



U.S. Supreme Court agrees to hear Maryland, North Carolina cases on congressional district boundaries

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The U.S. Supreme Court said Friday it would hear a high-profile case alleging unconstitutional partisan gerrymandering in Maryland's redistricting process.

Maryland Attorney General Brian Frosh appealed the case in November to the high court after a panel of federal judges threw out the state's congressional map for the 6th District, which stretches from Montgomery County to western Maryland. The judges said state Democratic officials unconstitutionally drew the district's boundaries with a goal of diminishing Republican influence.

Frosh asked the Supreme Court to hear the case in the hope of getting clear guidance on the standards Maryland political leaders need to apply when they draw their next maps.

"It is our view that Supreme Court review is needed to provide guidance to the legislature in future redistricting," said Raquel Guillory Coombs, a spokeswoman for Frosh.

The Supreme Court also agreed Friday to hear case alleging gerrymandering by Republicans in North Carolina.

Michael B. Kimberly, the attorney representing the plaintiffs in Maryland case, said he isn't surprised that the high court is choosing to hear arguments on the issue.

Kimberly said the court will hear the Maryland and North Carolina cases on the same day, a signal that the justice intend to tackle the issue of gerrymandering after years of sidestepping it.

"Taking the two cases side-by-side is going to give the court a broader range of arguments and facts on which to think about the issue, and illustrates well that this is not a partisan issue, it is a good-government issue," said Kimberly, a Washington-based partner in the firm Mayer Brown.

While Maryland's case involves the allegation that Democrats drew district boundaries to benefit their party and disenfranchise Republicans, the North Carolina case involves Republicans drawing districts for their benefit.

The court has the potential to make a "sweeping" ruling that could affect how congressional districts are drawn across the nation, Kimberly said.

He noted the scheduling is slightly accelerated. He had expected any oral arguments to be scheduled for April, but they will be in March.

“It reflects the court’s understanding that, in this case, the timing is important,” he said.

The order came the same day a commission charged by Maryland Gov. Larry Hogan with redrawing the state’s congressional district map met for the first time in Annapolis, with members pledging a fair, independent process.

The Emergency Commission on Sixth Congressional District Gerrymandering was created by Hogan, a Republican, after the panel of federal judges ruled the district was unconstitutionally drawn. The judges ordered the state to redraw the boundaries of the district before the 2020 election.

“We want to cut down on any partisan leanings,” said commission’s co-chairman Alexander Williams, a former federal judge. “The governor has made it very clear he wants a fair, independent and transparent job done here. ... We want to make sure this is a model that other states can look at and adopt.”

The body is charged with developing new boundaries to address the constitutional violations found by the judges, specifically that Democrats in Maryland drew the district to disenfranchise Republicans.

The nine-member commission includes three registered Democrats, three registered Republicans and three voters who are registered as unaffiliated with any party. The commission’s meetings are required to be open to the public and livestreamed.

Hogan appointed Williams, a Democrat, and Walter Olson, a Republican, as co-chairs, and named Ashley Oleson, an unaffiliated voter, to serve on the commission.

“This commission’s task is to correct constitutional violations found by the federal court,” said Christopher Mincher, who is deputy legal counsel to the governor.

The commission also set tentative dates for hearings and its next meeting.

The commission will accept testimony from the public in Frederick County on Jan. 14 at 7 p.m., in Montgomery County on Jan. 31 at 7 p.m. and Allegany County on Feb. 6 at 7 p.m. Exact locations will be announced later.

On Feb. 20, the commission will meet again to continue its work.

Maryland Senate President Thomas V. Mike Miller and House of Delegates Speaker Michael Busch have said they are waiting on the federal appeals process to play out before determining how they will proceed on redrawing congressional districts.