



Efforts To Redraw Maryland Districts Need To Start Over

Douglas Tallman

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The co-chair of Gov. Larry Hogan's Redistricting Reform Commission said Thursday's Supreme Court decision on gerrymandering sends the effort for new boundaries for Maryland's Sixth Congressional District back to square one.

"This is likely to close the door on the Maryland litigation, which means the hopes that the plaintiffs had for a court remedy for a fairer 6th district have been set back to zero," said Walter Olson, who is also a senior fellow at the Cato Institute.

Voters overwhelming support redistricting reform, Olson said, which can translate into pressure on legislators reluctant to draw more equitable boundaries.

"If courts do not provide a remedy, we need to come up with a remedy ourselves," Olson said.

In gerrymandering, one party draws district lines to favor themselves and hurt the opposition.

Maryland's districts, approved by the majority Democrats in the General Assembly, and North Carolina's districts, approved by the state's majority Republicans, faced a court challenge that reached the Supreme Court.

In a 5-4 decision, the justices decided the courts had no role in deciding gerrymandered election districts. News reports say Chief Justice John Roberts wrote the opinion, joined by Justices Clarence Thomas, Samuel Alito, Neil Gorsuch and Brett Kavanaugh.

Gov. Larry Hogan has decried gerrymandering of the state's eight congressional districts. Twenty-five percent of Marylanders register as Republicans but only one of the state's eight congressional representatives are from the GOP.

In March, Hogan attended an event opposing gerrymandering with former California governor Arnold Schwarzenegger.

Hogan released this statement shortly after Thursday's ruling:

"Today's ruling was terribly disappointing to all who believe in fair elections. I pledge to vigorously continue this fight, both in Maryland and across our nation. Gerrymandering is wrong, and both parties are guilty. It stifles real political debate, contributes to our bitter partisan polarization, and deprives citizens of meaningful choices. The voters should pick their

representatives, not the other way around. I will do everything in my power to restore free and fair elections for the people.

“The Supreme Court agrees that this is a matter for states and legislatures to address. Next year, I will again introduce redistricting reform legislation in Maryland to put the drawing of districts in the hands of a balanced, fair, and nonpartisan commission—instead of partisan politicians. This is a problem we can, should, and must solve. It is, and will continue to be, one of my highest priorities as governor.”

Olson noted that several states have nonpartisan commission drawing district lines. Those states also coincide with states that have strong initiative systems — if lawmakers don’t act, advocates bring measures directly to voters.

Such initiative measures can apply pressures to legislators. Olson said 70 percent of Democrats, Republicans and independents support convening independent commissions to draw election boundaries.

Update, 11:28 a.m.: Gov. Larry Hogan released the following statement regarding the U.S. Supreme Court’s ruling:

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Original Post: A divided Supreme Court ruled federal courts had no role to play in deciding gerrymandered election districts in a case that drew attention to a Maryland map crafted to ensure Democrats would control the state’s congressional delegation.

“The ruling delivered a setback to election reformers who had hoped the court would intervene over a growing trend in which parties that control state legislatures use the electoral district line-drawing process to cement their grip on power and dilute the voting power of people who support the rival party,” according to a [Reuters](#) report on the ruling.

Gov. Larry Hogan had appeared in an event outside the Supreme Court in March with former California governor Arnold Schwarzenegger decrying gerrymandering — where one party can draw district lines to favor themselves and hurt the opposition.

“Look this is not a fight between the right and the left. This is a fight between right and wrong. This isn’t a fight between Republicans and Democrats. This is a fight for our very democracy,” Hogan said at the event.

Hogan convened a panel, hosted by Walter Olson:



Walter Olson ✓
@walterolson



Now it is up to legislators to do the right thing, for voters to hold them to account, and for Congress to prescribe compactness and other sound rules for House districting, as the Constitution contemplates. [#fairmaps](#) [#SCOTUS](#) [#CatoSCOTUS](#)



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Second opinion is partisan gerrymandering cases, decided together. Roberts says partisan gerrymandering claims are beyond reach of federal courts. The decision is 5-4.

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