IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

SHAUNA WILLIAMS, *et al.*, *Plaintiffs*, v. REPRESENTATIVE DESTIN HALL, in his official capacity as Chair of the House Standing Committee on Redistricting, *et al.*, *Defendants,*	Civil Action No. 23-cv-1057
NORTH CAROLINA STATE CONFERENCE OF THE NAACP, *et al.*, *Plaintiffs*, v. PHILLIP BERGER, in his official capacity as President Pro Tempore of the North Carolina Senate, *et al.*, *Defendants,*	Civil Action No. 23-cv-1104

MOTION OF NORTH CAROLINA BLACK ALLIANCE, REPAIRERS OF THE BREACH, BLACK VOTERS MATTER, THEODORE MCNEAL JR., MAYOR WILLIAM "MONDALE" ROBINSON, VIOLA HARRIS, GLENDORA BROTHERS AND WESLEY STOKES FOR LEAVE TO FILE AMICUS CURIAE BRIEF IN SUPPORT OF PLAINTIFFS' MOTIONS FOR PRELIMINARY INJUNCTION

The North Carolina Black Alliance, Black Voters Matter, Repairers of the Breach, Theodore McNeal Jr., Mayor William "Mondale" Robinson, Viola Harris, Glendora Brothers and Wesley Stokes respectfully seek leave under the Federal Rules of Appellate Procedure 29 to file the

attached amicus brief in support of the NAACP Plaintiffs' Motion for Preliminary Injunction and the Williams Plaintiffs' Motion for Preliminary Injunction, ECF Nos. 183 and 187.[1]

Amici Curiae North Carolina Black Alliance, Repairers of the Breach, and Black Voters Matter, (the Organizational Amici) are non-partisan, non-profit civil rights groups and racial justice organizations that engage in year-round civic engagement, voter outreach, voter education, and election protection activities across the state of North Carolina. They are all committed to promoting systemic policy change to assist marginalized communities, including Black voters. Achieving equal representation for the communities that the Organizational Amici serve depends on these voters living in a state which fairly draws its redistricting maps to ensure all citizens have an equal voice.

Amici Curiae Theodore McNeal Jr., Mayor William "Mondale" Robinson, Viola Harris, Glendora Brothers and Wesley Stokes (the Impacted Voters) are all Black residents of Congressional District 1 ("CD 1"), although some of them have now been redistricted to CD 3 due to the passage of S.B. 249. They come from diverse backgrounds but are united in their commitment to voting and to preserving the historic Black Belt in one Congressional district. Several Amici submitted oral testimony or written comments to the North Carolina General Assembly in opposition to the congressional map that was passed as Senate Bill 249 (S.L. 2025-95) on October 22, 2025 ("SB 249"), and several others have spent significant time educating their community about this gerrymander and preparing for the devastating impact it will have.

[1] Counsel for Amici have consulted with counsel for all parties to seek their position on this motion. Legislative Defendants take no position on this motion, Williams Plaintiffs do not oppose this motion and NAACP Plaintiffs do not oppose this motion.

As stated in the accompanying Memorandum of Law, Amici offer the Court an important perspective on the history of Congressional District 1 and the harms that will occur if the 2025 enacted maps in S.B. 249 are utilized for upcoming elections. For these reasons and the reasons stated in the accompanying Memorandum of Law, Amici respectfully ask that this Court grant its motion to file the attached proposed amicus curiae brief.

Dated: November 14, 2025

Respectfully submitted,

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BRIEF OF *AMICUS CURIAE* NORTH CAROLINA BLACK ALLIANCE, REPAIRERS OF THE BREACH, BLACK VOTERS MATTER, THEODORE MCNEAL JR., MAYOR WILLIAM "MONDALE" ROBINSON, COMMISSIONER VIOLA HARRIS, GLENDORA BROTHERS AND WESLEY STOKES SUPPORTING PLAINTIFFS' MOTIONS FOR PRELIMINARY INJUNCTION[1]

[1] No outside person or entities wrote any of this brief or contributed any money to support the briefs' preparation. LR 7.5(d).

STATEMENT OF INTEREST

Amici are organizations and individual voters spanning a wide array of ages, perspectives, and experiences, yet they are bound by their shared passion for fair representation and respect for the democratic process. Amici join together to urge this Court to immediately halt the discriminatory congressional map passed as Senate Bill 249 to prevent irreparable harm.

Amici Curiae North Carolina Black Alliance ("NCBA"), Repairers of the Breach ("ROTB") and Black Voters Matter ("BVM") (the Organizational Amici) are non-partisan, non-profit civil rights groups and racial justice organizations that engage in year-round civic engagement, voter outreach, voter education, and election protection activities across the state of North Carolina. They are all committed to promoting systemic policy change to assist marginalized communities, including Black voters. This includes significant civic engagement and voter education and mobilization work in Eastern North Carolina's historic Black Belt region. Achieving equal representation for the communities that the Organizational Amici serve depends on these voters living in a state which fairly draws its redistricting maps to ensure all citizens have an equal voice.

Amici Curiae Mayor William "Mondale" Robinson, Theodore McNeal Jr., Commissioner Viola Harris, Glendora Brothers, and Wesley Stokes (the Impacted Voters) are all Black residents of Congressional District 1 ("CD 1"), or former residents of CD 1 who have now been redistricted to Congressional District 3 ("CD 3"). They include seasoned North Carolina voters whose families have lived in the Black Belt for generations (Brothers Decl., Ex. 4) community organizers and civic leaders (McNeal Decl. Ex. 1; Stokes Decl., Ex. 3), as well as current and former elected officials (Robinson Decl., Ex. 6; Harris Decl., Ex. 5). They come from diverse backgrounds but

are united in their commitment to voting and to preserving the historic Black Belt in one Congressional district. Several Amici submitted oral testimony or written comments to the North Carolina General Assembly in opposition to the congressional map that was passed as Senate Bill 249 (S.L. 2025-95) on October 22, 2025 ("S.B. 249"), as well as in opposition to prior illegally gerrymandered maps, and others have already spent significant time educating their community about this gerrymander and preparing for the devastating impact it will have. Stokes Decl., Ex. 3, ¶ 19; Brothers Decl., Ex. 4, ¶ 9; Bass Decl., Ex. 7, ¶¶ 17-18.

The Impacted Voters and Organizational Amici (collectively, "Amici") are not advocating for or against any specific candidate for office. Rather, they seek to protect the fundamental right of every North Carolinian to vote free from discrimination, and the rights of Black voters to engage in protected First Amendment activity, including petitioning the government for redress free from unlawful retaliation. Amici submit this brief to illustrate for this Court the unique, persistent history of voter suppression targeting CD 1, as well as the severity of the harms that will arise from S.B. 249's extreme mid-decade racial gerrymander dangerously timed to evade judicial review if it is not immediately enjoined.

INTRODUCTION

S.B. 249 was passed in a sudden, rushed, and widely opposed process over a breathtakingly short period from introduction to law – just over 48 hours – marking the first time in our state's history that the North Carolina General Assembly has *ever* engaged in mid-decade redistricting without a court order to do so. On its face, S.B. 249's Congressional map rises to the level of depriving Black voters in CD 1 of the constitutionally protected right to vote on equal terms as non-Black voters – a right the Organizational Amici have sought to protect for decades. If this

map is allowed to stand, the Black residents of CD 1, including the Impacted Voters, will be irreparably harmed.

For decades, the North Carolina General Assembly has used every possible opportunity to adopt maps which substantially reduce the ability of Black voters to elect their candidates of choice, particularly in the heart of the historic Black Belt. Last month, the General Assembly took this one step further by dismantling CD 1, becoming the first Southern state to use gerrymandering to destroy a Black opportunity district that was previously covered by Section 5 preclearance – the North Carolina district which has consistently elected a Black representative since 1992. These most recent actions are also unprecedented in that the Legislature's brazen racial gerrymander retaliates against those who dared to challenge the 2023 maps and were building political power in response – before this court could even render a decision as to their constitutionality – intentionally suppressing Black voters' political activity and thwarting their right to redress in CD1 and statewide.

The interests and will of the voters of North Carolina and the impacted communities were not considered in this warp-speed process by legislative leadership. Rather, in an unconstitutional race-driven process, Legislative Defendants sought to deliver the final blow to the Black voting bloc of CD 1 by any means necessary. The legislative record is replete with evidence that this map is racially discriminatory, that legislative leadership was on notice of the harm this map would inflict on Black voters, and that the demographics of the targeted area are so well known that knowledge of this cannot – and was not – denied by legislative leadership. The Constitution prohibits targeting Black voters in this way in order to gain a partisan advantage.

S.B. 249 is unconstitutional. This intentional dilution of Black voting power violates the Fourteenth and Fifteenth Amendments, Section 2 of the Voting Rights Act, and, in this unique case, the Petition Clause of the First Amendment, and requires swift action by this Court. To protect the tenets of the U.S. Constitution, this Court should enjoin S.B. 249 and at a minimum return to the status quo of the 2023 CD1 and CD3 maps pending an order of permanent relief against the 2023 Congressional Plan. As the Court considers this case and fashions an immediate remedy, all relevant evidence must be taken into consideration. This includes the history of cumulative harms of the attacks on Black political power in CD 1, Legislative Defendants' sequence of racially discriminatory actions to entrench their power, and the myriad of ways that S.B. 249 will have an immediate and devastating impact on Black voters of CD 1.

ARGUMENT

I. The North Carolina General Assembly's History of Persistent Voting Rights Violations Targeting Black Political Power in CD 1 is Relevant to this Court

North Carolina has an extensive history of race-based voting discrimination that is particularly prominent in regions of the state with large Black populations, including the historic Black Belt region. The legislative actions at issue here represent the most recent chapter in long-standing efforts by the North Carolina General Assembly to target the voting rights of Black voters, including numerous prior attempts to pack and crack Black voters in Eastern North Carolina to dilute their voting power. Many of the Amici here have deep familial ties to CD 1. They and their relatives have lived through much of what is detailed herein. Rev. Barber describes in his declaration "the long fight" against numerous tools of voter suppression in "the days before Eva Clayton," in an attempt to "create opportunity Districts for Black voters." Barber Decl., Ex. 8, ¶¶ 9-11. Mayor Robinson's family has been in CD 1 for generations and said that "[t]he trauma

caused by [those] racist actions and voter suppression runs deep and is a type of trauma that doesn't go away." Robinson Decl., Ex. 6, ¶ 9.

A. Racial Polarization in Voting

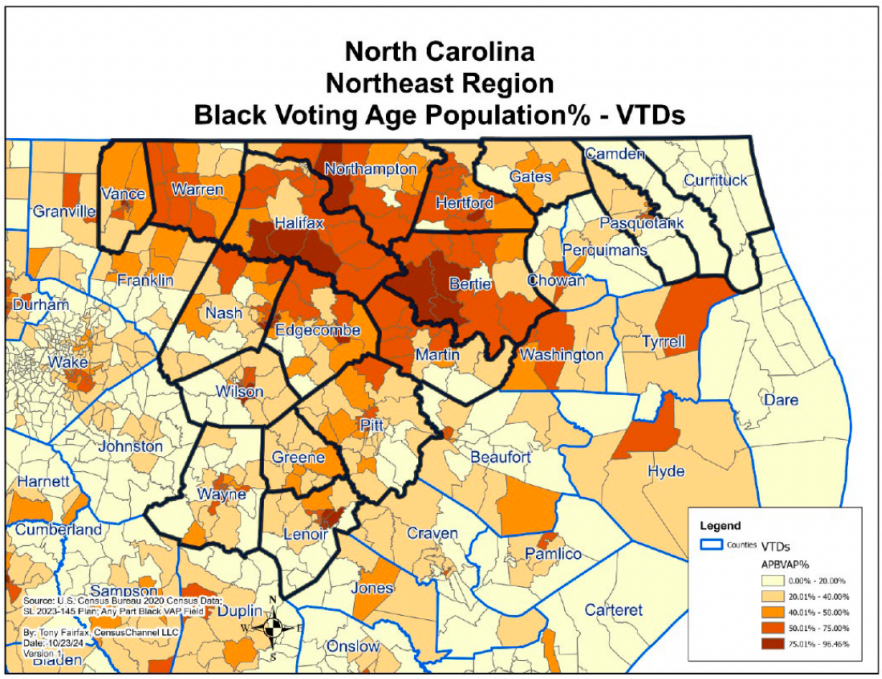
It is well understood that North Carolina elections remain highly racially polarized and that race is a better predictor than anything else of someone's ultimate voting behavior in this state. *See N.C. State Conf. of the NAACP v. McCrory*, 831 F.3d 204, 214 (4th Cir. 2016) (*quoting Thornburg v. Gingles*, 478 U.S. 30, 62 (1986)).[2] The Black Belt region experiences even higher-than-average rates of racial polarization in its elections, with over 98% of Black residents in CD 1 selecting the same candidates for President and U.S. Representative in the November 2024 general election.[3]

B. Origins and Location of the Black Belt Region

CD 1 is in the northeast region of the state and covers many counties that are a part of the historic "Black Belt." The Black Belt was named for the region's dark fertile soil, as well as the high concentration of enslaved Black population before the Civil War.[4] North Carolina's Black Belt has long played a key role in Black cultural and political life. From Reconstruction through the present day, Black Belt residents have endured cycles of enfranchisement, followed by voter suppression, and then sought to build back their political power once again. Today's Black Belt

[2] In a 2019 expert report for *N.C. State Conf. of the NAACP v. Circosta*, Plaintiff's expert Barry Burden found that in the 2012 presidential election, 96% of Black voters in North Carolina voted for the Democratic candidate, as compared to 65 percent of white voters. No. 1:18-cv-01034, ECF 91-4, at 10 (M.D.N.C. 2019).
[3] Plaintiffs' expert Dr. Oskooii found that "an estimated 98.3% of Black voters supported Representative Don Davis compared to just 13% of White voters; an estimated 98.3% of Black voters supported presidential candidate Kamala Harris compared to just 9.1% of White voters." ECF No. 175-1, at 10.
[4] Candace Dantes, "7 Scarring Facts, Figures about America's Black Belt Region people," (Jan. 13, 2021), https://blackfarmersnetwork.com/7-scarring-facts-figures-about-americas-black-belt-region/#:~:text=%E2%80%9CSo%20far%20as%20I%20can,black%20people%20outnumber%20the%20white.%E2%80%9D.

is still home to many historically Black communities, as set forth in the chart below:



ECF No. 155, at 65.

After the adoption of the 1868 North Carolina constitution, which enfranchised African American males and removed the property requirement to vote, the state saw a sharp rise in Black political participation.[5] In 1872, the Democratic-controlled General Assembly created North Carolina's first Black-majority district, encompassing many of the state's black-majority counties in the northeastern region, which became known as the "Black Second."[6] The intention behind creating this district was "to neutralize the Republican threat in the state's eastern counties by grouping together as many of the state's eastern Republican voters into one district

[5] Dr. Jan Davidson, "When White Supremacists Overthrew a Government," (Oct. 23, 2024), https://www.pbs.org/wgbh/americanexperience/features/when-white-supremacists-overthrew-government/#:~:text=The%20Rise%20of%20the%20State,they%20appoint%20Democrats%20to%20office.

[6] "The Black Second Congressional District," 1872-1901, https://northcarolinahistory.org/encyclopedia/the-black-second-congressional-district-1872-1901/#:~:text=North%20Carolina's%20Second%20Congressional%20District,terms%20between%201874%20and%201898..

and spreading out other Republican-leaning counties into adjacent majority-Democratic districts." *Id*. The counties included in this district were: Craven, Edgecombe, Greene, Halifax, Jones, Lenoir, Northampton, Warren, Wilson and Wayne. *Id*. The district, as it remains today, was overwhelmingly rural. *Id*. With the consolidated Black voting power of this newly formed district, Republican voters went on to elect four African American congressmen for a total of seven terms: John A. Hyman (1875-1877), James E. O'Hara (1883-1887), Henry P. Cheatham (1889-1993) and George H. White (1897-1901). Though short-lived, the elections of these congressmen reflected the political strength of the Black Belt before the return of white-supremacist control at the turn of the century.

C. North Carolina's Long History of Voter Suppression from Reconstruction to 2010

Before the 1898 Wilmington *coup* and the 1899-1900 disenfranchisement amendments, Black North Carolinians registered and voted at exceptionally high rates. That changed when the State adopted a constitutional amendment imposing a literacy test and a poll tax, while a grandfather clause exempted most white voters.[7] From 1900 through the 1980s, North Carolina further diluted Black political power by using multi-member legislative districts that combined predominantly Black communities with substantially larger white populations. Between 1968 and 1982, only four Black individuals were elected to the General Assembly.

At the local level, Dr. G.K. Butterfield Sr. was one of the very few Black candidates to run in eastern North Carolina. Although previously elected, his tenure ended when the board shifted to at-large elections which sought to specifically weaken Black voting strength until it

[7] *Public Laws of North Carolina*, 1899–1900, ch. 218, §§ 4–5 (N.C. 1900). [See *NCpedia*- "Primary Source: The Suffrage Amendment" (detailing the literacy test, poll tax, and grandfather clause).]

was struck down as unconstitutional and in violation of the Voting Rights Act.[8] See *Thornburg v. Gingles*, 478 U.S. 30, 38–39 (1986).

After *Gingles*, Black political opportunity increased. The Department of Justice rejected the 1991 congressional plan for providing only one majority-minority district despite a statewide Black population of roughly 22%, leading to a 1992 remedial plan with two such districts. That year, Eva Clayton became the first Black North Carolinian elected to Congress since 1901, and CD-1 has been represented by Black members of Congress continuously since 1992 to the present. *See* ECF No. 169-1 at 4.

D. Modern History of Gerrymandering of CD 1

The legislative actions of the last fifteen years represent the latest chapter in a persistent effort by the North Carolina General Assembly to undermine the political power of Black voters in the state's historic "Black Belt," particularly those residing in CD 1. For more than three decades, CD 1 has functioned as an effective opportunity district in which Black voters, often joined by white crossover voters, have successfully nominated and elected their preferred candidates. Even when the district has not been majority-Black, it has consistently enabled Black voters to elect their candidates of choice. Legislative leaders have long understood this demographic and electoral reality, and they have repeatedly sought to dismantle it. *See* NAACP FOF/COL ¶¶ 5–12, 43.

Like other Black opportunity districts across the Deep South, CD 1 has stood as both a lifeline and a target: the rare district where Black voters have exercised meaningful political power, and therefore one repeatedly subjected to efforts to erode that power. Over the last

[8] "G.K. Butterfield: From Grassroots Protests, the Courtroom, to Congress," (Aug. 5, 2024), https://ldfrecollection.org/stories/gk-butterfield-from-grassroots-protests-to-the-courtroom-to-congress/.

fifteen years and across four separate redistricting cycles and repeated court interventions, CD 1 has been redrawn repeatedly, each time under a different pretext but with the same effect: the steady erosion of Black voters' political strength.

a. The 2011 Plan and *Harris v. McCrory*

Following the 2010 Census, the General Assembly adopted congressional maps that dramatically increased CD 1's Black Voting Age Population ("BVAP"), asserting that majority Black districts were required to comply with the Voting Rights Act. The three-judge court in *Harris v. McCrory*, 159 F.Supp.3d 600, 627 (M.D.N.C. 2016), found that legislators allowed race to drive the district's design beyond what any legitimate purpose could justify, rendering CD 1 an unconstitutional gerrymander. Later, the Supreme Court affirmed in *Cooper v. Harris*, 581 U.S. 285 (2017), concluding that the legislature's reliance on race to draw CD 1 and CD 12 violated the Equal Protection Clause.

Following *Harris*, the remedial map reduced CD 1's BVAP to approximately 42 percent. Even under that configuration, Black voters continued to elect Representative G.K. Butterfield, demonstrating that CD 1 remained a true opportunity district without requiring a numerical majority. *Covington v. North Carolina*, 316 F.R.D. 117, 127, 168 (M.D.N.C. 2016), *aff'd* 581 U.S. 1015 (2017); see also *Cooper v. Harris*, 581 U.S. 285, 299-300, 310-11 (2017). Rep. Butterfield went on to serve nearly two decades in Congress, providing senior leadership within the Congressional Black Caucus and championing voting protections nationwide.[9]

b. The 2021 Gerrymander and 2022 Court-Ordered Map

Following the 2020 census, North Carolina gained one seat in the U.S. House of Representatives, as the state's population had risen almost 10% since the 2010 census. North

[9] Butterfield, G. K., Jr., *Biographical Directory of the United States Congress*, https://bioguide.congress.gov/search/bio/B001251 (last visited Nov. 14, 2025).

Carolina gained this seat "almost entirely due to an increase in the state's minority population." ECF No. 169-1, at 2. The 2021 plan once again altered CD 1, removing Greenville and most of Pitt County (both heavily Black and Democratic communities) to shift them to CD 2. This shift extracted thousands of Black voters from the district and diluted their influence. Evidence before the Court shows that legislative leaders could not articulate a neutral justification for these changes and that the exclusion of Pitt County "reduced compactness and removed core Black population centers." *See* NAACP FOF/COL ¶¶ 231–234 (finding that removal of Pitt County and inclusion of coastal counties lacked traditional redistricting rationale and decreased compactness).

The 2021 plan was later struck down as an unlawful partisan gerrymander, and court-approved interim maps were used for the 2022 election, under which Congressman Don Davis, a Black candidate, was elected to succeed Rep. Butterfield. *Id.* at ¶ 234.

c. The 2023 Maps

In February 2022, in *Harper v. Hall*, the North Carolina Supreme Court struck down the state's congressional plan as an egregious and intentional partisan gerrymander designed to enhance Republican performance which gave a greater voice to those voters than to any others. The court ordered the creation of a remedial plan, which was used for the 2022 elections.

Early the next year, following changes in the court's composition, the North Carolina Supreme Court granted rehearing and reversed itself. In April 2023, it held that partisan gerrymandering claims were nonjusticiable under the state constitution, removing state court oversight from future redistricting. That decision cleared the way for the General Assembly to redraw districts again without meaningful judicial constraint.

Within months, legislative leaders introduced and enacted new maps in a rushed, unclear process. Despite explicit warnings, the General Assembly released its new plans and adopted them

within one week, allowing virtually no public comment. *See* PX047 ("October 22 Letter from the Southern Coalition for Social Justice attaching an expert report by Dr. Kassra Oskooii documenting severe racial polarization in voting"); Stipulated Facts ¶ 27.

The resulting 2023 Congressional Plan significantly reduced the ability of Black voters in northeastern North Carolina to elect their candidate of choice. Expert and lay testimony established that the plan "diminished the responsiveness of elections to Black voter preferences and reduced the likelihood of Black-preferred candidates winning office." *See* NAACP FOF/COL ¶¶ 235–241, 628 (finding 2023 plan intentionally diluted Black voting strength and increased White bloc voting in CD 1). The 2023 map thus continued the same pattern the courts had already condemned – a systematic weakening of the only district where Black voters could still elect their candidate of choice. Under the 2022 plan, CD 1 had a BVAP of 41.23%; and under the 2023 plan, the General Assembly reduced that to 40.42%.

On December 4, 2023, the Williams Plaintiffs filed suit challenging the 2023 Congressional Plan as intentionally discriminatory in violation of the Fourteenth and Fifteenth Amendments and intentionally diluting the votes of Black voters under Section 2 of the Voting Rights Act. And on December 19, 2023, the NAACP Plaintiffs filed suit challenging districts in the 2023 Senate Plan, the 2023 House Plan, and the 2023 Congressional Plan as racially discriminatory, dilutive of Black voting power, racial gerrymanders, and denying equal voting power in violation of Section 2 of the Voting Rights Act and the Fourteenth and Fifteenth Amendments. Those matters were ultimately consolidated into the instant action, and this Court held a trial on June 16-18, June 20, and July 7-8, 2025. ECF No. 169-1, 16. A mere eleven weeks after the conclusion of this trial, and before this Court could issue its ruling, the General Assembly passed new Congressional maps once again with S.B. 249.

d. The 2024 General Election

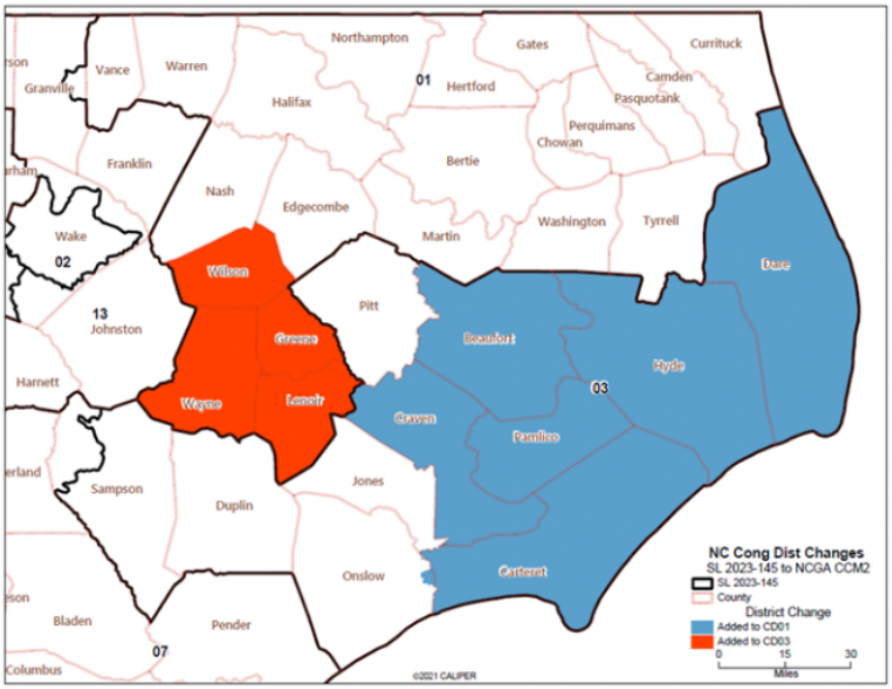
The 2024 general election revealed how fragile CD 1's remaining opportunity had become. Rep. Davis prevailed by fewer than 6,000 votes (less than two percent of the total), earning 49 percent of the vote compared with 52 percent in 2022. In the same cycle, the presidential candidate overwhelmingly favored by Black voters lost the district. These results demonstrate that the cumulative effect of the 2021 and 2023 gerrymanders had already pushed CD 1 to the brink of functional dilution. *See* NAACP FOF/COL ¶¶ 235–241.

e. The 2025 Mid-Decade Gerrymander: A Retaliatory Strike

The fact that CD 1 has continued to elect Black-preferred candidates does not indicate the absence of discrimination. It underscores the extraordinary political cohesion and civic engagement of Black voters and their allies across the "Black Belt." High registration and turnout rates, robust grassroots networks, and decades of shared community identity have sustained CD 1's effectiveness despite relentless legislative interference. Each time lawmakers attempted to weaken the district, Black voters, including Amici, adapted. They expanded turnout operations, strengthened multiracial coalitions, and defended their right to representation. CD 1's continued success under duress is thus the product of voter determination, not legislative design.

The 2025 plan marks a fundamental escalation. For the first time, the legislature engaged in mid-decade redistricting while litigation over the 2023 maps was still pending, specifically targeting CD 1 for dismantlement. Senate Bill 249 removed long-standing Black Belt counties (Wilson – 37.5% BVAP, Wayne – 30% BVAP, Greene – 36.2% BVAP, Lenoir – 39.1%) and replaced them with whiter coastal counties (Dare – 1.8% BVAP, Beaufort – 22.1% BVAP, Craven – 19.4% BVAP, Pamlico – 17.1% BVAP and Carteret – 4.7% BVAP). ECF No. 169-1, at 21. This reconfiguration reduced CD 1's BVAP from 40.4 percent to 32.3 percent and split the Black

population of eastern North Carolina almost evenly between CD 1 and CD 3. *See* Fairfax Report at 8–10.



ECF No. 183, at 4.

Further, under the 2025 configuration, Black-preferred candidates would prevail in only 7 percent of statewide contests - a 40 percent drop from the 2023 map – representing a collapse so steep that it is "highly unlikely for either 2025 district to perform for Black-preferred candidates." *See* Oskooii Suppl. Rep. ¶¶ 5–7 & Figures A1–2. This decline mirrors a broader pattern across the South, where entrenched racial polarization ensures that even modest line changes can erase decades of progress in minority representation. Without sustained vigilance, the ability of Black voters to elect candidates of their choice in such regions quickly collapses. The repeated dismantling of CD 1 underscores why Congress's enforcement authority under the 15th Amendment remains essential. Sustained federal oversight prevents state actors from reviving through redistricting the very discrimination the Amendment prohibits.

It was clear to Amici that S.B. 249 was an intentional attack on Black voters. Commissioner Viola Harris said that this new map was "an attempt to erase Black people" and ensure that "there won't be enough Black voters to support [Rep. Davis] or any other candidate who would similarly advocate for the issues of the Black community." Harris Decl., Ex. 5. Mayor Robinson stated that "I can feel when there is a direct attack on Black political power, and this redistricting is an attack." Robinson Decl., Ex. 6, ¶ 9. Glendora Brothers said that she believes the General Assembly, in passing these maps, is "boldly telling us – in our faces – that they do not care about our vote." Brothers Decl., Ex. 4, ¶ 13. Dr. Barber stated that "it took Eastern NC over ninety years to get another Black representative elected," and now that "reality of being able to elect Black officials in CD1 – that has existed now for three decades – will be taken away from the people." Barber Decl., Ex. 8, ¶ 18.

Unlike prior redistricting cycles, the 2025 map cannot be explained as a routine demographic adjustment or partisan realignment. It is a deliberate act of retaliation against the very voters who preserved representation in 2022 and 2024 and who exercised their constitutional right to challenge the 2023 plan in federal court as it intentionally dismantles the state's sole remaining Black opportunity district. *See* NAACP FOF/COL ¶¶ 43, 630–632.

II. S.B. 249 Was Passed in a Sham Process and Intentionally Discriminates Based on Race

In October 2025, the General Assembly made the unprecedented decision to engage in mid-cycle redistricting that not only targets Black voters but also effectively destroys a long-standing and hard fought for Black opportunity district. On October 13, 2025, it was announced that the legislature would be convening to consider new congressional maps. A mere three days later, draft congressional maps were released, modifying congressional districts 1 and 3. On October 20 and 21, the Senate Committee on Elections held meetings in which the draft maps

were proposed as a committee substitute for S.B. 249, an unrelated campaign finance bill.[10] Finally, on October 22, just 9 days after the initial announcement, the new congressional maps were adopted into law as S.B. 249. *See* ECF No. 175-1, at 11-14. The entire process allowed less than 90 minutes for input from the public. ECF No. 187, at 3. The General Assembly sought to escape legal liability for these new maps by creating an extremely threadbare legislative record. Nearly every single written comment, including those submitted by Amici, and all of the oral comments, were opposed to the maps and the process in which they were being passed, with a clear message being sent to the General Assembly that this was an attack on Black voters. *See* ECF No. 175-1, at 23. Individuals protesting these bills and the secretive drafting process chanted "Racist maps make racist reps" in the legislative hearings. ECF No. 169-1, at 19.

This reconfiguration resulted in a severe dilution of Black voting power in CD 1, lowering the BVAP percentage of the district by approximately 8 percentage points and executing a textbook cracking of the Black population in eastern North Carolina between Congressional Districts 1 and 3, "with 26.7% [BVAP] in Congressional District 1 and 26.7% [BVAP] in Congressional District 3." ECF No. 175-1, at 25.

Although Senator Hise claimed he "elected not to use race in drawing these proposed districts strictly to protect the state from lawsuits alleging racial gerrymandering," he did admit that he "has general knowledge of the demographics of the state" and that he is "aware that District 1 has a higher minority population than the state average." ECF No. 175-1, at 15. He also stated that he was in fact aware that North Carolina only has three Black Congressional representatives—and he characterized this as a "low number." *Id.* As Rep. Pricey Harrison

[10] The maps were presented in this way, as a "proposed committee substitute," in order to avoid the requirement that newly filed bills must be presented for a first reading. ECF No. 175-1, at 13.

stated, Senator Hise "knows the districts well enough to know that he was splitting up the Black Belt."[11]

Courts have been clear that "[u]sing race as a proxy for party may be an effective way to win an election," but a "state legislature acting on such a motivation engages in intentional racial discrimination in violation of the Fourteenth Amendment and the Voting Rights Act." *McCrory*, 831 F. 3d at 222 – 23. Here, the changes made to CD1 and CD3 in S.B. 249 intentionally dilute the voting strength of Black voters in Northeastern North Carolina, effectively destroying the Black opportunity district of CD1 while also ensuring that Black voters in CD3 would be unable to elect a candidate of their choice.

III. S.B. 249 Retaliates Against the Voters Who Built Political Power and Challenged the Prior Maps

As set forth in the extensive historical background above, including the recent history of gerrymandering targeting CD 1 over the last 15 years, it is no coincidence that this was the only district redrawn in S.B. 249. After the legislature sought to break up the Black political power of this district with the 2023 Congressional maps, citizens did not accept this fate and instead fought back against it in the courtroom, by building political power in their community, and by increasing their voter engagement and participation to achieve an incredibly narrow victory for their candidate of choice in 2024. Senator Hise even admitted that the data he used in order to redraw Congressional Districts 1 and 3 was the 2024 election data. ECF No. 175-1, at 4.

Plaintiffs in this case – and Black citizens of CD 1 on the whole, including the Impacted Voters – were ultimately retaliated against for using their freedoms of speech and association

[11] WRAL. "Legal Challenges against New NC Congressional Map in the Works as Davis Considers next Move." WRAL.Com, 23 Oct. 2025, https://www.wral.com/story/legal-challenges-against-new-nc-congressional-map-in-the-works/22211519/.

afforded them by the First Amendment of our Constitution. Danielle Brown, National Field Co-Director of BVM, explained that "Black voters in CD 1 have been showing out in record numbers at the polls which ultimately made them the target of the state's legislature." Brown Decl., Ex. 2, ¶ 2. The Legislature is seeking to moot out Plaintiffs' pending challenge to the 2023 Congressional Maps, and to deliver a final blow to the remaining Black political power in CD 1.

IV. S.B. 249 Will Cause Irreparable Harm if Not Enjoined

Plaintiffs' briefs in support of a preliminary injunction detail the numerous public comments and statements from legislators and members of the public about the harms that S.B. 249 will impose on the residents of the Black Belt, including the irreparable harm and indignity of voting in another election under illegal districts that deprive Black voters of the ability to equally exercise the fundamental right to vote free from racial discrimination. The affidavits of Organizational Amici and the Impacted Voters detail these and a myriad of other harms that will occur to those who live and work in CD 1 if S.B. 249 is allowed to stand. These include: educating this expansive, rural, poor community about this redistricting and how it will affect their Congressional representation; having to obtain the resources to expand their education and mobilization work to cover two Congressional districts, with communities of interest now artificially separated; having to advocate their community's priorities to, and build relationships with, two congressional representatives unlikely to be Black voters' preferred candidates; the incredibly difficult task of convincing Black residents of CD 1 that their vote still matters; and even the potential for death as the result of the "policy violence" that could be inflicted on this region due to the reduction in Black political power.

Whether Amici are being moved from CD 1 to CD 3 or will have to stay in a fundamentally altered CD 1, they will suffer the effects of their community being split in two, and no longer being able to organize their full community coalition across the Black Belt region. Theodore McNeal Jr., an A. Phillips Randolph Institute organizer in Lenoir County who is being redistricted to CD 3, described the fusion movement success that the Black Belt region has had recently, and how that will come to an end as a result of the surgical separation caused by S.B. 249: "People in CD 1 have been coming together. Rep. Davis even gained support from unlikely people like farmers and poor white people who united and established relationships with Black voters. Our ability to come together and vote collectively for our interest will end as counties are moved from CD 1 into CD 3 and vice versa." McNeal Decl., Ex. 1, ¶ 8. *See also* Robinson Decl., Ex. 6 ("To effectively address the needs of our people, we must build coalitions...with our neighboring counties, which will now be even more difficult...We are suffering from the same problems, but now we are separated"); Bass Decl., Ex. 7, ¶ 17 ("Black voters are deeply limited in moving transformative political change when the collective power of their votes are diluted"). As Mayor Robinson explained, "What used to be a resounding scream from one district will become mere murmurs from two districts." Robinson Decl., Ex. 6, ¶ 15.

Amici further described that, if S.B. 249 is not enjoined, Black voters, as well as the organizations who advocate for policy reforms on their behalf, will no longer have an advocate who prioritizes or is responsive to the issues that impact their community – including public school funding, expanding internet access, working towards more environmentally friendly energy sources, and ensuring that CD 1 is still an attractive place for people to live. As Dr. Barber stated, "our communities will be deprived of the opportunity to elect someone in CD1 who will advocate for living wages, universal healthcare, fully funded public education and to fully protect the

Affordable Care Act – this could all be gone." Barber Decl., Ex. 8, ¶ 21. *See also* McNeal Decl., Ex. 1, ¶ 14; Harris Decl., Ex. 5; Robinson Decl., Ex. 6; Bass Decl., Ex. 7 (the passage of S.B. 249 "will adversely affect our ability to organize around issues unique to the Black Belt and Black rural voters... includ[ing] the lack of internet in many rural communities, education deserts, environmental injustices, and economic struggles"); Stokes Decl. Ex. 3 ("SB 249 places residents of CD 1 in the position of potentially being represented by individuals who have no connection to the lifestyles, livelihoods and policy concerns that they live with daily"); Stokes Decl., Ex. 3, ¶ 13. (describing how the "beach counties" which were added as part of S.B. 249 "intrinsically have different concerns and policy priorities than the counties typically associated with CD1").

Commissioner Viola Harris, a County Commissioner in Edgecombe County, stated that "voters need representatives who know their communities and how they live" and that "Rep. Davis is always accessible to me and the community, even when we disagree and voice complaints." Harris Decl., Ex.5, ¶9. Glendora Brothers, a lifelong resident of Pasquotank County, echoed this sentiment, stating that "I may not always agree with his decisions but [Rep. Davis] is more accessible and visible than most of the other representatives for this area." Brothers Decl., Ex. 4, ¶ 10. However, if S.B. 249 is allowed to stand, Commissioner Harris said that "Black voters will not have a voice or strong advocates to hear and address their issues." Harris Decl., Ex. 5.

Not having a representative who prioritizes the needs of this rural, poor community could have dire consequences – Mayor Robinson stated that "My people will die from redistricting and that is not hyperbole." Robinson Decl., Ex. 6, ¶ 12. Dr. Barber echoed this sentiment, stating that "Every piece of regressive policy has death involved in it. The death of representation in CD1 likely means actual death for the people who live in CD1." Barber Decl., Ex. 8, ¶ 26. Theodore

McNeal Jr. shared this concern as well, that "[t]he end result if people in eastern North Carolina cannot receive the medical care that they need, is death." McNeal Decl., Ex. 1, ¶ 16.

The Amici were also universally concerned about the voter deterrence, discouragement, and disillusionment that will result when the residents of CD 1 absorb that their historically Black Congressional District that they have fought so hard to maintain has been dismantled – and that the General Assembly didn't even pretend to consider how it would impact them. Amici described the fact that many people living in CD 1 are not even yet aware that this recent, mid-cycle redistricting has occurred. Harris Decl., Ex. 5, ¶ 6 ("Many residents of CD 1 were unaware of the proposed redistricting prior to my sharing"). Danielle Brown of BVM noted that "more resources will now be required to encourage and promote voter participation when voters know the challenges that Black candidates of choice face in the unlawful districts." Brown Decl., Ex. 2, ¶ 20. *See also* Brothers Decl., Ex. 4, ¶ 13 ("The events surrounding the latest redistricting plan have negatively affected my opinion of, and trust in, the voting system."). Mayor Robinson stated that this redistricting is "causing trauma and past traumas to resurface" and "[t]he danger here is that a voter will say 'to hell with politics' and stop participating in the process. Moving Black people among the districts like pawns is reminiscent of the enslavement auction block where our people were separated and could be bought, sold and sent anywhere." Robinson Decl., Ex. 6, ¶ 9.

CONCLUSION

The 2025 Congressional Map passed in S.B. 249 cannot stand. Without justification, it intentionally dilutes Black voting power in our state. All North Carolinians deserve to participate equally in our democracy. With no court order, and on the eve of this Court's determination on the fate of the widespread 2023 gerrymander, the N.C. General Assembly rammed-through an

unprecedented mid-decade redistricting map dismantling CD1's historic Black Opportunity District, fully aware of the N.C. State Board's fast-approaching December candidate filing deadlines for the 2026 Elections. The General Assembly's effort to punish Black voters seeking legal redress for discrimination in voting by doubling-down and enacting new racially discriminatory voting legislation timed to strategically evade judicial review cannot be rewarded.

For all of the foregoing reasons, Amici respectfully request that this Court enjoin any election conducted under S.B. 249 discriminatory plan in 2026, and at a minimum return to the status quo 2023 CD1 and CD3 maps pending an order of permanent relief against the 2023 Congressional Plan to ensure that fair, constitutionally permitted maps govern the 2026 Primary and General elections.

Dated: November 14, 2025

Respectfully submitted,

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WORD CERTIFICATION

Pursuant to Local Rule 7.3(d)(1), the undersigned certifies that the word count for Brief of *Amicus Curiae* is 6,119 words. The word count excludes the case caption, signature lines, cover page, and required certificates of counsel. In making this certification, the undersigned has relied upon the word count of Microsoft Word, which was used to prepare the brief.

/s/ Kathleen Roblez
Kathleen Roblez

CERTIFICATE OF SERVICE

I certify that on November 14, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record.

/s/ Kathleen Roblez
Kathleen Roblez

EXHIBIT 1

DECLARATION OF THEODORE MCNEAL JR.

I, Theodore McNeal, hereby declare as follows:

1. I have personal knowledge of the facts set forth herein. If called to testify before this Court, I would do so to the same effect.

2. I am not disqualified from voting due to felony conviction, and I otherwise meet the qualifications for eligibility to register to vote and vote in North Carolina.

3. I am 72 years old. I have lived in Kinston, North Carolina (in Lenoir County) all of my life, with the exception of the time I served away in the military. I worked on a aircrafts as a civilian in the Navy/Marine Corps for 33 years. My father was a WWII and Korean War veteran who used his GI bill to buy a home in Kinston.

4. I registered to vote in Kinston for the first time in 1984 when Jesse Jackson came to Lenoir Community College to deliver his campaign speech. I remember him being highly motivating and said to myself "I am going to vote" because he convinced me that my vote matters. This redistricting is going to do the opposite and discourage people because the map is telling black people, there votes don't matter.

5. Before hearing Rev. Jackson speak, I was not involved with voting. After the speech, I realized politics affects everything in your life. Even today, I could retire and enjoy my satellite television, but there are too many people in CD1 struggling to meet their basic needs, so I continue to work as an Organizer. I fear the people of CD1 are going to struggle and suffer even more if the maps are implemented.

6. Although Kinston was predominately located in CD1, there was a time after the election of President Obama that we were also moved into CD3, before being moved back into

CD1. They bounced us between CD1 and CD3 through redistricting to break up the Black vote before and now they have done it again. These 2025 maps have now once again moved my home county of Lenoir from CD1 to CD3, splitting us up from our neighboring counties in the Black Belt.

7. My connections to CD1 are deep. I am familiar with the historical elections and service of Representatives Eva Clayton, Frank Ballance, GK Butterfield, and currently Don Davis, but this redistricting will prevent us from electing the people of our choice. What legislators are doing now is unfair to me and all the people who are satisfied with our representatives. Even if you were not satisfied with your elected official, it felt better knowing we at least had the right to elect our officials fairly.

8. People in CD1 have been coming together. Rep. Davis even gained support from unlikely people like farmers and poor white people and who united and established relationships with black voters. Our ability to come together and vote collectively for our interest will end as counties are moved from CD1 into CD3 and vice versa.

9. This redistricting shows they don't want the collective map in CD1 because it gives black people too much collective voting power to elect candidates that cares about their issues. Elections are sometimes won by a single vote and with them breaking up the black vote and moving many of us into CD3, the elections with small margins in CD1 will be hard, if not impossible to win.

10. I am an Organizer with the North Carolina A. Philip Randolph Institute (NCAPRI). NCAPRI is a 501(c)3 nonprofit organization with the mission to improve the quality of life for economically disadvantaged families by providing the necessary resources that improve their

standard of living, foster self-improvement, self-empowerment, and self-sufficiency. The agency is dedicated to those disenfranchised by situation, circumstance, or indifference.

11. At NCAPRI, we believe voting is not only our civil duty but also impacts our community in a variety of ways. Our vote has an effect on stabilizing the business cycle, our social freedoms, and even our natural born rights as Humans. It is always important to make sure that you use your voice to help uplift others within our community.

12. At our training center and at other locations throughout the state we teach canvassing, letter writing, and the use of new information technology such as the Voter Activation Network (VAN) to reach out and educate other voters in their communities, register voters, and increase voter participation. We locate and work with people from the communities that we serve to participate in our get-out-the-vote work.

13. Through our NCAPRI Youth Chapters, we accomplish leadership development for our youth. The strategy is to create an atmosphere where the youth can come with their peers and accomplish work to help out their communities. We teach them canvassing, phone banking, and letter writing. We want our youth to be involved at a young age so they understand how the political process and advocacy should work.

14. I know how redistricting is supposed to work, and this is not the way. We should only draw maps around the census, not at random times. The redistricting is racist and people in CD1 will be sacrificed just to take us out of the district. Legislators seem to engage in this behavior believing the Courts will not intervene in the process.

15. If the 2025 maps are not overturned, Black and White low-income voters in eastern North Carolina will suffer. Without representation in Congress, advocacy around various policy issues that impact CD1 greatly – such as health care, education, and transportation difficulties –

will become difficult. There is no longer a guarantee that the priorities of Black voters will be lifted to a federal level by a representative elected by the people; ultimately the maps dilute black people's ability to have their concerns heard.

16. I am a benefiter of the Affordable Care Act. It has been a blessing for me, my family, and my mother. I am currently enrolled to receive Medicare. It has been a true blessing for me to not have to pay for necessary tests and doctors visits in the last two years.

17. Here in Kinston, we are concerned with the lack of resources and funding for our hospitals, nursing homes, and other local medical facilities. The redistricting will cause even more of these facilities to be underfunded or shut down as we become unable to elect representatives who care about things such as affordable healthcare or poor people who cannot afford healthcare. These entities are funded heavily with federal funds. Without proper representation in Congress, our community needs will not be addressed, and we will not receive the federal funds needed to support our medical facilities. The end result, if people in eastern North Carolina cannot receive medical care and their basic needs, is death.

I declare under penalty of perjury under the laws of North Carolina that the foregoing is true and correct. Executed on November 14, 2025.

Theodore McNeal, Jr.

Theodore McNeal Jr.

EXHIBIT 2

DECLARATION OF DANIELLE BROWN
NATIONAL FIELD CO-DIRECTOR OF THE BLACK VOTERS MATTER FUND

I, Danielle Brown, swear under penalty of perjury that the following information is true to the best of my knowledge and state as follows:

1. I am a United States citizen and over the age of eighteen.

2. I have personal knowledge of the matters set forth in this declaration, except for those matters identified as based on information and belief, and if called upon to do so, could and would competently testify thereto.

3. I was born in Maryland and raised in Georgia. I have lived in North Carolina for the past 19 years. I have been a resident of Kannapolis located in Cabarrus County, North Carolina, for the past 10 years. I am a registered voter at my current address.

4. Since 2022 I have served as the National Field Co-Director of Black Voters Matter Fund ("Black Voters Matter"), a nonpartisan organization organized under 501(c)4 of the Internal Revenue Code. Its goal is to increase power in marginalized, predominantly Black communities.

5. As the National Field Co-Director of Black Voters Matter, my responsibilities include managing 14 staff members and leading the day-to-day work in each of the five states I am assigned: North Carolina, Florida, Ohio, Pennsylvania, and Michigan. I manage statewide campaigns and participate in advocacy and election protection regarding the rights of Black voters in each state.

6. I am authorized to speak for Black Voters Matter in this matter.

7. The mission of Black Voters Matter is to empower voters and improve voting efficacy in marginalized communities of color. Black Voters Matter works primarily in Black communities and other communities of color that face unique barriers to voting. Black Voters Matter focuses on removing those barriers and increasing voter registration and turnout by

providing voter education and encouragement, advocating for policies to expand voting rights and access, and providing assistance and financial grants that enable its partner organizations to engage in on-the-ground efforts to mobilize voters.

8. In conducting this work, Black Voters Matter's guiding principles include understanding, respecting, and supporting local infrastructure in pursuing civic engagement and community power; supporting individuals and organizations that strive for social justice throughout the year and not just on Election Day; and ensuring that Black voters and communities of color in rural counties and smaller cities and towns, who are often ignored, have their voices heard.

9. Black Voters Matter understands the importance of voter education and utilizes authentic messaging which speaks to the issues of Black voters, connects with their hopes, and affirms their humanity. The organization participates in voter registration and Get Out the Vote ("GOTV") campaigns. Additionally, Black Voters Matter advocates for policies to expand voting rights/access, including expanded early voting, resisting voter ID requirements, re-entry restoration of rights and strengthening the Voting Rights Act.

10. Black Voters Matter also takes pride in our development and enrichment programs. We help develop infrastructure in communities where little to none exists. This includes staff training, candidate development, and network development.

11. Voting should allow communities to determine their own destinies, but communities of color often face barriers to voting that other communities do not. Black Voters Matter focuses on removing those barriers. It does so by engaging in get-out the-vote activities, educating voters on how to vote, and advocating for policies to expand voting rights, and access to the ballots thus creating more political representation for Marginalized communities. In the 2024

general election, Black Voters Matter was on the ground working to turn out the vote in North Carolina, particularly in communities that tend to have less access to national, state, and local resources and that have low-income and working-class populations.

12. While Black Voters Matter seeks to improve the voting efficacy of Black communities nationally, it focuses most of its work on a handful of states, including North Carolina because NC contains some of the most under-resourced and neglected communities in the country.

13. Black Voters Matter does not have a formal membership structure, but it does have a significant constituency of individuals and organizations in North Carolina's Black communities who are the primary beneficiaries of Black Voters Matter's activities. Black Voters Matter's constituents include Black voters in many CD1 counties, including those that were recently moved to Congressional District 3 ("CD3") – Wilson, Lenoir, Greene, and Wayne Counties. Black Voters Matter's constituents and supporters, and Black Voters Matter's community partners and their members, include registered voters in North Carolina who plan to vote in future federal Congressional races, including the 2026 primary election.

14. Black Voters Matter has focused on rural CD1 because it is home to many of the Black Belt counties that possess higher populations of Black voters. Historically, it has been difficult to gain support for eastern North Carolina Black voters. Since my time with Black Voters Matter, there has been a major change in voting within eastern North Carolina. More organizations and groups are seeing how fruitful and impactful Black voters in CD1 are, and the political power that they hold. As a result, there has been greater investment in voter support and resources in the area. Because of this newfound support, Black voters in CD1 have been showing out in record numbers at the polls which ultimately made them a target of the state's legislature. The intentional

attacks by our state's legislators will have a negative impact on the ability of Black voters to elect the candidates of their choice.

15. Black Voters Matter carries out much of its work through and in coordination with community partners in CD1. We believe it is more effective and efficient to invest in and partner with community groups that engage in voter education and turnout efforts because those groups are familiar to and trusted by local voters.

16. Black Voters Matter partners with local organizations across CD1. Black Voters Matter regularly provides mini-grants to its partners who engage in voter education and on-the-ground efforts to increase voter participation. Providing grants to partner organizations helps increase partner organizations' long-term capacity to serve their communities in the region. Many of our partners are membership organizations comprised of individuals residing in parishes across the State who are directly affected by North Carolina's proposed maps for the election of members of Congress.

17. In addition to providing grants, Black Voters Matter regularly communicates with its community partners to coordinate with and train their leadership and members. Specifically, in North Carolina, we have provided trainings for partners on redistricting, digital organizing, and other capacity-building tools. Black Voters Matter also operates a regular bus tour to help its constituents and partners raise awareness about voting issues. In the last two years, the Black Voters Matter bus held six tours that included stops in North Carolina. Black Voters Matter also provides technical support, including with social media, and other support to community partners on an as-needed basis.

18. Black Voters Matter works on behalf of its constituents and partners. These individuals and organizations help inform the issues Black Voters Matter seeks to address, assist

with local organizational strategy, participate in Black Voters Matter organized efforts like text-message voter mobilization, and volunteer at voting events.

19. If this redistricting measure is not overturned, it will adversely affect our ability to organize in CD1 and Eastern NC as a whole. By redrawing congressional districts that dilute the votes of Black voters in North Carolina and decrease representation for Black voters, our mission to increase voter participation and electoral representation for Black and marginalized communities will be greatly impacted. Black Voters Matter will have to divert scarce resources away from other policy priorities towards efforts that give Black voters other avenues to make their voices heard where they no longer have effective representation.

20. The new 2025 maps will harm Black Voters Matter because we will be forced to divert resources, including staff time and communication support resources, from our broader voter registration and community empowerment initiatives to the affected districts to protect the representation and interests of partners and constituencies and try to counteract the negative effects of vote dilution. In these unlawfully drawn districts, more resources will now be required to encourage and promote voter participation when voters know the challenges that Black candidates of choice face in the unlawful districts. Additionally, more resources will be required when advocating for our constituents' and supporters' preferred positions with elected officials who are not the Black candidate of choice. If this redistricting measure remains in place, it may affect the stability of Black Voters Matter's funding. In 2026, there are very important federal congressional races that will be directly impacted by North Carolina's redrawing of its federal district maps. Black Voters Matter is currently fundraising to ensure our partner organizations have the resources needed to educate voters on important election dates and issues. Large and small donors and Foundations have prioritized funding the upcoming federal elections, not efforts to fight against or

combat redrawing of congressional districts. Because of this, Black Voters Matter will have to deplete its internal reserve resources to support challenges to the unconstitutional map in North Carolina.

21. If this redistricting map is not overturned, the ability for Black voters in CD1 to elect an official who adequately represents their communities and who can relate to and understand their concerns, issues, and needs will be greatly diminished. Due to the foregoing reasons, Black Voters Matter joins this Amicus Brief in support of the 2025 maps being overturned.

I declare under penalty of perjury under the laws of North Carolina that the foregoing is true and correct. Executed on November 14, 2025.

Danielle Brown
Danielle Brown (Nov 14, 2025 16:38:08 EST)

Danielle Brown, National Field Co-Director

EXHIBIT 3

DECLARATION OF WESLEY STOKES
PRESIDENT OF THE EASTERN NORTH CAROLINA CIVIC GROUP

I, Wesley Stokes, hereby declare as follows:

1. I am a United States citizen and over the age of eighteen.

2. I have personal knowledge of the matters set forth in this declaration, except for those matters identified as based on information and belief, and if called upon to do so, could and would competently testify thereto.

3. I was born and raised in Washington County, North Carolina, where I have lived for 65 years. I am a current resident of Roper, North Carolina located in Washington County. I am a registered voter at my current address.

4. I graduated from Washington County Public School System and later earned my Bachelor's degree from Elizabeth City State University, the only Historically Black University located in Congressional District 1 ("CD1").

5. I was elected two years ago to serve as President of the Eastern North Carolina Civic Group ("ENCCG"), a 501(c)3 nonprofit organization founded for the purpose of providing equal opportunities for Black Americans, minorities, and poor people to participate in the political, social, and economic processes of government.

6. ENCCG was founded in the late 1970s to support historically underserved Black communities that were struggling to find ways to obtain economic and political power. It is a longstanding organization that fiercely defends equitable access to the ballot box and the protection of voting rights.

7. As President of ENCCG, my responsibilities include building partnerships with local and statewide organizations and entities to assist in providing the Black voters of eastern NC

resources and opportunities to participate in the election process. In addition, I support ENCCG leadership in the development of programs and fundraising for the organization.

8. I am authorized to speak for the Eastern North Carolina Civic Group in this matter.

9. ENCCG works to provide an organizational structure for Black Americans, minorities, and poor people; encourage, promote, and involve members in all facets of government; provide a district forum associated with issues and concerns that affect members; create a communication network with existing human rights and civil rights organizations; assist counties within the district structure with their plans, strategies, and programs; and create a monitoring system at the local, state, national, and international levels of government.

10. ENCCG takes pride in representing the residents of CD1 and the constituents of the counties we serve. Many of them have lived in the state long enough to be affected by gerrymandering based on race and party for most or all of their lives.

11. ENCCG has twenty-three counties that we target: Beaufort, Bertie, Camden, Carteret, Chowan, Craven, Currituck, Dare, Edgecombe, Gates, Greene, Halifax, Hertford, Hyde, Lenoir, Martin, Northampton, Pamlico, Pasquotank, Perquimans, Pitt, Tyrrell, and Washington counties.

12. Many of ENCCG's listed target counties were originally a part of CD1. However, over the past few years, there have been almost yearly changes to the makeup of CD1 due to gerrymandering by our state's legislature.

13. Many of these changes do not make sense, nor do they help many of the communities that originally make up CD1. For example, recent changes to the congressional maps in this area have added Currituck and Dare counties—beach counties who have very little in common with the much more rural and agriculture-based counties that have historically made up

CD1. These counties intrinsically have different concerns and policy priorities than the counties typically associated with CD1.

14. CD1 encompasses several counties with a majority Black population (such as Bertie, Halifax, Washington), and many of these counties are home to farmers—specifically Black farmers. Under the 2025 maps, many counties with a majority Black population and a rich history of agricultural development, such as Lenoir, are now being moved from CD1 to Congressional District 3 ("CD3"), despite sharing many more similarities with the core counties of CD1.

15. SB 249 places residents of CD1 in the position of potentially being represented by individuals who have no connection to the lifestyles, livelihoods, and policy concerns that they live with daily. For example, one of the potential candidates for the Republican party in CD1 under the 2025 maps is from Currituck, a beach county extremely different in makeup from Washington County and others similarly situated.

16. If the 2025 maps are upheld it will make it much more difficult for Black voters in Washington County and CD1 to elect a candidate of their choice because it is hard to find good candidates when the sentiment is that they will not be able to win, no matter how good they are. Under CD1's pre-2025 configuration, it often felt like a 50/50 toss-up between the candidates up for election. Elections felt winnable because the Black community was putting forth good candidates and running strong campaigns. When we are outnumbered tremendously due to the rearranging of the counties making up the district, it becomes extremely difficult to win.

17. ENCCG has been a vocal advocate for maps that represent and give voice to Black voters and against legislative policies that negatively impact Black communities and political power.

18. On October 27, 2023, ENCCG submitted a letter to our state's legislative leaders speaking against the 2023 maps that took representation from seven-Republican districts and seven-Democrat districts to eleven-Republican and just three-Democrat districts. In their letter, the organization stated, "[t]he actions of the General Assembly reveal a troubling reality – they have succeeded in denying African Americans proper representation, undermining democracy and social justice. Through the intentional redrawing of district lines, African American voters' influence has been weakened, silencing our voices and minimizing the importance of our concerns."

19. On October 17, 2025, only two years after submitting the public comments in 2023, ENCCG submitted another letter to North Carolina legislative leaders expressing anguish once again over the legislature's direct gerrymandering attack on Black voters, this time specifically in CD1. As was stated in our submitted comment, "the proposed map threatens to significantly reduce political power and representation for Black communities by cracking the district to dilute the current population".

20. If this redistricting measure is not overturned, it will adversely affect ENCCG's ability to organize around issues unique to the Black Belt and Black rural voters. The Black communities throughout the various counties of CD1 have a lot in common with each other and have many of the same systemic issues including lack of local funding, internet access issues, transportation barriers, economic difficulties, and are impacted by media/news deserts. By taking out central counties with a higher Black population and replacing it with counties on the coast with a higher White population, it will be harder for Black communities to address these issues in a collective, united way.

21. Over the past few years, CD1 has changed several times. These changes make it difficult to determine who actually falls within our area of focus. When counties are added to our

district, we are forced to expand our reach and spend more time and resources in these counties. This can be more difficult when most of a particular county does not fall within the purview of issues and needs historically associated with the type of advocacy ENCCG provides. When a county we serve is removed from a district, we try to remain in relationship with that county because of our dedication to our voters and the communities we serve (such as Pitt County which was originally partially in CD1 and placed entirely in CD3 in 2023). Now, in 2025 several of our target communities are being moved to CD3 including communities in Greene and Lenoir counties.

22. Without representation in Congress, advocacy around various policies necessary for the advancement of Black communities in CD1 may be difficult. There is no longer a guarantee that the priorities of Black voters will be lifted to a federal level by a representative elected by the people, so ultimately it dilutes Black CD1 voters' ability to have their concerns heard.

23. If this redistricting map is not overturned, the ability for Black voters in CD1 to elect an official who adequately represents their communities and who can relate to and understand their concerns, issues, and needs will be significantly reduced which will effectively weaken their voice on issues that directly impact them most (such as education, funding, criminal justice reform, health care access, etc). Without representation in Congress, there is no longer a guarantee that the priorities of Black voters will be lifted to a federal level by a representative elected by the people. Because of the reasons listed above, ENCCG implores the Court to refrain from enforcing the 2025 map and joins this Amicus Brief in support of the map being overturned.

I declare under penalty of perjury under the laws of North Carolina that the foregoing is true and correct. Executed on November 14, 2025.

Wesley Stokes, President, ENCCG

EXHIBIT 4

DECLARATION OF GLENDORA BROTHERS

I, Glendora Brothers, swear under penalty of perjury that the following information is true to the best of my knowledge and state the following:

1. I have personal knowledge of the facts set forth herein.

2. I have been a resident of Pasquotank County, North Carolina, located in Congressional District 1 (CD1) for my entire life. I am 65 years old and have lived at my current residence for the past 47 years.

3. I am retired but was formerly a registered nurse for 33 years.

4. I have been voting since I was 18 years old and I have never missed an election. Historically, I have supported Democratic candidates, however, for the past 20-30 years I have been registered as an Independent. I have also historically supported Black candidates who align with my interests, as I believe that any Black candidate is just as good as the next White one. We all deserve to be represented.

5. I have been civically engaged in my community since childhood. Before I was old enough to vote, I accompanied my mother to district meetings and went with her to the polls to get familiar with the process. There was never a question of whether my family would be participating in the electoral process; we were going to the polls.

6. Now, I take my children and grandchildren with me to vote. They get involved in working the polls and making "safe sites" for voters—a task that we typically undertake along with members of the local NAACP. I do not know anyone in my family who is not engaged and active in voting and in helping others to vote. We work to make sure others feel safe during the voting process and to ensure that people have transportation and other support needed to get to the polls.

7. I became aware of the legislature's most recent redistricting plans through my involvement with election protection and voter advocacy. I have been aware of the efforts to redistrict eastern North Carolina specifically since 2023, when Common Cause held sessions on the subject.

8. My understanding of what the new redistricting plan entails is that they are watering down the vote and redrawing the lines so that the majority vote trends towards the Republican Party.

9. I have previously spoken out about attempted gerrymandering of CD1 in 2023. I submitted a letter to the North Carolina Court of Appeals and spoke at various events surrounding the redistricting conversation at that time.

10. Here in CD1, Representative Don Davis is more visible than most of the other politicians that serve this area. I may not always agree with his decisions, and he may not always vote the way that people want him to, but he is more accessible and visible than most of the other representatives for this area. When you contact his office, you actually get a response. It makes you feel as if you are actually being considered and heard. In contrast to this, we have a state representative from Elizabeth City, (North Carolina State Representative Bill Ward) that I have never even seen in the community. How can he represent us adequately if he does not engage with the community he represents?

11. I have several military members in my family. My father was a World War II soldier. My brother was in the Air Force for 30 years and was very affected by his time in Vietnam. My other brother served during peace time. My son just retired from the Air Force, having served in Afghanistan and Iraq. It makes me angry to think that though my family members have served this country, when they return home they still have to struggle for their vote to count as much as the

next person, especially after making so many sacrifices on the individual and family level – they literally risked their lives. It's like they fight while they are away and then have to come back and fight at home.

12. As a result of this new redistricting plan, I am motivated to be even more involved in my community because many people here do not feel like their vote counts. It is important that we find ways to show that their voices do matter and count, on a daily basis and on every level.

13. The events surrounding the latest redistricting plan have negatively affected my opinion of, and trust in, the voting system. They are boldly telling us – in our faces – that they do not care about our vote. They do not care about the wellbeing of Black voters. They do not care that we can see them doing all of this against normal procedures and without the support of the public.

14. The new maps feel like a power grab, especially in the wake of the courts already determining that previous gerrymandering tactics were racially motivated and illegal. Despite that, the people supporting this new plan do not care and are still attempting to do more of the same.

15. If the 2025 maps are not overturned, I believe it will be extremely difficult to make our voices heard on a national level.

I declare under penalty of perjury under the laws of North Carolina that the foregoing is true and correct. Executed on November 14, 2025.

Glendora Brothers

EXHIBIT 5

DECLARATION OF COMMISSIONER VIOLA HARRIS

I, Viola Harris, swear under penalty of perjury that the following information is true to the best of my knowledge and state the following:

1. I have personal knowledge of the facts set forth herein.
2. I was born and raised in Leggett, Edgecombe County; have lived in Tarboro, Edgecombe County for 35 years; and lived in North Carolina's Congressional District (CD1) for 66 years and 10 months.
3. I have voted in CD1, supporting Democrat and Black candidates since I was old enough to vote.
4. I have served as an Edgecombe County Commissioner for 25 years.
5. I learned advocacy skills by watching my mother advocate for the building and integration of North Edgecombe High School. I have advocated against gerrymandered maps at the NC General Assembly and on Capitol Hill.
6. I learned of the most recent redistricting plan through local county newsletters and Rep. Don Davis's office. Upon learning of the redistricting plan, I shared the information with my neighbors and the Women's Group of my local church, where my husband serves as a pastor. Many residents of CD1 were unaware of the proposed redistricting plan prior to my sharing.
7. I believe the current redistricting map is a plan to cut Black voters out of CD1 and cut out our representation.

8. The redistricting will affect who serves as a voice for my community and many of my family members who reside in Eastern, North Carolina; Black voters will not have a voice or strong advocates to hear and address their issues.
9. As a Commissioner and CD1 voter, I have a relationship with Representative Don Davis. Rep. Davis is always accessible to me and the community, even when we disagree and voice complaints. Voters need representatives who know their communities and how they live. People like Rep. Davis already understand what's going on in Edgecombe County and regularly visit areas across CD1, including the areas that other elected officials ignore or are unwilling to visit.
10. I believe the redistricting is also a plan to target Rep. Don and place him in a district where he won't be able to win re-election because there won't be enough Black voters to support him or any other candidate who would similarly advocate for the issues of the Black community.
11. The redistricting also adversely affects the CD1 public school system which is being cut up and divided at the same time it faces an influx of charter schools.
12. As a Commissioner, the redistricting means I not only have to wait to find out who the newly elected officials could be for my area, but I must also build new relationships and try to convey the importance of issues, such as lack of internet access, to those who have not encountered similar issues in their district.
13. There are still parts of Edgecombe County that do not have internet access. I, along with others, have been working with Rep. Davis to improve internet access for six years. This redistricting could delay additional progress and people in rural communities having internet access.

14. I am also concerned that this redistricting will cause Black officials to face political defeat in CD1 because the Black voting population is being broken up.
15. The redistricting will negatively impact economic development, particularly with energy and solar power efforts in Edgecombe County. We currently have a representative who is willing to work with the community to make this an attractive area for development, and I fear that this redistricting will prevent us from electing future representatives who care to continue these efforts.
16. Edgecombe County has experienced a long-term pattern of population decline, and though we have been actively working to make Edgecombe a place where people want to invest, build and live, I fear these efforts will be adversely affected and the population decline will be exacerbated by the new districting.
17. I believe this new map is an attempt to erase Black people.

I declare under penalty of perjury under the laws of North Carolina that the foregoing is true and correct. Executed on November 11, 2025.

Viola Harris

Viola Harris

EXHIBIT 6

DECLARATION OF WILLIAM ROBINSON

MAYOR OF ENFIELD, NORTH CAROLINA

I, William Robinson, also known as Mondale Robinson, swear under penalty of perjury that the following information is true to the best of my knowledge and state the following:

1. I have personal knowledge of the matters set forth in this declaration, except for those matters identified as based on information and belief, and if called upon to do so, could and would competently testify thereto.

2. I am 46 years old. I was born and raised in Enfield, North Carolina in Halifax County and currently reside in Enfield, NC, which is a part of Congressional District 1 (CD 1). I am a registered voter at my current address. My parents, grandparents and great-grandparents were also born in the area, so I have deep ties to CD1.

3. I left North Carolina in 1997 to join the Marine Corps and engaged in grassroots, political and international organizing across the world. I also engaged in voter registration work in Kenya, work in the Congo, policy work in France and have been involved with over 165 political campaigns across the United States.

4. I am the Founding Principal of Black Male Voters Project, which works to increase Black men's participation in electoral politics and former Political Director of Democracy for America.

5. I returned to CD 1 in 2022 because I felt a duty to my community and was troubled by the way black people were being treated in Enfield, including being displaced from their homes by white buyers and developers.

6. I was elected Mayor of Enfield, North Carolina in May 2022. I travel a lot for work and for my safety, as I have received constant death threats since taking down a confederate monument when I was first elected.

7. I do not represent one person. I am a collection of everyone who is Black in CD1 and now in CD3. Legislators supporting the redistricting are telling everyone that rural black people in this country mean less than one man in the White House. It is dangerous to let the lowest amongst us believe that our votes do not matter; this is how we slide into full on authoritarianism. The legislators and those supporting this redistricting have shown the people that Donald Trump's desires are more important than the people and the needs of the people in CD1.

8. When CD1 was created after the first census, breaking up the Black vote was not a priority as it is today because black people could not vote, despite Black people being the majority population in the area. Since the election of the first Black man, John Adams Hyman in CD1, there has been white backlash across the district. My great-uncle and great-grandmother witnessed the first black elected officials in CD1 and witnessed people being lynched for trying to exercise their right to vote in CD1.

9. The redistricting taking place in CD1 is causing trauma and past traumas to resurface. The trauma caused by racist actions and voter suppression runs deep and is a type of trauma that does not go away. When we see the Black vote once again being ostracized and people using Black people as ping pong balls for power, it signals something in my body; the trauma of what happened to my family, Black people and ancestors all comes back. Witnessing the remaking of CD1 and the ostracization of the black vote builds on

historical trauma. This trauma is in my DNA. I can feel when there is a direct attack on Black political power, and this redistricting is an attack.

10. Those in support of this redistricting are taking away Black voting power by changing what CD1 looks like. The danger here is that a voter will say "to hell with politics" and stop participating in the process. Moving Black people among the districts like pawns is reminiscent of the enslavement auction block where our people were separated and could be bought, sold and sent anywhere.

11. CD3, where several of our CD1 counties were moved, does not have the same rhythm and flow of what we have been building in CD1. We are striving to move closer to the rights and access that we have been owed but denied, and this redistricting is moving us further away from the goal. This redistricting pushes us away from freedom.

12. My people will die from redistricting and that is not hyperbole. We need representation who can hear Black people and not representatives who are disconnected and divorced from who we are as people. Redistricting is diluting the black voice.

13. The redistricting will make it difficult to elect representatives that have CD1 and Enfield's best interests at heart now that counties with strong black voting power have been moved into CD3. Enfield alone does not have the population needed to build the power necessary for change. To effectively address the needs of our people, we must build coalitions within Halifax County and with our neighboring counties, which will now be even more difficult.

14. Chipping away at CD1 takes a toll on building political power for Black people. If we are trying to increase election turnout by helping people see value in their voting franchise, we do not accomplish that by changing the districts; changing districts eliminates the momentum for voter turnout and electoral participation.

15. We do not talk enough about CD1 being one of the poorest districts in North Carolina and the policies that create these circumstances. Poverty is voter suppression as those unable to meet their basic needs are less inclined to participate in the electoral process. The redistricting will perpetuate poverty policy decisions and lead to continued voter suppression.

16. We have a generation of voters who have not seen a normal society or electoral process. They have been around for two Trump presidencies, Covid, and constant attacks on voter rights. This redistricting may lead new voters to reject politics and elections, which our democracy cannot afford.

15. I am not concerned with my personal political power being affected, but I am worried about the power of the collective to realize their political power with these new changes to CD1. I can reach Wilson County in 20-30 mins, but the people of Wilson are no longer in my district. We are suffering from the same problems, but now we are separated. What used to be a resounding scream from one district will become mere murmurs from two districts; issues that we collectively screamed about from CD1 will now being turned into murmurs in these predominately white districts, such as CD3. This redistricting pushes us further away from freedom and power that black people have been seeking for 400 years.

16. Although I am the mayor of Enfield, the geopolitical lines of Enfield do not limit who I need to serve and work with to support my constituents and the unique needs of my region. With this redistricting, I will have to build new relationships and figure out which representatives are truly advocating for all people in the region. My voice must now change in both tone and strategy. I am now thinking about what I need to say to the new representatives to make them see value in my people and the people they are now representing.

17. Enfield and CD1 have a lot of sun – close to 300 days of sun every year. We were making progress in moving away from dirty energy and moving toward our own electric grids. We already began negotiating our interactions with larger solar entities, but that type of forward thinking will be hurt with redistricting. We must now negotiate with different congresspersons and receive their acquiescence before moving forward, which hinders our progress at best and puts the green energy work in total jeopardy at worse.

18. Enfield had multiple partnerships with the counties being moved to CD3. The fact that the redistricting placed our partnering counties in another district is disgusting beyond reproach. Building partnerships is not an easy task, but we have to do so to get our people closer to equity.

19. People in Enfield and many others across CD1 do not have access to reliable internet. These are issues unique to CD1 that new legislators may fail to address despite the lack of access putting many black people at a disadvantage. For example, when applying for jobs, if employers detect you are using satellite internet, which many people in CD1 use, the slow speed alone can disqualify you from the role. Many CD1 residents cannot even

receive telehealth care because of lack of internet and without proper representation, voters will not have people who care about these unique issues.

20. Policies impact every aspect of Black voters' lives. With the redistricting we will need to focus deeply on proposed legislation and how it will affect black people in Enfield and CD1.

21. 48% of Enfield's population turned out for the municipal elections this cycle and I attribute the turnout to being accessible to my people, communicating with them on Facebook live on weekly basis and physically going where the people are.

22. I have faced retaliation for the tearing down of the Confederate Monument and my work to build Black political power in my town and region. It would be arrogant of me to say I am not afraid. I receive monthly vulgar hate mail, and I often think "when will someone put something in the mailbox that hurts me or my wife". I don't want to be a martyr, but the fear I have is not enough to silence me. I will continue to tell the truth.

23. The redistricting in CD1 is a direct attack on Black people to weaken Black voices and black representation. These attacks take a toll on building the power of the people and on people seeing value in the electoral system.

I declare under penalty of perjury under the laws of North Carolina that the foregoing is true and correct. Executed on November 14, 2025.

William Robinson (Nov 14, 2025 17:09:39 EST)

William Robinson

EXHIBIT 7

DECLARATION OF MARCUS BASS
DEPUTY DIRECTOR OF THE NORTH CAROLINA BLACK ALLIANCE

I, Marcus Bass, hereby declare as follows:

1. I am a United States citizen and over the age of eighteen.

2. I have personal knowledge of the matters set forth in this declaration, except for those matters identified as based on information and belief, and if called upon to do so, could and would competently testify thereto.

3. I was born and raised in Sampson County, North Carolina. I am a current resident of Raleigh, North Carolina in Wake County where I have lived since 2018. I am a registered voter at my current address.

4. I earned my bachelor's degree in business education with a concentration in marketing from North Carolina Agricultural and Technical State University (NC A&T) in 2010.

5. Since 2018 I have served as the Deputy Director of the North Carolina Black Alliance ("NC Black Alliance"), a 501(c)3 organization working to enhance the well-being and advancement of Black communities through systemic policy change, economic empowerment and youth and leadership development.

6. As Deputy Director of NC Black Alliance, my responsibilities include working with the Executive Director and Board to set goals and objectives for the organization's alignment with our mission. In addition, I support the staff in the development of programs and fundraising for the organization.

7. I am authorized to speak for the NC Black Alliance in this matter.

8. The mission of the NC Black Alliance is to work toward state level systemic change by strengthening the network of elected officials representing communities of color throughout the

state and collaborating with progressive, grassroots networks on intersecting issues. These issues range from voting rights, gerrymandering, criminal justice reform, health and wellness, economic development to education.

9. NC Black Alliance is an intergovernmental network of African American legislators, county commissioners, school board members, and municipal elected officials united by a commitment to ambitiously address broad issues of inequality and fairness.

10. NC Black Alliance serves and organizes voters across the state, including Congressional District 1 ("CD1"). We serve several of the counties that were previously within CD1 – Greene, Lenoir, Wayne, and Wilson Counties. However, those counties were recently shoved into Congressional District 3 ("CD3") by our state legislature.

11. NC Black Alliance has focused on CD1 because the district holds unique qualities: it serves as a pipeline of Black leadership and Black political power. Because of the rich history of CD1 and the diversity that exists in that part of the state, NC Black Alliance has spent a considerable amount of time focusing on our work in this district. The intentional attacks by state legislators that hinders the ability of Black voters to have elected officials of their choosing.

12. NC Black Alliance has deep ties and connections with local organizations and communities throughout CD1 including partnerships with the only historically black university in CD1, Elizabeth City State University, as well as the with the Eastern North Carolina Civic Group, one of the oldest civic engagement organizations in eastern North Carolina supporting historically underserved Black communities that were struggling to find ways to acquire economic and political power.

13. NC Black Alliance offers a range of programs aimed at encouraging civic engagement and increasing political effectiveness and personal responsibility among constituents.

Programs include Code Red Redistricting, Voter Safety + Protection, College Students Vote, and our Black Attorney Network.

14. NC Black Alliance launched its Code Red Redistricting campaign in 2021. It is an educational program offering training and resources on redistricting to help our community better understand and monitor the redistricting process and become more effective advocates for fair maps. Redistricting typically impacts Black voters the most, and they typically live in rural and eastern parts of our state. NC Black Alliance helps educate voters around redistricting, provide pop-up series across the state, and invite those participants to join with other advocacy groups that are working for a fairer redistricting process and maps.

15. NC Black Alliance has also been a vocal advocate for maps that represent and give voice to Black voters and against legislative policies that negatively impact Black communities and political power.

16. NC Black Alliance co-drafted Senate Bill 642 (filed April 5, 2023), titled "Independent Redistricting Commission" which is described as "an act to amend the North Carolina Constitution to provide for an independent redistricting process, to establish the North Carolina citizen's redistricting commission, and to make conforming changes to the general statutes."

17. On October 25, 2023, NC Black Alliance submitted written public comments to our state's legislative leaders speaking against the 2023 maps that took representation from seven-Republican districts and seven-Democrat districts to eleven-Republican and just three-Democrat districts. In the comments, the organization recognized and stated, "...Black voters are deeply limited in moving transformative political change when the collective power of their votes are diluted... One can see how this gerrymandering not only works to destroy the Black vote, but also

raptures alliance and Black power building between Black communities all for the sake of political gain."

18. On October 17, 2025, almost two years after submitting the public comments in 2023, NC Black Alliance submitted written comments once again against the legislature's direct gerrymandering attack on Black voters, this time specifically in CD1. As was stated in our submitted comment, "making the decision to redraw this map will create a disproportionate impact on Black voters, significantly reducing their ability to elect representatives of their choice, which will effectively weaken their voice on issues that directly impact them most..".

19. If this redistricting measure is not overturned, it will adversely affect our ability to organize around issues unique to the Black Belt and Black rural voters. These issues include the lack of internet in many rural communities, education deserts, environmental injustices, and economic struggles. NC Black Alliance's policy work mirrors its programmatic work. The organization makes our legislative agenda based on who we represent and the needs of those individuals and their communities. With the abrupt adjustments to our legislators, NC Black Alliance will be forced to adjust and adapt to the new communities formed by the 2025 map.

20. If this redistricting measure remains in place, it may affect the stability NC Black Alliance because the organization's education and mobilization programs would have to change drastically. At NC Black Alliance, program and staffing alignment are very intentional. The organization has five specific regions across the state, loosely connected to congressional districts. Over the past few years, we have outlined eastern North Carolina as an expansive territory for educating and empowering Black voters and have spent a lot of time building our base specifically in CD1. With the changing of the districts, our educational print materials, web information, advocates and staff coverage on the ground will all be impacted. Splitting NC Black Alliance's

resources between two districts (CD1 and CD3) will cause strains on the organization's staffing and funding. CD1 and CD3 are two of the largest geographical districts in the state. A major shift in the amount of resources needed to cover educational measures in those areas is anticipated.

21. Without representation in Congress, advocacy around various policies necessary for the advancement of Black communities in CD1 may be difficult. There is no longer a guarantee that the priorities of Black voters will be lifted to a federal level by a representative elected by the people, so ultimately it dilutes Black CD1 voters' ability to have their concerns heard.

If this redistricting map is not overturned, the ability for Black voters in CD1 to elect an official who adequately represents their communities and who can relate to and understand their concerns, issues, and needs will be greatly diminished. Due to the foregoing reasons discussed above, the NC Black Alliance joins this Amicus Brief in support of the 2025 maps being overturned.

I declare under penalty of perjury under the laws of North Carolina that the foregoing is true and correct. Executed on November 13, 2025.

Marcus Bass
Marcus Bass (Nov 14, 2025 18:22:08 EST)

Marcus Bass, Deputy Director NCBA

EXHIBIT 8

DECLARATION OF REV. DR. WILLIAM BARBER II

PRESIDENT OF REPAIRERS OF THE BREACH

I, Rev. Dr. William Barber II, swear under penalty of perjury that the following information is true to the best of my knowledge and state the following:

1. I have personal knowledge of the facts set forth herein, except for those matters identified as based on information and belief, and if called upon to do so, could and would competently testify thereto.
2. I am 62 years old. I was born in Indianapolis, IN and have lived in North Carolina since 1965. I grew up in Roper, in CD1 and Free Union – a free Black community in Martin County. I currently reside in Zebulon, North Carolina. My mother still resides in CD1.
3. I earned my bachelor's degree from North Carolina Central University, a Master of Divinity from Duke University, and a doctorate from Drew University with a concentration in Public Policy and Pastoral Care.
4. I also serve as a Professor in the Practice of Public Theology and Public Policy and Founding Director of the Center for Public Theology and Public Policy at Yale Divinity School; Co-Chair of the Poor People's Campaign: A National Call For Moral Revival and Bishop with The Fellowship of Affirming Ministries.
5. I am the author of five books – *We Are Called To Be A Movement*; *Revive Us Again: Vision and Action in Moral Organizing*; *The Third Reconstruction: Moral Mondays, Fusion Politics, and The Rise of a New Justice Movement*; *Forward Together: A Moral Message For The Nation,* and *White Poverty: How Exposing Myths About Race and Class Can Reconstruct American Democracy.*

6. I served as the Pastor of Greenleaf Christian Church in Goldsboro, NC (CD1) for thirty years. I served as the President of the North Carolina NAACP from 2006-2017, and on the National NAACP Board of Directors from 2008-2020.

7. I am the President and Senior Lecturer of Repairers of the Breach (ROTB). ROTB is a nonpartisan 501c3 tax exempt, not-for-profit national organization that seeks to build a moral agenda rooted in a framework that uplifts deep moral and constitutional values to redeem the heart and soul of the country. ROTB is committed to building and supporting moral movements for social change and training moral, fusion leaders, including activists, artists, and people of faith, who organize and mobilize around a moral agenda that lifts from the bottom so that everybody rises. Headquartered in North Carolina, ROTB has a national team, which includes organizers, religious leaders, artists, strategists, and advocates.

8. ROTB was born out of the North Carolina Forward Together Moral Movement, which built grassroots power to combat immoral and illegal policies on labor rights, voting rights, LGBTQ+ rights, healthcare, criminal justice, and other policies that negatively impacted poor and marginalized communities in the state. Today, ROTB sustains a national moral movement united across race, class, gender identity, sexuality, ethnicity, faith, and other divisions, with the goal of repairing the breaches caused by centuries of systemic oppression and injustice in our country. In all of the work, ROTB centers and elevates leaders who have been directly impacted by systemic injustice, including those affected by voter suppression and racist gerrymandered maps.

9. I have been voting since I was eighteen years old and actively engaged in the electoral process since I served as a teenage leader in the NC NAACP. I voted in CD1 when I first

registered to vote and when I would return home during my college years. I have been through the era of second primaries in North Carolina and witnessed those working to keep Black candidates from having the opportunity to win. I remember the days before Eva Clayton, when North Carolina had to create special elections and districts to get African-Americans elected to the courts.

10. I come from a family that fought for fairness over a span of decades in CD1. My father was a pastor, and both of my parents were activists who organized in Eastern NC. My parents fought for the integration and full funding of public schools, organized to elect candidates of the people's choice and fought to gain and protect the voting rights of North Carolinians. My family was present in CD1 when Walter B. Jones served as a Representative for the district and my father did a lot of work with Eva Clayton.

11. This has been a long fight for the residents of CD1 who have been looking to restore the position that was lost in the 1900s when George White left. We've had to battle and fight to create opportunity districts for Black voters and for Black and White people to vote together to elect candidates of their choice.

12. While I served as the NC NAACP President, we engaged in the North Carolina redistricting battles from 2005 – 2017. In 2007, the NC NAACP fought and won an expansion of same day voting registration and early voting periods, which increased the turnout of black voters in Eastern NC and across the state. The NC General Assembly was led by Democrats at this time. We pushed the Democrats to finally expand the franchise in 2007, as activists had been fighting for same day registration and extended early voting periods for 15 years.

13. In 2010, legislators passed a regressive redistricting plan. We mobilized against the plan, as this redistricting enabled an unconstitutional supermajority in 2012. In April 2013, Republicans brought forth the monster voter suppression bill that came out right after the *Shelby* decision and sought to implement an avalanche of restrictions to suppress the Black vote.
14. ROTB has been engaged in advocacy and political education around redistricting in North Carolina since its inception and more recently, around the redistricting of CD1. ROTB has been diligently working to keep North Carolinians and CD1 residents informed about the most recent redistricting of CD1 through a mass moral meeting in Wilson County on November 4, 2025, press conferences, media and regular, mass email and text communication. In 2022, ROTB conducted a "Get Out The Vote Tour" across North Carolina, with stops in Wilson County and Elizabeth City, in CD1, where they registered voters and held mass meetings to encourage voter mobilization for the midterm elections and sought to reengage voters who had become disengaged in the electoral process due to the constant changes and redistricting.
15. Not only does ROTB engage the most impacted leaders, but we also recognize it is increasingly imperative that those in ministry be prepared and trained to be engaged in their communities. Through the Poor People's Campaign: A National Call for Moral Revival and ROTB, I work regularly with faith leaders and constituencies in the Black Belt seeking to have their voices heard at the ballot box, who will be deeply impacted by this Dissolution of CD1.
16. I believe faith communities have the power to shift the moral narrative in this country by *centering* messages of love, truth, liberation, and justice for all and by *challenging* the

distorted false moral narrative of religious nationalism and how it is used in defense of regressive public policies. We work to create spaces in which interfaith leaders can come together to commune, learn, and act together through the work of their Prophetic Council, seminary tours, Justice Love Action Ministries, or by participating in a variety of local and national actions. CD1 is in what is known as the "Southern Bible Belt" where people depend heavily on their faith. ROTB has worked to organize clergy and faith leaders across the Southern Bible who can develop generations of faith leaders who are committed to addressing systemic injustices through a moral framework that centers the desire for peace within and among nations, the dignity and wellness of all people, equal protection under the law, and the responsibility to care for our common home.

17. ROTB dedicates its organizational resources to restore, protect and advance equal voting rights for black people, poor whites, farmers, and the rural population of CD1, and remains committed to this work in eastern North Carolina and across the state. ROTB uplifts the voices of thousands of voters across the state who have faced direct harm and policy violence caused by racial gerrymandering and unjust redistricting and therefore has a vested interest in this case.

18. CD1 is a place you could historically look to see the building of fusion power, but that will be gone if these new maps go into effect. It took Eastern NC over ninety years to get another Black representative elected (Eva Clayton). Now, the reality of being able to elect Black officials in CD1 – that has existed now for three decades – will be taken away from the people.

19. The eastern part of the state has the largest percentage of African Americans who the legislators are trying to keep from having too much representation in the electoral body.

The district lines are being drawn to prevent Black voters from electing candidates of their choice – candidates who align with their priorities to combat poverty and other inequities they face. When legislators shift districts and remove the power of people to elect people of their choice, you end up with people who may not care about issues of poverty and matters that hurt their constituents and you lose the power of responsive. Eastern NC has been the place with constant fighting to keep the people from having responsive representation.

20. Because the redistricting plan will dilute and divert the power that has been built in CD 1, we believe the plan is illegal, unconstitutional and immoral. Because of racially polarized voting this plan makes it most likely that a candidate will win in CD1 who has no accountability to Black voters.

21. If these new maps go into effect, our communities will be deprived of the opportunity to elect someone in CD1 who will advocate for living wages, universal healthcare, fully funded public education and to fully protect the Affordable Care Act – this could all be gone. CD1 residents need an advocate with a voice and a vote to combat poverty, and who is responsive to Black voters, and this will be lost in the redistricting plan.

22. CD1 is an extremely high poverty district – and political actors have always had a fear of coalitions forming between Black and White voters who were both seeking better economic opportunities. This redistricting is about diluting the Black vote and breaking up the affinity between Black, brown, low-wage, and White residents of CD1. The redistricting is racist, which not only hurts Black and brown people, but creates a diminished democracy, while breaking the heart and core of what democracy can be.

23. CD1 is a jewel that the NC General Assembly is now trying to take. It used to be a constant for Black voters. As an organization, ROTB will now have to obtain additional resources to organize and mobilize the people in this area. We will now lose valuable allies and have to work much harder to find allies and partners to help the communities in CD1 survive. The implementation of this redistricting plan will lead to more policy violence such as hospitals closing (when many in CD1 must already drive an hour to reach a hospital) and will leave people without basic needs, which forces organizations to pick up the slack. ROTB will have to fundraise for additional money that we don't have because we must find alternative ways to help the people of CD1 now.

24. The redistricting plan is not healthy for democracy. The legislators operated in stealth mode; they did this redistricting silently, as quickly as possible because they know this redistricting is not popular amongst CD1 voters and North Carolinians and they wanted to keep the people from being able to effectively seek justice against this unconstitutional racial gerrymander. In fact, over 11,000 public comments were received against the redistricting despite them moving so fast.

25. I have received multiple death threats for my work against voter suppression, but I am most fearful when meanness and racism begin to win. People think if you challenge the racism, you are challenging their world because they are still fighting history. I've heard of people who live in Wilson who have been told "Get out of here, we don't want you here" – they are facing vitriolic threats by the community. People must now deal with the hate of being moved into a district where they are not wanted and the violence of the policies and race-based gerrymandering that caused them to be moved.

26. Every piece of regressive policy has death involved in it. The death of representation in CD1 likely means actual death for the people who live in CD1. What they are doing in this district will take us back over 100 years.

I declare under penalty of perjury under the laws of North Carolina that the foregoing is true and correct. Executed on November 14, 2025.

Rev. Dr. William Barber II (Nov 14, 2025 18:00:23 EST)

Rev. Dr. William Barber II

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

SHAUNA WILLIAMS, *et al.*, *Plaintiffs*, v. REPRESENTATIVE DESTIN HALL, in his official capacity as Chair of the House Standing Committee on Redistricting, *et al.*, *Defendants,*	Civil Action No. 23-cv-1057
NORTH CAROLINA STATE CONFERENCE OF THE NAACP, *et al.*, *Plaintiffs*, v. PHILLIP BERGER, in his official capacity as President Pro Tempore of the North Carolina Senate, *et al.*, *Defendants,*	Civil Action No. 23-cv-1104

[PROPOSED] ORDER GRANTING MOTION OF NORTH CAROLINA BLACK ALLIANCE, REPAIRERS OF THE BREACH, BLACK VOTERS MATTER, THEODORE MCNEAL JR., MAYOR WILLIAM "MONDALE" ROBINSON, VIOLA HARRIS, GLENDORA BROTHERS AND WESLEY STOKES FOR LEAVE TO FILE AMICUS CURIAE BRIEF

Upon this Court's review and full consideration of the Motion of North Carolina Black Alliance, Repairers of the Breach, Black Voters Matter, Theodore McNeal Jr., Mayor William "Mondale" Robinson, Viola Harris, Glendora Brothers and Wesley Stokes for Leave to file Amicus Curiae Brief in Support of Plaintiffs' Motions for Preliminary Injunction and

accompanying Memorandum in Law, it is hereby ORDERED that the Motion is GRANTED, and the attached proposed Amicus brief of the Amici shall be docketed.

Dated: _____.

_____

United States District Judge