



Coalition of Bar Associations of Color

RESOLUTION SUPPORTING REDISTRICTING BASED ON WHOLE POPULATION

Endorsed March 2016

WHEREAS, the Coalition of Bar Associations of Color (CBAC), organized in 1992, is a coalition created to act as a collective voice for issues of common concern to its member organizations; and

WHEREAS, the member organizations of the CBAC are the Hispanic National Bar Association (HNBA), the National Asian Pacific American Bar Association (NAPABA), the National Bar Association (NBA), and the National Native American Bar Association (NNABA); and

WHEREAS, the member organizations of CBAC are the national voices of their respective legal communities in the United States and its territories and possessions; and

WHEREAS, in the current term the U.S. Supreme Court is considering *Evenwel v. Abbott*, which calls into question whether a state may redistrict based on total population versus a "voter" metric, such as citizen voting age, registered voters, or actual voters; and

WHEREAS, the use of total population for purposes of redistricting is a fair and constitutional method to meet the "one person, one vote" standard under the Equal Protection Clause of the 14th Amendment to the U.S. Constitution; and

WHEREAS, our nation's representative government means our elected leaders represent all persons in their districts and not just those who vote because these elected officials make crucial decisions about funding for resources like roads and schools that every person in the community depends on and benefits from, including children, immigrants, and other non-voters; and

WHEREAS, the adoption of another metric, as the challengers in *Evenwel* promote, would disproportionately dilute the political power of language minorities, communities of color, immigrant communities, and other minority groups; and

WHEREAS, the *Evenwel* plaintiffs seek to literally discount numerous groups of residents for redistricting purposes, including children and immigrants, returning to the gross inequities that existed prior to *Wesberry v. Sanders*, 376 U.S. 1 (1964), and *Reynolds v. Sims*, 377 U.S. 533 (1964), that established the "one person, one vote" principle.

NOW THEREFORE BE IT RESOLVED that CBAC opposes efforts to limit the metric to a standard other than total population for the purposes of redistricting; and

NOW THEREFORE BE IT FINALLY RESOLVED that this resolution shall be the policy of CBAC until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

WE, the duly-elected Presidents of the Hispanic National Bar Association (HNBA), the National Asian Pacific American Bar Association (NAPABA), the National Bar Association (NBA), and the National Native American Bar Association (NNABA), hereby certify that the foregoing Resolution was duly enacted by a duly noticed meeting of the Board of Directors.



Robert T. Maldonado

Roberto Maldonado
President, Hispanic National Bar Association

March 1, 2016

Date

Jim Y. Hwang

Jim Hwang
President, National Asian Pacific American Bar Association

March 1, 2016

Date

BCP

Benjamin Crump
President, National Bar Association

March 1, 2016

Date

Linda Benally

Linda Benally
President, National Native American Bar Association

March 1, 2016

Date