

From: Eric Esteves <eric@esteves.org>

Sent: Tuesday, June 13, 2023 11:32 PM

To:

Cc: Maryellen Molloy <Maryellen_Molloy@mad.uscourts.gov>; Clary Geraldino-Karasek <Clarilde_Karasek@mad.uscourts.gov>

Subject: Letter to Judge Saris re: Boston Redistricting

CAUTION - EXTERNAL:

Hello Judge Saris,

I am writing to you as a concerned Boston resident and citizen who has intensively studied redistricting for more than a decade. I was disappointed in your ruling to send the city council district map enacted in 2022 back to the drawing board. As someone who took time out of my schedule to attend two days on the trial at the Moakley Courthouse, I was disappointed in the erroneous arguments and testimony offered by the plaintiffs. I was equally disappointed in what I considered to be a poor defense by the defendants. It made no sense to me that only one expert witness provided testimony during the trial on behalf of the defendants. Nevertheless, I was hopeful that her expertise and clear explanations would still result in upholding the enacted map. Yet, it feels like more value was placed on the concerns of the highest turnout precincts over all else, which is directly counter to the whole point of redistricting.

It is often hard to separate politics from governance, however it is not hard to separate fact from fiction. I hope that the about-face that the plaintiffs have displayed recently in requesting you to subject the newly-passed map (that they voted for) to the same analysis helps paint a clearer picture of what we are dealing with. The original enacted map did not solely rely on race nor did the process allow race to serve as the predominant consideration. In fact, that should have been clear in the way the racial demographics of District 3 and District 4 remained fairly level. It was always about power. Power for a neighborhood that was colored green by the Home Owners' Loan Corporation's map that served as the foundation for redlining. Power by a shrinking white population in Boston's city limits that has often benefitted at the expense of other communities and populations. Redistricting is always meant to be about providing fair opportunities to communities of color to elect a candidate of their choice. That original enacted map did just that with an "effectiveness" showing that those communities did have that opportunity.

Further, I was also confused by the ruling because it only focused a few precincts. If we are being honest about the process, then the map should really assess why the Dorchester neighborhood is primarily split along Dorchester Avenue. Yes, it is a natural geographic border. However, it should be clear that it also serves as another border. There's no reason two Dorchester districts have such drastically different demographics in the voting-age populations. One possible solution could have been to split Dorchester differently so that both District 3 and 4 came closer to parity with the overall population demographics of Dorchester. Now that would be a bold and equitable decision.

Lastly, I'd like to offer some additional context. Precincts and wards are the building blocks of city council districts just like they are for Census tracts. The city of Boston failed in its job (and mandate) to reprecinct the city in a way that provides a fairer and more equitable way to build wards that can be rolled into subsequent city council districts. It is this failure to recognize, forecast, and reconcile

population growth and development patterns in the aftermath of the latest Census that led to districts 2 and District 3 being far beyond the standard 5% deviation population constraint. Those population imbalances (of 18% and 8% respectively) and the nonsensical physical shape of precincts that now contain residential housing when they formerly consisted primarily of parking lots that triggered the musical chair process we found ourselves in. Three of the plaintiffs were on the council a decade ago when community advocates like myself demanded they reprecinct the city before the next Census.

Separate and apart from that, redistricting must be done with consideration to many factors; which not only includes race but also population, voting-age population, effectiveness, cracking, packing, racially-polarized voting, contiguity, and communities of interest, among several others. The map that was approved in the fall offered the best option to balance all of those factors while offering reasonable opportunity districts for communities of color to elect their candidates of choice. I would love to see a final ruling that holds the city accountable - with a mandate to reprecinct and implement an independent body/process charged with overseeing the redistricting process so that incumbency is no longer the silent factor that forces us to get in our own way.

Thank you for your time and service,

Be well,

Eric Esteves