

Dear Chair Huffman and members of the Senate Select Committee on Redistricting,

We are writing because it has come to our attention that the Committee is not providing language interpretation services for members of the public who do not speak English but wish to participate in the virtual redistricting hearings. Our organizations have community members wishing to testify in their native languages at the hearing on March 13, 2021. According to the most recent American Community Survey data, over 9.6 million Texans speak a language other than English at home, and of those, 3.6 million speak English “less than very well.”¹ After English and Spanish, Vietnamese, Mandarin, Hindi, Arabic, Tagalog, West African languages, and Urdu are the next most common languages in this state. Of the 7.9 million Spanish speakers in Texas, 3.0 million of them speak English “less than very well.” Seventy-nine percent of all Asian Americans in Texas speak a language other than English at home, and of those, more than 40% speak English “less than very well.” It is not acceptable to shut any Texan out of the political process on an issue as important as redistricting in their own state.

As you know, courts found that the Texas legislature illegally discriminated against the Latinx community in last decade’s redistricting process. Amongst other evidence of discrimination, federal courts specifically cited discriminatory remarks made against Spanish language speakers in legislative hearings and the lack of meaningful opportunities to participate for communities of color generally.² Ultimately the legislature’s discriminatory actions cost Texas taxpayers millions of dollars over the course of the decade.

Additionally, the Voting Rights Act of 1965 and its subsequent amendments provide explicit protections for certain language minority groups to participate in the political process. Section 203 specifies a formula for coverage which requires certain states, based on the number of speakers of particular languages, to provide all materials relating to the electoral process in the relevant languages.³ The entire state of Texas falls under the VRA language protections when it comes to Spanish speakers, and there is additional coverage for Asian and Native American languages in certain regions.⁴ In addition to the specific provisions of Section 203, 52 USC 10101(b) provides broadly that a violation of the VRA is established if:

based on the totality of circumstances, it is shown that the political processes leading to nomination or election in the State . . . are not equally open to participation by members of a class of citizens protected by [Section 203] in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice.

¹<https://data.census.gov/cedsci/table?q=B16&g=0400000US48&d=ACS%20Year%20Estimates%20Detailed%20Tables&tid=ACSDT1Y2019.B16001&hidePreview=true>

² See, e.g., *Perez v. Abbott*, 253 F. Supp. 3d 864, 959–60; 961-2 (W.D. Tex. 2017).

³ 52 USC 10303(f).

⁴ <https://www.justice.gov/crt/file/927231/download>

It is indisputable that the “political processes” in Section 2 of the Voting Rights Act include legislative redistricting,⁵ and that language-minority groups are underrepresented in political offices in Texas.⁶

Discriminating against individuals based on their national origin and native language is hardly the way to start off the decennial redistricting process. We strongly encourage the Committee to correct its course without the need for the type of legal action that has unfortunately defined Texas legislative redistricting for many decades.

Sincerely,

Asian Pacific Islander American Public Affairs
(APAPA)

Austin Asian Communities Civic Coalition

Austin Muslim Democrats

Avenue Community Development
Corporation

Center for Local Elections in America, Rice
University

Chinese Community Center

Clean Elections Texas

Coalition of Community Organizations
(COCO)

Common Cause Texas

Educo Research

Emgage

Feeding Texas

Fort Bend Community Action Network

Fort Bend Voters League

Houston Department of Transformation

Houston in Action

Houston Migrant Outreach Coalition

Indivisible TX Lege

Jolt Action

Lake Highlands Area Moms and More Against
Racism

Latino Voter Empowerment Coalition

League of Women Voters of Texas

March to the Polls

⁵ See, e.g., *LULAC v. Perry*, 548 U.S. 399 (2006) (holding that Texas violated Section 2 of the Voting Rights Act in its redistricting).

⁶ Alexa Ura, *In 2021, White Men are Still Overrepresented in the Texas Legislature*, Texas Tribune.com (Jan. 11, 2021) <https://apps.texastribune.org/features/2020/2021-texas-legislature-representation>.

Mi Familia Vota

Texas Civil Rights Project

MOVE Texas

Texas LULAC

NAACP Legal Defense Fund

Texas Poor People's Campaign

NorthEast Concerned Citizens Civic League

Texas Progressive Action Network

OCA-Greater Houston

Texas Rising - Texas Freedom Network

South Asian Austin Moms

University of Texas at Austin - Senate of
College Councils

Tecolotl

University of Texas at Austin - Student
Government Federal Relations Agency

Texans Against Gerrymandering

Texas AAPI Redistricting Coalition