

Illinois African Americans for Equitable Redistricting



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Status

The Census data were released, and the Illinois Legislature is in the process of analyzing the recently enacted redistricting plan to see whether or not the boundaries will need to be redrawn to comply with the Illinois Constitution and voting rights laws. Early indications suggest that the Map that Dilutes the Black Vote does not comply with the Illinois Constitution, the Illinois Voting Rights Act or the Voting Rights Act of 1965. We are in the process of analyzing the data, and as we have been saying since we started our advocacy, it is very possible to draw Representative District 9, Representative District 10, and Senate District 5 in a manner that retains their historically Black majorities. The preliminary data also suggest Black Voter dilution in Representative District 6.

MALDEF has filed a suit on behalf of 4 Latino residents of 3 state representative districts, alleging that they live in districts that were malapportioned back in 2010, and that the use of ACS data has resulted in an undercount of the Latino community in the State of Illinois. They are asking that the Court orders the Legislature to redraw the entire map. The Illinois State Board of Elections and its members, Senate President Don Harmon and Speaker of the House Chis Welch have been named in the suit. The Defendants have made a motion for the lawsuit to be dismissed, arguing that 1) the Plaintiffs have no standing, as they have not indicated how they have been harmed; 2) there's nothing in the state or federal law that dictates what data set should be used for Illinois' redistricting purposes, and courts throughout the country, including Illinois, have allowed the use of ACS estimates in redistricting and 3) the case is not ripe for litigation (on July 16, 2021), because the new Census numbers had not been released. A hearing is scheduled for today, with trial expected to go from September 27-29 if it survives today's challenge.

The Illinois Republican have also filed a lawsuit claiming the use of ACS data is unconstitutional, violating the One Man, One Vote Rule. They are asking the Court to have an independent commission redraw the new district boundaries. They argue that, since the maps were drawn using ACS data instead of Census data, the Legislature didn't have actionable maps by the Constitutional deadline of June 30th. A judge declined to throw out the case, as Democratic Leadership requested. Instead, he will see the outcome of the August 31st special session, which will approve an amended redistricting plan for representative and senate districts. He also admonished the Legislature to take into account the Constitution and all applicable laws when amending the plan. If the Legislature's amended redistricting plan is still flawed, the Republicans' case could be allowed to proceed.

The truth of the matter is, no other group has been harmed by this map more than Black people in the state of Illinois, particularly in the Representative Districts 6, 9 and 10, and Senate District 5. To date, no one has filed a lawsuit on our behalf. We are still exploring options pending the outcome of next week's session.