

*Sent via email*

November 17, 2021

Mayor Sandy Stimpson  
Mobile City Council  
205 Government Street  
Mobile, AL 36602

**Re: Compliance with Section 2 of the Voting Rights Act in Redistricting & Annexation**

Dear Mayor Stimpson and Mobile City Council Members:

On behalf of concerned residents of the city of Mobile, the Southern Poverty Law Center (“SPLC”) writes to remind the Mayor and the Mobile City Council to take seriously their affirmative obligation to comply with Section 2 of the Voting Rights Act (“Section 2”) during the upcoming redistricting cycle. Specifically, we remind you that Section 2 may (1) require enacting a map with a majority of districts comprised of a majority of Black voters (“majority-Black districts”) and (2) prohibit annexation of population into the city that would dilute the political power of minority voters.

Mobile voters elect seven City Council members from single-member districts. Ala. Code § 11-44C-13. The City Council holds all legislative powers of the city, including those enumerated by local law. *See* Ala. Code. § 11-44C-21. As confirmed in the 2020 Census, Mobile is a majority-Black and majority-minority city. Specifically, the city is

Ala. Code § 11-44C-90. The U.S. Census Bureau conducted the decennial census in 2020 and released the data necessary to fulfill this obligation on August 12, 2021.

The Mayor and City Council also have an obligation to ensure that the city council map complies with the Voting Rights Act. Section 2 of the Voting Rights Act, specifically, requires lawmakers engaging in redistricting to ensure that voters of color have an equal opportunity “to participate in the political process and elect candidates of their choice,” taking into consideration the state or locality’s demographics, voting patterns, and other circumstances. *See Thornburg v. Gingles*, 478 U.S. 30, 34 (1986). A key aim of Section 2 is to prohibit minority vote dilution at all levels of government, including in local elections such as city council, school board, and .9(d,)10.9( a(n t)6.3i)-4.6( b[]12.9(k.9( mn t)6.m(ot)6.2(i)-46( s)8.8(s)-2.3(i)-4.69( )]T(s)22337

As noted above, Mobile is not a majority-white city; indeed, Mobile's population is majority people of color, and a majority of its voting-age population is voters of color. A city council map with four districts containing majority white voting-age population (VAP) would likely violate Section 2 of the Voting Rights Act because it would serve to dilute the political power of Mobile's voters of color, including the city's Black voters. A redistricting plan that packs Mobile's voters of color into three city council districts

includes comparable Black population—would likely violate Section 2 because it would dilute the voting strength of the Black community and Black voters’ opportunity to elect candidates of choice.

For the reasons explained above, the Mayor and City Council must consider their obligations under the Voting Rights Act, including whether the City Council must adopt a redistricting plan with at least four majority-Black or majority-minority districts and refrain from annexing population into the city that would