

**TESTIMONY BY CHICAGO LAWYERS' COMMITTEE FOR CIVIL RIGHTS
BEFORE THE ILLINOIS HOUSE REDISTRICTING COMMITTEE &
ILLINOIS SENATE REDISTRICTING COMMITTEE
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Thank you for the opportunity to submit testimony today. Chicago Lawyers' Committee for Civil Rights is a non-profit, non-partisan organization that has been working for the past 50 years to advance racial equity and economic opportunity for all. We provide legal representation through partnerships with our 40 member law firms. We collaborate with grassroots organizations to implement community-based solutions that advance civil rights.

Our organization protects voting rights in Illinois and Indiana. We work to reduce barriers to voting and civic participation, especially in communities of color and low-income communities. We aim to ensure that all eligible voters are able to cast ballots, that their votes are not diluted, and that the system does not undermine their fundamental right to vote and right to choose their elected officials.

Chicago Lawyers' Committee has a history of representing Black community organizations in redistricting litigation under the federal Voting Rights Act and the Constitution. We regularly partner with national Lawyers' Committee for Civil Rights Under Law on civil rights cases. Even aside from litigation, we are proud to work with Black voters and other voters of color in working collaboratively together with our government leaders to try to strengthen voters' rights and our ability to elect the candidates of our choice. Through our non-partisan Election Protection program, we answer voters' questions over the phone and in person, especially focused on outreach to Black voters and voters of color who are facing unfair barriers to voting. We have the privilege of working with community members on the South and West sides of Chicago and the south and west suburbs, as well as community members in prison and jail environments.

It is an honor to do this work. Despite numerous barriers to access, community members have been eager to give input during this redistricting cycle and have expressed that this input is not being meaningfully considered by lawmakers. Ultimately community members will have the most relevant insights about whether specific proposed lines dilute their voting rights.

Before our senior counsel Ami Gandhi joined the staff of Chicago Lawyers' Committee, during the 2011 redistricting cycle, she had the opportunity to advocate alongside a diversity of

communities of color on a unity map effort led by United Congress of Community and Religious Organizations. The coalition included organizations that engaged Black, Latino, Asian American, and Arab American communities. Not all the coalition's requests were granted, but there were some important signs of progress. Communities stood in solidarity and worked hard to avoid being pitted against each other. 2011 redistricting was challenging for communities of color, but this year's process is much worse.

Yesterday, May 25, during the Joint House and Senate Redistricting Committee Hearing, Dr. Allan Lichtman presented testimony, stating that he had been retained as an expert by the Illinois General Assembly or a caucus of legislators. Dr. Lichtman alleged that racially polarized voting is no longer a threat in Illinois. This statement is not only insufficiently supported, it is dangerous. Unfortunately, we are not past racism and certainly not past racialized politics in voting. All of us who work with voters of color in Illinois know that. We are not past needing legal protections for voters of color. As civil rights advocates, we are shocked and concerned to be hearing this in Illinois in the year 2021. Civil rights laws protecting voters of color are a deeply important part of our history and remain an important part of addressing systemic racism to this day. Federal civil rights protections were historically enacted to stop suppression of Black voters. And they are necessary tools to address disenfranchisement of Latino, Asian, and other communities of color as well.

There are numerous examples of racially polarized voting continuing to exist across the country and locally. Dr. Allan Lichtman, within his own testimony, even referenced a recent example of racially polarized voting in a Chicago mayoral election. And broadly across the country, racially polarized voting continues to be pervasive, as shown by electoral maps and legal challenges. Courts hear challenges to electoral maps under Section 2 of the Voting Rights Act across the country and address this specific question through a well-established test. The seminal case *Thornburg v. Gingles*¹ sets forth a frequently utilized test for addressing racial polarization. Courts across the country continue to find examples of districts drawn in ways that do not conform with the Voting Rights Act in part because of racially polarized voting. It is disingenuous, at best, to suggest that a problem so widespread magically stops at the border of Illinois.

Additionally, our organization, along with MALDEF and Asian Americans Advancing Justice, published research regarding ongoing racially polarized voting patterns and changes in Illinois in the 2015 publication *The Color of Representation*². In that report, we noted that racially polarized voting is very slow to change, even if there are some encouraging examples of progress, for example attitudes towards particular elected officials or candidates of color.

Beyond the troubling comments in yesterday's hearing, there are several unresolved issues with the ongoing redistricting process. There are numerous unanswered questions and concerns about what data was used, how data was used, the reliability of that data, and what estimation techniques were used. The public has not even been provided a spreadsheet or chart such as what the Illinois House and Senate published in 2011, detailing the racial demographics of the districts that have been proposed. Without this demographic data, civil rights attorneys cannot confirm that there is compliance with the federal voting Rights Act.

¹ *Thornburg v. Gingles*, 478 U.S. 30 (1985).

² <https://www.clccrul.org/publications/2015/4/1/the-color-of-representation-local-government-in-illinois>

Legislators have not answered whether specific input about places like North Lawndale, Chinatown, Little Village, and Southwest Suburban Cook County has been incorporated into the maps proposed by the House and Senate Redistricting Committees. Without this information and other basic information about majority-minority districts, which legislators have refused to share, we do not know if communities of color will be able to elect the candidates of their choice in accordance with the law.

We know that Illinois is capable of doing better to protect voting rights of people of color. And Illinois should do better. Thank you for your consideration.