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**TESTIMONY BY UNITED CONGRESS OF COMMUNITY AND RELIGIOUS
ORGANIZATIONS AND CHICAGO LAWYERS' COMMITTEE FOR CIVIL RIGHTS
BEFORE THE ILLINOIS HOUSE REDISTRICTING COMMITTEE &
ILLINOIS SENATE REDISTRICTING COMMITTEE
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Submitted By:

Rod Wilson, Executive Director
Rev. Robin Hood, Community Organizer
United Congress of Community and Religious Organizations
2532 W. Warren Blvd.
Chicago, IL 60612
E-mail: rwilson@unitedcongress.org

Ami Gandhi, Senior Counsel
Clifford Helm, Program Counsel
Erica Knox, Policy Advocate
Aneel Chablani, Chief Counsel
Chicago Lawyers' Committee for Civil Rights
100 N. LaSalle St., Suite 600
Chicago, Illinois 60602
Phone: (312) 888-4193 | E-mail: agandhi@clccrul.org

1. Introduction

a. United Congress of Community and Religious Organizations (UCCRO)

The United Congress of Community and Religious Organizations (UCCRO) is a non-partisan grassroots-led multiethnic and multi-faith human rights alliance mobilizing people, policy and ideals to drive societal transformation and forge unity for the equitable advancement of marginalized communities. UCCRO believes that all Illinoisans have the right to be healthy, wealthy, safe, educated and employed regardless of race, ethnicity, religion, age, income or citizenship status. UCCRO's coalition includes Coalition for a Better Chinese American Community, Communities United, Enlace Chicago, HANA Center, Illinois Muslim Civic Coalition, Inner City Muslim Action Network, Kenwood-Oakland Community Organization, Latino Policy Forum, Lugenia Burns Hope Center, Target Area Development Corporation, and a number of other grassroots organizations.



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b. **Chicago Lawyers' Committee for Civil Rights**

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 advocacy and 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 collaborating with our government leaders 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 in person and over our 866-OUR-VOTE hotline, especially focused on outreach to Black voters and voters of color who are facing unfair barriers to voting.

2. UCCRO Unity Map Process

Despite numerous barriers to access, community members have persevered to give input during this year's redistricting cycle. However, many have expressed distress and frustration that this input is not being meaningfully considered by lawmakers. Ultimately community members will have the most relevant insights about their neighborhoods and about whether specific proposed lines dilute their voting rights.

In the spring of 2021, UCCRO filed a redistricting proposal for Illinois House and Senate districts that accomplished the following:

1. Optimized opportunities for Black, Latino, Asian American, and Muslim community members in the State of Illinois to elect candidates of their choice;
2. Was designed with input from leaders within the Black, Latino, Asian American, and Muslim communities around the State; and
3. Is the most comprehensive proposal put forth by any community group in the State of Illinois.

UCCRO is currently in the process of updating its Unity Map to incorporate recently released Census data. However, the Illinois General Assembly's rushed and exclusionary process – once again with hearings *before* the release of proposed maps – imposes significant challenges to Black and Brown communities who are trying to work together toward win-win outcomes.



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3. Communities Need More Time

In community forums and during a press conference on August 26, 2021, UCCRO, Latino Policy Forum, Enlace, Inner City Muslim Action Network, and others pointed to the need for *at least 30 days* to provide input on the proposed state districts before they are finalized, in order to ensure compliance with state and federal voting rights laws and the ability of communities of color to elect candidates of their choice.

This is not UCCRO's first time seeking equitable outcomes for Black and Brown communities. UCCRO's 2011 Unity Map included input from 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 has been much worse. The legislature has utterly failed to be transparent about what data they have used and how they have used it, hiding the ball from communities most directly impacted by disenfranchisement and then putting the onus on the very same communities to provide sophisticated proposals in ridiculously short time frames. For those communities who have put significant time and resources into articulating their concerns regarding specific neighborhood boundaries, they have been ignored time and time again. Even after the filing of a lawsuit and involvement by a federal court, the Illinois General Assembly has still refused to provide meaningful opportunities for community input, to the detriment of the very communities that voting rights laws were enacted to protect.

4. Our Civil Rights and Voting Rights Must Not Be Ignored

The General Assembly must comply with the United States Constitution and federal and state law when redrawing state legislative districts. These bedrock legal requirements provide an important safeguard to ensure a bare minimum of fair representation. But if the General Assembly is to live up to its public commitment to "ensure that the people of Illinois have fair and equal representation," it must do more than just claim that it has complied with the law. Rather, the General Assembly must keep communities of interest together and ensure communities of color are able to participate equally in the political process and elect candidates of choice.

The Equal Protection Clause of the United States Constitution requires state legislative districts to be roughly equal in total population.¹ This principle—known as "one person, one vote"—ensures that at a basic level, each resident of each district is afforded substantially the same representational

¹ See *Reynolds v. Sims*, 377 U.S. 533, 569 (1964) ("We hold that, as a basic constitutional standard, the Equal Protection Clause requires that the seats in both houses of a bicameral state legislature must be apportioned on a population basis. Simply stated, an individual's right to vote for state legislators is unconstitutionally impaired when its weight is in a substantial fashion diluted when compared with votes of citizens living in other parts of the state.").



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power and influence in the General Assembly.² In practice, this means that there can be a maximum population deviation of 10% between the most and least populous district, or in other words at most plus 5% or minus 5% between the most or least populous district and the ideal population size (total population divided by the total number of districts).

The Illinois House and Senate district maps enacted on June 4, 2021, fail to meet this basic constitutional threshold, with multiple districts containing either too many or too few residents. Most concerning, several of the districts that are most overpopulated—and therefore most dilutive of each individual resident’s representational power and influence—are districts in which Black Illinoisans constitute a majority or near-majority. Black communities and other communities of color, having been marginalized and excluded from our political process for so long, in 2021 now face further marginalization through malapportionment.

In addition to constitutional requirements, the federal Voting Rights Act requires that district lines be drawn in a way that does not dilute the vote of Black and other communities of color. Specifically, Section 2 of the Voting Rights Act prohibits voting practices—including districting schemes—that result in members of a racial minority group having “less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice.”³ Since 1965, this provision has prevented the enactment of districting schemes that “pack” minority voters into fewer districts or “crack” them across many districts, both of which have the effect of diluting and reducing overall minority voting power and representational influence in the elected body.

In 2021, and in particular in areas with large and politically diverse communities of color—such as Chicago and Cook County—it is not enough to point to electoral successes by candidates of color as evidence that voters of color are able to elect “representatives of their choice.”

Finally, the Illinois Voting Rights Act of 2011 provides that state legislative districts “shall be drawn” so as to create districts wherein voters in a racial minority group can combine with white voters or voters in another racial minority group to elect candidates of choice, or can influence the outcome of an election even short of electing their candidate of choice.⁴ This provision explicitly

² *Id.* at 566-67 (“Diluting the weight of votes because of place of residence impairs basic constitutional rights under the Fourteenth Amendment just as much as invidious discriminations based upon factors such as race or economic status.”).

³ 52 U.S.C. § 10301.

⁴ 10 ILCS 120 (a) (“In any redistricting plan pursuant to Article IV, Section 3 of the Illinois Constitution, Legislative Districts and Representative Districts shall be drawn... to create crossover districts, coalition districts, or influence districts.”). *See also id.* at (b) (“The phrase “crossover district” means a district where a racial minority or language minority constitutes less than a majority of the voting-age population but where this minority, at least potentially, is large enough to elect the candidate of its choice with help from voters who are members of the majority and who cross over to support the minority’s preferred candidate. The phrase “coalition district” means a district where more than one group of racial minorities or language minorities may form a coalition to elect the candidate of the coalition’s choice. The phrase “influence district” means a district where a racial minority or language minority can influence the outcome of an election even if its preferred candidate cannot be elected.”)



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requires the General Assembly to go *beyond* what is required by federal law to create district maps that afford communities of color representational power and influence wherever possible.⁵ The enacted maps patently fail to do this.

There is no indication of whether the General Assembly's redrawn maps will protect the voting rights of communities of color. Communities of color have said loud and clear throughout these hearings that we are uncomfortable with this year's redistricting process, and we do not feel reassured that our rights are being respected.

5. Problems With Current Adopted Maps Must Be Fixed

We are concerned that the map enacted earlier this year did not go far enough in maximizing opportunities for majority-minority districts – and even weakened many existing majority-minority districts. Merely fixing the current “one person one vote” problem would be insufficient here. When the legislature adjusts the population numbers in each district, as it has announced that it plans to do, we urge the legislature to more robustly protect minority voting rights than it did in the map enacted in June. UCCRO has affirmed its commitment to finding win-win solutions for Black and Brown communities and insists upon at least 30 days to revise its Unity Map to incorporate Census data.

Below are just a few examples of problems in the June 2021 enacted maps that must be fixed when the General Assembly amends the map:

- a. Regarding the North Lawndale area and House District 9**, the Illinois General Assembly originally proposed boundaries for House District 9 that excluded the Southwest corner of North Lawndale and also drew the district in a way where it was unclear if it would remain majority Black. The corner of North Lawndale in question is the triangle is bounded by Cermak Rd to the north, Springfield Ave to the east, Ogden Ave/BNSF railroad to the south, and Canadian National/Chicago & Illinois Western railroad to the west. After testimony from North Lawndale community members, the adopted 2021 map included this triangle region in House District 9. However, North Lawndale community members' concerns have still not yet sufficiently been addressed. We are still concerned that the district can be drawn to have stronger Black voting power than what was reflected in the June 2021 adopted map.
- b.** We remain concerned that other lines should similarly be revised to strengthen the Black voting power of districts, including **Senate District 5**. UCCRO's Unity Map

⁵ *Id.* at (a) (“The requirements imposed by this Article are *in addition* and subordinate to any requirements or obligations imposed by the United States Constitution, any federal law regarding redistricting Legislative Districts or Representative Districts, including but not limited to the federal Voting Rights Act, and the Illinois Constitution” (emphasis added)).



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demonstrated that it is possible to increase the percentage of Black voters in Senate District 5, while also honoring preferences of Latino, Asian American, and Arab American stakeholders. Again, UCCRO requires additional time to engage these respective communities and revise its Unity Map to incorporate recently released Census data.

- c. Regarding **House District 26**, the General Assembly should consider increasing the percentage of Black voters in this district and moving the northern boundary of the district farther south, as compared to the June 2021 enacted map. We appreciate the complexities and ripple effects with making such adjustments, which is once again why communities need more time to talk through with each other the repercussions of such a boundary change and discuss workable solutions for our communities.
- d. Given the overpopulation of **House Districts 5 and 6**, it is clear that the boundaries of these districts must be modified. However, in revising these districts, the General Assembly must robustly solicit community input, given the important issues at stake for Black and Brown communities whose lives will be impacted by alterations to our voting power. Changing the lines in a rush unnecessarily pits our communities against each other, instead of providing UCCRO a reasonable opportunity to revise its Unity Map proposal.

6. Conclusion

Organizations like UCCRO and its coalition members have been speaking out time and time again. We are the experts on our neighborhood boundaries, changes, and preferences. But it is unreasonable to ask communities to give input in a vacuum without the General Assembly sharing proposed maps and accompanying data. Furthermore, it needlessly pits our communities of color against each other when instead we could achieve solutions together. If there are decisions to be made about the interplay between Black-majority districts and Latino-majority districts, Black communities and Latino communities must be a part of those conversations.

Without proposed maps and accompanying data, there is no way to confirm that there is compliance with the federal Voting Rights Act. Merely pointing to current incumbents of color is not enough reassurance that our communities' civil rights have been respected. Legislators have not indicated whether specific input about places like North Lawndale, Chinatown, Little Village, Southwest Suburban Cook County, and other areas of concern will be incorporated into the maps being redrawn now. Without basic information about majority-minority districts that are being drawn, 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 the State of Illinois is capable of doing better to protect voting rights of people of color. And Illinois must do better. Thank you for your consideration.