



**March 9, 2026**

Ms. Camille A. Exum, Chair  
Prince George's County Charter Review Commission  
Wayne K. Curry Administration Building  
1301 McCormick Dr  
Largo, MD 20774

**Re: Proposed Amendment to Section 305 of the County Charter**

Dear Chair Exum and Members of the Charter Review Commission:

The Southern Poverty Law Center, on behalf of the plaintiffs in *Cokely v. Honesty-Bey*, No. 8:2025-cv-3363 (D. Md.) (Rev. Dwight Cokely, Michael Andrew Carlisle, Erica McKinney, Ian Rowe, Mark Shroder, and Leonard Gore, Jr.), and Sensible Communities Redistricting in Maryland (SCRIM), on its own behalf, respectfully submit the enclosed proposed amendment to Section 305 of the Prince George's County Charter.

This proposal arises from a simple premise: the last redistricting cycle exposed structural weaknesses in the County's Charter that should be addressed before the next cycle begins. The Charter Review Commission now has an opportunity—and a responsibility—to ensure that the next round of redistricting proceeds under clearer rules, stronger safeguards, and a process that commands public confidence.

**Background: Lessons from the 2021 Redistricting Cycle**

The County's 2021 redistricting cycle revealed significant weaknesses in the design of the current Charter framework governing redistricting.

The Redistricting Commission adopted a plan that relied heavily on a “least change” approach to the prior decade's districts. In practice, this meant the Commission moved only a small number of precincts even though the record reflected substantial concerns about



population equality, compactness, and the treatment of several urban, inner-Beltway communities of interest.

During the Commission’s proceedings, public commenters repeatedly urged the Commission to recognize the importance of communities connected by shared infrastructure—particularly the Metro system and the neighborhoods surrounding its stations. Metro lines and station walksheds function as organizing features of daily life for many Prince Georgians. They connect neighborhoods through shared transportation patterns, economic activity, and community institutions. These connections form real communities of interest that residents asked the Commission to preserve.

The Commission itself acknowledged that assets connecting communities—such as Metro—should be among the relevant redistricting criteria. Yet, the Commission’s reliance on the least-change principle substantially limited its willingness to reevaluate inherited 2011 district boundaries. As a result, several inner-Beltway communities connected by transit infrastructure and shared civic institutions remained divided among multiple districts.

The adopted 2021 plan also repeated a structural flaw of the 2011 map: it fractured the County’s inner-Beltway communities across eight of the County’s nine Council districts. A more compact and coherent configuration of districts could have resulted in roughly four or five districts lying fully or primarily within the Beltway, better reflecting the shared transportation networks, housing patterns, and economic connections of those communities. Instead, the plan dispersed those neighborhoods across a supermajority of districts while also dividing several municipal boundaries, further weakening the geographic and civic cohesion of the County’s established communities.

These structural problems became even more evident after the Commission transmitted its plan to the County Council on September 1, 2021. Rather than allowing the Commission’s plan to take effect, the Council attempted to substitute its own politically gerrymandered alternative map. That substitute proposal would have significantly altered district boundaries in ways widely perceived as designed to protect certain incumbents and disadvantage potential challengers. In several instances, the substitute map also reduced compactness and split municipalities and neighboring communities that had previously been kept intact.



The Council’s attempted override of the Commission’s map led to expedited litigation in the Maryland state courts in advance of the 2022 statewide primary elections. In *Prince George’s County v. Thurston*, 479 Md. 575 (2022), the Supreme Court of Maryland ultimately held that the Commission’s plan became law as of November 30, 2021, because the Council had not enacted a valid substitute by bill by that date. Although that case resolved the immediate dispute, the episode further exposed fundamental inefficiencies in the Charter regarding the respective roles of the Commission and the Council in the redistricting process.

## **The Cokely Litigation**

The inefficiencies exposed in *Thurston* eventually gave rise to a second round of litigation. In 2025, several Prince George’s County voters brought a federal challenge to the County Council districting plan in *Cokely v. Honesty-Bey*. Filed in advance of the 2026 primary election season, the complaint asserted three legal claims. First, the plaintiffs alleged that the Council districts violated the federal one-person, one-vote principle because the adopted plan tolerated population deviations that were unnecessary and avoidable. Second, the complaint alleged that the plan violated the County Charter’s independent requirement that Council districts be equal in population. Third, the complaint alleged that the plan violated the Charter’s requirement that districts be compact.

The factual record developed in the case demonstrated how these violations arose. The Commission’s reliance on a discretionary “least change” approach caused it to preserve inherited district lines, even when doing so divided cohesive communities and prevented the adoption of more equal and more compact districts. The plaintiffs’ expert demonstrated that these problems were not inevitable. His illustrative alternative plan achieved near-perfect population equality while simultaneously preserving the Beltway and Metro corridor communities of interest that had been divided under the adopted map. The existence of such a plan illustrated that the Commission’s reliance on least change was not a practical necessity but instead a policy choice that preserved arbitrarily inherited district lines even when those lines divided cohesive communities simply because they had existed in the prior decade.

Although the district court ultimately found no constitutional or charter violations, the litigation nevertheless exposed fundamental weaknesses in the County’s charter framework for redistricting. Left uncorrected, those weaknesses will continue to invite conflict, generate litigation, and erode public confidence in the fairness of the process.



Redistricting should not require repeated courtroom intervention. Rather than pursuing a lengthy appellate process, the *Cokely* plaintiffs chose to pursue the more durable and democratic remedy available under the Charter itself: asking the people of Prince George’s County to clarify the governing rules through a charter amendment. The Charter Review Commission’s and the County Council’s endorsement of such a reform at this stage would send an important public signal and allow this issue to be resolved on the November 2026 ballot—thereby avoiding the additional strife, uncertainty, and delay that could otherwise accompany a potential citizen-initiated ballot effort in advance of the 2028 election cycle.

## **The Emergence of SCRIM and Community Reform Efforts**

Public concern about the fairness and transparency of redistricting has also led to the emergence of new civic reform efforts. In 2024, community leaders and advocates established **Sensible Communities Redistricting in Maryland (SCRIM)**, a nonprofit organization dedicated to promoting fair redistricting maps, processes, and procedures across the state. SCRIM’s mission reflects a widely shared principle: legislative districts belong to the citizens they represent—not to legislators, political parties, or other power brokers.

SCRIM advocates for redistricting systems that are independent, transparent, and grounded in clear legal standards. Among its guiding principles are that districts should be drawn through a fair and open process, should strive to achieve population equality as nearly as practicable, and should respect natural boundaries, transportation infrastructure, and political subdivision boundaries whenever possible.

The proposed Charter amendment reflects these principles and responds directly to the concerns raised during the County’s most recent redistricting cycle.

## **The Proposed Amendment**

The enclosed amendment strengthens the County’s redistricting framework in three principal ways.

### **1. Clarifying Redistricting Criteria**

First, the amendment clarifies and reinforces the substantive criteria that should guide the drawing of Council districts.



In addition to the Charter’s existing requirements of population equality, compactness, and contiguity, the proposal specifies that due regard should be given to natural boundaries, major transportation infrastructure, transit station walksheds, and the boundaries of political subdivisions. These criteria reflect widely accepted redistricting principles and will help ensure that districts better reflect the County’s communities and geography.

Importantly, the amendment also clarifies that federal, state, and local constitutional and legal requirements—including the Charter’s own redistricting criteria—must take precedence over discretionary considerations such as maintaining existing district configurations. This clarification reflects the principle recognized by the Supreme Court of Maryland that mandatory legal standards govern the redistricting process and cannot be subordinated to policy preferences such as a generalized “least change” approach. *See In re Legislative Districting of State*, 370 Md. 312, 370 (2002).

The amendment also expressly provides that districts may not be drawn for the purpose of advantaging or disadvantaging any incumbent or candidate. This anti-incumbency principle is a cornerstone of modern redistricting reform and reinforces the idea that district boundaries must serve voters and communities rather than the electoral interests of officeholders.

## **2. Strengthening the Independence of the Redistricting Commission**

Second, the amendment strengthens the independence and balance of the Redistricting Commission.

The proposal modestly adjusts the Commission’s composition to ensure that unaffiliated voters are represented and that the Commission reflects a broader cross-section of the County’s electorate. These changes align with widely recognized best practices for independent redistricting commissions and will help promote greater public trust in the process.

## **3. Ensuring the Commission’s Plan Governs**

Third, the amendment clarifies the relationship between the Redistricting Commission and the County Council by ensuring that the Commission’s redistricting plan—not a legislatively substituted alternative—becomes law.

The events of the 2021 redistricting cycle demonstrated the risks inherent in allowing the legislative body whose members are directly affected by district boundaries to replace the



Commission’s work with its own map. By ensuring that the Commission’s plan governs, the Charter will better align the County’s process with modern redistricting reforms designed to minimize conflicts of interest and protect the integrity of the process.

## Conclusion

The Charter Review Commission has a unique opportunity to strengthen the foundations of Prince George’s County’s democratic institutions. The proposed charter amendment applies the lessons learned from the last cycle and ensures that the next redistricting process proceeds under clearer, stronger, and more transparent rules.

Over this decade, Prince George’s County has already experienced two major redistricting disputes—one in the state courts and one in federal court. Two redistricting challenges in the same decade are canaries in the coal mine, signaling the need for structural charter reform before the next redistricting cycle begins in 2031.

During the *Cokely* litigation, the County both subtly and explicitly urged the court not to resolve these questions judicially, but instead to allow an opportunity for public input in recrafting the County’s redistricting process. The proposed amendment presents precisely that opportunity. There is no greater form of public input than allowing the voters of Prince George’s County to decide a major principle of local governance at the ballot box. By clarifying the Charter now, the County can reduce the likelihood of future litigation, provide clear guidance to future Redistricting Commissions, and restore public confidence that district lines are drawn fairly and according to law.

For the foregoing reasons, we respectfully urge the Commission to recommend the attached proposed Charter amendment to the County Council for placement on the November 2026 ballot. Doing so will allow the voters of Prince George’s County to resolve these issues directly in 2026 and ensure that future redistricting cycles operate under rules that are clearer, fairer, and better aligned with the interests of the citizens of the County.



We would welcome the opportunity to answer any questions or provide additional information that may assist the Commission in its deliberations.

Respectfully submitted,

*/s/ Bradley E. Heard*

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**SENSIBLE COMMUNITIES REDISTRICTING IN MARYLAND**

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Attachment: Proposed Charter Amendment

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**PROPOSED AMENDMENT TO THE PRINCE GEORGE'S COUNTY CHARTER**  
**(SUBMITTED BY THE SOUTHERN POVERTY LAW CENTER—MARCH 9, 2026)**

**Section 305. Redistricting Procedure.**

The boundaries of Council districts shall be reestablished in 1982 and every tenth year thereafter.

In addition to complying with all applicable requirements of the Constitution and laws of the United States and Maryland, the plan shall provide for Council districts that are compact, contiguous, and equal in population. Due regard shall be given to natural boundaries; major transportation infrastructure, including state or national highways, major boulevards, rail transportation lines, and transit station walksheds; and the boundaries of political subdivisions. Districts shall not be drawn for the purpose of advantaging or disadvantaging any incumbent or candidate. No discretionary districting consideration shall take precedence over compliance with the aforesaid plan requirements.

Whenever district boundaries are to be reestablished the Council shall appoint, not later than February 1 of the year prior to the year in which redistricting is to be effective, a commission on redistricting, composed of two members from each political party chosen from a list of five names submitted by the Central Committee of each political party which polled at least fifteen percent of the total vote cast for all candidates for the Council in the immediately preceding regular election; and two individuals unaffiliated with any such political party. The Council shall appoint one additional member of the Commission who shall serve as chair. No person shall be eligible for appointment to the Commission if they hold any elected office.

By September 1 of the year prior to the year in which redistricting is to be effective, the Commission shall prepare, publish, and make available a plan of Council districts and shall present that plan, together with a report explaining it, to the Council. ~~The plan shall provide for Council districts that are compact, contiguous, and equal in population. No less than fifteen calendar days and no more than thirty calendar days after receiving the plan of the Commission, the Council shall hold a public hearing on the plan. If the Council passes no other law changing the proposal, then t~~he plan, as submitted, shall become law, as of the last day of November prior to the year in which redistricting is to be effective, as an act of the Council, subject to Sections 320 and 321 of this Charter. Such law and shall be adopted and published by resolution of the County Council upon notice and public hearing. A certified copy of the plan shall be transmitted to the Prince George's County Board of Elections.

(Amended, CB-92-1974, ratified Nov. 5, 1974; Petition ratified Nov. 4, 1980; Amended, CB-69-2002, ratified Nov. 5, 2002; Amended, CB-55-2012, ratified Nov. 6, 2012; Amended, CB-038-2022, ratified Nov. 8, 2022)

Editor's note(s)—Members of the Prince George's County Redistricting Commission were appointed by CR-5-2001. The Commission's plan was allowed to become law without amendment by the Council.

Members of the 2011 Prince George's County Redistricting Commission were appointed by CR-2-2011. CB-64-2011 adopted the 2011 County Council Redistricting Plan.

Members of the 2021 Prince George's County Redistricting Commission were appointed by CR-6-2021. CR-123-2021 adopted the 2021 County Council Redistricting Plan. The redistricting plan in CR-123-2021 was declared invalid. The redistricting plan prepared by the Commission and submitted to the Council on September 1, 2021 became effective by operation of law (*Prince George's County, Petitioner, and Robert E. Thurston, et al., COA-REG-0063-2021*).