

# [***Louisiana won't immediately get a new majority-Black House district after judges reject it***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BXK-6PN1-JC5B-G058-00000-00&context=1516831)

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**Body**

NEW ORLEANS — A new congressional map giving Louisiana a second majority-Black House district was rejected Tuesday by a panel of three federal judges, fueling new uncertainty about district boundaries as the state prepares for fall congressional elections.

The 2-1 ruling forbids the use of a map [*drawn up in January*](https://apnews.com/article/louisiana-majority-black-congressional-district-9bc7cd70ec42384e659cebc16aa1d331) by the Legislature after a different federal judge blocked a map from 2022. The earlier map maintained a single Black-majority district and five mostly white districts, in a state with a population that is about one-third Black.

“We will of course be seeking Supreme Court review,” state Attorney General Liz Murrill said on [*social media.*](https://twitter.com/AGLizMurrill/status/1785465606688428066/photo/1) “The jurisprudence and litigation involving redistricting has made it impossible to not have federal judges drawing maps. It’s not right and they need to fix it."

Gov. Jeff Landry and Murrill had backed the new map in a January legislative session after a different federal judge threw out a map with only one mostly Black district.

The National Democratic Redistricting Committee, chaired by former Attorney General Eric Holder, said backers of the new map will likely seek an emergency order from the Supreme Court to keep the new map in place while appeals are pursued.

U.S. District Judges David Joseph and Robert Summerhays, both of whom were nominated to the bench by former President Donald Trump, said the newest map violated the Equal Protection Clause of the 14th Amendment because “race was the predominate factor” driving its creation.

Judge Carl Stewart dissented, saying the majority gave too little weight to the political motivations involved in drawing the map.

“The panel majority is correct in noting that this is a mixed motive case,” Stewart wrote. “But to note this and then to subsequently make a conclusory determination as to racial predominance is hard to comprehend.”

The ruling means continued uncertainty over what the November election map will look like. Another federal district judge, Shelly Dick of Baton Rouge, had earlier ruled in a separate lawsuit that the state is likely in violation of the federal Voting Rights Act because it divides Black voters not included in majority-Black District 2 among five other congressional districts. Dick dismissed that case after the new maps were passed.

But Tuesday's ruling from the divided federal panel noted that “outside of southeast Louisiana, the State’s Black population is dispersed." The majority criticized the new mostly Black district, which stretched across the state from Shreveport in the northwest into southeast Louisiana, linking black populations from the Shreveport, Alexandria, Lafayette and Baton Rouge metro areas.

Joseph and Summerhays said they would not rule on the feasibility of creating a second majority-Black district that would comply with the Equal Protection Clause of the Fourteenth Amendment.

“However, we do emphasize that Section 2 of the Voting Rights Act never requires race to predominate in drawing Congressional districts at the sacrifice of traditional districting principles,” they wrote.

The panel set a May 6 status conference, and state election officials say they need to know the district boundaries by May 15. The sign-up period for the fall elections in Louisiana is in mid-July.

The decision gives new hope to Rep. Garret Graves, a white Republican incumbent whose district was seriously altered by the new map. And it raises questions for state Sen. Cleo Fields, a Democrat and former Congress member who had declared he would run in the new district.

Rep. Troy Carter, the only Democrat and only Black member of the state's current congressional delegation, criticized the ruling.

“This is just plain WRONG,” Carter posted on the social platform X on Tuesday evening.

The new map maintains safe districts for five incumbents: Carter and four white Republicans, including House Speaker Mike Johnson and Majority Leader Steve Scalise. It was challenged by 12 self-described non-African American voters, whose lawsuit said the districts amounted to unconstitutional racial gerrymandering.

Supporters of the new map said ***politics***, not race, was the main factor driving its creation — and that Landry’s support for it bolstered that argument. The plan had put Graves, who supported an opponent of Landry in last fall’s governor’s race, at a disadvantage.

The Associated Press left a telephone message seeking comment with Landry's office Tuesday night.

The majority in Tuesday's opinion acknowledged the argument. “However, given the slim majority Republicans hold in the United States House of Representatives, even if such personal or intra-party animosity did or does exist, it is difficult to fathom that Louisiana Republicans would intentionally concede a seat to a Democratic candidate on those bases,” they wrote.

The ruling was the latest development in a drawn-out legal battle over redistricting, which happens every 10 years to account for population shifts reflected in census data.

Louisiana’s Republican-dominated Legislature drew a new map in 2022 that was favorable to all six current incumbents. Then-Gov. John Bel Edwards, a Democrat, vetoed the map, but the majority-Republican Legislature overrode him, leading to a court challenge.

In June 2022, Dick issued an injunction against the map, saying challengers would likely win their claim that it violated the Voting Rights Act. As the case was appealed, the U.S. Supreme Court issued an unexpected ruling that favored Black voters in a congressional [*redistricting case in Alabama*](https://apnews.com/article/supreme-court-redistricting-race-voting-rights-alabama-af0d789ec7498625d344c0a4327367fe).

Dick sided with challengers who said the 2022 map packed a significant number of voters in one district — District 2 which stretches from New Orleans to the Baton Rouge area — while “cracking” the remaining Black population by apportioning it to other mostly white districts.

Last November, the 5th U.S. Circuit Court of Appeals gave the state a January deadline for drawing a new congressional district. Landry, who was the state’s attorney general when he was elected to succeed the term-limited Edwards, called a special session to redraw the map, saying the Legislature should do it rather than a federal judge.

The new map does not resemble sample maps that supporters of a new majority-Black district suggested earlier, which would have created a new district largely covering the northeastern part of the state.

The opponents of the latest map filed their lawsuit in the federal court system’s Western District of Louisiana, which is dominated by Republican-appointed judges. Dick was nominated to the federal bench by former President Barack Obama. Stewart, the dissenter on the panel, was nominated to the 5th U.S. Circuit Court of Appeals by former President Bill Clinton.

Such cases involving constitutional issues and remapping are often assigned to panels of two district judges and an appeals court circuit judge.

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This story was first published on April 30, 2024. It was updated on May 1, 2024, to correct that a separate remap case before U.S. District Judge Shelly Dick in Baton Rouge is no longer alive. Dick dismissed that case on April 25.

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Associated Press reporter Sara Cline in Baton Rouge, Louisiana, contributed to this report.

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