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Subject Matter Hearing Testimony
Illinois Senate Special Committee on
the Chicago Elected Representative School Board
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Madam Chair Lightford, Co-Chairs Aquino and Martwick, and members of the committee:

Thank you for the opportunity to testify. My name is Griselda Vega Samuel, and I am Midwest Regional Counsel with the Mexican American Legal Defense and Educational Fund. MALDEF is a national civil rights law firm. For over 50 years, MALDEF has worked to protect the voting rights of Latinos through community education, advocacy, and litigation. Our organization has been involved in Illinois redistricting since the 1980s. We regularly partnered with stakeholders representing diverse communities, monitored the state's compliance with minority voting rights—particularly the Voting Rights Act—and developed model maps.

We thank the committee for this opportunity to provide testimony on the electoral districts for the Chicago Board of Education and the demonstrative map we submitted to the committee.

MALDEF urges this committee to meet its obligations under the federal Voting Rights Act and to adopt a districting plan for the Chicago Elected Representative School Board that includes three Latino citizen voting age population (CVAP)-majority districts out of ten-district plan, and six Latino CVAP majority districts of the twenty-district plan. MALDEF's map demonstrates that it

is possible to draw a map that accomplishes this and complies with constitutional deviations and the federal Voting Rights Act.

Section 2 of the Voting Rights Act (VRA),¹ requires the Illinois General Assembly to construct a plan that includes three out of ten Latino-majority districts, and six out of twenty Latino-majority districts in which Latinos constitute a majority of the citizen voting age population (CVAP). Federal law is clear that in determining compliance under Section 2 of the VRA, “CVAP is the appropriate measure to use in determining whether an additional effective majority-minority district can be created,”² and “this is consistent with the caselaw.”³ In light of the growth of the Latino population in the city, at 27% of the total population, where a Latino CVAP-majority school board district is possible, the districting plan must include three of the ten-district plan, and six of the twenty-district plan to comply with VRA Section 2 in its adopted districting plan.

The Illinois General Assembly’s latest proposed maps, published on May 5, 2023 and May 17, 2023, only contain five Latino CVAP-majority districts of the twenty-district plan. But it is possible to draw six Latino CVAP majority districts.

MALDEF submitted a demonstrative twenty-district map showing two compact school board districts on the North side, and four compact school board districts on the South side of the city that would have greater than 50% Latino

¹ 52 U.S.C. §10301.

² *Barnett v. City of Chicago*, 141 F.3d 699, 704 (7th Cir. 1998) (Posner, J.), cert. denied, *Bialczak v. Barnett*, 524 U.S. 954 (1998).

³ *Id.* at 705 (citing *Negron v. City of Miami Beach*, 113 F.3d 1563, 1567–69 (11th Cir. 1997); *Luna v. County of Kern*, 291 F.Supp.3d 1088, 1107 (E.D. Cal. 2018) (quoting *Cano v. Davis*, 211 F.Supp.2d 1208, 1233 (C.D. Cal. 2002)).

CVAP. These districts can be drawn while also maintaining seven compact African-American districts and respecting the Asian communities of interest in the city.

Finally, MALDEF's demonstrative map complies with constitutional deviations and the federal Voting Rights Act.

MALDEF's submission also presented a ten-district map with three majority Latino CVAP districts, and similarly protected African American and Asian communities' interests while complying with federal requirements. Both of MALDEF's ten and twenty district maps demonstrate that the transition from a fully appointed Board to a hybrid, and then to a fully elected board, can be done with maps that ensure that Chicago's Latino community and other minority communities of interest have the opportunity to elect their candidate of choice through the transition as designed in the Chicago Elected Representative School Board Law by you, the members of the Illinois General Assembly.

It is the responsibility of the Illinois General Assembly to provide Latino voters the opportunity to elect their candidate of choice in Chicago's first elected school board district plan. We urge this committee to construct a map with the three of ten-district plan, and six of the twenty-district VRA-compliant Latino-majority districts in the Chicago Elected Representative School Board.

Thank you for your time and consideration.