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## AT-LARGE VOTING: FREQUENTLY ASKED QUESTIONS

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**What is at-large voting?** Under at-large voting, all voters cast their ballots for all candidates in the jurisdiction. In Columbus, Ohio city council elections, for example, all voters cast their ballots for seven positions, with the top seven candidates who receive the most votes citywide winning seats on the city council. Similarly, in elections for the state court with jurisdiction over Terrebonne Parish, Louisiana, all voters cast their ballots for all five judicial seats, with the top five candidates who receive the most votes parish-wide winning seats on that state court.

**Why can at-large voting be discriminatory?** At-large electoral methods can be discriminatory because they, in combination with **racially polarized voting**, prevent voters of color from electing their candidates of choice where they are not the majority in a jurisdiction. Under this system, the votes of people of color often are drowned out by the votes of white voters who usually do not support the candidates preferred by Black voters.

**How does at-large voting affect communities of color?** Fewer and fewer jurisdictions still practice at-large voting because courts and other decision-makers have recognized that discriminatory electoral methods, like at-large voting can be, exacerbate the discrimination that communities of color experience due to socioeconomic and other disparities in life opportunities between Black and white communities.

For example, nation-wide, racial and ethnic minorities are underrepresented in city government, including offices elected at-large, with Black communities comprising approximately 12% of our country's population, but only 4.3% of city councils and 2% of all mayors.<sup>1</sup> These disparities are larger for Latino and Asian American communities. LDF has worked to eradicate discriminatory at-large methods of election that dilute the voting strength of communities of color and deny them of the opportunities to elect their candidates of choice to political bodies, like city, county, and state governments and state courts.

**How can jurisdictions switch from at-large to district-based voting?** In certain jurisdictions, like Columbus, Ohio, state law allows local city councils to propose a change to the electoral method with approval from two thirds of council members. The proposed change to the method of election would then be subject to a referendum that requires approval from a majority of the electors. Alternatively, communities can petition a city council to put the question of a change to the electoral method to the voters. In other places, like Louisiana, the state legislature has authority to change the electoral method for its state courts. Without action by local municipalities, state legislatures, and/or voters, politicians who choose to maintain at-large voting can face time-consuming (e.g., two to five years) and costly litigation (e.g., millions of dollars).

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<sup>1</sup> Zoltan Hajnal, *Averting the Next Ferguson: One Simple Solution*, Political Violence at a Glance (Aug. 28, 2014), <http://politicalviolenceataglance.org/2014/08/28/averting-the-next-ferguson-one-simple-solution/>



**What are alternatives to at-large voting?** To remedy dilutive at-large electoral systems, single-member districts often are created by a demographic mapping expert to include at least one district in which voters of color are the majority of the voting-age population in that district. These districts must satisfy all relevant laws and traditional redistricting principles. Other alternatives to at-large voting include cumulative and limited forms of voting. These voting methods are not intended to guarantee the election of politicians of a particular color, but rather to empower all voters with the opportunity to elect their candidates of choice.

**Are at-large systems rare or widely-used?** Since the passage of the **Voting Rights Act of 1965** (VRA), numerous at-large systems have been struck down as discriminatory under Section 2 of the VRA and/or the U.S. Constitution. Although at-large voting is becoming rarer, in part due to the advocacy of LDF and other civil rights organizations, this election system remains in places in our democracy.

The VRA forbids the use of any electoral scheme, such as the at-large method of election, that submerges the votes of people of color in elections that a white majority of voters control. Widely considered the crown jewel of American democracy, the VRA is the most effective tool for protecting voters of color against methods of election like at-large voting that could weaken the voting strength of communities of color.

**What are some notable cases that struck down at-large voting?** In a case that LDF successfully litigated, *Dillard v. Crenshaw County, Alabama*, a federal district court found that hundreds of Alabama districts intentionally employed at-large electoral methods to discriminate against Black voters. Because of that litigation, 176 jurisdictions settled and adopted some form of district-based voting. Following *Dillard*, in which 183 jurisdictions throughout Alabama ultimately abandoned their discriminatory at-large electoral methods, few jurisdictions in Alabama still use this potentially dilutive voting scheme.

In *Georgia State Conference of the NAACP v. Fayette County Board of Commissioners*, LDF successfully challenged the at-large electoral method to the county board of commissioners and board of education in Fayette County, Georgia. This led to the elections of the first and second Black county commissioners in the nearly 200-year old history of that county.

In 2017, a district court ruled that the City of Pasadena intentionally diluted Latino voting strength by moving from eight single-member districts for electing members to the city council, to a hybrid plan of six single-member districts and two at-large districts. As a remedy, the court ordered Pasadena to revert to district-based voting and, further, has required the city to get pre-approval before implementing any voting changes from a federal court or the federal government until 2023 under a provision of the VRA. This lawsuit that resulted in those changes was settled on appeal.

***If you have questions or need further information, please contact LDF Deputy Director of Litigation, Leah Aden, at 212.965.2200 or [vote@naacpldf.org](mailto:vote@naacpldf.org)***