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STATE OF ILLINOIS
SENATE REDISTRICTING COMMITTEE
and
HOUSE OF REPRESENTATIVES
REDISTRICTING COMMITTEE

HEARING HELD
in
SPRINGFIELD, ILLINIOS
MAY 24, 2011

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STATE OF ILLINOIS
SENATE REDISTRICTING COMMITTEE
and
HOUSE OF REPRESENTATIVES
REDISTRICTING COMMITTEE

Hearing held, pursuant to Notice, on the 24th
day of May, 2011, between the hours of 9:00 a.m. and
12:17 p.m., in Room 114, State Capitol Building,
Springfield, Illinois.

TRANSCRIPT OF PROCEEDINGS

1 COMMITTEE MEMBERS PRESENT:
2 Senator Kwame Raoul, Chairperson
Senator Michael Noland, Vice-Chairperson
3 Senator Jacqueline Y. Collins
Senator William R. Haine
4 Senator Don Harmon
Senator Mattie Hunter
5 Senator Emil Jones III
Senator Kimberly A. Lightford
6 Senator Susan Garrett
Senator Edward D. Maloney
7 Senator Iris Y. Martinez
Senator Dale A. Righter, Minority Spokesperson
8 Senator Shane Cultra
Senator Kirk W. Dillard
9 Senator Dan Duffy
Senator Matt Murphy
10
Representative Barbara Flynn Currie, Chairperson
11 Representative Mike Fortner, Republican Spokesperson
Representative Edward J. Acevedo
12 Representative Marlow H. Colvin
Representative Jim Durkin
13 Representative Lou Lang
Representative Frank Mautino
14 Representative Chapin Rose
Representative Timothy L. Schmitz
15 Representative Jil Tracy
Representative Karen A. Yarbrough
16
17
18
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20 COURT REPORTER:
21 Ms. Dorothy J. Hart, CSR, RPR
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22 Midwest Litigation Services
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1 (Hearing commenced at 9:15 a.m.)

2 SENATOR RAOUL: Everybody please be
3 seated. The Senate Redistricting Committee will be
4 called to order.

5 Clerk, please take the roll.

6 CLERK: Senator Matt Murphy.

7 SENATOR MURPHY: Here.

8 CLERK: Senator Luechtefeld.

9 Senator Duffy.

10 SENATOR DUFFY: Here.

11 CLERK: Senator Dillard.

12 Senator Cultra.

13 SENATOR CULTRA: Present.

14 CLERK: Senator Righter.

15 SENATOR RIGHTER: Here.

16 CLERK: Senator Martinez.

17 SENATOR MARTINEZ: Here.

18 CLERK: Senator Maloney.

19 SENATOR MALONEY: Here.

20 CLERK: Senator Lightford.

21 Senator Garrett.

22 SENATOR GARRETT: Here.

23 CLERK: Senator E. Jones.

24 Senator Hunter.

1 SENATOR HUNTER: Here.

2 CLERK: Senator Harmon.

3 SENATOR HARMON: Here.

4 CLERK: Senator Haine.

5 Senator Collins.

6 SENATOR COLLINS: Here.

7 CLERK: Senator Nolan.

8 SENATOR NOLAN: Here.

9 CLERK: Mr. Chairman.

10 SENATOR RAOUL: Here.

11 There being twelve members present, we
12 have a quorum.

13 Senator Harmon, you seek to be recognized.

14 SENATOR HARMON: Yes, thank you,
15 Mr. Chairman.

16 I move that the Committee adopt the
17 transcripts for the following hearings, including any
18 corrections identified by both Democrat and Republican
19 staff: the April 16th hearing in Peoria, the April
20 16th hearing in Kankakee, the April 19th hearing in
21 Cicero, the April 21st hearing in Carbondale, the
22 April 21st hearing in Elmhurst, the April 26th hearing
23 in Yorkville, the April 28th hearing in Macomb, the
24 April 28th hearing in University Park, the April 30th

1 hearing in Chicago, the April 30th hearing in
2 Streamwood, the May 2nd hearing in Alton, and the May
3 21st hearing in Chicago.

4 SENATOR RAOUL: Senator Martinez seconds
5 the motion. Is there leave?

6 SENATOR RIGHTER: Yes.

7 SENATOR RAOUL: Leave being granted, the
8 aforementioned transcripts will be admitted.

9 The Senate Redistricting Committee will
10 stand at ease.

11 REPRESENTATIVE CURRIE: And now the House
12 Redistricting Committee will come to order.

13 Although in fact the two committees are
14 meeting at the same time, this is not a joint
15 committee hearing. So the House Committee will come
16 to order.

17 Clerk, please call the role.

18 CLERK: Currie.

19 REPRESENTATIVE CURRIE: Here.

20 CLERK: Fortner.

21 REPRESENTATIVE FORTNER: Here.

22 CLERK: Acevedo.

23 REPRESENTATIVE ACEVEDO: Here.

24 CLERK: Colvin.

1 REPRESENTATIVE COLVIN: Here.
2 CLERK: Durkin.
3 REPRESENTATIVE DURKIN: Here.
4 CLERK: Lang.
5 REPRESENTATIVE LANG: Here.
6 CLERK: Mautino.
7 REPRESENTATIVE MAUTINO: Here.
8 CLERK: Rose.
9 REPRESENTATIVE ROSE: Present.
10 CLERK: Schmitz.
11 REPRESENTATIVE SCHMITZ: Here.
12 CLERK: Tracy.
13 REPRESENTATIVE TRACY: Here.
14 CLERK: Yarbrough.
15 REPRESENTATIVE YARBROUGH: Here.
16 REPRESENTATIVE CURRIE: We do have a
17 quorum as well.
18 And it is our intention to present the
19 map. Senator Raoul and I will do that together from
20 the table down in front and we will ask Representative
21 Lang to handle the hearing, to chair while we're
22 presenting the map and also the proposal and also
23 respond to any questions. So if the Committee -- we
24 will disappear and reappear in front of the room.

1 And, Representative Lang, if you will
2 please take the chair.

3 SENATOR RAOUL: The Senate Committee is
4 back in order under Representative Lang.

5 REPRESENTATIVE LANG: Representative Lang
6 in the chair. Good morning. While Representative
7 Currie and Senator Raoul are getting in place, let me
8 announce that for all those who wish to testify, we do
9 need a witness slip. We'll have a staff person
10 stationed up in the front on your left to take your
11 witness slips. No one will be allowed to testify
12 without a witness slip.

13 When you testify, please state your name
14 and spell it for the court reporter and announce the
15 organization you are with. And we would appreciate
16 you not reading any testimony into the record that you
17 have in front of you, just give us your statement.
18 We'll take it from you and summarize your statement.
19 No witness will be allowed to speak for more than
20 three minutes.

21 Having said that, Senator Raoul, please.

22 SENATOR RAOUL: Thank you, Mr. Chairman.
23 Fellow Redistricting Committee Members, Senate Bill
24 1175 and its House companion contains language aimed

1 at meeting our obligations to draw legislative and
2 representative districts in accordance with the law,
3 Article 1, Section 2 of the U.S. Constitution. The
4 General Assembly must draw -- redraw boundaries of
5 Illinois congressional, legislative, and
6 representative districts in order to account for
7 population shifts in the 2000 -- 2010 census.

8 For those not familiar with this process,
9 I'd first like to tell you all that it is not at all
10 an easy process. It's very complex. I've never been
11 part of a redistricting process before. I was pleased
12 that when Senate President John Cullerton assumed the
13 presidency in 2009, one of his first acts was to
14 appoint a Senate Redistricting Committee as a standing
15 committee.

16 Since that time, both the House and the
17 Senate have spent a lot of time discussing
18 redistricting reform, and we've driven even more miles
19 here hearing from people, citizens of the state of
20 Illinois throughout the state.

21 In July of 2009, we convened our first
22 hearing at the Thompson Center in Chicago. It was
23 clear then that this panel would lead the discussion
24 on reforming the redistricting process in Illinois.

1 Both parties have made it abundantly clear that
2 Illinois can no longer redistrict by lobbying. We
3 attempted to reform the process. We were
4 unsuccessful.

5 Each party also agreed that diversity and
6 the ability to provide public input must be the
7 pillars of how we conducted our redistricting process
8 and it has been.

9 Allow me to quickly walk back through the
10 work that the House and the Senate Redistricting
11 Committees have done this year alone. I believe the
12 House Redistricting Committee has had 15 hearings.
13 The Senate has had about 20 hearings. We have
14 crisscrossed throughout the state. We've had some
15 hearing rooms that were filled with people and some
16 that were sparse.

17 But at each and every one of those
18 hearings we kept the mike open for any citizen to want
19 to have input. There were advocacy groups and there
20 were just individual citizens.

21 We've been responsible to the public. The
22 public asked for data soon after it was released by
23 the Census Bureau. And I believe Representative
24 Fortner even crafted language to accomplish the

1 release of the data. We gave it to them. Within
2 minutes of receiving the data from the Census Bureau,
3 we ensured that the data would be available online.

4 The public then said we want access to
5 technology where we can draw our own maps. What did
6 we do? We gave it to them. In conjunction with
7 Leader Currie and the House Redistricting Committee,
8 we set up a terminal in Chicago and Springfield where
9 the public was able to create maps and have a seat at
10 the table during this process.

11 Throughout the hearings, individuals and
12 groups, editorials and advocates have exclaimed we've
13 shown you our maps, now show us yours. And now we
14 have. Through the technology of Google Maps, members
15 of the public have been able to see legislative lines
16 at the street level in substantive detail.

17 We've opened it up and we've asked for
18 proposals. We have yet to receive a Republican
19 proposal.

20 In fact, just yesterday I moved Senate
21 Bill 1175 back to second reading because my Republican
22 colleagues have said they've been shut out of the
23 process. Well, you still have time.

24 Advocates have also asked to see map

1 proposals one week prior to a vote and we will keep
2 that commitment. So today there will be no votes on
3 this proposal.

4 Today's hearing is the third in
5 conjunction with our House colleagues, which will
6 allow the public to weigh in on this proposal.

7 Now, allow me to describe this
8 redistricting proposal before the public is allowed to
9 comment. In establishing the boundaries for the
10 Illinois legislative and representative districts in
11 this proposal, the following redistricting principles
12 were taken into account:

13 Each of the districts contained in the
14 General Assembly Redistricting Act of 2011 was drawn
15 to be substantially equal in population so that as
16 nearly as practicable, the total population deviation
17 between districts is zero.

18 Each of the districts contained in the
19 General Assembly Redistricting Act of 2011 was drawn
20 to be consistent with the United States Constitution.

21 Each of the districts contained in the
22 General Assembly Redistricting Act of 2011 was drawn
23 to be consistent with the Federal Voting Rights Act
24 where applicable.

1 Each of the districts contained in the
2 General Assembly Redistricting Act of 2011 was drawn
3 to be compact and contiguous, as required by the
4 Illinois Constitution.

5 Each of the districts contained in the
6 General Assembly Redistricting Act of 2011 was drawn
7 to be consistent with the Illinois Voting Rights Act
8 of 2011 where applicable.

9 And each of the districts contained in the
10 General Assembly Redistricting Act of 2011 was drawn
11 taking in account partisan composition of the district
12 and of the plan itself.

13 Additionally, each of the districts
14 contained in the General Assembly Redistricting Act of
15 2011 was drawn to reflect a balance of the following
16 redistricting principles:

17 The preservation of the core boundaries of
18 the existing districts; the preservation of
19 communities of interest; respect for county, township,
20 municipal, ward, and other political subdivision
21 boundaries; the maintenance of incumbent-constituent
22 relationships; and tracking of population migration;
23 proposals or other input submitted by members of the
24 public and stakeholder groups; public hearing

1 testimony; other comment requests; respect for
2 geographic features and natural or logical boundaries;
3 and other redistricting principles recognized by state
4 and federal court decisions.

5 And with that, I'd like to yield to
6 Representative Currie.

7 REPRESENTATIVE CURRIE: I thought there
8 was an out-of-town witness that we wanted to
9 accommodate at this point.

10 REPRESENTATIVE LANG: That is correct,
11 Representative. And so the first witness will be
12 Allan Lichtman, who is from American University.

13 DR. LICHTMAN: Good morning. It's good to
14 be here again. Ten years seems to slide by far too
15 quickly, at least at my age. I am indeed Allan
16 Lichtman, professor of history at American University
17 in Washington, D.C.

18 And for the past several months I have
19 been advising attorneys and staffers for Democratic
20 Members of the House and the Senate with regard to
21 this post-2010 redistricting. My particular focus has
22 been on opportunities for minorities in the state of
23 Illinois, particularly Hispanics and
24 African-Americans, to elect candidates of their choice

1 to this august body and to participate fully in the
2 political process.

3 Before getting into my opinions in that
4 regard, I'd like to briefly talk about my
5 qualifications in this area. I have been a professor
6 of history at American University for 38 years. I
7 think I started when I was nine but -- and I received
8 my Ph.D. from Harvard University in 1973 in American
9 political history with an emphasis on the quantitative
10 applications of mathematical methods to voting data
11 and political information in general.

12 I have served as Associate Dean of the
13 College of Arts and Sciences at American University.
14 I have chaired the History Department. I have been
15 scholar/teacher of the year at American University and
16 just recently was nominated for distinguished
17 professor, the highest academic honor that the
18 university can offer.

19 I have three areas of scholarship that I
20 think are relevant to our concerns this morning.

21 The first area is the application of
22 quantitative methods to the study of political data,
23 and that scholarship includes my book Ecological
24 Inference, which is not about the environment but is

1 about the use of units like wards and precincts to
2 understand voting behavior, as well as articles and
3 journals such as the proceedings of the United States
4 National Academy of Science, the Journal of
5 Interdisciplinary History, Political Methodology, and
6 others.

7 The second area is the use of quantitative
8 and historical methods to study voting and politics
9 and history in the United States. This scholarship
10 includes numerous articles, as well as my books,
11 Prejudice and The Old Politics: The Presidential
12 Election of 1928; The Keys to the White House, which
13 is now in its fifth edition, and my most recent book
14 White Protestant Nation: The Rise of the American
15 Conservative Movement. And I have the honor with that
16 book for it to be a finalist for the National Book
17 Critics Circle Award nationally in general nonfiction,
18 one of five finalists.

19 The final area of scholarship that I think
20 is relevant here is specific scholarship on the
21 application of social science and historical
22 methodology to legal issues, and this includes
23 articles and journals such as Evaluation Review,
24 Journal of Litigation, Journal of Law and Politics,

1 and the Journal of Legal Studies.

2 With respect to my experience in voting
3 rights and redistricting, I have been an expert
4 witness or consultant in more than 80 voting rights
5 and civil rights cases. I have been admitted as an
6 expert witness for oral or written testimony in 75 or
7 more of such cases.

8 I have significant experience in
9 litigation in the state of Illinois, including, but
10 not limited to, the congressional district litigation
11 in the mid 1990s with respect to the drawing of a
12 Hispanic congressional district. And I was on the
13 prevailing -- I was representing the prevailing party,
14 working for them in that case. And I was also the
15 expert witness for the prevailing party a decade ago
16 in the case coming out of the state legislative
17 redistricting plan at that time.

18 I have worked for plaintiffs and
19 defendants in voting rights cases.

20 I have worked for numerous civil rights
21 organizations, including the NAACP, the Legal Defense
22 Fund, the Puerto Rican Legal and Educational -- Puerto
23 Rican Legal Defense and Educational Fund, the
24 Mexican-American Legal Defense and Educational Fund.

1 I have worked on numerous cases for the
2 Department of Justice, particularly during the years
3 of the Ronald Reagan presidency, which was years of
4 extensive work by the Justice Department on civil
5 rights.

6 I have worked for Democratic and
7 Republican interests, including my most recent major
8 project was as a redistricting adviser to the
9 governments of Mayors Guiliani and Bloomberg in the
10 city of New York.

11 Now, with respect to my work thus far in
12 the state of Illinois, which of course at this point
13 is not ultimately completed given that I've only seen
14 the maps -- seen the demographics of the map, that is,
15 very recently, only in the last few days. I advised
16 attorneys and staffers for Democratic Members that
17 with respect to minority opportunities to elect
18 candidates of their choice and participate fully in
19 the political process, it would be prudent to create
20 either single-race districts with voting-age
21 majorities of African-Americans or Hispanics, or the
22 alternative, effective non-majority single-race
23 districts, and that these districts for
24 African-Americans and Hispanics should be roughly in

1 proportion to the African-American percentage of the
2 voting-age population in the state and the Hispanic
3 percentage of the citizen voting-age population in the
4 state.

5 I'll take up first the African-American
6 context here in Illinois. The African-American
7 voting-age population based on the most recent census
8 is a shade under 14 percent. Given the State House
9 has 118 members and the State Senate has 59 members,
10 rough proportionality would equal some 16 to 17 House
11 seats and some eight Senate seats.

12 The post-2010 redistricting plan that is
13 presented before you and that I had an opportunity to
14 review follows my recommendations. The plan included
15 16 House districts with an outright single-race
16 voting-age majority of African-Americans.

17 When we look back at the post-2000
18 redistricting plan that passed the muster of the
19 federal courts, we see that in that plan single-race
20 voting-age majority African-American districts either
21 elected an African-American member of the General
22 Assembly, that was 16 districts, or a white member of
23 the General Assembly who was the candidate of choice
24 of African-American voters in contested elections

1 against African-American challengers. So in other
2 words, all of these districts in our jargon were
3 effective. For African-Americans we now have 16 such
4 districts in the post-2010 plan.

5 However, the post-2000 plan, the current
6 plan, also included a 39 percent African-American
7 voting-age district, House District 78, which as the
8 expert witness at the time before any elections were
9 conducted under that plan, I identified as yet another
10 district that provided African-American voters
11 reasonable opportunities to elect candidates of their
12 choice, even though it was not an outright single-race
13 majority district. And indeed, that district did
14 elect an African-American representative as predicted.

15 Therefore, given that reality, I also
16 reviewed some districts in the plan before you today,
17 the post-2010 plan, that included non-voting-age
18 majority districts but which could provide
19 African-Americans reasonable opportunities to elect
20 candidates of their choice to office and fully
21 participate in the political process in those
22 districts.

23 These include House District 7 with a 45
24 percent African-American voting-age population, House

1 District 114 with a 42 percent African-American
2 voting-age population, and House District 80 with a 35
3 percent African-American voting-age population. Some
4 a little higher, one slightly lower than the district
5 that worked for African-Americans last time.

6 I advised the attorneys and staffers that
7 the key elections in these districts are the
8 Democratic primary elections. The reason being that
9 African-Americans are very strongly Democratic in
10 general elections and the Hispanics in these districts
11 are also going to be very strongly Democratic in
12 general elections, and that these districts had very
13 high, therefore, Democratic political indices in
14 general elections.

15 In each of these three districts, when
16 results for competitive Democratic primaries with
17 African-American candidates with a choice of
18 African-Americans are applied to the precincts
19 included within these districts, these candidates
20 invariably prevail, usually by very large margins,
21 larger margins than either countywide if they're
22 county or statewide.

23 Thus, like the 39 percent
24 African-American voting-age district in the previous

1 plan, it was my advice that these districts indeed
2 give African-American voters reasonable opportunities
3 to elect candidates of their choice even though they
4 were not majority in the voting-age population. So
5 that comes to 19 districts with reasonable
6 opportunities for African-American voters beyond rough
7 proportionality.

8 In the Senate the post-2010 plan achieves
9 rough proportionality with seven districts that are
10 outright African-American majority of the voting-age
11 population and one district that is very close. It's
12 48.5 percent African-American in voting-age
13 population. But based on the same analyses applied to
14 the House districts also indeed provides reasonable
15 opportunities for African-Americans to elect
16 candidates of their choice and participate fully in
17 the political process in that district.

18 In the post-2000 plan, the previous plan,
19 in the Senate all districts with an African-American
20 voting-age majority elected African-American
21 candidates. There may also be other opportunities in
22 the Senate for voters to elect African-Americans to
23 the Senate as we've seen in the post-2000 districting
24 plan as well.

1 For Hispanics, in both the House and the
2 Senate versions of the post-2010 redistricting plan, a
3 rough proportionality based on citizen voting-age
4 population is achieved through the creation in all
5 cases of single-race voting-age majority Hispanic
6 districts.

7 The House plan includes eleven districts
8 with a voting-age majority of Hispanics. There's
9 three more than were included in the post-2000 plan
10 and achieves rough proportionality. The Senate
11 achieves rough proportionality through five outright
12 voting-age Hispanic majority districts. One more than
13 the post-2000 plan, thus the number voting over the
14 previous plan by nearly 40 percent and the Senate plan
15 by 25 percent.

16 In the post-2000 plan six of eight House
17 districts that had a voting-age majority of Hispanics
18 elected an Hispanic and all four Senate districts with
19 a voting-age majority of Hispanics elected an
20 Hispanic. That's ten of twelve of majority voting-age
21 Hispanic districts that elected Hispanics.

22 There was one only district, and that was
23 Representative Burke's district, in which there was a
24 contested election between an Hispanic and a white

1 candidate and the white candidate prevailed. That's a
2 single election and that was a district that was more
3 than 80 percent Hispanic at the time the election
4 occurred. So obviously, some special circumstances
5 were at play in the election.

6 If you look overall at the elections from
7 the post-2000 -- districts from the post-2000 plan
8 that I predicted would be districts that gave either
9 African-Americans or Hispanics reasonable
10 opportunities to elect candidates of choice, districts
11 that I identified prior, of course, to the actual
12 elections, there were 39 such districts, including
13 African-American opportunity districts and Latino
14 opportunity districts.

15 37 of those 39 districts either elected a
16 Latino or an African-American or a candidate of choice
17 of African-Americans. That's 37 of 39. Only one
18 district out of 39 actually had an election in which a
19 candidate of choice of minority voters was not
20 elected. The last district has a white representative
21 who was not contested by minorities.

22 So these districts do work. They're not
23 locks. They're not guarantees. But in politics
24 nothing is a lock, nothing is a guarantee. And I

1 think the state very closely followed reasonable
2 advice here about creating African-American and Latino
3 opportunity districts.

4 I'll take any and all questions.

5 REPRESENTATIVE LANG: Thank you, Dr.
6 Lichtman.

7 DR. LICHTMAN: My pleasure.

8 REPRESENTATIVE LANG: Questions?

9 Senator Righter.

10 SENATOR RIGHTER: Thank you, Mr. Chairman,
11 and Dr. Lichtman.

12 DR. LICHTMAN: Oh, there you are.

13 SENATOR RIGHTER: Welcome. You and I have
14 not had the opportunity to meet, but I have read some
15 of your materials and it is very impressive. So it's
16 nice to have a chance to visit.

17 DR. LICHTMAN: Thank you very much.

18 Always good to be here.

19 SENATOR RIGHTER: Along those lines, I
20 have had the opportunity to review your testimony from
21 ten years ago when you were --

22 DR. LICHTMAN: You're one up on me.

23 SENATOR RIGHTER: -- before the
24 Redistricting Commission with regard to the majority

1 leader's second version, which ultimately obviously
2 became law.

3 Before I get into that, though, I want to
4 -- something that you said here in your comments
5 struck me, and that was you repeatedly referred to
6 majority voting-age population districts for Latino
7 districts.

8 Is that the standard by which we decide
9 or a court will decide whether or not a district is
10 compliant with Section 2 of the Voting Rights Act?

11 DR. LICHTMAN: You're asking me a legal
12 question. And, of course, I'm not a lawyer and really
13 can't answer legal questions. But in reading the most
14 recent Supreme Court decision on Section 2 of the
15 Voting Rights Act, the Bartlett decision, it talks
16 entirely about voting-age majority districts and uses
17 no other language than that. And that's the most
18 recent and most authoritative decision that is
19 available. Again, that's just my opinion and I am not
20 an attorney.

21 SENATOR RIGHTER: That's pretty
22 impressive. I mean you played one on TV.

23 DR. LICHTMAN: I tried. I didn't stay at
24 a Marriott in a Courtyard.

1 SENATOR RIGHTER: In that testimony ten
2 years ago, it's my understanding that when you talked
3 about Latino districts you referred to the
4 recommendation creating districts in the mid 60
5 percent in some parts of Chicago and mid 50 percents
6 for other parts of Chicago. What recommendation --
7 would that have been a different trend of Supreme
8 Court cases?

9 DR. LICHTMAN: I actually don't recall
10 making that recommendation, to be honest with you.
11 But I do recall saying that there has been in the mid
12 1990s a distinction between within Cook County the
13 north side districts and the south side districts, and
14 that it might be prudent in forming Hispanic districts
15 to take that into account, but I don't recall ever
16 giving specific numerical standards.

17 SENATOR RIGHTER: Do you -- when you were
18 listing off the districts in the current legislative
19 map as opposed to the one that's before us at least
20 for today, did you -- the numbers you were giving of
21 how many districts were created in this district as
22 opposed to how many are proposed in this map, were you
23 using a -- you were using the 50 percent threshold;
24 were you not? I want to be clear about that.

1 DR. LICHTMAN: Oh, yes. I was comparing
2 the 50 percent voting-age -- 50 percent plus one
3 districts in the previous map for Hispanics to the
4 ones in the current map. For Hispanics those are the
5 only districts we actually, you know, really looked at
6 last time.

7 SENATOR RIGHTER: It's fair to say from
8 one degree or another, all other things being equal --
9 and I appreciate in politics --

10 DR. LICHTMAN: They never are.

11 SENATOR RIGHTER: -- at least sometimes
12 they're not. A district that is drawn so that the
13 voting-age population of Latinos is 60 percent or
14 higher is more likely to perform, if you will, than
15 one that is 50 percent -- is just drawn to get over
16 the 50 percent bar. Would you agree with that?

17 DR. LICHTMAN: That may seem to make
18 intuitive sense, but it doesn't seem to make a whole
19 lot of sense in Illinois, for whatever reason. And
20 I'm no expert on your politics. You know it far
21 better than I.

22 But one district that didn't perform in
23 Illinois was I believe 81 percent Latino voting-age,
24 not the population, at the time the election occurred

1 in 2010. So I think a lot depends on where the
2 district is drawn and what the history has been, which
3 you all know far better than I.

4 SENATOR RIGHTER: Now, the court in
5 determining the validity of a map with regards to
6 Section 2 districts will examine on the record the
7 testing that's been done by the relative experts; will
8 it not? In other words, it will look at the lines and
9 it will look at past election results to determine
10 whether that's really a valid Section 2 district,
11 correct?

12 DR. LICHTMAN: It will do even more than
13 that. If the --

14 SENATOR RIGHTER: Please elaborate.

15 DR. LICHTMAN: Yeah, I will elaborate for
16 you. Thank you. That's a very good question.

17 If in fact -- I assume you're talking
18 about a Section 2 claim.

19 SENATOR RIGHTER: Yes.

20 DR. LICHTMAN: If in fact a Section 2
21 claim is brought before the court, it has several
22 levels of inquiry that it has to go through. And
23 again, I'm not a lawyer, but I've been before a lot of
24 courts. There are the so-called three prongs of the

1 Gingles factors from the famous authoritative Supreme
2 Court decision Thornburg versus Gingles. And in the
3 Bartlett decision I referred to briefly that
4 elaborated on what's called prong one, that is the
5 presentation -- you can't just attack a map. You've
6 got to have an alternative.

7 And what the court said in Bartlett is to
8 satisfy prong one the alternative has to include a
9 single-race voting-age majority district. So it's
10 going to look at do you have such an alternative.

11 And then there are two other prongs of
12 Gingles which have to be satisfied by a Section 2
13 plaintiff. And that is, are minority voters cohesive
14 behind African-American or Latino or other minority
15 candidates of their choice, which may not be
16 African-American or Latino. It's candidates of
17 choice, not the race of the candidates.

18 And, thirdly, do whites vote as a block?
19 And not only do they vote as a block but do they vote
20 as a block sufficiently to usually defeat minority
21 candidates of choice in the districts being
22 challenged. That's kind of the threshold that you
23 have to overcome in a Section 2 case.

24 And then there's kind of a fuzzier area

1 which is called the totality of circumstances with
2 respect to full participation of minorities in
3 politics. And that would include things like the
4 degree of block voting, previous election of minority
5 candidates to office.

6 So those are the things that a court would
7 consider. In my -- again, in my opinion.

8 SENATOR RIGHTER: Given all of that and
9 the district that you referred to a few minutes ago
10 about the one that apparently had 81 percent
11 voting-age population of Latinos and didn't perform,
12 to someone like me, what I hear is how can the
13 standard be 50 percent if you've got an 81 percent
14 district out there that didn't perform?

15 DR. LICHTMAN: Because -- and you know
16 this better than I, and I said this in my direct,
17 there's no guarantee in politics. All you can do in
18 setting up a redistricting plan, which is why I always
19 use these words and I've used them for decades, is
20 create reasonable opportunities for minority voters to
21 elect candidates of their choice. You can't guarantee
22 political outcomes. When 37, maybe 38, of 39
23 districts that I identified as reasonable opportunity
24 districts for minorities, in fact, using your

1 terminology, they performed, I think that's an awfully
2 good track record.

3 SENATOR RIGHTER: I'd like to turn for
4 just a minute to one of the things that has changed in
5 the ten years since you've been doing this is the
6 passage of the Illinois Voting Rights Act.

7 DR. LICHTMAN: Okay.

8 SENATOR RIGHTER: And I'm assuming -- can
9 I assume that you've read that and you're --

10 DR. LICHTMAN: I'm really not especially
11 familiar with that. So if you want to ask me about
12 it, please refer to specifics of it.

13 SENATOR RIGHTER: I will be glad to do
14 that. There is language in the Voting Rights Act here
15 in Illinois that says that legislative districts and
16 representative districts shall, shall be drawn subject
17 to Subsection D of this section, create crossover,
18 coalition, or influence districts.

19 But the question I have for you, would
20 you interpret that to mean that if it's possible at
21 all that that means that Illinois law now requires
22 that?

23 DR. LICHTMAN: I'm no lawyer and I'm
24 certainly not especially familiar with Illinois law,

1 but my understanding of all laws is none of them have
2 absolute requirements. You cannot do that, for
3 example, in violation of one person, one vote. You
4 cannot do that if it violated other fundamental
5 redistricting or legal requirements.

6 SENATOR RIGHTER: I'm going to give my
7 colleagues a shot here after one last question, and
8 that is, Dr. Lichtman, one of the things that I also
9 noticed in going through your testimony from ten years
10 ago was your seemingly heavy reliance on the
11 recommendations that were made by the Mexican-American
12 Legal Defense and Education Fund. And I'm curious
13 about your opinion, because I know that they have
14 weighed in to some extent. I've not talked to their
15 representatives personally in any detail.

16 But do you believe that the recommendations
17 from that group carry as much weight today as they did
18 ten years ago according to what you --

19 DR. LICHTMAN: I just can't say. I've not
20 been in touch with that group. I don't know what
21 their recommendations are. So, you know, to be honest
22 with you, I can't give you an opinion.

23 SENATOR RIGHTER: Based on what you do
24 know, do you have any reason to believe they're any

1 less credible today than they were ten years ago?

2 DR. LICHTMAN: I know nothing about their
3 history in Illinois over the last ten years. And, you
4 know, I really don't want to answer that question
5 because I don't know.

6 SENATOR RIGHTER: All right. Thank you.
7 Thank you, Mr. Chairman.

8 REPRESENTATIVE LANG: Senator Murphy.

9 SENATOR MURPHY: Thank you, Mr. Chairman.

10 DR. LICHTMAN: Sorry I don't know all the
11 players. I wish I did.

12 SENATOR MURPHY: Doctor, that's a very
13 impressive resume which sounded expensive. How much
14 are you being paid for your work on the Illinois map
15 this year?

16 DR. LICHTMAN: \$400 per hour.

17 SENATOR MURPHY: And before this hearing
18 today, how many hours have you billed at \$400 per
19 hour?

20 DR. LICHTMAN: I have a \$10,000 retainer.
21 I haven't billed anything yet. I've been too busy
22 working.

23 SENATOR MURPHY: Do you have any idea how
24 many hours you have actually put in?

1 DR. LICHTMAN: Probably more than 60 and
2 maybe more than 70. A lot of hours.

3 SENATOR MURPHY: You have gone to lengths
4 to stress that you are not a legal expert or lawyer,
5 but clearly drawing a map the law is significantly
6 implicated. Isn't that a fair assessment?

7 DR. LICHTMAN: I wouldn't disagree with
8 that.

9 SENATOR MURPHY: Have you -- have you
10 reviewed any other maps besides the one on which
11 you're testifying in the last week?

12 DR. LICHTMAN: No.

13 SENATOR MURPHY: In the other instances
14 where you have served as an expert did you review
15 other maps other than the one of your client?

16 DR. LICHTMAN: I did ten years ago because
17 another map was presented when we went to litigation.
18 I presume if that happens again, I'll review -- do the
19 same thing.

20 SENATOR MURPHY: Are there other maps in
21 existence right now that are drafted that are public
22 for Illinois?

23 DR. LICHTMAN: I do not know.

24 SENATOR MURPHY: You made reference to

1 ecological inference in your remarks. Who invented
2 that -- that theory?

3 DR. LICHTMAN: A statistician and
4 sociologist by the name of Goodman many years ago.
5 And I very modestly will say I've helped elaborate and
6 develop the theory myself. It's a methodology, not a
7 theory really.

8 SENATOR MURPHY: Does Gary King have
9 anything to do with the creation or advancement of
10 ecological inference?

11 DR. LICHTMAN: Yes, he has.

12 SENATOR MURPHY: What has been his role
13 within that process?

14 DR. LICHTMAN: Gary King developed an
15 alternative method for ecological inference, which in
16 my experience gives you pretty much the same answers,
17 but, you know, it's a -- Gary King is a very smart guy
18 teaching that methodology.

19 SENATOR MURPHY: Is it one you've ever
20 relied on his -- his adaptation of it?

21 DR. LICHTMAN: I've used it but not in
22 court cases because I prefer to use the methodology on
23 which the Supreme Court has relied and that was the
24 methodology I used in the Texas redistricting that

1 went to the Supreme Court in 2006 and the Supreme
2 Court relied on my work in that case.

3 SENATOR MURPHY: Are you aware of any
4 court having rejected Mr. King's adaptation of
5 ecological inference?

6 DR. LICHTMAN: I haven't looked at that
7 issue, so I can't even begin to comment.

8 SENATOR MURPHY: So the answer would be
9 no?

10 DR. LICHTMAN: Well, no. But, you know,
11 not in the sense that I looked and didn't find it. I
12 just haven't looked at that.

13 SENATOR MURPHY: What is the minimum
14 percentage necessary to provide an opportunity to
15 elect Hispanics on the south side of Chicago in your
16 estimation?

17 DR. LICHTMAN: There's no such thing as a
18 minimum percentage. You've got to look at each
19 district. You do not come up with minimum
20 percentages.

21 SENATOR MURPHY: Well, then how do you
22 determine whether you have satisfied federal and state
23 voting rights law?

24 DR. LICHTMAN: Well, that's usually

1 satisfied when someone brings a lawsuit and the
2 districts are challenged and you see -- I went through
3 the whole process by which one evaluates and assesses
4 such challenges.

5 SENATOR MURPHY: Back in 2001, you were
6 asked what is the lowest effective Hispanic district
7 by your count, and your answer at that time was about
8 58 percent of the voting-age population. Does that
9 sound accurate?

10 DR. LICHTMAN: No, I don't remember that,
11 to be honest with you.

12 SENATOR MURPHY: So if there's a
13 transcript indicating that you were asked that
14 question and gave that answer, you would disagree with
15 that written transcript?

16 DR. LICHTMAN: I don't know. I'd have to
17 see the transcript and see the context. I may have
18 been asked for a set of districts in which 58 percent
19 was the lowest among them. I may have answered in
20 that context. I have to absolutely see it.

21 But I don't remember generally opining,
22 as I said in answer to a previous question, on some,
23 you know, precise number for Hispanic districts. And,
24 of course, things change in ten years.

1 SENATOR MURPHY: Well, and that's a good
2 segue. What -- what do you think has changed, having
3 bookended this decade, being here in '01 and back in
4 '11, what has changed with respect to Latino voting
5 patterns or anything that would alter the percentages
6 that were applied back in 2001 on the map that you
7 recommended back then?

8 DR. LICHTMAN: Let me -- with respect to
9 Hispanic percentage, let me clarify the record. The
10 Hispanic districts were not challenged in 2001, so we
11 did not go through --

12 SENATOR MURPHY: Might that be because
13 there was a 58 percent target?

14 DR. LICHTMAN: I cannot tell you why
15 people do or do not make decisions to challenge or not
16 to challenge maps. So, you know, that was not
17 something that I had any involvement in.

18 But certainly things have -- you know, a
19 number of Hispanics, for example, have been elected
20 countywide in Cook County. As we can see here, there
21 are quite a number of Hispanic Representatives and
22 Senators who have been elected. I believe there's
23 even an Hispanic Representative, Representative
24 Crespo, who was elected in a district with a very low

1 percentage of Hispanics. So certainly, you know,
2 things -- things change over the decade. I would hope
3 they do.

4 SENATOR MURPHY: Well, is it appropriate
5 to consider the percentage of a certain race in a
6 district in drawing a map?

7 DR. LICHTMAN: Yes.

8 SENATOR MURPHY: Why?

9 DR. LICHTMAN: Because, as I said, it
10 would be prudent based on the previous map to consider
11 that with respect to providing opportunities for
12 minorities to elect candidates of their choice and
13 participate fully in the political process. That's a
14 prudent thing for a state legislature to do.

15 SENATOR MURPHY: So presumably there is
16 some threshold at which it is considered that there is
17 a reasonable opportunity for that minority in a given
18 district. Isn't that correct?

19 DR. LICHTMAN: It is incorrect. You
20 cannot arbitrarily pull thresholds out of the air.
21 But, you know, my recommendations were based on what
22 happened over the past decade with 37 to 38 out of 39
23 districts, most --

24 SENATOR MURPHY: But those --

1 DR. LICHTMAN: Let me finish.

2 SENATOR MURPHY: Go ahead, finish.

3 DR. LICHTMAN: Most of which were either
4 majority Hispanic VAP or majority black VAP, but not
5 all of them.

6 SENATOR MURPHY: But those were -- those
7 37 of 39 to the extent that they had Latino districts
8 within that, the number threshold was 58 percent VAP;
9 wasn't it?

10 DR. LICHTMAN: I don't recall what the
11 exact threshold was. But as I said, there's no
12 particular correlation between the VAP percentage and
13 whether those districts worked.

14 SENATOR MURPHY: You mentioned --

15 DR. LICHTMAN: The 81 percent district was
16 the one that didn't work.

17 SENATOR MURPHY: You mentioned that one
18 outlier, but 37 out of 39 with 58 percent being the
19 threshold, doesn't that corroborate the point that a
20 higher VAP in Latino districts is necessary and has
21 been proven to elect Latino legislators?

22 DR. LICHTMAN: The 37 to 38 out of 39 is
23 all districts. Most of those in fact are
24 African-American districts, some of which are in the

1 low 50s, one of which was 39 percent. So there was no
2 58 percent threshold.

3 SENATOR MURPHY: Isn't there a voting
4 pattern difference between African-Americans, though,
5 and Latinos that warrants a lower number in
6 African-American districts into the low 50s, whereas
7 the numbers in the history bear out that you need a
8 higher number at this point in history to provide
9 opportunities for election of Latinos?

10 DR. LICHTMAN: I do not subscribe to, you
11 know, arbitrary thresholds for all districts. You've
12 got to evaluate -- and this is the issue that came up
13 last time.

14 SENATOR MURPHY: How would you --

15 DR. LICHTMAN: Let me finish.

16 SENATOR MURPHY: -- evaluate?

17 DR. LICHTMAN: Let me finish. You
18 evaluate it district by district.

19 The issue that came up ten years ago when
20 we were challenged and the opposition, whoever they
21 were, were saying you needed much heavier percentages
22 of minorities in the districts, that view was rejected
23 and the view that prevailed in the federal courts I
24 think has been vindicated by what's happened over the

1 last ten years.

2 SENATOR MURPHY: What is the turnout rate
3 for the specific Latino districts in the map that you
4 are here to defend today?

5 DR. LICHTMAN: I don't think I have
6 numbers for specific -- you know, you have to look at
7 specific elections. And there aren't many elections
8 -- contested elections involving Hispanics versus
9 whites in those districts.

10 SENATOR MURPHY: So you don't know the --
11 you don't know the Hispanic turnout in the Hispanic
12 districts on the map that you're here today to defend.

13 DR. LICHTMAN: What I looked at in the
14 Hispanic districts was not the Hispanic turnout, but I
15 was able to find a couple of Hispanic candidates and
16 see how they performed in those districts.

17 SENATOR MURPHY: Is Section 2 still
18 applicable to Cook County?

19 DR. LICHTMAN: That's for a court to
20 decide. In other words, if a Section 2 case is
21 brought, then a court has to decide whether the three
22 Gingles prongs are satisfied and whether the totality
23 of circumstances is satisfied. And that's -- as the
24 court said in Thornburg versus Gingles, that's a

1 searching, practical inquiry that the court is going
2 to have to make. And it may decide -- you know, the
3 court's going to make that decision.

4 SENATOR MURPHY: But, with all due
5 respect, at \$400 an hour as a consultant, I mean
6 shouldn't you have an opinion on that on the front
7 end?

8 DR. LICHTMAN: You could pay me \$10,000 an
9 hour as the consultant and I would give you the same
10 answer, that you've got to flesh out a Section 2 case
11 in the context of Section 2 and certainly things have
12 changed over ten years.

13 SENATOR MURPHY: Aren't we able to use
14 your advice, though, on whether or not we are in
15 compliance and that this map is actually going to be
16 effectuated, isn't that part of your responsibility
17 with the advice that you're being paid to give?

18 DR. LICHTMAN: The advice I've been paid
19 to give is does this map provide reasonable
20 opportunities for a minority to elect candidates of
21 their choice.

22 SENATOR MURPHY: And as you --

23 DR. LICHTMAN: Not whether a Section 2
24 case is going to be -- you know, prevail or not.

1 SENATOR MURPHY: And as you just
2 indicated, though, you don't know the Latino vote
3 count in the districts.

4 DR. LICHTMAN: I've looked at the
5 performance of Latino candidates in their districts
6 was the ultimate thing you want to look at.

7 SENATOR MURPHY: Okay. And what did that
8 -- what did that reveal for you on your close
9 inspection of those numbers?

10 DR. LICHTMAN: That revealed in all of the
11 majority Hispanic districts that they performed much
12 better for Latino candidates than countywide for the
13 most part and these districts either for the most part
14 would provide more than an equal opportunity for
15 Latinos to elect candidates of their choice or at
16 least an equal opportunity in one district.

17 SENATOR MURPHY: Have -- would it be
18 correct based on your previous answer that you have
19 not been asked to evaluate the Gingles factor --
20 factors in assessing this map?

21 DR. LICHTMAN: Certainly not. I would not
22 be asked until a lawsuit was brought whether the
23 Gingles factors apply, because who knows what district
24 it would apply to, who knows what arguments would be

1 made? I can't in advance of a case make -- give you
2 that opinion.

3 SENATOR MURPHY: Wouldn't it be
4 reasonable, though, for us to try and draw a map on
5 the front end that avoided a lawsuit rather than try
6 and defend -- merely be prepared to defend one after
7 the fact?

8 DR. LICHTMAN: And I think a map that
9 provides reasonable opportunities for minority voters
10 to elect candidates of their choice, roughly in
11 proportion to the percentages I outlined, indeed
12 serves that purpose.

13 SENATOR MURPHY: Even though unlike ten
14 years ago when you gave a threshold of VAP you have
15 not done that type of analysis here?

16 DR. LICHTMAN: I did not give a threshold
17 of VAP ten years ago.

18 SENATOR MURPHY: Thank you very much.

19 REPRESENTATIVE LANG: Mr. Fortner.

20 REPRESENTATIVE FORTNER: Thank you,
21 Mr. Chair.

22 Doctor, I'm over at this end. Thank you,
23 Dr. Lichtman, for your wonderful explanation of your
24 academic background.

1 You mentioned that in response to a
2 previous question that you've been retained. I don't
3 think you specified specifically who retained you.

4 Was it a specific caucus, House Democrats, Senate --

5 DR. LICHTMAN: House Democrats and Senate
6 Democrats. I don't know if it's a specific caucus or
7 not. I'm working with the staffers, not with members.

8 REPRESENTATIVE FORTNER: And you said
9 you've had it for a few days. The timeline has been
10 very compressed for many of us during this process.
11 Do you know specifically when did they reach out to
12 you about retaining your service?

13 DR. LICHTMAN: Oh, months ago.

14 REPRESENTATIVE FORTNER: That was months
15 ago?

16 DR. LICHTMAN: Yes.

17 REPRESENTATIVE FORTNER: And then when did
18 they actually then bring you in and provide you with
19 the data?

20 DR. LICHTMAN: Well, that was a -- you
21 know, that's been over the last several weeks and it's
22 been a seriatim process. That is, first I was
23 provided with election data, then I was provided with
24 demographic data on the precincts, and then just very

1 recently, a matter of a few days, provided with the
2 demography of the proposed map itself.

3 REPRESENTATIVE FORTNER: So let me break
4 down the parts there. So in providing you with
5 election data, what specific election data did you use
6 in looking at the electoral performance?

7 DR. LICHTMAN: I was looking at data from
8 2004 to 2010 in elections involving minority versus
9 white candidates. I also had some data on some
10 elections that were minority versus minority. For
11 example, I think the Keyes-Obama election for U.S.
12 Senate involved two African-American candidates and I
13 had the data on that election as well.

14 And these included legislative district
15 elections, Cook County Democratic primaries and
16 generals, some congressional district elections. I
17 think only Congressional District 10 and then, of
18 course, statewide Democratic primary and general
19 elections as well.

20 REPRESENTATIVE FORTNER: So that -- and
21 you had -- you said that you had that for a few weeks.
22 Then did you make specific recommendations in certain
23 areas that went into creation of the map or did you
24 just review the proposal after the fact?

1 DR. LICHTMAN: Well, I made the
2 recommendations that I had outlined previously. That
3 is that in my view it would be prudent for the state
4 to create either a single-race majority
5 African-American and Latino district or
6 non-single-race majority districts that were effective
7 for minority voters roughly in proportion to the
8 African-American voting-age population and the Latino
9 citizen voting-age population.

10 REPRESENTATIVE FORTNER: At what point
11 during the process in time was that recommendation
12 made?

13 DR. LICHTMAN: Oh, I think, you know,
14 considerably before I saw the map.

15 REPRESENTATIVE FORTNER: Okay. And as
16 part of that recommendation did you recommend a
17 preference to make single-race majority voting-age
18 population districts where possible and then the less
19 than the majority single-race voting-age population
20 districts where was it not possible or did you just
21 recommend them as --

22 DR. LICHTMAN: I'm not sure I got into
23 that much detail, but I did note, you know, for the --
24 particularly for the African-Americans that we had

1 this direct from the previous redistricting plan that
2 was at 39 percent and that in my view provided
3 reasonable opportunities for African-Americans to
4 elect candidates of their choice and that that could
5 be a guidance for them with respect to the formation
6 of African-American opportunity districts.

7 REPRESENTATIVE FORTNER: Right. But to --
8 let me ask the question this way: If one could draw a
9 district that was a majority of the voting-age
10 population of a single race, is that preferable in
11 your opinion to drawing a district which still could
12 provide an opportunity to elect a candidate of choice
13 but be less than the majority voting-age?

14 DR. LICHTMAN: No, not necessarily. You
15 know, this was an issue in the last redistricting when
16 they wanted to draw greater -- only African-Americans
17 were challenged, greater African-American percentages
18 in the districts. But their plan had 17 districts
19 that I believed provided reasonable opportunities for
20 African-Americans to elect candidates of choice,
21 whereas the plan formulated by the legislature that I
22 was defending had 19 such districts. Counting those
23 districts that did not have a single-race
24 African-American voting-age majority in my view was

1 preferable to have the more districts rather than the
2 fewer with the greater percentages.

3 And I think experience has borne out --
4 borne that out as correct and that was also accepted
5 by the court. And I just went through the same thing
6 in New Jersey, which just completed their
7 redistricting process.

8 So, you know, particularly for
9 African-Americans you can expand opportunities by
10 creating non-single-race majority opportunity
11 districts.

12 REPRESENTATIVE FORTNER: Now, if I can
13 look at specifically at the specific one instance you
14 pointed out, House District 78 in the plan that we are
15 currently working under that would purport to have 39
16 percentage African-American voting-age population in
17 the district, is that something that would have then
18 been characterized as a crossover district, now that
19 we have the language from the Bartlett decision that
20 identifies crossover districts?

21 DR. LICHTMAN: That's an interesting
22 question. I don't think so. Because what I
23 identified last time -- and I haven't, you know, gone
24 over the districts since then -- was that in fact even

1 though African-Americans are less than a voting-age
2 majority that they would control the Democratic
3 primary. They would have a majority there. And so
4 crossover district may not be quite the correct way of
5 characterizing that district.

6 REPRESENTATIVE FORTNER: Would that be an
7 influence -- I mean --

8 DR. LICHTMAN: No, it is not an influence
9 district. It is an African-American opportunity
10 district. That's how I identified it last time and I
11 stand by that.

12 REPRESENTATIVE FORTNER: But Bartlett
13 specifically was actually looking at a 39 percent -- I
14 think it was roughly a 39 percent majority voting-age
15 population African-American district.

16 DR. LICHTMAN: I think it was lower than
17 that, but it doesn't matter.

18 REPRESENTATIVE FORTNER: It was certainly
19 in that range.

20 DR. LICHTMAN: It was in the 30s I think.

21 REPRESENTATIVE FORTNER: In the 30s. And
22 in that case they distinguished that from being
23 majority voting-age population district.

24 DR. LICHTMAN: Correct.

1 REPRESENTATIVE FORTNER: But I believe
2 they put that in the category so the case was made
3 that it would form a crossover district.

4 DR. LICHTMAN: Yeah. Let me tell you the
5 different context. Bartlett was saying -- and again
6 I'm not a lawyer. I'm just giving you my opinion
7 about this.

8 REPRESENTATIVE FORTNER: I'm you as an
9 expert in the --

10 DR. LICHTMAN: It's just my opinion.
11 Bartlett was saying if you have a Section 2 challenge
12 and you are trying to get a state or a locality to
13 change its plan to adopt a new district, then there is
14 this bright-line threshold of single-race voting-age
15 population 50 plus one. But my reading of Bartlett
16 has also said states, however, in formulating a plan
17 have broad discretion to create other kinds of
18 minority opportunity districts.

19 REPRESENTATIVE FORTNER: Right. And they
20 characterize those in those three categories of
21 influence, coalition --

22 DR. LICHTMAN: I understand.

23 REPRESENTATIVE FORTNER: And that's what I
24 was trying to --

1 DR. LICHTMAN: The problem is I don't
2 think they drilled down far enough to address this
3 issue which applies to African-Americans in a lot of
4 places. Even though you're less than a voting-age
5 majority, you are a majority in the critical election,
6 the Democratic primary. So I don't think they
7 resolved that issue in Bartlett.

8 REPRESENTATIVE FORTNER: Well, so -- so I
9 guess the question is, if they didn't drill down deep
10 enough, if one just had to rely on those terms, would
11 that mean that we really don't have any guidance as to
12 how to interpret those terms if you say that they
13 really didn't drill down to the depth that it needed
14 to be to really say what coalition, crossover, and
15 influence districts would be?

16 DR. LICHTMAN: Well, the terminology as
17 applied to this district because they didn't get to
18 answer that question may be a little unclear, but the
19 guidance is absolutely clear. The state has
20 discretion to create what it views as districts that
21 provide reasonable opportunities for minority voters
22 to elect candidates of their choice, even if they are
23 not single-race voting-age majority districts. The
24 state could create a single-race voting-age majority

1 district, but it's not compelled to do so in every
2 instance.

3 REPRESENTATIVE FORTNER: When would it be
4 compelled to do so? Is that only when the Gingles
5 factors are met?

6 DR. LICHTMAN: Well, then you -- no. I
7 mean even when the Gingles -- if in fact you're
8 challenging a district and you meet all the Gingles
9 factors and you satisfy all the totality of
10 circumstances for a district that's under 50 percent
11 single-race voting-age majority, then in fact if you
12 could create a single-race voting-age majority, you
13 may have to do so. But that's after you've satisfied
14 all of those factors and all of those requirements.
15 That's what Bartlett said.

16 REPRESENTATIVE FORTNER: You said if you
17 satisfied those factors. So on the -- so then back to
18 the state's latitude to create these other types of
19 districts under Bartlett to provide for districts
20 where perhaps one has not met the Gingles factors and
21 the totality of circumstances, then --

22 DR. LICHTMAN: Whoa. Let me interrupt you
23 here. There's no case before us. You know, it's not
24 as if, you know --

1 REPRESENTATIVE FORTNER: And I'm not
2 asking you that. I'm asking -- you said you have an
3 opinion. I'm just trying to get your interpretation
4 of what that factor is.

5 DR. LICHTMAN: My opinion.

6 REPRESENTATIVE FORTNER: Your opinion. So
7 you seem to have said, that's why I want to make sure
8 I'm clear on what you said, that the state is able,
9 that it's permitted to make these other types of
10 districts, influence, coalition, crossover districts.

11 DR. LICHTMAN: I don't buy that
12 terminology but, you know, we can --

13 REPRESENTATIVE FORTNER: Well, those are
14 the words that are in the decision.

15 DR. LICHTMAN: But you understand the
16 distinctions between the decision which didn't get at
17 certain factors that might affect that terminology.
18 That's why I'm not going to apply that terminology to
19 districts created here in Illinois because I don't
20 think it precisely applies in this very different
21 context that Bartlett did not review.

22 REPRESENTATIVE FORTNER: So you would say
23 that -- those specific terminology does not apply
24 because we lack the specifics that -- or I should say

1 the decision didn't provide the guidance to the depth,
2 so those would not apply then?

3 DR. LICHTMAN: I didn't say those would
4 not apply. I said you have to be very careful in
5 using terminology from one context in another context
6 because the terminology coalition districts implies
7 that African-Americans would not through their own
8 votes be able to elect representatives of their choice
9 but would have to be required to have certain degree
10 of crossover voting from other groups. And that's not
11 the case here.

12 REPRESENTATIVE FORTNER: Why do you say
13 that's not the case here?

14 DR. LICHTMAN: As I explained it before,
15 because African-Americans even, as I outlined -- let's
16 go back to District 78 which was 39 percent. If you
17 read my report from last time, my report indicated
18 that in those districts African-Americans would be in
19 control of the primary.

20 REPRESENTATIVE FORTNER: I think in your
21 report you also indicated that there was racial
22 polarization in the city of Chicago. Is that still
23 the case?

24 DR. LICHTMAN: I did not indicate that in

1 my report. I believe that issue did not come up and I
2 did not have to review it in the case ten years ago.
3 The only issue in the case ten years ago --

4 REPRESENTATIVE FORTNER: Well --

5 DR. LICHTMAN: Let me finish. The only
6 issue in the case ten years ago was whether or not we
7 created in that -- not we, but you created in that
8 plan effective districts. I guess I anticipated.

9 REPRESENTATIVE FORTNER: Maybe I wasn't
10 clear as to what report or statement. The statement
11 that I saw that you made said that as late as the
12 elections from 1998 in crucial Democratic primaries
13 that indeed voting is still polarized along racial
14 lines and we need to be mindful of minorities in the
15 Voting Rights Act.

16 DR. LICHTMAN: That might have been given
17 in testimony. I don't believe that was in my report.
18 That might have been when I testified before the
19 Commission.

20 REPRESENTATIVE FORTNER: Okay. Fair
21 enough.

22 DR. LICHTMAN: In fact, that issue did not
23 arise in the litigation. And if it arises again in
24 this litigation, you'd have to review the new election

1 data from 2004 to 2010, which could well lead to quite
2 a different conclusion.

3 REPRESENTATIVE FORTNER: Well, you said
4 you have in fact reviewed election -- you were
5 provided with election data. Did you review any of
6 that election data with respect to these districts?

7 DR. LICHTMAN: I did review some of that
8 old election data.

9 REPRESENTATIVE FORTNER: Did you make any
10 determination about racial polarization from that
11 data?

12 DR. LICHTMAN: I did not make any final
13 determination about racial polarization because that
14 was not -- you know, again, there's no Section 2 case.
15 But I do think things have changed with respect -- you
16 know, preliminarily with respect to polarization.

17 REPRESENTATIVE FORTNER: So what
18 preliminarily did you find specifically?

19 DR. LICHTMAN: I think there's probably
20 less racial polarization than there was when we looked
21 at the previous decade. Again, it's a preliminary
22 finding. There's no Section 2 case before us but --

23 REPRESENTATIVE FORTNER: Do you find that
24 to be a blanket statement true across all of Illinois?

1 Was it confined to Cook County? Was it confined to --

2 DR. LICHTMAN: No, it was not confined to
3 just Cook County, but it's pretty much an
4 across-the-board kind of statement.

5 REPRESENTATIVE FORTNER: So it would apply
6 even to other state -- other areas of the state
7 outside of Cook?

8 DR. LICHTMAN: That is correct.

9 REPRESENTATIVE FORTNER: That there is
10 less -- but there is still perhaps some -- there's not
11 no racial polarization?

12 DR. LICHTMAN: I wouldn't say it's zero,
13 but whether it meets the threshold of Gingles is yet
14 to be determined.

15 REPRESENTATIVE FORTNER: Okay. But it was
16 not zero from what --

17 DR. LICHTMAN: It's not zero, but I think
18 it's a lot less than last time and, you know, may well
19 not meet the threshold of Gingles.

20 REPRESENTATIVE FORTNER: If I can turn now
21 to some of the question on the Hispanic --

22 DR. LICHTMAN: Certainly.

23 REPRESENTATIVE FORTNER: Moving from
24 looking at the African-American area. Were there --

1 you were talking about some specific -- were there
2 specific candidates in the elections that you looked
3 at -- I mean I think you talked about general --

4 DR. LICHTMAN: Yeah.

5 REPRESENTATIVE FORTNER: -- races.

6 DR. LICHTMAN: There's not a lot of --
7 although there have been, you know, some considerable
8 election of Hispanics, there aren't a lot of
9 competitive Hispanics versus white elections. So I
10 looked at Alvarez was a candidate I believe for the
11 Cook County Board and, of course, that didn't apply to
12 all the districts. There wasn't a major contested
13 Hispanic versus white race outside of Cook County, so
14 I took a very minor candidate, Castillo, in the
15 Lieutenant Governor primary and just looked to see if
16 his percentage was substantially increased in the
17 Hispanic districts and it was.

18 REPRESENTATIVE FORTNER: So would you
19 characterize -- so in fact is there racial
20 polarization in that sense that there is still some
21 racial polarization?

22 DR. LICHTMAN: I didn't look at it for
23 evidence of racial polarization. I looked at it for
24 evidence of the -- of the districts.

1 REPRESENTATIVE FORTNER: So when you say
2 evidence for the districts, meaning whether or not
3 those districts would be able to elect a candidate of
4 choice?

5 DR. LICHTMAN: Yes.

6 REPRESENTATIVE FORTNER: One of the
7 districts on -- I guess, did you review the districts
8 -- this would be the districts on the north side of
9 the city of Chicago, which I believe are Districts 7,
10 8, 9, and 10. I don't know if you have that.

11 DR. LICHTMAN: They can't be Districts 7,
12 8, 9, and 10, I don't think. I don't think those are
13 Latino districts.

14 REPRESENTATIVE FORTNER: I'm sorry. I'm
15 reading numbers wrong.

16 DR. LICHTMAN: I think they're 3 and 4 --

17 REPRESENTATIVE FORTNER: 3, 4, 39, and 40.
18 Thank you. 3, 4, 39, and 40. When you were looking
19 at those, the Hispanic numbers, did you find that --
20 so all of those you think would then have sufficient
21 numbers to -- based on your analysis, to elect
22 candidates of choice or provide an opportunity to
23 elect the candidates of choice?

24 DR. LICHTMAN: I think at least three of

1 those districts the opportunity would be very, very
2 strong. In one of those districts it was hard to
3 tell, but at least an equal opportunity.

4 REPRESENTATIVE FORTNER: And the one that
5 would be at least an equal opportunity, which one
6 would that be?

7 DR. LICHTMAN: 39.

8 REPRESENTATIVE FORTNER: And that one --
9 okay, which was -- so 39, which was just under 52
10 percent voting-age population according to what I'm
11 seeing.

12 DR. LICHTMAN: Yes. But there are others
13 that are comparable voting-age population that are
14 very strong Latino districts.

15 REPRESENTATIVE FORTNER: Right. In fact,
16 District 4 actually has less voting-age population.

17 DR. LICHTMAN: But it's a very strong
18 district.

19 REPRESENTATIVE FORTNER: But that one you
20 would characterize as very strong.

21 DR. LICHTMAN: Uh-huh.

22 REPRESENTATIVE FORTNER: In the suburban
23 districts did you look at the specific -- the number
24 one difference is the Elgin/Carpentersville district.

1 DR. LICHTMAN: I'm sorry, you have to give
2 me a number.

3 REPRESENTATIVE FORTNER: That would be
4 District Number 43, which had less than the majority
5 voting-age population. Did you -- is that one of the
6 ones that you considered to be an opportunity then for
7 a candidate of choice?

8 DR. LICHTMAN: I didn't actually look at
9 that district for the Hispanics. I just looked at at
10 this point, given the limited time, just the majority
11 single-race voting -- VAP. That one is pretty close.

12 REPRESENTATIVE FORTNER: That's why I
13 asked about that one. And I know that for some of the
14 African-American districts you looked at ones that
15 were just below.

16 DR. LICHTMAN: The reason I looked at the
17 African-Americans was because last time we had
18 under-40-percent districts that were working. Last
19 time we only had single-race majority Hispanic
20 districts. But I certainly wouldn't rule out whether
21 those districts were effective or not. I just don't
22 know at this point.

23 REPRESENTATIVE FORTNER: That would be 43
24 and 60 were the two --

1 DR. LICHTMAN: Yeah.

2 REPRESENTATIVE FORTNER: -- that are
3 close.

4 DR. LICHTMAN: That are close.

5 REPRESENTATIVE FORTNER: There are two
6 that are in the suburbs that are also just above that.
7 So District 83 Aurora was a little over 51 percent
8 voting-age population. Is that one that you've looked
9 at as --

10 DR. LICHTMAN: I did look at that one and
11 I saw a very -- you know, Castillo again is a minor
12 candidate. Couldn't use the Alvarez race because it's
13 not a Cook County strictly district. And Castillo's
14 percentages almost doubled in that district, showing I
15 think strong indications for that district's ability
16 to elect Latino candidates of choice.

17 REPRESENTATIVE FORTNER: And then there's
18 also one in the Melrose Park area, around O'Hare
19 Airport, District 77.

20 DR. LICHTMAN: It's the same thing. Same
21 result.

22 REPRESENTATIVE FORTNER: That was based on
23 the Castillo race?

24 DR. LICHTMAN: Uh-huh. Right. And of

1 course, all of these are based likewise on the fact
2 that you had most of the Latino districts electing
3 Latinos and the one exception was not because the
4 district didn't have enough Latinos in it.

5 REPRESENTATIVE FORTNER: So -- and again,
6 when you -- when I look at these -- and again going
7 back to the districts like 39, 40, and District 4
8 which were all just above, one of them could have been
9 kind of a -- I think you said 39 was on the fence
10 whether or not it had enough numbers to provide an
11 opportunity.

12 Back ten years ago, your recommendation
13 when you characterized the plan, you said that the
14 recommendation -- your recommendation was that you
15 should create districts in the high 50 percent
16 Hispanic range on the north side of Chicago. So these
17 are lower. Is that based on --

18 DR. LICHTMAN: Things have changed.

19 REPRESENTATIVE FORTNER: That's based on
20 your analysis things have changed?

21 DR. LICHTMAN: Things have changed.

22 REPRESENTATIVE FORTNER: And a lower
23 percentage would now support --

24 DR. LICHTMAN: Some of these districts

1 there are just over 50 percent of very strong Latino
2 districts, yes.

3 REPRESENTATIVE FORTNER: Let me turn my
4 inquiries away from Chicago now to the East St. Louis
5 area, District 114. In that area did you still -- I
6 see that that district has a 42 percent -- just a
7 shade under 42 percent voting-age population.

8 DR. LICHTMAN: Yeah, I have right on 42.
9 Right on 42.

10 REPRESENTATIVE FORTNER: Just a fraction
11 under. Is that an area that still has -- did you
12 identify whether or not there was still racially
13 polarized voting, block voting in that area?

14 DR. LICHTMAN: As I said, I did not do a
15 block voting analysis to identify whether that prong
16 of Gingles applies or not.

17 REPRESENTATIVE FORTNER: So you didn't
18 look at that district in context of those factors?

19 DR. LICHTMAN: I looked at that district
20 in context of whether it's a district that provides
21 reasonable opportunities for African-Americans to
22 elect candidates of their choice, and it decidedly
23 does. But whether or not, you know, prong three of
24 Gingles would be satisfied in that district or not,

1 you know, that -- that's a premature analysis.

2 REPRESENTATIVE FORTNER: So you were
3 neither asked nor did you perform that kind of
4 analysis in that area?

5 DR. LICHTMAN: I was not asked to perform
6 a three-pronged Gingles totality of circumstances
7 analysis.

8 REPRESENTATIVE FORTNER: There are some
9 other districts that are again outside of the
10 metropolitan area where there are some percentages of
11 African-Americans. I just wondered whether or not you
12 had a chance to look to see whether or not any of
13 those districts were likely to perform to elect
14 candidates of choice.

15 Let's start specifically with District --
16 House District 67, the Rockford area, which I show as
17 a little over 26 percent African-American. Is that
18 one that you looked at as to whether or not it would
19 be able to elect a candidate of choice?

20 DR. LICHTMAN: Let me say this: You know,
21 there have been a number of African-Americans elected
22 to your august body in the House in districts in the
23 twenties African-Americans. I believe you cited one
24 example right there, Charles Jefferson. There's

1 Representative Gordon. So there are a couple -- and
2 there are a couple of others as well. So there are
3 districts that are well below 50 percent, even well
4 below 30 percent African-Americans where
5 African-Americans have succeeded in getting elected.

6 I think it's important to understand it's
7 not -- while the state has created I think beyond
8 proportionality, you know, districts with a
9 substantial enough African-American population to be
10 characterized as districts based qua district
11 providing reasonable opportunities for
12 African-American candidates to get elected, there have
13 been a number of African-American candidates elected
14 in other kinds of districts.

15 REPRESENTATIVE FORTNER: I understand
16 that. As you just pointed out, there's one thing to
17 say --

18 DR. LICHTMAN: That's true of the Senate
19 as well, I believe. Hutchinson I believe is another
20 example of that.

21 REPRESENTATIVE FORTNER: I was going to
22 bring that one up as another example.

23 DR. LICHTMAN: There we go.

24 REPRESENTATIVE FORTNER: As you pointed

1 out, the district qua district one can look to see
2 whether or not the district is able to provide an
3 opportunity to elect a candidate of a minority's
4 choice. That may be different because one may have
5 exceptional candidates who can get elected in any
6 district with any percentage. We had a notable U.S.
7 Senator --

8 DR. LICHTMAN: Things have changed with
9 respect to block voting.

10 REPRESENTATIVE FORTNER: But I mean that
11 can be true. As you say, in politics there are no
12 guarantees.

13 DR. LICHTMAN: Exactly.

14 REPRESENTATIVE FORTNER: That can happen
15 in a district with the appropriate candidate. So
16 there's -- I would think there's a separate analysis,
17 as you say, for the district qua district as to
18 whether or not the district based on other factors
19 would be -- provide an opportunity.

20 DR. LICHTMAN: Right. And I identified 19
21 such districts, including three non-majority
22 African-American single-race, but I just want to make
23 it clear that that was not the limit, the outer limit
24 of opportunities for African-Americans.

1 REPRESENTATIVE FORTNER: Those are just
2 the ones you have identified as having --

3 DR. LICHTMAN: District qua district. But
4 there are a lot -- you know, we have recited three or
5 four examples now. Plus, on the Latino side, Fred
6 Crespo has been elected in a district with a
7 relatively low Latino percentage. So that applies,
8 you know, to both Latinos and African-Americans.

9 REPRESENTATIVE FORTNER: Is there any
10 particular terms that you would want to use to
11 characterize these districts that were in the say 20
12 percent, 25, 26, 28 percent range in terms of --

13 DR. LICHTMAN: I don't think you have any
14 as high as 28. I think they're more in the low to mid
15 twenties.

16 REPRESENTATIVE FORTNER: No, this one was
17 26; wasn't it?

18 DR. LICHTMAN: Which one are you looking
19 at?

20 REPRESENTATIVE FORTNER: House District 27
21 is 26.4. Oh, that's the total population.

22 DR. LICHTMAN: I don't know if that's --

23 REPRESENTATIVE FORTNER: You're right.

24 DR. LICHTMAN: I don't think so. It's

1 24.4. I think you're too high.

2 REPRESENTATIVE FORTNER: 24.4. You're
3 right. I was looking at total pop rather than
4 voting-age pop. I went to the wrong column in my
5 chart.

6 So on that one with the 24, would you say
7 -- does that represent -- going back to the
8 terminology of Gingles, is that an influence district
9 or is that an inapplicable term in this case?

10 DR. LICHTMAN: Could be a coalition
11 district. You know, that could well be a coalition
12 district. It wouldn't surprise me if it was.

13 REPRESENTATIVE FORTNER: And how you would
14 then define -- do you have -- as expert in the area in
15 your opinion --

16 DR. LICHTMAN: Yeah.

17 REPRESENTATIVE FORTNER: -- what would you
18 say a coalition district means?

19 DR. LICHTMAN: A coalition district is one
20 where the African-Americans don't control the primary
21 but are able to attract sufficient support from other
22 races to elect candidates of their choice.

23 REPRESENTATIVE FORTNER: So that would --
24 so that might fall into a coalition --

1 DR. LICHTMAN: Yes.

2 REPRESENTATIVE FORTNER: -- type
3 definition in your opinion.

4 DR. LICHTMAN: Yes. That's why I want to
5 distinguish between that district say and District 114
6 with 42 percent. Those are not -- I would not want to
7 use the same terminology to sweep those two districts
8 together. I think there are different dynamics.

9 REPRESENTATIVE FORTNER: So 114, you
10 characterize that one as where the African-American
11 population controlled the primary on their own?

12 DR. LICHTMAN: Yes.

13 REPRESENTATIVE FORTNER: And that's why
14 you would characterize that --

15 DR. LICHTMAN: Yes.

16 REPRESENTATIVE FORTNER: -- as a direct
17 election of candidate of choice?

18 DR. LICHTMAN: Yes. Even though it's not
19 single-race voting-age majority.

20 REPRESENTATIVE FORTNER: And you said that
21 you did not perform a block voting -- a block voting
22 analysis?

23 DR. LICHTMAN: On that district, no.

24 REPRESENTATIVE FORTNER: And similarly in

1 -- is there any value to doing that analysis as one is
2 drawing a map knowing that the Gingles factors are out
3 there and if you were trying to establish good
4 districting principles following federal law, is there
5 any -- is there a value to doing that in advance?

6 DR. LICHTMAN: I think so long as you
7 create, you know, reasonable opportunity minority
8 districts roughly in proportion that, you know, that's
9 the prudent thing for the state to do. I would not
10 advise the state to cut short on that.

11 REPRESENTATIVE FORTNER: But you say not
12 advise -- to cut short on what, on which --

13 DR. LICHTMAN: Providing reasonable
14 minority opportunity districts roughly in proportion,
15 as I explained in my testimony.

16 REPRESENTATIVE FORTNER: And the -- so if
17 one does that, would that in your mind take precedence
18 over testing whether or not a district might be
19 required to -- or a district couldn't possibly meet
20 the Gingles statutes?

21 DR. LICHTMAN: If a district is an
22 effective minority district, in my opinion -- and I'm
23 not a lawyer -- I believe it meets constitutional
24 legal muster.

1 REPRESENTATIVE FORTNER: Going back then
2 to the different types of core percentages. We talked
3 about the Rockford District 67. Another one that I
4 see that's got a percentage in the twenties is House
5 District 92 which has just a shade under 23 percent
6 voting-age population.

7 DR. LICHTMAN: Right. That's
8 Representative Gordon, an African-American, who was
9 one of those examples --

10 REPRESENTATIVE FORTNER: Right.

11 DR. LICHTMAN: -- of an African-American
12 elected in a district with a relatively low
13 African-American percentage.

14 REPRESENTATIVE FORTNER: And so then if I
15 look at District 96 on the proposed map, I see that
16 that has just over 24 percent, so you've got a higher
17 percentage in 92. Is that one that you would
18 characterize then as kind of one of these places where
19 one might or might not have --

20 DR. LICHTMAN: Don't know. I've not
21 analyzed District 96.

22 REPRESENTATIVE FORTNER: So you didn't
23 look -- and you haven't -- had you actually looked at
24 92 specifically?

1 DR. LICHTMAN: No. No. I looked at, you
2 know, the districts that in my view provided -- the 19
3 districts provided reasonable opportunities beyond
4 proportionality. Whether there are other districts
5 that might do that, even if they're much lower, that's
6 not a question to this point in the inquiry that I've
7 reached.

8 REPRESENTATIVE FORTNER: So did you just
9 go through until you had identified -- I'm just --
10 since we went -- you certainly looked at some
11 districts that went below a 50 point -- 50 plus one
12 voting-age population.

13 DR. LICHTMAN: Yes.

14 REPRESENTATIVE FORTNER: And I just wonder
15 sort of how far down did you go?

16 DR. LICHTMAN: I do not go into the 20
17 percent range.

18 REPRESENTATIVE FORTNER: But you certainly
19 went all the way down to the 40 percent range?

20 DR. LICHTMAN: I went down to 35 percent.

21 REPRESENTATIVE FORTNER: 35 percent. But
22 not down to the 20 percent ones?

23 DR. LICHTMAN: Not down to 24, no.

24 REPRESENTATIVE FORTNER: The -- in -- so

1 then -- so that's why you -- so House District 8,
2 which was just under 35 percent, that's kind of the
3 lowest percentage one that you looked at from the
4 point of view of opportunity for African-American
5 election of candidates of choice?

6 DR. LICHTMAN: Yes. That doesn't mean
7 that they can't get elected in other districts.

8 REPRESENTATIVE FORTNER: I understand.
9 I'm just trying to identify what districts you looked
10 at with respect to --

11 DR. LICHTMAN: Right. I went as low as 35
12 percent.

13 REPRESENTATIVE FORTNER: Though you did
14 comment that in the Senate district that includes that
15 district there is an African-American --

16 DR. LICHTMAN: I didn't comment on that,
17 but if you say so.

18 REPRESENTATIVE FORTNER: I thought you --
19 I thought you had mentioned it. You brought up the
20 case of Senator Hutchinson.

21 DR. LICHTMAN: Yeah.

22 REPRESENTATIVE FORTNER: Who does live in
23 that district.

24 DR. LICHTMAN: Okay. I didn't know he

1 lived in that district.

2 REPRESENTATIVE FORTNER: She.

3 DR. LICHTMAN: Thank you for that.

4 REPRESENTATIVE FORTNER: I thought that
5 you referenced it because you knew.

6 DR. LICHTMAN: I referenced it to give
7 further examples of African-Americans elected in
8 relatively low -- in relative low percentages of
9 African-Americans, again to show that the 19 districts
10 I identified do not circumscribe opportunities for
11 African-Americans to get elected.

12 REPRESENTATIVE FORTNER: The -- and then
13 on the Hispanic side, so there you -- I think you said
14 you only looked at districts down to 50 percent. You
15 did not look at the districts --

16 DR. LICHTMAN: That's correct.

17 REPRESENTATIVE FORTNER: -- below.

18 DR. LICHTMAN: Because we had no examples
19 from last time of under 50 percent districts that we
20 looked at. Doesn't mean, you know, given more time
21 and opportunity I wouldn't look at those other
22 districts.

23 So again, I wouldn't say -- even though,
24 you know, there are eleven Hispanic single-race

1 voting-age majority, I would not say that
2 circumscribes African-American -- Latino opportunities
3 there. And we also have Frank Crespo who was elected
4 in a very low Hispanic voting-age population district.

5 REPRESENTATIVE FORTNER: I'm trying to
6 understand why then did you look at it in the case of
7 the African-American districts but not in the case of
8 the Hispanic districts?

9 DR. LICHTMAN: Only because we had the
10 example from last time of the 39 percent
11 African-American district that was effective for
12 African-Americans, and given what I could do in
13 limited time, and we also have Latino districts that
14 are single-race voting-age majorities equal to and in
15 fact beyond proportionality already. So there may be
16 some bonus districts. I wouldn't rule out the fact
17 that there may be some bonus districts which would
18 push Latino districts well beyond proportionality.

19 REPRESENTATIVE FORTNER: You've a couple
20 times mentioned Representative Crespo's district. Is
21 that one that you looked at?

22 DR. LICHTMAN: No. That's a 23 percent
23 district. My point for referencing Representative
24 Crespo is the same point I made in referencing say

1 Representative Gordon or Senator Hutchinson, that the
2 districts I've identified do not fully circumscribe
3 opportunities for minorities to get elected to the
4 General Assembly in Illinois, and we have a number of
5 examples of Latinos and African-Americans elected from
6 districts with relatively low percentages of members
7 of their race.

8 REPRESENTATIVE FORTNER: So let me go back
9 to then -- I'm trying to still understand because now
10 we've used -- you've identified one place where you
11 thought there might be a coalition district or you
12 might possibly --

13 DR. LICHTMAN: I don't particularly like
14 those terms, as you know, because they lack precision,
15 but if you want to kind of push me into them, I'll try
16 to --

17 REPRESENTATIVE FORTNER: The reason I'm
18 trying to do this is we have a state law that uses
19 those terms.

20 DR. LICHTMAN: Okay.

21 REPRESENTATIVE FORTNER: And it is
22 important --

23 REPRESENTATIVE LANG: Mr. Fortner, the
24 gentleman is not an attorney and it would be

1 inappropriate to ask him for legal conclusions.

2 Having said that, please proceed.

3 REPRESENTATIVE FORTNER: I won't ask for
4 -- I'm just asking as an expert purely your opinion.

5 DR. LICHTMAN: Purely my opinion for what
6 it's worth on law I'll give it.

7 REPRESENTATIVE FORTNER: Okay. So you've
8 opined -- you've given us your opinion that a district
9 that we talked about earlier might be a coalition
10 district.

11 In your opinion what would constitute a
12 crossover district? Do you have an opinion? I know
13 you don't like the term. You said you don't like the
14 term. But do you have an opinion as to what, as an
15 expert who does this sort of work, that might be?

16 DR. LICHTMAN: Well, statistically you
17 have a substantial crossover from one race to another.

18 REPRESENTATIVE LANG: Mr. Fortner, it's
19 inappropriate to ask this witness for an
20 interpretation of state law. He's not an attorney.
21 He was not called as an attorney.

22 REPRESENTATIVE FORTNER: Thank you. I'll
23 conclude my questions then.

24 REPRESENTATIVE LANG: Are there further

1 questions from committee members?

2 The Chair has a few.

3 Dr. Lichtman, thank you for sitting
4 through all of this.

5 Do you believe there's a high correlation
6 between African-Americans and a preference for the
7 Democratic Party?

8 DR. LICHTMAN: Absolutely. I've studied
9 that pretty extensively. There's a very high
10 correlation between a voter being an African-American
11 and a voter voting for candidates of the Democratic
12 Party in general elections. A very substantial
13 correlation.

14 REPRESENTATIVE LANG: Would you say
15 there's also a high correlation between Hispanics and
16 the Democratic Party preference?

17 DR. LICHTMAN: Absolutely. Hispanics are
18 also very reliable Democratic voters in general
19 elections.

20 REPRESENTATIVE LANG: When you talk about
21 these correlations, are you looking at actual voting
22 behavior?

23 DR. LICHTMAN: I always look at actual
24 voting behavior, yes, sir.

1 REPRESENTATIVE LANG: Dr. Lichtman, you
2 are aware of the term rules of thumb regarding
3 redistricting and minority voting?

4 DR. LICHTMAN: I am. That came up ten
5 years ago.

6 REPRESENTATIVE LANG: There's been much
7 discussion over the last several weeks about all these
8 so-called rules of thumb during our hearings. What is
9 your opinion on this term?

10 DR. LICHTMAN: I note that the term of
11 rules of thumb came out of experience in the south
12 many, many decades ago. And they had some
13 applicability back then, decades ago in the south, but
14 we're well past rules of thumb. The scholarship on
15 this is quite clear that there is no arbitrary rule of
16 thumb.

17 And this came up in our discussion with
18 several of your distinguished members here today. And
19 this issue was raised in the litigation a decade ago.
20 And I think both of the experts, myself and Dr.
21 Harrington, the expert for the plaintiffs, agreed that
22 you can't arbitrarily apply rules of thumb to the
23 redistricting process, and the court agreed with us as
24 well.

1 So we just don't apply that so-called
2 rule of thumb that came out, you know, many decades
3 ago from the south any longer.

4 REPRESENTATIVE LANG: So just to make it
5 clear, you would not favor the use of a rule of thumb
6 over specific expert analysis regarding any specific
7 district?

8 DR. LICHTMAN: Correct.

9 REPRESENTATIVE LANG: Dr. Lichtman, is it
10 absolutely necessary for a district to provide a
11 minority a reasonable opportunity to elect candidates
12 of their choice for that minority group to be a
13 voting-age majority?

14 DR. LICHTMAN: They absolutely do not have
15 to be a voting-age majority. We saw that with direct
16 experience with I think it was District 78 last time,
17 and I think you have a number of districts without a
18 voting-age African-American majority that will
19 function to provide reasonable opportunities for
20 African-Americans to elect candidates of their choice
21 and participate fully in the political process, just
22 as the 39 percent district did in the previous plan.

23 REPRESENTATIVE LANG: And just for
24 purposes of clarification, you did not do block voting

1 analysis on any district; did you?

2 DR. LICHTMAN: I did not.

3 REPRESENTATIVE LANG: Thank you. Thank
4 you for your testimony here.

5 DR. LICHTMAN: It's my great pleasure to
6 be here. Thank you, ladies and gentlemen.

7 REPRESENTATIVE LANG: The next witness
8 will be Nina Perales from MALDEF.

9 Sorry. Senator Dillard.

10 SENATOR DILLARD: I would like to make an
11 inquiry of the Chair if I can, Chairman Lang. We
12 spent a lot of time here and Dr. Lichtman testified
13 primarily on this map. Is this going to be the map
14 that the General Assembly votes on or will there be
15 something different?

16 REPRESENTATIVE LANG: Well, I certainly
17 can't answer what amendment any member of the House or
18 Senate might propose, Senator Dillard. So the answer
19 is I don't know.

20 But as a matter of clarification, I heard
21 Senator Raoul indicate there would be no votes today.
22 That is incorrect. The House intends to vote today
23 once this hearing is concluded on the map before us.
24 The Senate will do what the Senate wishes to do.

1 SENATOR DILLARD: Do you, Chairman Lang,
2 do you anticipate a number of changes that will be on
3 the map that will be on third reading from those we've
4 discussed here this morning?

5 REPRESENTATIVE LANG: Well, Senator,
6 that's the same question you just asked in a different
7 form. So whether you use the word amendment or
8 changes, I have no answer as to what members of the
9 House or Senate might propose after this hearing.

10 Ms. Perales.

11 MS. PERALES: Thank you. Good morning.
12 My name is Nina Perales and I am the Vice President
13 for Litigation for MALDEF, the Mexican-American Legal
14 Defense and Educational Fund.

15 Founded in 1968, MALDEF is the nation's
16 leading Latino legal civil rights organization. Often
17 described as the law firm of the Latino community,
18 MALDEF conducts community education, policy advocacy,
19 and where necessary litigation to guarantee the civil
20 rights of Latinos. For four decades MALDEF has worked
21 to protect the voting rights of Latinos and has played
22 a leading role in local and statewide redistricting
23 across the United States.

24 MALDEF has also maintained a long history

1 of collaboration with other groups that are protected
2 under the Voting Rights Act, including
3 African-Americans and Asian-Americans.

4 MALDEF has provided prior legislative
5 testimony and a demonstrative redistricting plan
6 intended to show how the legislature can comply with
7 the Voting Rights Act and protect communities of
8 interest in the new redistricting plan. Today MALDEF
9 will present an additional redistricting plan that
10 also demonstrates how to reach these goals.

11 The starting point for both maps is
12 recognition of the changing demographics of this great
13 state. According to the 2010 census, the Latino
14 community has grown by 33 percent or nearly 500,000
15 people in Illinois. Latinos represent the largest
16 population increase among all racial and ethnic groups
17 in the state. This growth and rate of demographic
18 change must be respected in the plans eventually
19 passed by the legislature.

20 MALDEF has reviewed the redistricting map
21 proposed in HB 3760 and has concluded that HB 3760
22 does not create a sufficient number of Latino
23 opportunity districts to comply with Section 2 of the
24 Voting Rights Act. Specifically, HB 3760 packs and

1 fractures Latino population across the south side
2 districts in a way that is dilutive and denies Latinos
3 an opportunity to elect their candidates of choice.

4 In contrast to HB 3760, the maps released
5 previously and today by MALDEF create an additional
6 Latino majority House district on the south side, thus
7 expanding Latino electoral opportunity in this area of
8 Chicago.

9 In the suburban areas of Elgin, Waukegan,
10 Franklin Park, and Aurora the MALDEF maps are again
11 superior to HB 3760. The MALDEF maps create better
12 Latino opportunity in these districts with higher
13 Latino voting-age and citizen voting-age population.

14 It is important to note that HB 3760
15 retrogresses Latino citizen voting-age population in
16 both House District 60 and 83.

17 We are still analyzing whether HB 3760's
18 configuration of four Latino majority districts on the
19 north side provides better Latino electoral
20 opportunity when compared to three districts with
21 higher Latino population. We are concerned that the
22 proposed configuration may not create effective
23 districts, but we will base our conclusion on further
24 analysis.

1 As these hearings continue today, you will
2 hear testimony from other organizations, including the
3 Latino Policy Forum, United Congress of Community and
4 Religious Organizations, and others. While our
5 proposed maps may differ, what does not change is the
6 open and collaborative work that went into creating
7 these maps and the unified position that the
8 legislative redistricting plan should respect the
9 federal voting rights and community -- Federal Voting
10 Rights Act and communities of interest.

11 Thank you for the opportunity to testify
12 today.

13 COURT REPORTER: Could you spell your
14 name, ma'am, please?

15 MS. PERALES: Perales, P-e-r-a-l-e-s.

16 REPRESENTATIVE LANG: Thank you for your
17 testimony.

18 Are there questions from committee
19 members?

20 Senator Righter.

21 SENATOR RIGHTER: Ma'am, in the early part
22 of your testimony you reference that you'll be -- that
23 your organization will be putting out something. Can
24 you give us an idea of when that'll be and how that

1 will look differently from the map that is the subject
2 of our testimony today and what you've put out
3 previously?

4 MS. PERALES: The map should be available
5 later today on our website www.maldef.org, and
6 hopefully we will put it right up front so people
7 won't have to search around for it too much.

8 I can't tell you the finer details of how
9 it compares to our prior plan, but I know that in the
10 most important respects it is the same and different
11 from the bill before you today in that it creates
12 additional Latino electoral opportunity on the south
13 side of Chicago.

14 SENATOR RIGHTER: Additional you said on
15 the south side of Chicago?

16 MS. PERALES: Yes, that's correct.

17 SENATOR RIGHTER: Additional relative to
18 what you've put out before or --

19 MS. PERALES: No.

20 SENATOR RIGHTER: -- additional relative
21 to what is before us today?

22 MS. PERALES: To what is before you today.

23 SENATOR RIGHTER: Can you elaborate on
24 that?

1 MS. PERALES: Yes. The legislative plan
2 creates three districts on the south side that are
3 greater or equal to 65 percent Hispanic population.
4 That is a drop of one from the benchmark plan. The
5 legislative plan also creates a coalition district in
6 the Chinatown area at 58 percent Hispanic population.
7 And the details on that are that it reduces the
8 current district in the area of Chinatown below 65
9 percent Hispanic population. It increases some Latino
10 population in District 22 but not to 65 percent, and
11 then the other districts above 65 percent are
12 Districts 1, 21, and 24.

13 SENATOR RIGHTER: Now, you're -- when you
14 say it, you're referring to the plan that you will put
15 out?

16 MS. PERALES: No, I'm talking about the HB
17 3760.

18 SENATOR RIGHTER: Okay.

19 MS. PERALES: And then by contrast, the
20 MALDEF plan creates five districts on the south side
21 that are 65 percent or greater Hispanic population
22 plus a coalition district in the Chinatown area that
23 is at 57 percent Hispanic population. And the details
24 on that, the five districts are 1, 78, 22, 23, and 24.

1 SENATOR RIGHTER: Since we're talking
2 about the south side, what you will roll out, will
3 those lines -- how closely will those lines reflect
4 the plan that you have already put out?

5 MS. PERALES: Very closely.

6 SENATOR RIGHTER: Can you elaborate on
7 that?

8 MS. PERALES: I cannot because the plan
9 comparisons I have are to HB 3760, not to our prior
10 plan, but my understanding is that they are very
11 similar.

12 SENATOR RIGHTER: What -- can I ask what
13 motivated your organization to put out a second -- or
14 going to put -- your organization to put out an
15 alternative plan?

16 MS. PERALES: We feel it's important to
17 provide alternatives in order to demonstrate that
18 there's more than one way of complying with the Voting
19 Rights Act and drawing districts to provide the
20 opportunity to elect a Latino preferred candidate.
21 There's no magic in a particular line being in one
22 place or another. The goal here is to create Latino
23 majority districts that offer the opportunity to
24 elect.

1 SENATOR RIGHTER: Thank you.

2 REPRESENTATIVE LANG: Mr. Fortner.

3 REPRESENTATIVE FORTNER: Thank you,
4 Mr. Chair.

5 Ms. Perales, you elaborated on some of the
6 changes on the south side. You also mentioned that
7 Districts 60 and 83 in your opinion were retrogressing
8 from the current districts. Could you elaborate on
9 that as well?

10 MS. PERALES: District 60 in HB 3760 has a
11 citizen voting-age population of 24.92. In the
12 benchmark it's -- actually, you know what, it's almost
13 exactly the same. I don't believe it was -- it may
14 have been 83 that I was mentioning where the citizen
15 voting-age population in 3760 is 27.93 and in the
16 benchmark at 28.83.

17 REPRESENTATIVE FORTNER: So in 83.

18 MS. PERALES: In 83.

19 REPRESENTATIVE FORTNER: So 83 is the one
20 that would be retrogressing?

21 MS. PERALES: Yes.

22 REPRESENTATIVE FORTNER: And you said that
23 later today you would be providing a plan different
24 from what was earlier submitted. Again, earlier the

1 submission was just in certain areas. Will the --
2 will that -- the plan that you put out again just be
3 in those areas where there are opportunities to elect
4 Latino candidates of choice?

5 MS. PERALES: Yes. But in addition, we
6 also drew in the African-American majority districts
7 in between the south side and the north side, the four
8 districts there, to demonstrate how they fit in and
9 are not retrogressed. But we do not draw out the
10 whole state line map.

11 REPRESENTATIVE FORTNER: So it would
12 reflect that the Latino and African-American districts
13 but not the -- not the statewide?

14 MS. PERALES: In that area, yes, that's
15 right. We would not want to undertake a series of
16 political decisions that have to be made in order to
17 draw all the rest of the statewide map.

18 REPRESENTATIVE FORTNER: And you mentioned
19 the Franklin Park district. I know in your earlier
20 testimony -- not your personal testimony, but MALDEF's
21 testimony and maps submitted back in earlier hearings
22 there hadn't been a Franklin Park district. Is it
23 expected that the map that comes out will have a
24 recommendation for the Franklin Park area?

1 MS. PERALES: We do have a district in our
2 new map that is District 77 that has a 62 percent
3 Hispanic population.

4 REPRESENTATIVE FORTNER: Are there any
5 other additional districts? Is that the only other
6 kind of district that's different from what there was
7 in the April testimony?

8 MS. PERALES: It's hard for me to say, but
9 certainly the additional, if you want to think of it
10 as an additional south side district in our new plan
11 is numbered 78.

12 REPRESENTATIVE FORTNER: And then on the
13 north side will your plan still be presenting the
14 three districts that you had in the -- in earlier
15 presentation?

16 MS. PERALES: We're looking at both
17 configurations. The plan that we previously released
18 had three districts at 65 percent or above Hispanic
19 population. We're still analyzing the four district
20 configuration.

21 As I mentioned, we do have concerns about
22 cutting those districts too thinly, particularly in
23 terms of the demographic trends of those neighborhoods
24 and what appears to be decreasing Hispanic proportion

1 in some of those neighborhoods. So today we may stick
2 with our three or we may be able to complete our
3 analysis on four.

4 REPRESENTATIVE FORTNER: Now, in looking
5 at this, I think you mentioned that -- and correct me
6 if I'm wrong. Did you use citizen voting-age
7 population as well as one factor in order to look at
8 the performance of the districts?

9 MS. PERALES: We look at Hispanic total
10 population, voting-age population, and citizen
11 voting-age population when we're looking at the
12 changes between districts, not when we're looking at
13 effectiveness. But simply in terms of the plan
14 comparison we looked at all three.

15 REPRESENTATIVE FORTNER: Okay. And the --
16 as far as effectiveness, you -- what did you use then
17 to look at the effectiveness?

18 MS. PERALES: Well, that's a part of our
19 analysis that is not yet complete on the proposed
20 bill. In order to look at effectiveness, we like to
21 look at election results, reaggregated election
22 results, and that's what -- the analysis that we
23 haven't been able to complete yet.

24 REPRESENTATIVE FORTNER: And is that just

1 because there hasn't been sufficient time since the
2 proposal has been released?

3 MS. PERALES: That is correct. The House
4 proposal came out on Friday after the close of
5 business in terms of when the availability of the
6 block equivalency file happened, and we simply weren't
7 able between Friday night and today to complete our
8 analysis.

9 REPRESENTATIVE FORTNER: So given more
10 time, within a reasonable period of time you'd be able
11 to complete that analysis and be able to provide some
12 input on the effectiveness?

13 MS. PERALES: Yes, given the time and the
14 availability of the data.

15 REPRESENTATIVE FORTNER: And the -- did
16 you look at any of the racial polarization in these
17 areas either for your plan or for the House proposal?

18 MS. PERALES: We have not yet conducted
19 our racial polarization analysis.

20 REPRESENTATIVE FORTNER: And again, that's
21 something that would just take more time than what
22 you've had so far?

23 MS. PERALES: Yes.

24 REPRESENTATIVE FORTNER: In your opinion

1 is that an important consideration to look at before
2 you would draw a map?

3 MS. PERALES: Yes, unless one has evidence
4 already from prior analysis and also from personal
5 experience. I think racially polarized voting is
6 information that you gain from a variety of sources,
7 both statistical analysis, past analysis, and the
8 experience of people on the ground.

9 REPRESENTATIVE FORTNER: So, but if the
10 prior analysis, which was from a decade ago, had
11 indicated racial polarization, then it's certainly
12 something one would want to be mindful of drawing the
13 map since we haven't had another go-around to look at
14 that?

15 MS. PERALES: Yes, prior evidence of
16 racially polarized voting is a very strong indicator
17 when drawing a new map.

18 REPRESENTATIVE FORTNER: Okay. Thank you
19 very much.

20 MS. PERALES: Thank you.

21 REPRESENTATIVE LANG: Further questions?
22 Seeing none, we thank you very much for
23 your testimony today.

24 As we proceed through the witnesses, let

1 me announce again that if you wish to testify, please
2 fill out a witness slip for our staff, and we'll make
3 sure that everyone who wishes to testify has an
4 opportunity.

5 The next two witnesses will come up
6 together, Miguel del Valle and Sylvia Puente. Sylvia
7 Puente with the Latino Policy Forum. And I think
8 she's looking for Mr. del Valle.

9 MS. PUENTE: That's right. He asked me to
10 call him.

11 REPRESENTATIVE LANG: So we'll wait for
12 him.

13 MS. PUENTE: I can begin my testimony.

14 REPRESENTATIVE LANG: All right. Why
15 don't we proceed with you, and when Mr. del Valle
16 comes into the room, he'll be next. But I do note
17 that the Latino Policy Forum testified at our hearing
18 on Sunday, so if you'd limit yourself to new material
19 that we did not hear on Sunday, limit yourself if at
20 all possible.

21 MS. PUENTE: I'll be happy to do that and
22 thank you for the opportunity to testify. My name is
23 Sylvia Puente. I'm the executive director of the
24 Latino Policy Forum and co-convener of the Illinois

1 Latino Agenda.

2 REPRESENTATIVE CURRIE: Spell your name.

3 MS. PUENTE: Sylvia, S-y-l-v-i-a, Puente,
4 P-u-e-n-t-e.

5 And I'll note that among many members of
6 the Illinois Latino Agenda along with our testimony we
7 have submitted witness slips with the permission of
8 ten other organizations who are members of the
9 Illinois Latino Agenda in opposition to the current
10 map.

11 So I'm pleased to say that the Illinois
12 Latino Agenda's recommendations are fully reflected in
13 the unity map proposed by the United Congress of
14 Community and Religious Organizations. Together we
15 have advocated for increasing Latino and Asian
16 representation while maintaining in no unqualified
17 terms that African-Americans should maintain the same
18 level of representation that they currently have.

19 While some contend that additional Latino
20 districts must come at the expense of African-American
21 districts, our unity map dispels this theory. So
22 while you know that we are currently advocating for an
23 increased number of Latino districts, we understand
24 and fully support and have shown that an equal number

1 of African-American districts can be maintained.

2 We are pleased that the current map as
3 introduced does include Little Village and Chinatown
4 into their own respective districts as it is a step in
5 the right direction, and we are heartened by the
6 creation of simple majority districts in suburban
7 areas like Franklin Park, Waukegan, Elgin, and
8 Carpentersville.

9 What I'd like to say in terms -- because
10 we have presented many times before this body before,
11 the starkest contrast between the Illinois Latino
12 Agenda recommendations and the Latino legislature's
13 proposals is the strength of Latino districts
14 themselves. We have clearly demonstrated that 13
15 House and Senate districts with a combined total of
16 Latino population of 65 percent or greater can be
17 created, while the legislature has proposed just six.

18 And I would add and as has been previously
19 stated that we have worked in concert and in
20 partnership with both the United Congress and MALDEF
21 on this map, and we will clearly defer, as we are not
22 attorneys, to MALDEF's final recommendation on the
23 creation of Latino districts. But we believe in this
24 map that Latino residents are being shortchanged in

1 this redistricting process, and we believe and we hope
2 that the legislature can do better.

3 REPRESENTATIVE LANG: Thank you.

4 Mr. del Valle, a former state senator,
5 former clerk of the city of Chicago, welcome, sir.

6 MR. del VALLE: Thank you.

7 REPRESENTATIVE LANG: And please spell
8 your last name for the court reporter.

9 MR. del VALLE: Thank you, Mr. Chairman.
10 d-e-l-V-a-l-l-e. And I appreciate the opportunity and
11 I want to thank this Committee and all the staff, all
12 the community organizations and others who have worked
13 very, very hard to come up with a fair map.

14 I have been involved now in four rounds of
15 redistricting. The first round was as a plaintiff, a
16 lead plaintiff for MALDEF. At that time there were no
17 Latino state senators and no Latino state
18 representatives in the General Assembly. And so
19 certainly we've come a long ways, but it has been as a
20 result primarily of the Voting Rights Act. And for
21 that we are grateful.

22 I am here in support of the Illinois
23 Latino Agenda and MALDEF's efforts to create
24 65-percent-plus districts. A lot of discussion about

1 whether 65 percent population is necessary and giving
2 us probably a voting-age population of in the upper
3 fifties. I say to you that I think it is necessary.

4 I know earlier, Mr. Chairman, you asked
5 about the rule of thumb. Well, that's a rule of thumb
6 that we've been using since 1981. That has worked
7 well. And while there are special circumstances that
8 show that 65 percent is not always an ensured
9 opportunity for electing a Latino, the fact of the
10 matter is that there is a pattern, it is consistent.

11 And right now the map that has been
12 proposed is a map that worries me quite a bit because
13 I think in State Rep Districts 3 and 4 and 39 and 40
14 the percentages are just too low. And given that in
15 the Hispanic community you have a large number of
16 individuals who are not eligible to register to vote,
17 they are of voting-age but because they are permanent
18 residents or they are undocumented, they are not
19 eligible to vote. And so while they were counted in
20 the census and they are part of that voting-age
21 population count, the fact of the matter is that they
22 can't participate.

23 And so when I look at these 51 and 52
24 percent numbers of voting-age population in these

1 districts and I take that into account, we could be
2 under 50 percent in a number of those districts.

3 And I implore you and I ask you to take
4 the next few days to amend this proposal and improve
5 the percentages in these districts, including the 5th
6 Senate District that's being created. And of course,
7 there are other districts also that need to be looked
8 at.

9 The agenda has proposed nine districts at
10 65-percent-plus in the House. This map has four. The
11 agenda has proposed four districts in the Senate at
12 65-percent-plus. This map has two. So that's a total
13 of 13, as Sylvia Puente indicated, versus six. Big
14 gap there. And I think it can be addressed and
15 hopefully it shall be addressed because it is
16 important to the Latino community.

17 Thank you.

18 REPRESENTATIVE LANG: Thank you to both of
19 you for being here today.

20 Are there questions from Committee
21 members?

22 Mr. Fortner.

23 REPRESENTATIVE FORTNER: Thank you,
24 Mr. Chair.

1 Thank you both for your testimony.

2 Ms. Puente, the -- I know you've testified
3 previously and the earlier testimony had suggested a
4 certain amount of time would be needed to really
5 understand the proposal that is currently before our
6 Committee.

7 Is it still your feeling that you would
8 have appreciated more time to be able to really look
9 to see how this proposal would perform for the Latino
10 community?

11 MS. PUENTE: Certainly more time -- and
12 just two or three days to complete this analysis is
13 difficult, but I think from what we've been able to
14 ascertain we came to understand that there are only
15 six districts that meet the 65-percent-plus threshold.

16 REPRESENTATIVE FORTNER: So that part we
17 can certainly get right away?

18 MS. PUENTE: Right. And we also
19 understand -- well, yes, this is true. Right.

20 REPRESENTATIVE FORTNER: Thank you.

21 REPRESENTATIVE LANG: Further questions by
22 Committee members?

23 Thank you both very much for being here
24 today.

1 For the record, Senator Jones has joined
2 us.

3 The next witness is Jose Artemio Arreola
4 from the Illinois Coalition for Immigrant and Refugee
5 Rights. And he does not appear to be here, but I do
6 recall that he testified on Sunday before the House
7 committee.

8 The next witness is Mary Schaafsma from
9 the League of Women Voters. It says record of
10 appearance only.

11 We'll move on. Next two gentlemen that
12 wish to come up together, Dennis Fisher, a citizen
13 from Shelby County, and Don Fesperman from Shelby
14 County.

15 Go in any order you wish, gentlemen. When
16 you speak, please tell the court reporter your name
17 and spell your last name.

18 MR. FISHER: My name's Dennis Fisher,
19 D-e-n-n-i-s F-i-s-h-e-r. And I am a citizen of Shelby
20 County.

21 Good morning, everyone. We'd like to
22 thank you for allowing us to speak to both committees
23 today. We are from Shelby County. It's a county of
24 22,000 people who currently we have four state

1 representatives and three state senators.

2 On April 6th I spoke before the Senate
3 Redistricting Committee asking for less
4 representation. It's very confusing for our county to
5 know who and where to go vote and who they're voting
6 for.

7 With the new maps right now we would be in
8 the 51st Senate District and 102nd House District, and
9 we would go to one Senator and one State Rep. To that
10 I say thank you and a job well done.

11 MR. FESPERMAN: Thank you. Don Fesperman,
12 D-o-n F-e-s-p-e-r-m-a-n.

13 Thank you for letting us speak and also I
14 agree that you got it right with the map. All we do
15 is respectfully ask that if there are any amendments
16 that you leave our county like it is.

17 Thank you.

18 REPRESENTATIVE LANG: Very succinct
19 testimony, gentlemen. We appreciate it.

20 Are there questions of these fine
21 witnesses?

22 No questions. Thank you very much for
23 your attendance today.

24 The next witness is Ami Gandhi from Asian

1 American Institute. And when you get to the
2 microphone announce your name and spell your last.

3 And to all witnesses if you have a written
4 statement, please make sure the Committee gets that
5 for the record.

6 Please proceed.

7 MS. GANDHI: Thank you. My name is Ami
8 Gandhi. First name is spelled A-m-i. Last name is
9 spelled G-a-n-d-h-i. I'm the legal director of Asian
10 American Institute. Thank you for the opportunity to
11 speak today.

12 The Asian-American community has actively
13 participated in redistricting hearings and meeting
14 with legislators for years so that history does not
15 repeat itself and so that our community does not
16 suffer from devastating harm due to the redistricting
17 process. You have heard AAI and many representatives
18 of the Chinese, Indian, Pakistani, Korean, Nepali, and
19 many other groups over the last several weeks explain
20 their cohesive communities and the need for our voting
21 rights to be respected.

22 Through our mapping and demographic
23 analysis we have shown that it is possible to draw
24 strong Asian-American influence districts with little

1 or no fragmentation of Asian-American neighborhoods
2 while still respecting the voting rights of other
3 minority communities. AAI has partnered with many
4 community-based organizations and leaders to define
5 our neighborhood boundaries on the north side of
6 Chicago and nearby suburbs. AAI has demonstrated
7 these areas are unique and cohesive according to many
8 factors aside from race.

9 We have provided district map proposals,
10 as well, through our coalition work with United
11 Congress of Community and Religious Organizations to
12 show that it is possible to draw strong Asian-American
13 influence districts in northern Cook County and also
14 again cause little or no fragmentation of
15 Asian-American neighborhoods as defined by the people
16 who live and serve community members there.

17 We are encouraged that the recent map
18 proposals keep Chinatown largely intact and draw
19 Senate District 8 and House Districts 15 and 16 to
20 have over 20 percent Asian-Americans respectively.

21 We are, however, dismayed to see that the
22 maps proposed by the Senate and House cause the
23 Asian-American community on the north side of Chicago
24 and nearby suburbs to become further fragmented.

1 As just one example of a fragmented
2 neighborhood, the proposed lines divide the greater
3 West Ridge area of Chicago just as much if not more
4 than the current lines do, even though this area
5 contains a similar percentage and density of
6 Asian-Americans as the Chinatown example that you're
7 all familiar with. And the greater West Ridge area
8 also has similar socioeconomic concerns as Chinatown
9 and the same kind of need for responsiveness from
10 legislators.

11 This fragmentation of our community will
12 dilute the Asian-American vote and harm our ability to
13 elect the candidates of our choice. We urge the
14 Senate and House Redistricting Committees and the
15 entire Illinois General Assembly to take another
16 careful look at the fragmentation of our communities
17 and we've demonstrated this on the map attached to my
18 testimony today. We request you to be mindful of
19 Asian-Americans' legal rights to have votes that
20 count, particularly under the new state law.

21 We ask you to revise the map so that our
22 communities are in fewer Senate and House Districts
23 while also drawing strong Asian influence districts.
24 We stand in solidarity with other minority communities

1 whose legal rights must also be respected during this
2 redistricting cycle.

3 Thank you.

4 REPRESENTATIVE LANG: Thank you very much
5 for your testimony.

6 Are there questions from Committee
7 members?

8 Seeing none, we thank you. And if you
9 have a written statement, please provide it to us.

10 MS. GANDHI: Thank you.

11 REPRESENTATIVE LANG: Thank you very much.

12 The next witness is Juan Rangel, Latino
13 Coalition for Fair Redistricting.

14 MR. RANGEL: Thank you very much, members
15 of the Committee. My name is Juan Rangel. I'm the
16 CEO of --

17 REPRESENTATIVE LANG: Please spell your
18 last name for the record.

19 MR. RANGEL: Rangel, R-a-n-g-e-l. I'm the
20 CEO of UNO, United Neighborhood Organization, and I'm
21 here to represent the Latino Coalition for Fair
22 Redistricting.

23 As I have given testimony in the past,
24 last weekend and certainly during the hearings, I'd

1 just like to reiterate our support for the proposed
2 map and we stand by our consistent position that we
3 need to protect the Latino communities' gains over the
4 past few decades and also expand our representation
5 based on our population growth.

6 The proposed map does just that. It
7 increases the number of Latino districts to reflect a
8 substantial increase in the Illinois Latino population
9 without losing the current number of Latino districts.

10 Furthermore, it is very important to our
11 coalition that we support the proposed map because it
12 also adequately protects other minority groups'
13 interests. While we are concerned with advancing the
14 needs of the Latino community, we recognize and accept
15 that the Illinois legislature must strike a balance
16 with other minority groups' interests, particularly
17 the African-American community.

18 We believe that the proposed map fairly
19 balances those changes in population and the stakes
20 other communities have in the Illinois legislature.

21 As you've seen today, there's differences
22 of opinions, and part of the process, part of this
23 approval process along the way has been able to mesh
24 and negotiate with different groups. And as we speak,

1 we are currently in conversation with MALDEF to see if
2 we can come to some agreement.

3 Thank you.

4 REPRESENTATIVE LANG: Thank you for your
5 testimony.

6 Mr. Durkin.

7 REPRESENTATIVE DURKIN: You know, you made
8 mention of some coalitions that are -- that take the
9 same position as you. Could you elaborate? What are
10 those specific groups that are part of this coalition?
11 Because there are varying differences of opinions
12 throughout the state of Illinois, so I'd like for you
13 to identify the specific coalitions you're speaking
14 of.

15 MR. RANGEL: Sure. The coalitions that
16 I'm talking about is that there's different coalitions
17 across the board. You have the Latino Policy Group,
18 the Latino Agenda, MALDEF, and then our coalition, the
19 Coalition for Fair Redistricting. The organizations
20 under our coalitions include organizations such as
21 HACIA, Hispanic American Construction Industry
22 Association, CUPULA, Colombianos Unidos Para Una Labor
23 Activa, United Southwest Chamber of Commerce, Latino
24 Coalition of Waukegan, so there's a number of

1 different organizations.

2 REPRESENTATIVE DURKIN: MALDEF has taken a
3 different position than you, I understand.

4 MR. RANGEL: Right.

5 REPRESENTATIVE DURKIN: Now, you stated
6 that you are in discussions with MALDEF; correct?

7 MR. RANGEL: As we speak.

8 REPRESENTATIVE DURKIN: If you do not
9 reach a resolution, meaning that both you and MALDEF,
10 you do not both agree on the end product, are you
11 going to support the bill or are you going to take a
12 contrary position? If you're having these
13 negotiations for its resolution, how important is that
14 to you in your final decision on whether or not to
15 support the bill or not?

16 MR. RANGEL: Well, I would say that I
17 think both organizations' positions are very important
18 to each other respectively. But I think in the spirit
19 of cooperation, spirit of getting a map out that
20 reflects those interests, I think we want to see those
21 negotiations through.

22 REPRESENTATIVE DURKIN: Just can you
23 explain to me the -- where the distinction is on this
24 map with MALDEF and your organization?

1 MR. RANGEL: Well, I think that in terms
2 of the percentages they're looking at, as you heard
3 earlier from I believe his name is Mr. Lichtman --

4 REPRESENTATIVE DURKIN: Could you speak up
5 a little bit or pull the microphone closer.

6 MR. RANGEL: I'm sorry. I think as you
7 heard earlier from the testimony from Mr. Lichtman, if
8 I understood him correctly, in terms of being able to
9 create maps that are effective and what we've seen in
10 the past within districts that currently are
11 represented by Latinos, the 4th Legislative District
12 that's currently represented by Cynthia Soto, that was
13 back in 2001 57 percent, a little over 57 percent
14 Hispanic voting-age, but currently is only at 44
15 percent Hispanic voting-age, yet Representative Soto
16 was able to get elected to that position.

17 The same thing in Legislative District
18 83, Representative Chapa LaVia, that district in 2001
19 had a 40 percent Hispanic voting-age population, yet
20 nevertheless she was elected and continues to hold
21 that seat. That population in that area is now 52
22 percent.

23 So I think the differences might be in
24 terms of what constitutes a district that fairly

1 represents our communities.

2 REPRESENTATIVE DURKIN: Thank you.

3 REPRESENTATIVE LANG: Mr. Fortner.

4 REPRESENTATIVE FORTNER: Thank you,
5 Mr. Chair.

6 You'll probably be happy to know that
7 Representative Durkin anticipated a number of my
8 questions, so I think I just have one, which is, since
9 you are currently in discussions, as you've
10 characterized, with MALDEF, would this suggest that
11 it's perhaps prudent in your opinion to wait on taking
12 any kind of action till we have a chance to see
13 whether or not you reach some agreement with them on
14 what the map for your community would be?

15 MR. RANGEL: Well, I think for us it's
16 just a question of being able to see the maps that
17 they're putting out there today and looking at their
18 numbers to what they believe makes --

19 REPRESENTATIVE FORTNER: Well, wouldn't it
20 be a rush then for us to take action if you think that
21 even by later today we might be able to see something?

22 MR. RANGEL: That's up to this body. It's
23 not for me to decide.

24 REPRESENTATIVE FORTNER: Thank you.

1 REPRESENTATIVE LANG: Thank you. Further
2 questions of this witness?

3 Thank you, Mr. Rangel. Appreciate it.

4 As a matter of housekeeping, members of
5 both committees, I have a large stack of witness slips
6 of people that are for record of appearance only.
7 With the Committee's leave, I will dispense with
8 reading these and make them part of the record.

9 Are there any objections?

10 Then we will make these part of the
11 record. Thank you.

12 The next witness is Jocelyn Woodards,
13 Illinois Campaign for Accountable Redistricting.

14 Please spell your last name for the court
15 reporter.

16 MS. WOODARDS: Good morning. My name is
17 Jocelyn Woodards. It's spelled J-o-c-e-l-y-n. The
18 last name is W-o-o-d-a-r-d-s. I am a coordinator for
19 the Illinois Campaign for Accountable Redistricting.

20 The Illinois Campaign for Accountable
21 Redistricting is a coalition of organizations which
22 includes the Asian American Institute, Chicago
23 Appleseed Fund for Justice, CHANGE! Illinois, Citizen
24 Advocacy Center, Illinois Campaign for Political

1 Reform, Illinois PIRG Education Fund Group, League of
2 Women Voters of Illinois, Latino Policy Forum, Mexican
3 American Legal Defense and Education Fund, and the
4 United Congress for Neighborhood and Religious
5 Organizations.

6 Many of our coalition partners have been
7 actively working on this issue for more than a year
8 and have provided testimony at most, if not all, of
9 the public hearings which have been held to date. We
10 thank you for the work done by both the House and
11 Senate committees to open up this process and provide
12 the public with opportunities to participate in this
13 important American process.

14 ICAR believes that fundamental flaws exist
15 in Illinois's current redistricting process which
16 inappropriately and ultimately result in legislators
17 choosing their voters as opposed to the other and more
18 democratic way around. The history of redistricting
19 in Illinois is one in which the public is not well
20 served because partisan interests dominate, maps drawn
21 favor some incumbents, competition can be limited,
22 minorities' voting rights are diluted, and poor public
23 policy outcomes result.

24 The House and Senate committees released

1 maps last week on Thursday and Friday afternoon and
2 quickly held two hearings, Saturday and Sunday, to
3 ostensibly provide the public with opportunities to
4 comment on the proposals. These committees have heard
5 from numerous community groups in the Chicagoland area
6 about their initial impressions of these proposals.

7 While ICAR applauds the effort to inform
8 and engage the public, we would like to point out that
9 other communities around the state have not had the
10 same opportunity to look at both proposals and provide
11 their analysis of how the proposed maps would impact
12 their constituents and community.

13 From Mendota to Galesburg, Illinois,
14 residents should be provided with ample time to review
15 and digest what the impact -- what impact the proposed
16 maps would have on their neighborhoods and
17 communities. Simply put, the public needs more time
18 to review and comment on the map.

19 Again, while the 2011 redistricting
20 process in Illinois has increased public participation
21 and engagement by sponsoring numerous regional public
22 hearings prior to the release of a proposal, we feel
23 that it is critically important that the public be
24 given a realistic opportunity to review and analyze

1 the actual maps before they are voted on. After all,
2 the maps you pass will affect citizens' lives for the
3 next decade.

4 Finally, while these proposals are for the
5 State House and State Senate boundaries, the public
6 still has not seen what this body is proposing with
7 regard to the congressional map. We believe that the
8 public deserves a chance to weigh in on that map also.

9 Thank you very much for the opportunity to
10 provide testimony today.

11 REPRESENTATIVE LANG: Thank you for your
12 testimony. Please provide your written statement to
13 us for the record.

14 And the Chair recognizes Senator Dillard.

15 SENATOR DILLARD: Thank you. Thank you
16 for being here today. We appreciate it.

17 So how much time additionally do you think
18 we need to take to study these maps and take input
19 from the public like yourself?

20 MS. WOODARDS: Sir, I believe initially
21 our groups had asked for a minimum of two weeks I
22 believe was our minimum request.

23 SENATOR DILLARD: And would that be two
24 weeks after -- you know, as I've already brought up

1 once today, we don't know whether -- and we've spent a
2 significant amount of time specifically with the first
3 witness really talking about these maps here. But
4 that's not going to be the final proposal I doubt we
5 see. And I'm just trying to figure out -- I don't
6 want to use the term bait and switch. But there will
7 be amendments to the map.

8 So once the final map, whatever that may
9 be, is out, how much time do you think we need to
10 study this and have another hearing or two or three?

11 MS. WOODARDS: Well, again, I believe our
12 coalition had asked that we be provided at least two
13 weeks notice and that would be upon receipt of the
14 data as well as the map itself so that it could be
15 properly analyzed. And I believe several of our
16 coalition partners have testified already this morning
17 and indicated that the lack of time has been a
18 problem.

19 SENATOR DILLARD: Are you aware that the
20 real deadline is not necessarily the legislative
21 deadline, but the Constitution which would basically
22 make June 30th, not the end of May, the actual
23 deadline that the people like myself would think would
24 be the real -- the real important one?

1 MS. WOODARDS: Yes, sir, we are aware of
2 the constitutional deadlines as relates to this
3 process.

4 SENATOR DILLARD: Thank you very much.
5 Thank you, Mr. Chairman.

6 REPRESENTATIVE LANG: Anything further for
7 this witness?

8 Thank you very much for your attendance
9 today.

10 The next witness is Doris Turner, alderman
11 from the city of Springfield.

12 Alderman Turner, welcome. Please spell
13 your last name for the court reporter.

14 MS. TURNER: Good morning. My name is
15 Doris Turner, D-o-r-i-s T-u-r-n-e-r, and I reside at
16 2100 East Lawrence in the city of Springfield. And
17 I'm currently the first vice chair of the Sangamon
18 County Democratic Party, chair of the Sangamon County
19 Democratic Minority Caucus, and Ward 3 Alderman
20 representing the east and northeast regions of the
21 city. And I would like to thank you for holding a
22 hearing in Springfield and allowing central Illinois
23 to have input into the redistricting process.

24 I am speaking today specifically in

1 support of the proposed 96th House district that
2 includes the eastern parts of Springfield, communities
3 along Interstate 72, and western Decatur. While this
4 proposed House district is not self-contained within
5 one municipal boundary, most of those who reside
6 within these boundaries share a lot of attributes,
7 concerns, challenges, and cultural mores.

8 Currently both of these communities are
9 urban areas that continue to be represented by
10 individuals with a very rural perspective. This
11 dilemma speaks to our most fundamental right,
12 appropriate representation by our government.
13 Remember, our elected officials speak on our behalf
14 and propose legislation that affects our everyday
15 lives in a very real way. When concerns are not
16 understood and appropriately addressed, it leads to
17 the disenfranchisement of an entire community. And I
18 believe that's the situation currently being
19 experienced by the individuals residing in Springfield
20 and Decatur.

21 I think that it should also be brought to
22 your attention that currently these two cities are
23 joined by media markets and co-sponsor events and a
24 lot of other things that join them together in a very

1 real way throughout the entire year.

2 There are those who say that Springfield
3 should be represented by one individual or included
4 within one district. However, contrary to what some
5 would have you believe, this proposed House district
6 is consistent with the fact that the city of
7 Springfield is currently represented by multiple House
8 members. And while that will remain the same, this
9 new district does represent change, and that change is
10 that the voiceless will have a voice in state
11 government.

12 There was a lot of hand wringing when the
13 current 17th U.S. House District was drawn. However,
14 even though Springfield is and has always been
15 represented by someone living approximately 200 miles
16 away, that representation has been appropriate because
17 of the shared cultural concerns and issues faced by
18 that constituency.

19 After the April 5th election, as with most
20 elections, there was a lot of concern with regard to
21 the low voter turnout and voter apathy. I will tell
22 you that when voters believe they have a real choice
23 and have an opportunity to elect representatives who
24 will truly represent their interests, voters will come

1 out and participate in the process.

2 And for those who say this is a
3 manufactured issue being promoted by special interests
4 in Chicago, the fact that I and others are before you
5 today dispels that myth. We, the people residing
6 within this community, want our voices to be heard and
7 stand wholeheartedly in support of the 96th House
8 District. This House district will bring a new focus
9 and attention to the many issues that continue to
10 plague this community, among them an increase in
11 violence and declining educational outcomes, and
12 increase voter participation in the election process.

13 Again, thank you for your consideration of
14 the urban communities of central Illinois and our
15 right to representation and thank you again for
16 providing this forum.

17 REPRESENTATIVE LANG: Thank you very much
18 for your testimony.

19 Are there questions of the witness?

20 Senator Righter.

21 SENATOR RIGHTER: Thank you.

22 Ma'am, you're talking about a district
23 that's a little closer to my neck of the woods now.
24 You didn't use the phrase community of interest, but I

1 think some of the phraseology that you did use can be
2 summed up in those words.

3 MS. TURNER: Uh-huh.

4 SENATOR RIGHTER: In that 96th House
5 District can you elaborate on the community of
6 interest that you're referring to that are going to be
7 kept together by a district that stretches between
8 Springfield and Decatur?

9 MS. TURNER: I think that there are many
10 different pockets of individuals that will represent
11 that community of interest. I was really trying to
12 stay away from talking too specifically about racial
13 interests because I don't want this conversation to
14 gravitate toward that, but I think that you really do
15 have to look at the fact that there would be a number
16 of African-Americans that would be represented within
17 that -- within that district.

18 I think that there would also be a lot of
19 individuals that are more -- especially within the
20 area in the eastern and northern -- northeast part of
21 Springfield and then that western part of Decatur, I
22 think that you will find a coming together of people
23 that really share a lot of the same values as it
24 relates to that community of interest. And I don't --

1 and I really don't think that those issues are being
2 represented now.

3 I will tell you that ten years ago when we
4 went through this same process that was a concern
5 then, and many people thought that it was being
6 addressed, but it just -- it didn't work out that way.
7 So I think that this is a real opportunity to get that
8 right.

9 SENATOR RIGHTER: Can you give me a little
10 more specificity of the interests that you're talking
11 about that I think you feel are not being paid as much
12 attention to now that somehow that will change with a
13 district that connects one part of one community and
14 one part of another community along an interstate?

15 MS. TURNER: Well, I think if you think
16 more specifically about it, I think that there are
17 issues that both of these communities face with regard
18 to inner city violence. I think that there are issues
19 that both of these communities face with regard to, as
20 I spoke before, declining educational outcomes. I
21 think that there are issues that these communities
22 face with regard to jobs and the types of jobs that
23 need to be brought into both of these communities.

24 So, you know, I think that -- and these

1 -- and I believe that these are all quality of life
2 issues that speak directly to and have a direct impact
3 on the quality of life of those individuals residing
4 within those communities.

5 SENATOR RIGHTER: Do you think that could
6 be accomplished by simply keeping the communities
7 together? I mean Springfield in a district and
8 Decatur in a district rather than slicing parts of
9 both and then bridging them with an interstate?

10 MS. TURNER: No, I really don't think so.
11 And I don't know if necessarily saying slicing them
12 and bridging them together with an interstate is not
13 as drastic as -- as that sounds. Again, these are two
14 communities -- these are two communities that share a
15 lot.

16 As I watch my evening news, oftentimes I
17 will get more news about Decatur than I get about
18 Springfield. When I look at -- when I look at trying
19 to promote anything, we are always driven to those
20 markets that affect Decatur as much as Springfield.
21 So -- so I think that it -- I think that these are two
22 communities that already share a great deal.

23 SENATOR RIGHTER: More so you think --
24 you're suggesting that the east side of Springfield

1 and the west side of Decatur have more in common with
2 one another than all of Springfield or all of Decatur?

3 MS. TURNER: And I will tell you that as
4 -- as dramatic as that may sound, I think in a lot of
5 ways that they do.

6 I currently -- just to give you some type
7 of context, I currently represent a ward in the city
8 of Springfield that has three separate and distinct
9 areas combined within -- within that ward. And issues
10 that -- there are some issues that all of my
11 constituents face that are very similar.

12 However, there are some issues that
13 constituencies in different parts of that ward face
14 that are very different and distinct. And oftentimes,
15 just looking at the way that that ward is drawn, the
16 individuals who live in the north -- far north part of
17 that district and in the central part of that district
18 have very similar concerns that are very different
19 from those individuals that reside in the southern
20 part of that district.

21 And I see that as being consistent with
22 the issues that the Springfield and Decatur parts of
23 this district would face.

24 SENATOR RIGHTER: More or less different

1 than the interests of the rural population that lies
2 between Springfield and Decatur along which the
3 district runs?

4 MS. TURNER: I think that some of them
5 would be similar. Prior to -- and another point of
6 context, prior to being elected to the Springfield
7 City Council, I served on the Sangamon County Board,
8 and my district was very distinct because part of it
9 was in the city and part of it was in the county. And
10 again, I represented both of those areas, but their
11 issues were very -- were very different.

12 And so I see the same situation, you
13 know, that we have here. And while I was -- and while
14 they were very different, I was able to successfully
15 represent them because I had a point of -- I had a
16 point of context and I was able to see those
17 similarities. Unfortunately, that has not been the
18 case and has not been held out with the way that we
19 are currently being represented.

20 SENATOR RIGHTER: What House district are
21 you in now?

22 MS. TURNER: I'm currently in the 99th.

23 SENATOR RIGHTER: When you refer to it's
24 not being done now, that's the House district to which

1 you refer?

2 MS. TURNER: Uh-huh.

3 SENATOR RIGHTER: Tell me -- and I'm not
4 familiar with that. Tell me about the boundaries of
5 that district now.

6 MS. TURNER: That is a district that's
7 represented by Representative Raymond Poe and
8 Representative Poe is -- I know him personally. He's
9 a very nice -- he's a very nice individual.

10 SENATOR RIGHTER: Good cook.

11 MS. TURNER: Yes, he is a very good cook.
12 I think that's the reason why he wins a lot of
13 elections because he's a very good cook.

14 However, not only -- and when I -- when I
15 say I, I'm not speaking solely of myself. There are
16 many others -- I am speaking on behalf of many others
17 who share my concerns.

18 However, there are issues that the inner
19 city portion of that 99th House District faces that we
20 don't feel are being represented. Not because
21 Representative Poe is a bad person. I think that
22 oftentimes people have different -- different ways of
23 looking at things and different ways of digesting
24 information.

1 SENATOR RIGHTER: Perspectives.

2 MS. TURNER: Perspectives. And it's a
3 situation where individuals who live within that --
4 within that area don't feel that their issues and
5 concerns are being adequately addressed because of
6 that perspective.

7 SENATOR RIGHTER: And I mean do you
8 attribute that to the fact that there are parts --
9 other than the inner city of Springfield, there's
10 other parts in that district? I mean that's the issue
11 that you're raising?

12 MS. TURNER: I think -- I think there are
13 several issues that could -- that could be raised. I
14 think that maybe not so much that there are other
15 parts is that there is -- there is a representative
16 who solely understands those other parts and does not
17 understand the totality of the district that he
18 represents.

19 SENATOR RIGHTER: How is that going to be
20 made better by a district that takes parts of two
21 communities and joins them with a different -- I'm
22 assuming you agree a very different rural area.

23 MS. TURNER: I think that what you see is
24 that two distinct areas that share the same concern

1 that they are not being adequately represented and
2 their voices are not being heard. So I think that
3 they come together around that common -- around that
4 common concern.

5 And with the illustration that I gave you
6 when I represented a hybrid district as a member of
7 the County Board, I don't believe that those
8 individuals that are caught in that middle section, I
9 don't think that they would be overlooked. I think
10 that you have -- I think that everyone will be able to
11 select a representative that they feel will adequately
12 represent their needs.

13 SENATOR RIGHTER: I hope you are right. I
14 just kind of doubt that the way the lines have been
15 drawn will bring that to fruition. But thank you.

16 MS. TURNER: I hope I'm right as well.

17 REPRESENTATIVE LANG: Are there further
18 questions of this witness?

19 Alderman, thank you for your attendance,
20 and if you would provide us a copy of your written
21 statement, we would appreciate it.

22 MS. TURNER: Thank you.

23 REPRESENTATIVE LANG: For the record --
24 and the members have copies of all these documents --

1 I'd like to indicate certain written statements we've
2 received.

3 David Pope, President of the Village of
4 Oak Park; Chris Boyster, Sangamon County Board Member,
5 District 28; Tina Wilkins, Regional Vice President,
6 Central Illinois Black Chamber of Commerce; Illinois
7 Coalition for Immigrant and Refugee Rights;
8 Metropolitan Area Groups for Igniting Civilization;
9 United Congress of Community and Religious
10 Organizations Redistricting Committee; Illinois Latino
11 Agenda; Alianza; Illinois Campaign for Accountable
12 Redistricting; Enlace Chicago; TARGET Area Awakening
13 The Spirit Of Leadership; Yesenia Sanchez, lead
14 community organizer with P.A.S.O - West Suburban
15 Action Project.

16 And the next witness is Loren Heal from
17 the Effingham Tea Party.

18 And let us add Senator Lightford to the
19 roll, please.

20 Please state your name, spell your last.

21 And we're happy to have you here.

22 MR. HEAL: I'm Loren Heal. That's
23 H-e-a-l, Loren, L-o-r-e-n.

24 I'd like to thank you for allowing me to

1 speak today and congratulation on doing a difficult
2 job. I'm sure that balancing everything you have to
3 balance was a hard task and that we recognize that
4 we're all patriotic Illinoisans and have the best
5 interests of our state at heart.

6 It's clear to me that the majority voting
7 race -- I'm sorry. The racially -- the single-race
8 voting districts are mandated by the Voting -- Voting
9 Rights Act. I'm sorry I'm stumbling. And I'm sure
10 that you agree with me that doing this race-based
11 gerrymandering is abhorrent, but it's at least
12 defensible given the Voting Rights Act.

13 But equally abhorrent and indefensible is
14 the use of incumbency as an excuse to maintain the
15 districts the way you want them. As a lady earlier
16 said, incumbency is -- shouldn't be an issue. And
17 it's an example of institutional corruption that I
18 hope you recognize.

19 Illinois has a major image problem in the
20 country and our budget and this are an extreme example
21 of that where you maintain your jobs by maintaining
22 your voters, and it's unfortunate.

23 That's all I have.

24 REPRESENTATIVE LANG: Thank you for your

1 comments, sir.

2 Are there questions of the witness?

3 Thank you. If you have a written
4 statement, please provide it to us. We appreciate you
5 being here today.

6 Josina Morita, United Congress of
7 Community and Religious Organizations. And as I
8 recall, you testified on Sunday. Please only provide
9 new material to us as we have your comments
10 previously.

11 And I would state that this is the last
12 witness slip I have. So if there are people who wish
13 to testify who we do not have a witness slip for, now
14 would be the time to prepare one and bring one up to
15 us.

16 Please proceed and spell your last name
17 for the court reporter.

18 MS. MORITA: Josina, J-o-s-i-n-a, Morita,
19 M-o-r-i-t-a, with the United Congress of Community and
20 Religious Organizations.

21 We want to thank the House and Senate
22 Redistricting Committees for holding hearings after
23 the released maps as promised, particularly to
24 Representative Currie and Senator Raoul. We want to

1 acknowledge the long and difficult challenging process
2 this has been for all of us. As somebody who had to
3 draw a map with 50 member organizations and hundreds
4 of stakeholders, I appreciate the challenging process.

5 We also want to echo the sentiment shared
6 by the Illinois Latino Agenda, MALDEF, the Asian
7 American Institute, and the Illinois Coalition for
8 Accountable Redistricting, as well as the written
9 testimonies which were submitted on behalf of Alianza,
10 the Lawndale Alliance, the Council of Islamic
11 Organizations, TARGET Area Development Corporation,
12 MAGIC, and Enlace.

13 We submitted a unity map about a month ago
14 that showed that 57 majority minority districts were
15 possible in the state, that it was possible to protect
16 distinct African-American majority districts while
17 increasing districts for Latino communities, as well
18 as additional Asian-American influence, and one new
19 Arab-American influence district where possible.

20 Along with our coalition partners, we've
21 analyzed the proposed maps, and while we believe that
22 many of our priorities are reflected in this map -- in
23 particular we thank you for keeping Chinatown and
24 Little Village communities together -- we do, however,

1 ask that more communities of interest be respected,
2 including Back of the Yards, Englewood, West
3 Englewood, Auburn Gresham, Woodlawn, Brighton Park,
4 and the south Chicago area, and as well as the
5 African-American community in the Bridgeview and
6 Burbank areas.

7 In general, we're concerned that the
8 proposed map decreases the number of African-American
9 districts above 55 percent as well as the number of
10 Latino districts above 65 percent from the current
11 map. We believe that it's not only possible to
12 protect these existing districts but it's also
13 possible to increase the number of districts in a
14 number of these areas which will strengthen these
15 districts.

16 In particular, we have concerns that
17 we've shared over the last few days about
18 African-American districts that were existing
19 majority-minority districts that are no longer above
20 50 percent African-American on the west side at the
21 House and Senate level, as well as Latino districts
22 drawn on the south side at a range of 30 percent to 80
23 percent that we believe can be evened out to ensure
24 all communities have an effective vote and

1 opportunities for new Asian influence districts on the
2 north side as well as the Arab-American district that
3 we propose in our unity map on the southwest side of
4 Chicago.

5 In general, we believe that more voting
6 rights districts as well as stronger voting rights
7 districts are possible. We hope to have the
8 opportunity to continue to work with the General
9 Assembly in these Redistricting Committees to improve
10 this map.

11 Thanks.

12 REPRESENTATIVE LANG: Thank you for your
13 testimony.

14 Are there questions of the witness?

15 Thank you for your testimony today. And
16 if you have a new written statement, please provide it
17 to us.

18 The Chair recognizes that Senator Haine is
19 among us. Please add him to the roll.

20 We have another record of appearance that
21 I will hand to the clerk. That completes all of the
22 testimony.

23 Senator Raoul as the Chair at the table to
24 dismiss and adjourn the Senate.

1 SENATOR RAOUL: The Senate Redistricting
2 Committee is hereby adjourned.

3 REPRESENTATIVE LANG: The House is still
4 -- the House Redistricting Committee is still in
5 session, ladies and gentlemen.

6 REPRESENTATIVE CURRIE: I do have a
7 motion. Representative Currie back to the Chair.

8 Representative Lang, I believe we have a
9 motion with respect to --

10 REPRESENTATIVE LANG: We're going to --
11 we'll be at ease until the very noisy Senate clears
12 from the room.

13 REPRESENTATIVE CURRIE: I'm ready.
14 Representative Lang, you're still in the Chair.

15 REPRESENTATIVE LANG: Representative
16 Currie.

17 REPRESENTATIVE CURRIE: I move we adopt
18 Amendment 1 to House Bill 3760 and that will be the
19 presentation of the proposed map that you heard
20 earlier from Senator Raoul. I'm happy to answer any
21 further questions you might have, but I think there
22 was a lot of grilling that went on in the earlier
23 portion of this morning's hearing.

24 REPRESENTATIVE LANG: Representative

1 Currie recommends to adopt the amendment. Those in
2 favor say yes, opposed no.

3 Let me back up. We can't do this on voice
4 vote. So Representative Currie moves --

5 REPRESENTATIVE CURRIE: You can unless
6 they object, unless there's an objection.

7 REPRESENTATIVE LANG: Currie moves for the
8 adoption of the amendment. On that question the Chair
9 recognizes Representative Fortner.

10 REPRESENTATIVE FORTNER: Thank you,
11 Mr. Chair, Member Currie. Looking at the bill before
12 us, your motion before us, I'd like to return to some
13 of the questions I reserved from on Sunday.

14 And I want to start in the preamble to the
15 legislation, one part says "For purposes of
16 legislative intent, the General Assembly adopts and
17 incorporates herein, as if fully set forth, the
18 provisions of House Resolution 385 of the
19 Ninety-Seventh General Assembly and Senate Resolution
20 249 of the Ninety-Seventh General Assembly."

21 Are those resolutions filed?

22 REPRESENTATIVE CURRIE: I don't believe
23 those resolutions have yet been filed.

24 REPRESENTATIVE FORTNER: Could you provide

1 us any sense of what is going to be in them since
2 clearly that's an important part of the bill. It's
3 referencing that for purposes of legislative intent.
4 It would be hard to judge a lot of the provisions of
5 the bill without the benefit of those
6 to-be-incorporated resolutions.

7 REPRESENTATIVE CURRIE: When I have those
8 resolutions, I will certainly share them with you.

9 REPRESENTATIVE FORTNER: Well, I guess I
10 would -- I would feel that there's no way we can
11 appropriately vote on something of this import that is
12 missing a key piece such as this, and we certainly
13 have available any time later today if these
14 resolutions are filed, we can recess and bring the
15 committee back into session.

16 REPRESENTATIVE CURRIE: You have the
17 option of voting no.

18 REPRESENTATIVE FORTNER: Then also in the
19 preamble there are some phrases that I want to make
20 sure I understand what they mean. In particular,
21 there's a number of principles that are going to be
22 balanced and I think most of them are fairly clear.

23 When you say the -- maintaining
24 incumbent-constituent relationships, could you add a

1 little more clarification about what that provision
2 means in the context of the bill? That's one of the
3 principles that are being balanced.

4 REPRESENTATIVE CURRIE: I'm sorry, which
5 provision are you talking about?

6 REPRESENTATIVE FORTNER: Maintaining
7 incumbent-constituent relationships.

8 REPRESENTATIVE CURRIE: That is one of the
9 traditional principles of redistricting. It's to be
10 balanced among all the others.

11 And just a reminder that this map brings
12 the population to zero deviation. When you're trying
13 to make sure that every district has 108,734 and in a
14 few cases 735 people, you already are constraining
15 your opportunities to balance all those other factors
16 very seriously.

17 But the principle you mention is one among
18 many and, as you know, there are many.

19 REPRESENTATIVE FORTNER: Well, so
20 basically, that should take the meaning as it appears
21 in other legal things where it has picked up a common
22 meaning? Is that the way --

23 REPRESENTATIVE CURRIE: I believe that's
24 right. But as I say, there's so many guidelines for

1 redistricting, including not just the population
2 equity, which I think is a major hurdle, major issue,
3 and we have done an incredible job in actually meeting
4 the requirements of one person, one vote.

5 Once you've done that, then you are really
6 constrained about what else you can do. But we have.
7 We've done compactness, contiguity. We're certainly
8 interested in communities of interest. We're
9 certainly responsive to political boundaries. For
10 example, you heard the people from Shelby County. You
11 know, it was a major, Herculean task we undertook and
12 we did it.

13 REPRESENTATIVE FORTNER: The -- on the
14 matter of the -- I still want to make sure I
15 understand. Most of the balancing principles in here
16 are pretty clear. The -- one of the things that
17 you've mentioned there is regarding other incumbent
18 requests is one of the principles that's in there. So
19 I presume from that that some of the incumbents made
20 requests prior to the proposed district.

21 REPRESENTATIVE CURRIE: Incumbents make
22 lots of requests. A lot of us make requests of one
23 another when it comes to bills on second and third
24 reading. Nothing unusual, nothing different about

1 that I would say.

2 REPRESENTATIVE FORTNER: Are there
3 specific incumbents that made requests that can be
4 identified that went into this bill?

5 REPRESENTATIVE CURRIE: I can't. There
6 may be others who can, but I certainly can't.

7 REPRESENTATIVE FORTNER: Could you provide
8 a witness perhaps that would be able to answer that
9 question?

10 REPRESENTATIVE CURRIE: I don't think
11 we've got any in the room. If one wants to come
12 forward, but I don't see any takers.

13 REPRESENTATIVE FORTNER: You spoke about
14 compactness. Is there -- were there particular -- we
15 know there's many measures of compactness available.
16 Were there particular measures of compactness that
17 were relied upon in the construction of this proposed
18 map?

19 REPRESENTATIVE CURRIE: Yeah. Actually,
20 we did not have Mr. -- Professor Charles Webster
21 appear today, but my understanding is that we have
22 heard from him. He was one of our expert witnesses
23 ten years ago and his issue was compactness. And
24 apparently it's his at least preliminary opinion that

1 the compactness calculations for this plan are highly
2 similar to the redistricting plan that is already in
3 place and that as you know has been upheld by both the
4 Illinois Supreme Court and federal courts.

5 REPRESENTATIVE FORTNER: Did he indicate
6 which compactness measures when he made the conclusion
7 that they are --

8 REPRESENTATIVE CURRIE: I don't have that
9 information. We may be able to get it, but I don't
10 have the information on what basis he makes his
11 determination, but he is an expert witness in this
12 area.

13 REPRESENTATIVE FORTNER: Because I guess I
14 would suspect that different calculations would give
15 different measures. So it's very important I think
16 for the body to know what measures were relied upon in
17 making that claim that it is substantially the same as
18 the current map.

19 REPRESENTATIVE CURRIE: Yeah, my
20 understanding is that he did use the same methodology
21 that he used so successfully ten years ago, but I
22 don't know that for certain, and maybe there are new
23 -- new indices that have been developed in the
24 meantime, and I will try to get that information in

1 more detail.

2 REPRESENTATIVE FORTNER: I would certainly
3 appreciate that. I think that would be important for
4 the body to explain the action on the plan.

5 In balancing these different principles, I
6 think we've got a lot of great testimony about the
7 impact of the areas where minority rights -- there has
8 been a lot of testimony to that effect. Are you going
9 to be able or do you have someone available who can
10 answer specific questions about how the principles
11 were applied to some of the other districts where
12 perhaps minority rights were not a factor and how
13 those are balanced?

14 REPRESENTATIVE CURRIE: I don't have that
15 specific information available today.

16 REPRESENTATIVE FORTNER: Is that something
17 that's going to be forthcoming before final action is
18 taken on this bill?

19 REPRESENTATIVE CURRIE: I can't answer
20 that question.

21 I mean, again, let me just go back to the
22 basic statement. It's all balance. It's all trying
23 to take into account a variety of factors. And when
24 you start with the requirement that the district be

1 equal in population, you start out with a major
2 constraint. And I think we've done a very good job of
3 trying to meet the basic principles of redistricting
4 when offering this proposal given that everything is a
5 balance and given that you start from in this case the
6 decision that we so respect population equity that
7 there is in fact one person, one vote in this map.

8 REPRESENTATIVE FORTNER: Well, I think we
9 certainly can see that population has been balanced.
10 That data is present for us. We've had testimony on
11 the minorities and what factors went into that.

12 And what seems to be lacking at this point
13 based on what we have received so far then is how --
14 you've made a statement that you think you have
15 balanced all these other factors very well. But we
16 don't have anything to show that to us that those
17 factors have been balanced.

18 And I would just ask the sponsor that in
19 order to -- again, this is an action that will have
20 impact for the next decade on the state of Illinois,
21 that without that, I don't see how we can make a
22 well-considered determination. These are certainly
23 important principles, they're identified in the bill,
24 we have your statement as to them taking place, but we

1 are lacking the expertise that have backup to the
2 other statements that you have provided.

3 REPRESENTATIVE CURRIE: I would say the
4 overall map is in my view balanced, fair, competitive,
5 and I think in each district there was an effort to
6 take into account the balance among the various
7 factors that are intended to guide the remapping
8 committee.

9 REPRESENTATIVE FORTNER: When you say
10 they're fair -- the map is fair, for instance, we know
11 that in any remap there are inevitable pairings where
12 more than one incumbent is placed in the district.
13 However, in the proposed map I would say it does
14 appear that those pairings where more than one
15 incumbent appears in the same district are
16 proportionate.

17 There are 19 Republicans who would be in
18 a district where there is more than one incumbent but
19 only six Democrats would be in that situation. That
20 would be three to one disparity. That's certainly not
21 reflective of proportion within the body.

22 How would one have that comport with the
23 notion of fairness?

24 REPRESENTATIVE CURRIE: I don't see

1 anything inherently unfair. We've had the point made
2 that these districts are not -- don't belong to us
3 individually and how that pairing happens, it is not
4 as if somebody owns the district. Maybe Republicans
5 tend to live in closer proximity to one another than
6 do my colleagues on the Democratic side of the aisle.
7 So again, we are constrained by population equity. If
8 there are people who are living two blocks from one
9 another, it becomes difficult to draw two separate
10 districts.

11 REPRESENTATIVE FORTNER: We also have
12 heard testimony today from MALDEF that they've had
13 discussions or are even proposing afresh some
14 alternatives. Again I would suggest that it might be
15 prudent to take the time to see what they have to
16 offer. They've certainly had a lot of value to say in
17 previous redistricting exercises here in Illinois. I
18 think both sides have benefited from their knowledge
19 and expertise in the past.

20 And if -- now that they've had a chance
21 to look at it, and they've said they'll do it as soon
22 as this afternoon in their testimony, basically I
23 suggest perhaps it might be prudent to take the time
24 to see what they do before we move forward on this

1 particular bill.

2 REPRESENTATIVE CURRIE: I'll certainly be
3 looking forward to what they have to offer. And at
4 this point I would just renew my motion that we adopt
5 Amendment 1 to House Bill 3760. If we do that and if
6 we move the bill forward, we're still on second
7 reading. And as you know, second reading is
8 traditionally the time when members are able to offer
9 amendments to a bill, any bill, including this one.

10 REPRESENTATIVE FORTNER: So is it the
11 sponsor's intent then to hold it on second for at
12 least some time period, not to act to move that to
13 third and take a vote today?

14 REPRESENTATIVE CURRIE: Certainly we can't
15 take a vote today if this bill will only be on second
16 reading and there is, of course, the three readings
17 requirement in the Constitution. So it's not my
18 intent to move the bill this afternoon.

19 REPRESENTATIVE FORTNER: So it's not your
20 intent to move it this afternoon. Thank you. So we
21 would have a chance to look at this to see what others
22 have to say before we --

23 REPRESENTATIVE CURRIE: And offer
24 amendments. And I'm looking forward to the amendment

1 that you're -- your caucus might offer that would be a
2 total map for the state of Illinois. You did have,
3 after all -- as I understand it, there were -- you had
4 a significant budget to be able to help you draw those
5 lines, and I'm looking forward to see how you -- how
6 your colors work, how your -- exactly what lines you
7 would propose instead.

8 REPRESENTATIVE FORTNER: Thank you very
9 much. No further questions.

10 REPRESENTATIVE LANG: Before we proceed,
11 there is one witness on this, Eddie Price, local
12 citizen from Springfield.

13 Mr. Price, step to the microphone, sir.
14 Spell your last name for the court reporter.

15 MR. PRICE: Spell my last name? Price,
16 P-r-i-c-e.

17 I'm a citizen here in Springfield. I
18 moved here some years ago in '86 with the state of
19 Illinois government. I've retired. And my concern is
20 this Legislative District 96. For me, I actually live
21 in the Rochester area. It's a pretty heavy taxing
22 area, a lot of police, and a lot of other people, and
23 I don't have the same issues that many people on the
24 east side of Springfield have. But as a black man, I

1 cannot dismiss myself from the downs in the black
2 community anywhere I'm at.

3 And when I look at this map connecting the
4 east side of Springfield with a very low voting
5 population -- I've worked probably 12, 14 elections on
6 the east side -- with Decatur, Kincaid, Blue Mound,
7 and those areas I know pretty well, I don't see any
8 representation that would be forthcoming to people on
9 the east side.

10 We have some really significant issues.
11 The Department of Corrections drops a lot of prisoners
12 off right on the east side at the Salvation Army and
13 at Helping Hands. There are resource needs there.
14 Where I live new roads are put in and other things,
15 but on the east side there's still places that don't
16 have sidewalks, don't have curbs. There's dogs
17 running loose. There are a number of drugs, people
18 coming in the area, the crime piece. There's already
19 been three murders these first couple months.

20 And these communities are so different, I
21 cannot see how connecting the east side of Springfield
22 to Decatur, Blue Mound, Kincaid, and particularly
23 Rochester.

24 Now understand, me personally, I live in

1 the Rochester area and it's very nice. I don't have
2 many of those worries. But those areas will be
3 represented because the population votes in very
4 strong numbers and they spend their money. But the
5 east side of Springfield the numbers are low, very
6 low. And there's very little money. And that's why
7 I'm opposed to having the 96th include the east side
8 of Springfield.

9 I'm a deacon at the Union Baptist Church.
10 We built a six million dollar building in the last six
11 years, and we serve a lot of people in the east side
12 of Springfield, and I just cannot fathom with what I
13 see there how that area would be represented by
14 cutting it away from the city in this representative
15 district.

16 That's all I really have to say about
17 that. I don't have a map. I don't have a place for
18 it to go. But I just fail to see how anyone could see
19 representation for large numbers of black and poor
20 that live on the east side of Springfield. Makes no
21 sense to me.

22 REPRESENTATIVE LANG: Thank you very much,
23 sir.

24 Are there questions of the witness?

1 Thank you for your attendance today.

2 Representative Currie has moved that the
3 House -- that this Committee recommend the adoption of
4 House Floor Amendment Number 1. The clerk will call
5 the roll.

6 CLERK: Currie.

7 REPRESENTATIVE CURRIE: Aye.

8 CLERK: Fortner.

9 REPRESENTATIVE FORTNER: No.

10 CLERK: Acevedo.

11 REPRESENTATIVE ACEVEDO: Aye.

12 CLERK: Colvin.

13 REPRESENTATIVE COLVIN: Yes.

14 CLERK: Durkin.

15 REPRESENTATIVE DURKIN: No.

16 CLERK: Lang.

17 REPRESENTATIVE LANG: Yes.

18 CLERK: Mautino.

19 REPRESENTATIVE MAUTINO: Yes.

20 CLERK: Rose.

21 REPRESENTATIVE ROSE: No.

22 CLERK: Schmitz.

23 REPRESENTATIVE SCHMITZ: No.

24 CLERK: Tracy.

1 REPRESENTATIVE TRACY: No.

2 CLERK: Yarbrough.

3 REPRESENTATIVE YARBROUGH: Yes.

4 REPRESENTATIVE LANG: On a vote of six to
5 five the motion carries.

6 Representative Currie now moves that the
7 Committee pass Senate Bills 1177, 1178, and 1179. Do
8 we have leave to do these on one roll call,
9 Mr. Fortner?

10 MR. FORTNER: Along partisan lines, all
11 right.

12 REPRESENTATIVE LANG: So we'll accept
13 that, and on a vote of six to five each of these bills
14 will be declared passed the second reading from this
15 Committee.

16 REPRESENTATIVE CURRIE: Thank you, Acting
17 Chairman.

18 REPRESENTATIVE LANG: Representative
19 Currie to the Chair.

20 REPRESENTATIVE CURRIE: I think it's time
21 to recess the Committee to the call of the Chair and I
22 look forward to seeing you sometime soon.

23 And just for the record, yes, we did have
24 leave to do the partisan roll call with the six to

1 five as the acting chairman reported. Representative
2 Fortner, I would just ask -- you nodded your head --
3 that you confirm that's what happened. So would you
4 like to say into the microphone on the record that
5 that's what happened?

6 REPRESENTATIVE FORTNER: Would you say
7 again what you would like me to say?

8 REPRESENTATIVE CURRIE: I'd like you to
9 confirm that you gave leave for the partisan roll call
10 with the Democrats voting yes and the Republicans
11 voting no.

12 REPRESENTATIVE FORTNER: That's correct.
13 I gave leave for a partisan roll call being in the way
14 that you just described.

15 REPRESENTATIVE CURRIE: Thank you very
16 much.

17 And again, we are recessing to the call of
18 the Chair.

19 (The hearing recessed at 12:17 p.m.)

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CERTIFICATE OF REPORTER

STATE OF ILLINOIS)

) ss

COUNTY OF SANGAMON)

I, DOROTHY J. HART, a Certified
Shorthand Reporter, Registered Professional Reporter
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nor employed by any of the parties of this proceeding,
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