haworth Drive, #206, Raleigh, NC 27609
<http://www.lwvnc.org>
(910) 236-9220

Introduction

With the help of a 2021 AAJ Grant distributed by the SOLVE Coalition and the Southern Coalition for Social Justice, The League of Women Voters of North Carolina asked Danielle M. Ward to research voting districts in counties across North Carolina and provide a report of her findings.

We are sharing the report to be used as a reference and a tool by all those advocating for voting districts that are equitable and provide greater opportunities for minority groups to elect officials who represent their interests. While LWWNC will continue to work on statewide issues regarding gerrymandered Congressional and General Assembly voting districts, we feel that we provide a service by bringing greater attention to local voting maps.

Perhaps the most dramatic fact that emerges from the report is that as many as 39 counties in North Carolina still have all At-Large voting systems. Such districts make it exceedingly difficult for people of color to win elections. This not only perpetuates systems that fail to reflect the diversity in our communities but discourages participation in the democratic process.

We are happy for you to share this report. Please give due credit to Danielle M. Ward and the League of Women Voters of North Carolina. Thank you.

Gary Kenton and Phyllis Demko

Current and former LWWNC Redistricting Team Chairpersons

At-Large Voting in North Carolina Counties and the Effects on Marginalized Populations

North Carolina has a checkered past where voting rights are concerned. From the late 18th century to the present day, the state has experienced cycles of reform, followed by surges in turnout and shifts in power, leading to a backlash in the form of voting restrictions and sharp declines in turnout.¹ The ebb and flow of expanded access to the franchise followed by reactionary restrictions has repeated itself multiple times since the Civil War and Reconstruction. At some points in our history, North Carolina has been one of the most democratic southern states.² Yet, we have also been a State cited for grievous voting restrictions, and can claim the dubious distinction of more than one United States Supreme Court opinion finding federal voting rights violations.³ What is impossible to ignore, and what lies at the very center of these cycles, is their direct relationship to racial discrimination.

At both the national and state levels, the League of Women Voters supports “the broadest voter representation possible ... expressive of voter choice”⁴ and “full participation of all citizens in the democratic process.”⁵ The League also “supports electoral methods that ... encourage those with minority opinions to participate, including under-represented communities.”⁶

¹ Hasen, Richard, Race or Party: How Courts Should Think About Republican Efforts to Make it Harder to Vote in North Carolina and Elsewhere, Harvard Law Review Forum (2013).

² Hasen, at 1-2.

³ Shaw v. Reno, 509 U.S. 630 (1993); Thornburg v. Gingles, 478 U.S. 30 (1986).

⁴ League of Women Voters, Impact on Issues 2020-2022, at 47-48.

⁵ League of Women Voters-NC, Public Policy Positions, May 2021, at 1.

⁶ Impact on Issues, at 47-48.

This report describes the status of at-large voting in counties across North Carolina and explores the ways this electoral method affects marginalized populations in our State. Applying the conclusions of the research examining this question, more often than not, at-large voting does not align with League values. A county-by-county analysis was conducted to identify locations where changes to a county's electoral structure would broaden access and voter representation to all, especially marginalized populations.⁷

To summarize, I conclude that there are several N.C. counties in which marginalized voters have been able to achieve little or no representation and would benefit from reform of at-large voting and the use of residency districts. As discussed below, a change from at-large voting to district voting does not necessarily result in positive changes for minority representation, and the conditions in a county may not meet the characteristics for successful advocacy or litigation. However, there are counties in North Carolina where such changes would likely result in a significant expansion of the franchise to historically marginalized groups.

I. North Carolina Local Government Electoral Methods Defined

In North Carolina, local governments are creatures of the State, but have considerable freedom in structuring their electoral organization.⁸ According to the North

⁷ Political scientists distinguish between descriptive representation and substantive representation. This paper limited consideration to descriptive representation, that is, "a term used to characterize politicians who share distinct physical traits with their constituencies." Meier, Kenneth, Structural Choices and Representational Biases: The Post-Election Color of Representation, American Journal of Political Science (2005), at 759.

⁸ Joyce, Robert. Redistricting for Local Governments After the 2000 Census, Popular Government (2001).

Carolina Association of County Commissioners, North Carolina's 100 counties contain different types of electoral structures. Over the years, as a result of citizen advocacy, state law changes, actual or threatened litigation, and/or voluntary reorganizations, these structures have undergone change.⁹ Reviewing these changes provides a guide for current advocacy and reform.

Pure At-Large

A pure at-large election system exists where candidates run for election in an entire jurisdiction, rather than from specific districts, or wards, within the jurisdiction. In other words, within the government territory, there are no lines drawn. This electoral system allows 50% plus one of the voters to control all of the open seats.¹⁰ In North Carolina, at-large elections are the default means of electing city boards, county commissioners, and school boards.¹¹ In places where minority voters and White voters consistently prefer different candidates, White voters will consistently defeat the preferred candidates of minority groups because of numerical superiority.¹²

Throughout North Carolina's history, various local governments with White majorities have used at-large voting to expressly suppress Black electoral successes.¹³ In fact, "[t]he most common subject matter for [Voting Rights Act Section 2] lawsuits is a challenge to methods of conducting elections that make it harder for African-Americans

⁹ [County Elections - North Carolina Association of County Commissioners : North Carolina Association of County Commissioners \(ncacc.org\)](https://www.ncacc.org/county-elections)

¹⁰ [Power on the Line\(s\): Making Redistricting Work for Us](#), NAACP Legal Defense Fund, (2021), Appendix 1 at 66.

¹¹ Joyce, at 3.

¹² [Power on the Line\(s\)](#), at 66.

¹³ [Leloudis, James and Korstad, Robert, Fragile Democracy: The Struggle Over Race and Voting Rights in North Carolina](#) (2020), at 52.

to be elected, especially the use of at-large elections.”¹⁴ Also notable, in her dissent in Shelby County v. Holder,¹⁵ Justice Ruth Bader Ginsberg stated “[b]y switching to at-large voting, the overall majority could control the election of each city council member, effectively eliminating the potency of the minority’s votes.”

Residency Districts, also known as Districts At-Large

A residency district exists where a jurisdiction has been divided into districts to ensure the candidates running for seats on a commission or board reside in different areas. However, all voters across the jurisdiction are able to vote for all candidates.¹⁶ This system achieves some geographic diversity on an elected board, but the majority voting bloc is still able to control who wins each seat. In heavily segregated counties, residency districts can act to dilute minority representation by packing non-White candidates into one residency district, forcing those candidates to compete with one another, while the majority still controls who ultimately wins the seat. Residency districts also “limit minority voters’ ability to use single-shot voting to elect candidates of their choice”.¹⁷ Residency districts were the basis for multiple objection letters from the Department of Justice across various counties in North Carolina.¹⁸ Like pure at-large systems, where a residency requirement is attached to an open seat, Black voters have found disproportionately low electoral success.¹⁹

¹⁴ Joyce, at 11.

¹⁵ 570 U.S. 529 (2013).

¹⁶ Earls, Anita, Wynes, Emily and Quatrucci, LeeAnne, Voting Rights in North Carolina 1982-2006, (2006), at 7.

¹⁷ Earls, at 7.

¹⁸ Earls, at Appendix 2.

¹⁹ Engstrom, Richard and McDonald, Michael, The Effect of At-Large Versus District Elections on Racial Representation in U.S. Municipalities, in Election Laws and their Consequences, (1986), at 210, Table 13.1.

Pure Districts

A pure district election system exists where all candidates run for election in specific geographical areas with defined boundaries, called districts or wards, within the larger jurisdiction. This system is also referred to as single member voting. Only voters who reside within each district are able to vote for the candidates running for the district seat and each district elects a single representative.²⁰ Like residency districts, this system achieves geographic diversity, but the power to elect the district representative remains with those residing in the district instead of being spread across the jurisdiction's entire population. Although some caveats may apply, the literature largely concludes that this method creates the best opportunity for minority voters to elect candidates of their choice.

Hybrid Electoral Systems

A hybrid, or mixed, electoral system exists where a combination of pure at-large, pure districting systems, and/or residency districts is used, and may result in multimember districts, or a mix of districted seats along with additional at-large seats. Many North Carolina counties employ a hybrid system, combining characteristics of more than one election structure.

Limited Voting Systems

A limited voting system exists where voters in a jurisdiction are able to vote for fewer candidates than there are open seats.²¹ For example, there may be two open seats on a

²⁰ Power on the Line(s), at Appendix 1.

²¹ NCACC, County Elections.

county commission, and voters may choose only one candidate. Several North Carolina counties employ limited voting systems, including Perquimans, Martin, and Tyrell. Typically, these systems were put into place after voting rights litigation and provide a means for minority voters to coalesce around a specific candidate increasing the likelihood of electoral success.

Other Relevant Election Characteristics

When considering how the above electoral structures impact minority populations, it is also important to note that other characteristics of elections may combine with the chosen structure to possibly dilute minority political power, including the use of staggered terms, run-off election requirements, and/or short-term length requiring frequent re-election campaigns. When courts are analyzing voting systems for compliance with federal voting rights laws, these other characteristics are also included in the discussion.

II. Historical and Legal Context

At times in the past, at-large voting has been presented as both a characteristic of good government,²² as well as a means of preventing minority citizens from electing candidates of their choice and a tool of racial discrimination.²³ In the late 1800s, municipal reformers proposed that election via at-large voting would improve the quality

²² Hofer, Scott, Huang, Cong, and Murray, Richard, The Trade-Offs Between At-Large and Single-Member Districts, Hobby School of Public Affairs White Paper Series, 2018, at 2.

²³ Grofman, Bernard and Davidson, Chandler, Controversies in Minority Voting (1992), at 10.

of local government representatives, positing that candidates responsive to the entire jurisdiction, and a wider community would result.²⁴ In reality, however, that representation very often accrues only to the wealthiest and most connected in a jurisdiction.²⁵ Where socio-economic gaps exist and disproportionately affect minority groups, as is often the case in North Carolina, these purported advantages translate to racial disenfranchisement. In fact, newer waves of reform pointed to the vast underrepresentation of Black citizens in local governments and were attributed to the at-large electoral method.²⁶

In post-Civil War North Carolina, when the 13th, 14th, and 15th Amendments stood in the way of attempts to disenfranchise newly freed Black men, tactics such as literacy tests sought to achieve similar results.²⁷ Disenfranchisement tactics continued through the Jim Crow Era, further entrenching White supremacy. During this time, one example of the use of at-large voting to achieve this goal occurred in the City of Wilson. George Butterfield Sr., a Black man, had successfully been elected to serve on the Wilson County Board of Commissioners. He later ran for, and was elected to, the Wilson City Council, which at the time was a pure district jurisdiction. While in office, Butterfield sought to increase the use of government resources to support the City's Black citizens. Before the next election, the White commissioners passed a resolution to change the City's electoral structure from a districted system to an at-large system. The change was approved by the State, which even added a provision requiring ballots with only one vote cast (single shot vote) to be discarded. This type of provision prevented

²⁴ Engstrom & McDonald, at 203.

²⁵ Hofer, at 2.

²⁶ Engstrom & McDonald, at 205.

²⁷ Leloudis & Korstad, at 20-23.

Black voters, the numerical minority across the entire City, from coalescing behind one candidate. The City and State actions prevented the re-election of Butterfield.²⁸

The Voting Rights Act of 1965 and *Thornburg v. Gingles*

The Voting Rights Act of 1965 is widely recognized as a landmark civil rights law. President Lyndon Johnson cited its passage as the happiest moment of his presidency at the close of his administration.²⁹ Prior to the passage of the Voting Rights Act, only 36% of Black citizens in North Carolina were registered to vote, but after its passage, registration reached 50%.³⁰

Specifically pertinent to a discussion of electoral structures and at-large voting is Section 2 of the Act, which is written in very broad terms and applies everywhere in the country. Section 2 disallows any “standard, practice, or procedure” that results in the “denial or abridgement of the right of any citizen of the United States to vote on account of race or color.”³¹ The protections afforded by the Act also extend to members of a language minority group.³² Hundreds of cases have been decided under this section, including both vote denial cases, and vote dilution cases. Vote dilution cases result when an electoral system is alleged to be an improper means of submerging minority

²⁸ Leloudus & Kostad, at 50-51.

²⁹ Grofman & Davidson, at 7.

³⁰ Earls, at 4.

³¹ 52 U.S.C. § 10301(a).

³² Guidance Under Section 2 of the Voting Rights Act, 52 U.S.C. 10301, for Redistricting and Methods of Electing Government Bodies, (2021).

voters in the majority and “denying those minority voters an opportunity to elect candidates of their choice.”³³

In *Thornburg v. Gingles*, the Supreme Court established the framework for a Section 2 challenge. *Gingles* arose in North Carolina, and five counties’ redistricting actions were alleged to impair the opportunity of Black voters “to participate in the political process and to elect representatives of their choice.”³⁴ In its discussion of the voting conditions in North Carolina, notable historical discrimination against Black voters was found to exist, along with remarkably polarized voting and significant underrepresentation of Black candidates.³⁵ In its analysis, the Court announced three preconditions that plaintiffs must prove as part of a Section 2 claim. The minority group must be able to show: (1) it is sufficiently large and geographically compact to constitute a majority in a single member district; (2) the group is politically cohesive; and (3) that the White majority votes as a bloc to usually defeat the minority’s preferred candidate. If these three preconditions are established, then the Court will use a “totality of the circumstances” test to consider whether the facts demonstrate that the standard, practice or procedure at issue creates “unequal access to the electoral process” in violation of Section 2. This inquiry is very fact-specific and guided by the factors laid out by Congress when it passed the Act.

In North Carolina, Section 2 has been used to successfully challenge electoral systems in several local governments. In Halifax County, no Black candidates had been elected in the twentieth century, until the at-large election method was challenged

³³ Standing in the Breach: Using the Remaining Tools in the Voting Rights Act to Combat Voting Discrimination, Legal Defense Fund, January 2021, at 1.

³⁴ 478 U.S. 30 (1986).

³⁵ *Gingles*, at 38-40.

and found to violate Section 2, allowing the first Black commissioner to take office.³⁶ In Vance County, a Section 2 challenge led to a consent decree changing the election structure from residency districts to pure districts, after which three Black commissioners were elected.³⁷ Similar results followed after a change to the town of Benson's election structure, in Johnston County.³⁸ In 2007, the City of Fayetteville attempted to convert one-third of its city council seats from single-member district seats to at-large seats, but the Department of Justice objected and the change was not made.³⁹ Importantly, Jones County's at-large method was replaced with a system of single-member districts after a lawsuit was filed by the Lawyers' Committee for Civil Rights in 2017.⁴⁰ This change resulted in the election of two Black commissioners after no Black representation from 1994-2017.⁴¹

As many commentators have noted, Section 2 claims are very fact-specific, time consuming, and expensive to pursue. However, these claims remain a powerful tool with extensive case law on which to rely, and the payoff can be quite meaningful where an altered electoral system results in expanded voting access and representation.⁴² In turn, expanded representation can create consequential gains for historically marginalized populations.⁴³

³⁶ Johnson v. Halifax, 594 F. Supp. 161 (E.D.N.C. 1984), discussed in Earls Report, at 9.

³⁷ Ellis v. Vance County, 87-28-CIV-5 (E.D.N.C. 1987), discussed in Earls Report, at 9.

³⁸ Johnson v. Town of Benson, 88-240-CIV-5 (E.D.N.C. 1988).

³⁹ Sturgis, Sue, Challenging the Racism of At-Large Elections, The Institute for Southern Studies (2017).

⁴⁰ Hall v. Jones County Board of Commissioners, 4:2017cv00018 (E.D.N.C. 2017).

⁴¹ A Brief History of Voter Suppression in North Carolina, DemocracyNC.

⁴² The Cost (in Time, Money, and Burden) of Section 2 of the Voting Rights Act Litigation, Legal Defense Fund.

⁴³ The current analysis focuses on statutory requirements of the Voting Rights Act, but if litigation is contemplated, constitutional claims would likely also be included.

III. Relevant Political Science Literature

Many political science researchers have investigated how electoral structures and methods affect minority representation, or a lack thereof, and how local governments can utilize the choices when organizing their elections. The following studies are a sample of those relevant to our question.

In “The Trade-Offs Between At-Large and Single-Member Districts”, the authors reviewed the existing literature to consider the two electoral systems and how each affects local government and gender and racial representation.⁴⁴ They found that at-large systems typically increase gender diversity, but that people of color are less likely to be elected when they are in place. The authors concluded that “if equity in representation is the goal, in a diverse community, then [pure or single-member districts] are overwhelmingly cited as a better mechanism.”⁴⁵ They also noted the concentration, size, and polarization of the vote in an area are key considerations, and in homogenous areas the differences found between at-large jurisdictions and pure district jurisdictions are less pronounced.⁴⁶ Finally, the authors noted a growing trend of jurisdictions adopting a hybrid approach, and that those systems typically provide the same benefits as pure districts/SM districts.⁴⁷ For these reasons, in the county analyses following this discussion, North Carolina counties using pure districts or a

⁴⁴ Hofer, at 1.

⁴⁵ Hofer, at 4.

⁴⁶ Hofer, at 5.

⁴⁷ Hofer, at 5.

hybrid approach that does not include residency districts were not identified for possible action.⁴⁸

Older, but well-known research from 1982 concluded that “as a general matter Black [citizens] can be expected to be almost proportionally represented if districts are the exclusive medium through which council members are selected. If at-large elections are used, however, Black [citizens] can be expected to be underrepresented.”⁴⁹ This study also noted that “whenever blacks constitute 10% or more of the population, at-large elections are likely to have an adverse impact on how proportionately they are represented.”⁵⁰ In a comparison of city council representation between jurisdictions employing pure districts, pure at-large voting, and residency districts, the authors reiterated that Black voters “are close to being proportionally represented when districts are employed but are considerably ‘underrepresented’ and often excluded completely, when elections are held at- large.”⁵¹

A frequently cited study from 1990 summarized research from the 1970s in cities with populations over 50,000 and concluded that Black voters were greatly disadvantaged where at-large systems were in place, even when regional, size and socio-economic differences were controlled for.⁵² In her work, author Welch states, “no matter which representation measure is used, blacks are more often elected in district than at-large elections. In cities with district representation, blacks achieve a little more

⁴⁸ See below, page 19. Note: for this paper, all counties with a League chapter were analyzed, and therefore, are summarized below, even if a districted or hybrid system already exists.

⁴⁹ Engstrom & McDonald, at 208.

⁵⁰ Engstrom & McDonald, at 209.

⁵¹ Engstrom & McDonald, at 212.

⁵² Welch, Judith, The Impact of At-Large Elections on the Representation of Blacks and Hispanics, The Journal of Politics (1990).

than proportional representation.”⁵³ Importantly, she adds, “all cities with district elections and more than a 10% Black population have at least some black representation, while a sizable minority of at-large and mixed cities do not yet have this representation.”⁵⁴ Welch also noted, however, that the “disadvantage suffered by blacks in at-large systems is considerably less than that found a decade ago.”⁵⁵ She also noted “the gap between Black representation in the district and at-large systems increased as the Black population increased.”⁵⁶

The effects of the at-large structure were less clear for the Hispanic/Latino/Latinx⁵⁷ population.⁵⁸ The author found that “Hispanic representation is slightly more equitable in districts than in pure at-large elections, but most equitable in mixed systems, although these differences were small.”⁵⁹ Further, “district elections do not generally facilitate the elections of Hispanics, though they may do so in some cities with a high degree of residential segregation.”⁶⁰

It is worth noting that the above research investigated municipal structures, rather than county structures, and so the important characteristics - circumstances such as the degree of segregation, population size, and demographic breakdown - will need

⁵³ Welch, at 1057.

⁵⁴ Welch, at 1057.

⁵⁵ Welch, at 1058.

⁵⁶ Welch, at 1063.

⁵⁷ The use of the terms Hispanic and Latino/Latinx were not consistently defined or used across the research cited. Where I have quoted a specific study, I have left the authors’ chosen term in place. I have followed the lead of advocacy and civil rights organizations working with this population and chosen to use “Hispanic/Latino/Latinx”. There has been controversy surrounding each term when used alone and I seek to respect as many preferences as possible. Sources consulted: [Hispanic vs. Latino vs. Latinx: A Brief History of How These Words Originated \(remezcla.com\)](#); [El Centro Hispano \(elcentronc.org\)](#); [LULAC](#). In the demographic data reported below in the county profiles, the data was presented using “Hispanic” so I have reported it using that term.

⁵⁸ Welch, at 1053.

⁵⁹ Welch, at 1053.

⁶⁰ Welch, at 1065.

to be applied to our counties. Welch's conclusions emerged from cities with total populations above 50,000 and focused on areas with minority populations over 10%. For these reasons, where population groups in certain North Carolina counties were too small to support action, no detailed analysis was done on that county.⁶¹

Additional research found that employing districts can increase opportunities for representation, but in some cases have no effect at all, and others no substantial effect.⁶² The main findings of this study, which included data from 7,000 cities, include: (1) "District elections continue to aid minority members in getting elected and are a nominal detriment to women"; (2) "For African Americans, having a majority of council members elected by district increases the probability of electing African Americans to the city council by more than 10 percentage points"; and (3) "The key factor in increasing African American representation is the proportion of the city that is black" and (4) "Districts have a weaker effect on representation for Latinos."⁶³ Additionally, the authors concluded that "only where a group is concentrated will districts promote increased descriptive representation on the council."⁶⁴ Specifically, "for African Americans, the effect of districts goes from being negative at very low levels of concentration to significantly positive at high levels," however, "unless Latinos are extremely concentrated, districts make little difference for representation."⁶⁵

⁶¹ See list at page 20. Note: for this paper, all counties with a League chapter were analyzed, and therefore, are summarized below, even if the demographics did not ultimately support action.

⁶² Trounstine, Jessica and Valdini, Melody, The Context Matters: The Effects of Single-Member versus At-Large Districts on City Council Districts, American Journal of Political Science (2008).

⁶³ Trounstine & Valdini, at 559 and 563.

⁶⁴ Trounstine & Valdini, at 559.

⁶⁵ Trounstine & Valdini, at 563.

Finally, a 2020 study investigated at-large election and Hispanic/Latino/Latinx representation and corroborated previous findings that the degree of segregation in a locality, as well as the size of demographic populations, matter greatly when considering the value of reforming at-large voting.”⁶⁶ Interestingly, the authors also found that the process by which a change is made from at-large to ward representation matters: where electoral system reform occurred as a result of litigation, there were positive and negative effects on minority representation, but “districts that converted voluntarily saw unconditionally positive effects at every step of the electoral process, for candidacy to vote share to the ultimate outcome of Latino officeholding.”⁶⁷ It is important to note that this study was conducted under the California Voting Rights Act of 2001, which has more stringent protection than the federal Voting Rights Act.

IV. General Conclusions and Next Steps

At-large voting has been the default voting structure for county boards in North Carolina and remains a significant presence in our State. While the research suggests care be taken to closely examine local conditions, population patterns, and the feasibility of a change to pure districting, the historical context of at-large voting cannot be ignored. Where threshold conditions of population size and concentration are met, and exclusion of minority representation has resulted, district elections should be pursued for Black voters. The data remain less clear for the Hispanic/Latino/Latinx

⁶⁶ Abott, Carolyn and Magazinnik, Asya, At-Large Elections and Minority Representation in Local Government (2020).

⁶⁷ Abott & Magazinnik, at 31.

population, but the growth of that population in our State warrants ongoing attention to ways in which advocacy for the creation of local districts may have a positive impact on the political participation and representation of that group.

Part Two:
North Carolina 100 County Analysis

Sources Consulted for County Analyses

County government websites for each county were analyzed.

Crowell, Michael, Local Boards in North Carolina Subject to Judgments or Consent Orders in Voting Rights Cases (2021).

Available at: [Local-boards-subject-voting-rights-orders-May-21.pdf \(faircountiesnc.org\)](#)

Democracy Diminished: State and Local Threats to Voting Post-Shelby County, Alabama v. Holder (2021)

Available at: [Democracy-Diminished-State-and-Local Threats-to-Voting Post-Shelby-County,Alabama-v.Holder Political Participation .pdf \(naacpldf.org\)](#)

Earls, Anita; Wynes, Emily; and Quatrucci, LeeAnne, Voting Rights in North Carolina 1982-2006, (2006). Available at: [NorthCarolinaVRA.pdf \(protectcivilrights.org\)](#)

North Carolina Association of County Commissioners Election Information, for county election methods, past election results and demographic information.

[County Elections - North Carolina Association of County Commissioners : North Carolina Association of County Commissioners \(ncacc.org\)](#)

Population totals and changes from 2020 census data

[County Population Estimates | NC OSBM](#)

Racial demographics taken from: [First look at 2020 Census for North Carolina | Carolina Demography \(ncdemography.org\)](#)⁶⁸

⁶⁸ If LWV-NC decides to pursue action in specific counties, further demographic analysis will be needed, especially to consider treatment of populations which identify as more than one race (“multiracial” in NC Demographics breakdowns, but possibly treated differently in federal census counts.).

County Analysis

SUMMARY OF COUNTY RECOMMENDATIONS		
Counties for action	Counties for consideration	No action
<ul style="list-style-type: none"> ● Alamance ● Cabarrus ● Cleveland ● Gaston ● Johnston ● Moore ● Onslow ● Pender ● Rockingham ● Rowan ● Stanly ● Union 	<ul style="list-style-type: none"> ● Burke ● Brunswick ● Camden ● Catawba ● Chatham ● Greene ● Henderson ● Iredell ● New Hanover ● Randolph ● Surry ● Wake 	<ul style="list-style-type: none"> ● Alexander ● Bertie ● Buncombe ● Caldwell ● Carteret ● Currituck ● Dare ● Durham ● Edgecombe ● Forsyth ● Gates ● Granville ● Guilford ● Hertford ● Hoke ● Hyde ● Madison ● Mecklenburg ● Nash ● Northampton ● Orange ● Pamlico ● Pasquotank ● Perquimans ● Richmond ● Robeson ● Scotland ● Swain ● Warren ● Wayne

Due to the current election systems of the following counties no analysis was done.

Anson County: pure districts (no litigation)

Beaufort County: limited voting system as a result of prior litigation

Bladen County: multimember districts, with at large and limited voting system

Caswell County: hybrid: 5 districts and 2 at-large seats

Chowan County: hybrid: 5 districted seats and 1 at-large

Craven County: pure districts (no litigation)

Columbus County: pure districts

Cumberland County: hybrid: 5 districted seats and 2 at-large seats

Duplin County: pure districts

Franklin County: hybrid: 5 districted seats and 2 at-large seats

Halifax County: hybrid: 3 districted seats and 3 at-large seats

Harnett County: pure districts

Jones County: pure districts

Lee County: hybrid: 4 districted seats and 3 at-large seats

Lenoir County: hybrid: 5 districted seats and 2 at-large

Martin County: limited voting system

Montgomery County: hybrid: 3 districted seats and 2 at-large

Person: at-large, but under consent order

Pitt County: pure districts

Sampson County: pure districts

Tyrell County: limited voting system

Vance County: pure districts

Washington County: hybrid: 4 districted seats and 1 at-large seat

Wilson County: pure districts

LWV Action Not Currently Recommended

Due to the demographics of the following counties, no action is recommended. No analysis done, except to gather the population percentages to make that determination.

Alleghany County
Ashe County
Avery County
Cherokee County
Clay County
Davidson County
Davie County
Graham County
Haywood County
Jackson County
Lincoln County
Macon County
McDowell County
Mitchell County
Polk County
Rutherford County
Stokes County
Transylvania County
Watauga County
Wilkes County
Yadkin County
Yancey County

COUNTIES FOR POTENTIAL ACTION

Supporting Data

ALAMANCE COUNTY: pure at-large

- Population: 171K, 13.8% growth between 2010-2020.
- 2020 demographics: 59.8% White, 19.6% Black, 14.4% Hispanic, 3.7% Multiracial, others each under 2%.
- Current: no non-White representation and none reported at least as far back as 2002 per NCACC.
- Not a Section 5 covered jurisdiction.
- Lewis v. Alamance County, 99 F. 3d 600 (4th Cir. 1996). At-large election system challenged under Gingles. Plaintiffs lost their lawsuit because the Court found precondition 3 (White voting bloc enables the defeat of minority preferred candidate) not proven. Court found that White candidates who were supported by Black voters were elected repeatedly.
 - Useful dissent. At the time of this case, no minority candidate had been elected to Alamance Board of Commissioners since 1980. One one minority candidate had been elected since the passage of VRA, and that candidate's election was not subject to at-large voting (appointment, followed by special election).
 - NC Policy Watch piece confirms no Black candidate has been elected since 1980: [PW special report – The battle for Alamance part 2: The modern day struggle for political representation | NC Policy Watch](#)
- 2004: Sheriff announced deputies would be sent to new voter registrants with surnames the department labeled “Hispanic” to inquire about citizenship status, and undocumented people would be reported to ICE. Scheme was ultimately unfinished, purportedly because of insufficient resources, but advocacy groups noted the chilling effect on voters.
- Black candidate on ballot in 2022: [Campaigning for Alamance County Board of Commissioners: Anthony Pierce hopes to address education, local first responders and healthcare - Elon News Network](#)
- Worth pursuing: larger non-White populations and no non-White representation. Troubled history, dating at least as far back as lynching of the first Black commissioner in Graham. But will need analysis re: whether conditions in Lewis (population, size, and concentration) have changed such that the holding will no longer apply.
- Connection already established with Alamance good government group.
- Alamance-NAACP President supports reform of the at-large structure (as quoted in NC Policy Watch piece linked above). Southern Coalition for Social Justice

also quoted noting voting and representation issues in Alamance. Suggests partners available and support for change.

CABARRUS COUNTY: pure at-large

- Population: 227K, 27.6% growth between 2010-2020.
- 2020 demographics: 59.2% White, 18.5% Black, 12.1% Hispanic, 4.1% Multiracial, 5.3% Asian, others each under 1%.
- Current: no non-White representation. A Black representative was elected in 2010.
- Not a Section 5 covered jurisdiction.
- Context: no Earls mention, no consent orders.
- Due to the size of the county, 10%+ Black population, 10%+ Hispanic populations, Cabarrus would likely benefit from districts, if the resources exist to pursue reform.

CLEVELAND COUNTY: pure at-large

- Population: 99K, 1.8% increase between 2010-2020.
- 2020 demographics: 70.5% White, 20.1% Black, 4.1% Hispanic, 3.9% Multiracial, others each under 1%.
- Current: no non-White representation. A Black representative was elected in 2012.
- Was a Section 5 covered jurisdiction.
- Section 2 litigation by NAACP, with a complex procedural posture: Cleveland County Ass'n for Gov't by the People v. Cleveland County Bd. of Commissioners, 142 F.3d 468 (D.C. Cir. 1998): negotiations between NAACP and County led to a consent decree, which was challenged by White voters.
- This county has a history of troubles, no current non-White representation, inconsistent election of Black candidates at best, 20% Black population, and a pure at-large system despite prior Sec. 2 litigation. This is a place to act.

GASTON COUNTY: residency districts

- Population: 228K, 10.9% increase between 2010-2020.
- 2020 demographics: 67.4% White, 17.4% Black, 8.8% Hispanic, 4.1% Multiracial, others each under 2%.
- Current: no non-White representation. A Black representative was elected in 2012.
- Was a Section 5 covered jurisdiction
- Large population, 10%+ Black population, no consistent non-White representation and residency districts make this a place to act if resources allow.

JOHNSTON COUNTY: residency districts

- Population: 217K, 28.9% growth between 2010 and 2020.
- 2020 demographics: 63.2% White, 15.2% Black, 15.9% Hispanic, 3.9% Multiracial, others each under 1%.
- Current: no non-White representation, and none as far back as 2008.
- Was not a Section 5 covered jurisdiction.
- In 2013, Benson considered returning to at-large voting despite a consent decree establishing single-member districts and at-large seats with limited voting.
- Two 10%+ minority populations and no non-White representation, current or even recent. This county would likely benefit from reform of its residency districts.

MOORE COUNTY: residency districts

- Population: 100K, 13.5% increase from 2010-2020.
- 2020 demographics: 75.6% White, 10.6% Black, 7.4% Hispanic, others each under 5%.
- Current: no non-White representation.
- Not a Section 5 covered jurisdiction.
- No past cases with information or legal context.
- NAACP case against Moore County for removing 400 people from voter rolls before the 2016 election after one person challenged the registrations. District court required voters be added back and called the process “insane” and like it had been created in 1901. Voters were removed after mail was returned as undeliverable.
- Worth considering for action: 100K population, NAACP recently engaged there, no non-white representation, and 10%+ Black population.

ONSLOW COUNTY: pure at-large

- Population: 204K, 15% increase between 2010-2020.
- 2020 demographics: 63.3% White, 13.2% Black, 13.5% Hispanic, 6.4% Multiracial, others each under 3%.
- No current non-White representation.
- Was a Section 5 covered jurisdiction.
- Prior Sec 2 litigation re: AL system, staggered terms issue resolved, but at-large system remains, U.S. v. Onslow County, 638 F. Supp. 1021 (E.D.N.C. 1988).
- City of Jacksonville changed its voting system after litigation in 1991, Willingham v. City of Jacksonville, 4:89-CV-00046 (E.D.N.C. 1991).
- Adjacent county (Jones) was sued in 2017 and settlement resulted in creation of districts. Pleadings could contain valuable information.
- Recent creation of Community Advisory Council to investigate ways to improve diversity in the county workforce.

- In 2016, after a voter referendum, the county board size was increased from 5 to 7 commissioners.
- Large population with zero non-white representation and a history of voting rights action makes this county an opportunity.

PENDER COUNTY: residency districts

- Population: 60K, 15% growth between 2010-2020.
- 2020 demographics: 73.8% White, 12.5% Black, 8.3% Hispanic, 4.5% Multiracial, others each under 1%.
- Current: no non-White representation.
- A Black representative was elected in 2014, but not again since.
- Not a Section 5 covered jurisdiction.
- Pender Cty. v. Bartlett, 361 N.C. 491 (2007), unusual Sec. 2 posture. Discussion of what “majority” needed to meet Gingles precondition one: total population or voting age population (held: voting age population). Discussion of crossover districts and coalition districts in Sec. 2 context. Ultimately, the Court concluded VRA did not apply, so the whole county provision in N.C. Constitution had been violated by District 18.
- Reports of early voting day patrols by the sheriff in Black neighborhood in 2002.
- In contention: 10%+ Black population, general voting rights issues, use of residency districts.

ROCKINGHAM COUNTY: pure at-large

- Population: 91K, loss of 2.7% between 2010 and 2020.
- 2020 demographics: 70.5% White, 18.2% Black, 6.7% Hispanic, 3.4% Multiracial, others under 1% each.
- Current: no non-White representation. One Black representative served in 2012.
- Was a Section 5 covered jurisdiction.
- 10%+ Black population, significant county population, no non-White representation, and pure at-large voting supports considering this county for action if resources allow.

ROWAN COUNTY: pure at-large

- Population: 147K, 6.3% growth between 2010 and 2020.
- 2020 demographics: 68.2% White, 15.5% Black, 10.9% Hispanic, 3.8% Multiracial, others under 1% each.
- Current: no non-White representation. No Black representation as far back as 2008.
- Was not a Section 5 covered jurisdiction.

- NAACP v. Rowan Board of Education, 4:91-CV-00293 (M.D.N.C. 1994) resulted in a consent decree to change the method of electing school board members. Opinion notes the highly concentrated Black communities, mostly in Salisbury.
- This county could benefit from reform of its at-large structure due to 10%+ Black population, lack of representation, potential for highly concentrated Black populations, pure at-large with a history of successful Section 2 challenge.

STANLY COUNTY: pure at-large

- Population: 62K, 3.2% increase from 2010 to 2020.
- 2020 demographics: 77.8% White, 11.2% Black, 4.9% Hispanic, 3.7% Multiracial, others under 2% each.
- Current: no non-White representation. None as far back as 2008.
- Not a Section 5 covered jurisdiction.
- Albemarle City Council under consent order creating single member districts.
- Black population over 10%, no current or recent non-White representation, Albemarle order already exists, so if resources permit, this county would likely benefit from electoral reform.

UNION COUNTY: pure at-large

- Population: 239K, 18.8% increase in population from 2010-2020.
- 2020 demographics: 67.6% White, 11.1% Black, 12.6% Hispanic, others each under 4%.
- No apparent non-White representation currently.
- Was a Section 5 covered jurisdiction.
- No mentions in the Earls report, no prior consent order, and not in the LDF report.
- No non-White representation, pure-at large structure, large population, and high growth. This county would benefit from reform of the at-large structure and needs some attention.

COUNTIES FOR CONSIDERATION

Supporting Data

BURKE COUNTY: pure at-large

- Population: 90K, 3.8% decrease in population from 2010-2020.
- 2020 demographic: 78.4% White, 5.4% Black, 8.2% Hispanic, 3.7% Multiracial, others each under 4%.
- No non-White representation. One Black representative was elected in 2012.
- Not a Section 5 covered jurisdiction.
- Populations are a little low as compared to other actionable jurisdictions, but a little high to outright ignore, with no current non-White representation, and none since 2012.

BRUNSWICK COUNTY: residency districts

- Population: 137K, 28% growth between 2010-2020.
- 2020 demographics: 81% White, 8.3% Black, 5.4% Hispanic, 3.7% Multiracial, others each under 1%.
- Current: no non-White representation.
- Not a Section 5 covered jurisdiction.
- Failed Section 2 litigation in Gause v. Brunswick County, 1996 US App LEXIS 20231 (4th Cir. 1996). Plaintiffs lost because they failed to show the minority population was large and geographically compact to constitute a majority in a single member district.
- Growing population, prior Section 2 issues, no current non-white representation, and residency districts make this a place where gains could be made with electoral structure reform, but the demographics present a challenge.

CAMDEN COUNTY: pure at-large and residency districts

- Population: 10K, 4.0% growth between 2010-2020.
- 2020 demographics: 79.2% White, 10.1% Black, 3.3% Hispanic, Multiracial 5.4%, others each under 2%.
- Current: no non-White representation.
- Was a Section 5 covered jurisdiction.
 - In mid-1980s DOJ objected to residency districts
- Small population makes it harder, but past DOJ involvement and 10%+ Black population suggest consideration, if resources allow.

CATAWBA COUNTY: pure at-large

- Population: 160K, 4% increase in pop from 2010-2020.

- 2020 demographics: 72.3% White, 7.9% Black, 10.8% Hispanic, others each under 5%.
- No non-White representation.
- Not a Section 5 covered jurisdiction.
- No prominent legal context to add.
- Hispanic population is high enough that looking into segregation/concentration might be useful, though the connection between at-large elections and representation of this population is less clear compared to Black citizens.

CHATHAM COUNTY: residency districts

- Population: 76K, 20.7% growth between 2010-2020.
- 2020 demographics: 69.6% White, 10.2% Black, 13.6% Hispanic, 3.9% Multiracial, others each under 3%.
- Current: non-White members of the board.
- Not Section 5 covered jurisdiction
- Patterson v. Siler City, 1:88-CV-00701 (M.D.N.C. 1989). Black voters sued Siler City. 28.8% of city's citizens were Black, but only one Black person had ever been elected to city council, which was elected at-large. City proposed 5 districts, plus 2 at-large seats and parties consented to dismissal.
- Anecdotally, how to treat this county is uncertain. There is such a distinct difference between West Chatham and Northeast Chatham that I am unable to conclude it is not worth consideration.

GREENE COUNTY: residency districts

- No League presence.
- Population: 20K, decreased 4.3% between 2010-2020.
- 2020 demographics: 47.2% White, 35.2% Black, 14.4% Hispanic, 2.2% Multiracial, others under 1% each.
- Current: single non-White representative.
- Was a Section 5 covered jurisdiction.
- Context: curious about when residency districts were added (map says June 2021) and why and whether any change in the composition of the board since
- Worth pursuing if we can work in non-League counties because of the large Black population, use of residency districts, though if changes were recently made there may not be any appetite to consider others. Small county population is also a challenge.

HENDERSON COUNTY: residency districts

- Population: 116K, growth of 9.2% between 2010-2020.

- 2020 demographics: 78.9% White, 2.8% Black, 12.9% Hispanic, others each under 4%.
- No non-White representation on current commission.
- Not a Section 5 covered jurisdiction.
- No Earls citations, no consent order.
- LDF reports that the chair of the Board of Elections considered the idea of armed civilians, deputized by the sheriff, to patrol the polls in 2016. A flyer was also circulated to purportedly help poll workers identify possible terrorists, with vague and incendiary descriptions, including anyone “whose appearance or manner makes you feel uneasy.”
- Suggestive of a hostile voting environment. Coupled with a 10%+ Hispanic population, this county should be considered for attention.

IREDELL COUNTY: pure at-large

- Population: 187K, 17.7% increase between 2010 and 2020
- 2020 demographics: 73.1% White, 11.4% Black, 8.5% Hispanic, 4.0% Multiracial, others under 3%.
- Current: one current Black representative and consistently one Black representative from 2008 to the present.
- Not a Section 5 covered jurisdiction.
- NAACP v. City of Statesville, 606 F. Supp. 569 (W.D.N.C. 1985). At-large method of city council elections declared a violation of Sec. 2, hybrid system adopted.
- Larger population, no minority representation, past Statesville action could provide guidance, 10%+ Black population. If resources allow, this would be a place for action, but not the highest priority.

NEW HANOVER COUNTY: pure at-large

- Population: 225K, 11.4% increase between 2010-2020.
- 2020 demographics: 74.1% White, 12% Black, 7.7% Hispanic, 4% Multiracial, others each under 2%.
- Current: one non-White commissioner.
- Not a Section 5 covered jurisdiction.
- Implicated in reduction of early voting hours during the 2016 election cycle, specifically Sunday hours/”souls to the polls” according to the LDF report.
- A Black commissioner has been elected consistently from 2012 to the present, so despite the pure at-large system, this county is a lower priority than others.

RANDOLPH COUNTY: residency districts

- Population: 144K, growth of 1.8% between 2010 and 2020.

- 2020 demographics: 75.2% White, 6.0% Black, 13.2% Hispanic, 3.4% Multiracial, others under 2% each.
- Current: no non-White representation.
- Was not a Section 5 covered jurisdiction.
- Although it is less clear whether districts improve Hispanic representation, there is value in noting the lack of Hispanic representation despite the 10%+ population.

SURRY COUNTY: residency districts

- No League presence.
- Population: 71K, loss of 3.3% between 2010 and 2020.
- 2020 demographics: 81% White, 3.4% Black, 11.9% Hispanic, 2.8% Multiracial, others under 1%.
- No non-White representation.
- Not a Section 5 covered jurisdiction.
- Because the Hispanic population is over 10%, existence of voting machine controversies after the last election, if resources allow, this county would likely benefit from changes.

WAKE COUNTY: residency districts

- Population: 1.13 million, 25.9% growth between 2010-2020.
- 2020 demographics: 57.1% White, 18.1% Black, 11.4% Hispanic, 4% Multiracial, 8.6% Asian, others under 1%.
- Current: non-White representation.
- Not a Section 5 covered jurisdiction.
- Controversy in 2015 over county redistricting, per LDF. Benchmark plan provided for two seats which would elect Black commissioners but the adopted plan packed Black citizens into one district and generally favored suburban areas over urban areas. In Raleigh Wake Citizens Association et. al v. Wake County Board of Election et. al, 166 F. Supp.3d. 553 (E.D.N.C. 2016), 4th circuit found violation of “one person, one vote” rule.
- General issues with long lines and wait times in Raleigh, early voting reductions, attempted closure of NC State early voting site.
- Leadership Conference of Civil Rights 2004 memo to DOJ flagged Wake for concerns of intimidation at Latino precincts and failing to notify Latino voters of incomplete registrations.
- Although there is some non-White representation, such a large county with our State capital, over one million people in population, would likely benefit from the establishment of districts, though may not be the first priority.

NOT A PRIORITY FOR LWV ACTION
Supporting Data

ALEXANDER COUNTY: pure at-large

- Population: 37K, 2.2% decrease in population from 2010-2020.
- 2020 demographics: 84.8% White, 5.3% Black, 5.0% Hispanic, others each under 4%.
- No non-White representation.
- Not a Section 5 covered jurisdiction.
- No Earls citations, previous consent orders, no major legal context to add.
- Like Carteret, with limited resources, this doesn't seem like the first place to act despite its at-large structure.

BERTIE COUNTY: residency districts

- Population: 17K, decrease of 15% between 2010-2020.
- 2020 demographics: 35.1% White, 59.5% Black, 1.8% Hispanic, 2.6% Multiracial, others each under 1%.
- Current: non-White representation.
- Was a Section 5 covered jurisdiction.
 - DOJ objected to residency districts in the 1980s in the Town of Windsor.
- Small population and non-White representation means this is not a current priority.

BUNCOMBE COUNTY: Multimember pure districts, 1 at-large seat

- Population: 270K, 13.4% growth from 2010-2020.
- 2020 demographics: 79.7% White, 5.6% Black, 8.1% Hispanic, others each under 5%.
- Not a Section 5 covered jurisdiction.
- Cited for restricting early voting hours during the 2016 election cycle, but not relevant to election structure.
- Not a place for immediate action.

CALDWELL COUNTY: pure at-large

- Population: 80K, decreased 3.0% from 2010-2020.
- 2020 demographics: 84.1% White, 4.8% Black, 6.1% Hispanic, others each under 4%.
- No non-White representation.
- Not a Section 5 covered jurisdiction.
- No recent legal context cited in sources.

- Non-White demographic percentages make action difficult.

CARTERET COUNTY: residency districts, including 1 multi member residency district

- Population: 66K, 1.7% population growth between 2010-2020.
- 2020 demographics: 85% White, 4.7% Black, 4.6% Hispanic, others each under 5.0%.
- No non-White representation currently.
- Not a Section 5 covered jurisdiction.
- No obvious legal context.
- Voting issues could be flying below the radar, potentially because the county population is fairly small, but with limited resources and small demographic minority groups, this county doesn't seem like the first place to act.

CURRITUCK COUNTY: hybrid, including pure at-large and residency districts

- Population: 28K, 20.4% increase from 2010-2020.
- 2020 demographics: 83.6% White, 4.9% Black, 4.3% Hispanic, Multiracial 5.4%, others each under 1%.
- Current representation: no non-White representation.
- Not a Sec 5 covered jurisdiction.
- Population demographics do not support immediate action.

DARE COUNTY: residency districts

- Population: 37K, 9% increase from 2010-2020.
- 2020 demographics: 86.5% White, 1.8% Black, 6.9% Hispanic, others each under 4%.
- No non-White representation on current commission.
- Not a Section 5 covered jurisdiction.
- No Earls discussion, no prior consent order.
- Residency districts can be harmful to minority interests, but the demographics do not support action at this time.

DURHAM COUNTY: pure at-large

- Population: 325K, 20.6% increase in population between 2010-2020.
- 2020 demographics: 41.2% White, 33.6% Black, 15.4% Hispanic, 3.8% Multiracial, 5.1% Asian, others each under 1%.
- Current: several non-White commissioners.
- Not a Section 5 covered jurisdiction.
- Cannon v. Durham Board of Education, 959 F. Supp. 289 (E.D.N.C. 1997), lawsuit filed by White plaintiffs alleging that school board redistricting violated Sec 2. Court found plaintiffs failed to meet Gingles preconditions, specifically that

Black voters would act as a bloc to preclude election of preferred candidates of White voters.

- Despite the pure at-large system, this county is not a priority.

EDGECOMBE COUNTY: pure districts

- Population: 48K, decrease of 13.8% between 2010-2020.
- 2020 demographics: 35.8% White, 55.8% Black, 5.5% Hispanic, 2.4% Multiracial, others each under 1%.
- Current: non-White representation.
- Was a Section 5 covered jurisdiction.
 - DOJ objections in the 1980s to attempts to create residency districts.
- Districts in place. No action.

FORSYTH COUNTY: hybrid, 2 multimember districts and 1 at-large commissioner

- Population: 383K, 9.3% growth from 2010-2020.
- 2020 demographics: 54.4% White, 24.5% Black, 14.3% Hispanic, 3.7% Multiracial, others each under 3%.
- Current: more than one non-White elected representative.
- Not a Section 5 covered jurisdiction.
- As a result of litigation and resulting settlement by NAACP in 1988, school board and county commissioner elections restructured from at-large to multimember districts, with consistent minority representation since (per Earls report).
- NAACP v. Winston-Salem/Forsyth County Bd. of Education, 1992 U.S. App. LEXIS 6221 (4th Cir. 1992). Plaintiffs alleged at-large method and staggered terms deprived Black citizens of representation. General Assembly bill provided for simultaneous election of board members by district.
- Forsyth has voting barriers in the form of long lines because of decreased voting sites and reduction of early voting, proposals to move voting sites from historically minority neighborhoods and closure of a site at Winston-Salem State University (HBCU), but those issues are not relevant to voting structure.

GATES COUNTY: residency districts

- Population: 10K, decreased by 14.7% between 2010-2020.
- 2020 demographics: 64.0% White, 28.8% Black, 1.9% Hispanic, Multiracial 4.1%, others each under 1%.
- Current: One Black representative elected in each of the last 3 elections.
- Section 5 covered jurisdiction.
- Despite residency districts, due to size and representation, not a priority at this time.

GRANVILLE COUNTY: pure districts

- Population: 61K, 6.0% increase from 2010-2020.
- 2020 demographics: 55.1% White, 30.0% Black, 10.0% Hispanic, others each under 4%.
- Was a Section 5 covered jurisdiction.
- Two current Black commissioners.
- Granville changed to districts as a result of litigation: McGhee v. Granville County, 860 F.2d 110 (4th Circuit 1988). At the time of the lawsuit, Black citizens constituted 43.9% of the population, 40.8% of the voting population and 39.5% of registered voters.
- U.S. v. Granville, 5:87-CV-00353 (E.D.N.C. 1989), resulted in a consent decree to alter the school board organization from at-large to pure districts, with 6 year staggered terms.
- Camp Butner Reservation Advisory Council (a local government entity) caught the attention of the DOJ, and received a Section 5 letter objecting to the at-large method in 1997.
- Potentially instructive but no action.

GUILFORD COUNTY: hybrid, pure districts and 1 at-large seat

- Population: 542K, 11% growth between 2010-2020.
- 2020 demographics: 47.2% White, 33.1% Black, 9.6% Hispanic, 3.8% Multiracial, 5.3% Asian, others each under 1%.
- Current: non-White representation.
- Was a Section 5 covered jurisdiction.
 - In the 1980s, the DOJ objected to the use of residency districts.
- General election issues involving curtailment of early voting hours and locations, litigation in 2015 regarding Greensboro municipal redistricting resulting in minority plaintiff victory.
- Election issues here are not relevant to the county election system. No action.

HERTFORD COUNTY: residency districts

- Population: 21K, decreased by 13.5% between 2010-2020.
- 2020 demographics: 31.2% White, 56.7% Black, 7.3% Hispanic, Multiracial 2.9%, others each under 1%.
- Current: majority of the board is Black.
- Was Section 5 covered jurisdiction.
- In Hines v. Ahoskie, 998 F.2d 1266 (4th Cir. 1993), at-large election of mayor and council members was challenged. Town was 50% Black but had only elected

2 Black people in its history. Dilution claim was successful (though plaintiffs did not get their preferred plan).

- Despite having residency districts, not a priority.

HOKE COUNTY: pure at-large

- Population: 52K, 10.9% growth between 2010-2020.
- 2020 demographics: 37.8% White, 31.5% Black, 14.8% Hispanic, 6.3% Multiracial, Asian 7.3%, others each under 2%.
- Current: 100% non-White board.
- Was a Section 5 covered jurisdiction.
- Despite pure at-large election system, not a priority.

HYDE COUNTY: residency districts

- Population: 4K, down 21.5% between 2010 and 2020.
- 2020 demographics: 63.8% White, 25.1% Black, 7.5% Hispanic, 2.9% Multiracial, others under 1% each.
- Current: one current Black representative.
- Was not a Section 5 covered jurisdiction.
- The very small population will make this county hard to work in.

MADISON COUNTY: pure at-large

- Population: 21K, 1.8% growth between 2010-2020.
- 2020 demographics: 90.8% White, 0.9% Black, 3.5% Hispanic, 3.8% Multiracial, others each under 1%.
- Current: no non-White representation.
- Not a Section 5 covered jurisdiction
- Demographics here do not support action.

MECKLENBURG COUNTY: 6 pure districts, 3 at-large seats

- Population: 1.12 million, 21.6% population growth between 2010-2020.
- 2020 demographics: 44.7% White, 29.1% Black, 15.2% Hispanic, 6.4% Asian, others each under 4%.
- Several non-White commissioners.
- Not a Section 5 covered jurisdiction.
- Mecklenburg appears in discussions of voter intimidation, long lines, constriction of early voting hours as a result of State-wide changes. It is not without its voting difficulties, but from an electoral structure perspective is not a priority.

NASH COUNTY: pure districts

- Population: 95K, nearly stagnant population.

- 2020 demographics: 48.8% White, 38.6% Black, 7.7% Hispanic, Multiracial 2%, others each under 1%.
- Current: non-White representation.
- Was a Section 5 covered jurisdiction.
- Litigation in 2016 regarding early voting access for Rocky Mount residents
- Districts in place. No action.

NORTHAMPTON COUNTY: pure at-large

- Population: 17K, decrease of 22% between 2010-2020.
- 2020 demographics: 39.1% White, 55.2% Black, 2.0% Hispanic, 2.8% Multiracial, others each under 1%.
- Current: all non-White representation.
- Was a Section 5 covered jurisdiction.
- Despite pure at-large, not a priority.

ORANGE COUNTY: hybrid, pure districts and pure at-large

- Population: 149K, 11.5% increase between 2010-2020.
- 2020 demographics: 64.9% White, 10.5% Black, 10.6% Hispanic, 4.7% Multiracial, Asian 8.4%, others each under 1%.
- Current: non-White representation.
- Not a Section 5 covered jurisdiction.
- Districts already established. No action.

PAMLICO COUNTY: pure at-large and residency districts

- Population: 12K, decrease of 6.8% between 2010 and 2020.
- 2020 demographics: 74.2% White, 16.7% Black, 4.0% Hispanic, 3.7% Multiracial, others under 1% each.
- Current: non-White representation.
- Not a Section 5 covered jurisdiction.
- Small population, combined with consistent Black representation prevents this county from being an immediate priority.

PASQUOTANK COUNTY: hybrid, pure at-large and residency districts

- Population: 40K, statistically unchanged between 2010-2020.
- 2020 demographics: 53.2% White, 35.3% Black, 5.5% Hispanic, 4.0% Multiracial, all others under 2%.
- Current: two Black members, including one at-large commissioner.
- Was a Section 5 covered jurisdiction.
- NAACP v. Elizabeth City, No. 83-39-CIV-2 (E.D.N.C. 1984): consent decree to implement districts in the city.

- NAACP v. Pasquotank County, No. 84-14-CIV-2 (E.D.N.C. 1984): consent order codified in Session Law 1987-306, provides for four commissioners from districts and three at-large, which remains today.
- Some threats of challenges by the county Republican party to HBCU student voter registrations, and a challenge to a student's ability to run for city council using school address in 2013.
- Under consent order, so no action.

PERQUIMANS COUNTY: limited voting system

- Population: 12K, 3.6% decrease between 2010-2020.
- 2020 demographics: 71.8% White, 20.7% Black, 2.4% Hispanic, 4.3% Multiracial, others each under 1%.
- Current: 2 non-White representatives.
- Was a Section 5 covered jurisdiction.
- Residency district requirement removed in 1989, alteration to staggered terms.
- 1993: county adopted a limited voting system, which according to Fairvote.org, has increased minority representation. Not a place for action.

RICHMOND COUNTY: pure at-large

- Population: 42K, loss of 8.4% between 2010-2020.
- 2020 demographics: 55% White, 29.7 Black, 7.2% Hispanic, 4.6% Multiracial, others each under 3%.
- Current: single non-White commissioner.
- Was not a Section 5 covered jurisdiction.
- 1988: NAACP v. Richmond County, 3:87-CV-00484 (M.D.N.C. 1988). Result to challenge of school board and county board was a consent order requiring: 7 members, elected at-large. Candidates were to be listed together on ballot and each voter could vote for as many seats were being filled. Staggered elections, 4 year terms. Codified in SL 1989-88.
- Active consent order. No action, though curious that litigation ended with an at-large system.

ROBESON COUNTY: pure districts

- Population: 115K, decrease of 13.7% between 2010-2020.
- 2020 demographics: 25% White, 22.5% Black, 10.1% Hispanic, 3.9% Multiracial, 37.4% American Indian, others each under 1%.
- Current: non-White representation.
- Was a Section 5 covered jurisdiction
 - DOJ involvement in objecting to precinct consolidation and closing of polling sites in the 1980s.

- Already districts in place - no action.

SCOTLAND COUNTY: residency districts

- Population: 34K, decrease of 5.9% between 2010-2020.
- 2020 demographics: 41.7% White, 38.3% Black, 3.2% Hispanic, 4.6% Multiracial, 10.8% American Indian, others each under 1%.
- Current: significant non-White representation.
- Was a Section 5 covered jurisdiction.
- Issues of possible intimidation of Black voters in 2004.
- In 1994, Speller v. Laurinburg, 3:93-CV-00365 (M.D.N.C. 1994) Black voters sued to oppose the at-large method of electing members to city council. Resulted in the establishment of 2 multimember districts and 1 at-large seat.
- Despite residency districts, non-white representation.

SWAIN COUNTY: pure at-large

- No League presence
- Population: 14K, increase of 0.7% between 2010 and 2020
- 2020 demographics: 60.5% White, 0.7% Black, 4.2% Hispanic, 5.3% Multiracial, 28.5% American Indian, others under 1%
- This county is included in this list because of the 28.5% American Indian (term used by the demographers).
- Not a Section 5 covered jurisdiction.
- The last several elections have led to a Native American representative. I have not explored the nuances of voting rights for this population in this report.

WARREN COUNTY: residency districts

- Population: 18K, loss of 11.5% between 2010 and 2020.
- 2020 demographics: 38.7% White, 48.5% Black, 4.0% Hispanic, 3.0% Multiracial, 5.1% American Indian, others each under 1%.
- Current: 100% non-White representation.
- Was not a Section 5 covered jurisdiction.
- Despite residency districts, not a priority.

WAYNE COUNTY: hybrid, 6 districts and 1 at-large commissioner

- Population: 116K, decrease 4.6% between 2010-2020.
- 2020 demographics: 51.3% White, 30.1% Black, 12.7% Hispanic, Multiracial 3.8%, others under 2%.
- Current: non-White representation.
- Was a Section 5 covered jurisdiction.
 - DOJ objected to staggered terms in 1980s.

- In Fussell v. Town of Mount Olive, 5:93-CV-00303 (E.D.N.C. 1995), plaintiffs sought new municipal election system to replace at-large system after numerous Black candidates, never more than one commissioner elected at one time, despite 52.5% of population being Black. Successful.
- School board elections challenged in Lewis v. Wayne County Board, 5:91-CV-00165 (E.D.N.C. 1992). Litigation forced change and case dismissed.
- This county could be a model for how changes made but not a place for action.