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The Chief Justice
Earl Warren
Institute on Law
and Social Policy

Berkeley Law Center for
Research and Administration
2850 Telegraph Avenue
Suite 500
Berkeley, CA 94705
Phone: (510) 642-8568
Fax: (510) 643-7095

www.warreninstitute.org

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REDISTRICTING:
COALITION DISTRICTS AND THE VOTING RIGHTS ACT

Matt Barreto, University of Washington
Christian R. Grose, University of Southern California
Ana Henderson, University of California, Berkeley[1]

How should redistricting line drawers deal with increasingly diverse populations, especially in situations where no single minority group is large enough to constitute a majority in a district? What information needs to be considered when deciding whether more than one minority group should be drawn together to form a majority of a district in compliance with the Voting Rights Act? This research brief will consider the legal and evidentiary issues at play when considering the drawing of minority coalition districts and present an analysis of inter-ethnic voting patterns in several recent California elections as an illustration.

COALITION DISTRICTS AND THE VOTING RIGHTS ACT

The Voting Rights Act ("VRA") prohibits discrimination in voting because of race, color or membership in a protected language minority group.[2] This proscribes the creation or maintenance of electoral districts that dilute the voting strength of racial or protected language groups, rendering them unable to elect a representative of their choice. As a result, line drawers should take care to ensure that the districts they draw do not divide or over-concentrate minority populations in a way that dilutes their voting strength. In the past, inquiries into vote dilution and how to draw districts usually dealt with only one racial or language minority group living among a majority white population. In today's increasingly diverse communities, however, line drawers in some areas will face situations where more than one group lives together and shares sufficient interests that they could be drawn into a district in which together they constitute a majority and are able to elect a representative of their choice. Such a district, where more than one protected minority group combined forms a majority in a district, is called a coalition district. Especially where no racial or protected language minority group is populous enough to form a majority in a district alone, line drawers should consider whether a district where groups combined form a majority is a viable way to comply with the VRA and avoid diluting minority-voting strength.

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2. Language groups protected by the VRA include Asian/Pacific Islander, Native American, Alaska Native, and Spanish heritage.

> To comply with the Voting Rights Act in increasingly diverse areas, line drawers should be cognizant of the potential need to draw districts that include a majority comprised of more than one minority group.

In 2009, a plurality of the United States Supreme Court found that the first step in determining whether the VRA might require the drawing of a majority-minority district (also called "the first *Gingles*[3] precondition") is to determine if the minority population is sufficiently large and compact to constitute a majority in a single member district. That is, minorities had to constitute 50% or more of the voting population of a given district.[4] The court in that case rejected a claim that the VRA required a state to disregard state redistricting criteria in order to draw a district where African-American voters constituted less than 50% of the voting age population, but along with some support from white "crossover" voters, were able to elect a candidate of choice. The Court specified that it was expressing no judgment on the issue of coalition districts,

such as whether a combined minority population over 50% satisfies the first *Gingles* precondition.[5]

While there have been relatively few VRA cases dealing with coalition districts, several courts, including courts that cover California, have accepted the proposition that the VRA may protect the voting rights of coalitions of minority voters under the correct circumstances.[6] These circumstances include: (1) that the combined minority population ("the coalition") is sufficiently large and compact to constitute a majority in a single member district (the first *Gingles* precondition); (2) that the coalition is politically cohesive in that its members usually vote together (also called the second *Gingles* precondition); and (3) that the non-minority population tends to vote as a bloc against the interests of the minority coalition (also called the third *Gingles* precondition).[7]

The *Gingles* preconditions are a factual inquiry to establish the baseline possibility of or need for a majority-minority district under the VRA. They also provide a helpful framework for line drawers attempting to draw districts without running afoul of VRA protections. The first *Gingles* precondition is generally established through the use of Census data indicating where individuals live in an area; this information is used to determine the proportion of a district that various groups constitute. For a coalition district, this inquiry would focus on whether Census data show that two (or more) minority groups

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3. The "*Gingles* preconditions" derive their name from the opinion in *Thornburg v. Gingles*, 478 U.S. 30 (1986), in which the Supreme Court first enunciated them.

4. *Bartlett v. Strickland*, 129 S.Ct. 1231 (2009)

5. *Id.* at 1242-43.

6. Several courts have accepted that more than one minority group can be combined into a coalition for Section 2 purposes. See *LULAC Council No. 4434 v. Clements*, 999 F.2d 831, 864 (5th Cir. 1993) (rehearing en banc), cert. denied 114 S Ct 878 (1994)("[i]f blacks and Hispanics vote cohesively, they are legally a single minority group"); *Badillo v. City of Stockton*, 956 F.2d 884, 891 (9th Cir. 1992)("minorities must be able to show that they have in the past voted cohesively"); *Concerned Citizens of Hardee County v. Hardee County Bd. of Comm'rs*, 906 F.2d 524 (11th Cir. 1990); *Overton v. City of Austin*, 871 F.2d 529, 538 (5th Cir. 1989); *Brewer v Ham*, 876 F.2d 448, 453 (5th Cir 1989)("minority groups may be aggregated for purposes of asserting a Section 2 violation"); *Campos v. City of Baytown*, 840 F.2d 1240, 1244-45 (5th Cir. 1988) ("a minority group [in this case a coalition] is politically cohesive if it votes together"), reh'g denied, 849 F.2d 943, cert denied, 492 U.S. 905 (1989); *LULAC Council No. 4386 v. Midland ISD*, 812 F.2d 1494, 1501-2 (5th Cir. 1987), vacated on other grounds, 829 F.2d 546 (5th Cir. 1987) (en banc); *Arbor Hill Concerned Citizens Neighborhood Ass'n. v. County of Albany*, 2003 WL 21524820, *5 (N.D.N.Y. July 7, 2003)("blacks and Hispanics may be considered as a single minority group under the Voting Rights Act if the coalition meets the three *Gingles* preconditions"); *France v. Pataki*, 71 F.Supp. 2d 317, 327 (S.D.N.Y .1999); *Skorepa v. City of Chula Vista*, 723 F.Supp.

1384, 1390 (S.D.Cal. 1989)("the Court does recognize that the minority group for a Section 2 case may consist of members of two or more different minority groups"); *Romero v. City of Pomona*, 665 F.Supp. 853, 858 (C.D.Cal.1987), aff'd, 883 F.2d 1418 (9th Cir. 1989), abrogated by *Townsend v. Holman Consulting Corp.*, 914 F.2d 1136 (9th Cir. 1990); *Latino Political Action Committee v. City of Boston*, 609 F.Supp. 739, 746 (D.C.Mass.1985) aff'd, 784 F.2d 409 (1st Cir.1986); *Wilson v. Eu*, 1 Cal. 4th 707, 715, 728 (1992) (noting with approval the appointed Special Masters' consideration of minority coalition districts in drawing California state legislative lines.)

In addition, some courts have assumed without deciding that coalition districts are permitted and focused on factual requirements to prove a coalition. See *Johnson v. De Grandy*, 512 U.S. 997, 1020 (1994)(noting that in some communities, a minority group can form "coalitions with voters from other racial and ethnic groups" and elect candidates of choice without being a majority); *Growe v. Emison*, 507 U.S. 25, 41 (1993)(noting that assuming without deciding that coalition districts are protected under the VRA, that evidence of political cohesion is "all the more essential").

Only one Federal Court of Appeals that has considered the issue has found that the VRA does not apply to coalition districts. *Nixon v. Kent County*, 76 F.3d 1381 (6th Cir. 1996) (en banc). The sixth circuit covers Michigan, Ohio, Kentucky and Tennessee.

7. In VRA litigation challenging districts, if these three preconditions are satisfied, the court must then determine whether the totality of circumstances indicate that the challenged system dilutes minority voting strength in a way that should be rectified through the VRA. *See* Gingles, *supra* note 3.

together constitute more than 50% of the citizen voting age population in a district.

The second and third preconditions are often referred to together as "racially polarized voting." Several methods have been developed to determine whether voting is polarized in a given area. While information such as testimony from community members is helpful to indicate cohesiveness or a "community of interest" between coalition members, such as common history in the area or common goals and cooperation to achieve them, most Courts will want to see evidence of political cohesion in the ballot box—that coalition members tend to vote similarly.[8] Accordingly, when considering coalition districts, line drawers should look at voting behavior, in addition to any testimony, to determine if such districts are indicated.

This research brief focuses on analyzing coalition voting behavior for evidence of political cohesion—the second *Gingles* precondition. Based on analyses of San Mateo County and Los Angeles County in California, we find conditional evidence that different minority groups support the same minority candidates. However, multiple minority group support for the same candidate is not always consistent across all elections in a given jurisdiction.

COALITION POLITICAL COHESIVENESS: CALIFORNIA EXAMPLES

As noted above, a key issue when considering a coalition district is the extent to which voters of various groups are politically cohesive. That is, whether coalition members usually vote together as a group. This second prong in the *Gingles* preconditions test is often established through statistical analysis of precinct-level voting behavior in actual elections. Courts have generally held that the most

> ...when considering coalition districts, line drawers should look at voting behavior, in addition to any testimony, to determine if such districts are indicated.

instructive elections to gauge political cohesion are those that pair a minority candidate against a non-minority candidate or candidates, in both the single minority and coalition context.[9]

By matching precinct-level demography with electoral outcomes, we are able to analyze relationships between race/ethnicity and voting behavior, often revealing statistically significant variation in support for candidates. What follows is a discussion of racial/ethnic voting behavior in two highly diverse areas of California with an eye to whether past elections indicate that coalition voting has occurred.

Case 1: Voting Patterns in San Mateo County, California, 2006

San Mateo County, located in California's Silicon Valley, contains very large Latino and Asian populations. Overall, San Mateo is 26% Asian American; 23% Latino; and 45% non-Latino white. To explore Asian and Latino coalition possibilities, we present results of analyses of two Democratic primary elections, each of which paired a

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8. *See e.g., Growe*, 507 U.S. at 41-2 (noting lack of statistical or anecdotal evidence of political cohesion between minority voters); *Bridgeport Coalition for Fair Representation v. City of Bridgeport*, 26 F.3d 271, 276 (2d Cir. 1994)(finding that the district court did not err in granting plaintiff black and Latino voters' motion for preliminary injunction based on record that included, *inter alia*, testimonial and statistical evidence of political cohesion); *Badillo*, 956 F.2d at 891 (finding that plaintiffs failed to produce convincing evidence that black and Hispanic voters had voted together); *Concerned Citizens of Hardee County*, 906 F.2d at 527 (finding plaintiffs "failed to demonstrate that blacks and Hispanics in Hardee County have ever voted together"); *Overton*, 871 F.2d at 538 (finding that black and Latino voting patterns did not prove political cohesion); *Brewer*, 876 F.2d at 453 (finding lack of evidence of political cohesion); *France*, 71 F.Supp. 2d at 327 (finding that despite some divergence in primary elections, African-American and Latino voters were politically cohesive); *Romero*, 665 F.Supp. at 858 (finding that based on exit poll data, black and

Hispanic voters were not politically cohesive); *Latino Political Action Committee*, 609 F.Supp. at 746 (finding no evidence of political cohesion between, black, Latino, and Asian voters).

9. *LULAC v. Clements*, *supra* note 6 at 864; *Campos v. City of Baytown*, 840 F.2d at 1245 (finding that "focus on those races that had a minority member as a candidate" was proper and noting evidence showed "minority turnout increased dramatically when there was a candidate who was a member of the minority group"); *Black Political Task Force v. Galvin*, 300 F. Supp. 2d 291, 304 (D. Mass. 2004) ("Indeed, the choice presented to minority voters in an election contested only by two white candidates is somewhat akin to offering ice cream to the public in any flavor, as long as it is pistachio."); *Sanchez v. State of Colo.*, 97 F.3d 1303, 1317 (10th Cir. 1996) ("Dr. Bardwell likened the 'choice' the minority is given in the Anglo versus Anglo races to the Henry Ford adage in which Mr. Ford apparently offered customers cars painted any color they wanted as long as they were black.").

minority candidate against a white candidate. These primaries allow us to assess the potential for cohesion between minority voters of different ethnic backgrounds.

In particular, we take two statewide contests from the 2006 Democratic primary with contrasting levels of political competitiveness. First, we examine the contest for California State Controller, which featured John Chiang (Asian) against Joe Dunn (White). The outcome of this election was uncertain, and competition was high. Chiang ultimately won by a narrow margin of 53 to 47 percent statewide, but in San Mateo County, Dunn edged out Chiang 51 to 49 percent. Second, we examine the contest for Insurance Commissioner, which featured Cruz Bustamante (Latino) against John Kraft (White). Bustamante had previously been elected to statewide office and was well-known compared to Kraft, who had little prior political experience. Bustamante easily defeated Kraft by 70 to 30 percent statewide, and the same margin held in San Mateo County. Thus we provide two tests to examine if Asian and Latino voters coalesce around the same minority candidates despite very different levels of competitiveness.

Using precinct-level data on racial and ethnic population as well as vote results in San Mateo County, we used ecological inference to estimate the percentage of voters from each group that supported each candidate.[10] Table 1 displays the results of our analysis of the Chiang-Dunn primary election, and Table 2 shows those for the Bustamante-Kraft primary election. In these examples in San Mateo County, we find that a majority of both Asian and Latino voters demonstrate vote preferences for the minority candidates—Chiang and Bustamante—and that non-minority voters opposed both candidates. Just over 53% of Asians and just over 53% of Latinos supported Chiang, while only 20% of other (predominately white) voters supported Chiang. In the case of the Bustamante-Kraft primary, Latinos overwhelmingly supported Bustamante and about 53% of Asian Americans supported him. Moreover, in analysis not presented here due to space considerations, we find that Asian and Latino voters demonstrated much higher levels of support for each other's ethnic candidate in the general election when challenging a white Republican candidate.

TABLE 1	2006 Democratic Primary for State Controller, San Mateo County, CA			
Candidate (Race/ ethnic identity)	Estimated Asian vote %	Estimated Latino vote %	Estimated vote % of other racial / ethnic groups*	Total vote received in San Mateo County
John Chiang (Asian)	53.7%	54.0%	20.2%	49.5%
Joe Dunn (White)	46.3%	46.0%	79.8%	50.5%

*In San Mateo County, this category includes mostly non-minority whites.

TABLE 2	2006 Democratic Primary for Insurance Commissioner, San Mateo County, CA			
Candidate (Race/ ethnic identity)	Estimated Asian vote %	Estimated Latino vote %	Estimated vote % of other racial / ethnic groups*	Total vote received in San Mateo County
Cruz Bustamante (Latino)	53.8%	>99%	33.1%	70.5%
John Kraft (White)	46.2%	<1%	66.9%	29.5%

*In San Mateo County, this category includes mostly non-minority whites.

Case 2: Voting Patterns in Los Angeles County, 2010

Here we examine the behavior of Los Angeles County voters in multiple elections. Los Angeles County, CA has substantial Latino, Asian, and Black populations. Coalition districts already exist in the Los Angeles area, and there may be an opportunity to draw more in upcoming redistricting. First, we assess whether Asian-American voters and Latino voters show a willingness to vote for an African-American candidate, in both a primary and general election. Second, we examine a general election race in a State Assembly district containing a large proportion of Latinos and Asians to see if a coalition formed to elect an Asian-American candidate.

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10. The precinct-level data on race and ethnicity were drawn from the California Election data files from the California Statewide Database, http://swdb. berkeley.edu

L.A. County voting patterns, 2010 California Attorney General's race

We analyze voting among Los Angeles County voters in the 2010 California Attorney General's race. While this was a statewide race, we are interested in assessing the prospects for coalition voting between different groups of voters in Los Angeles County. The Attorney General's race was a contest in which several candidates of different ethnic groups ran against one another in the Democratic Primary Election, followed by a general election with a minority candidate facing a white candidate. The ultimate winner of both the Democratic primary and the general elections, Kamala Harris, identifies as African American and Indian American (though her African-American background garnered more press attention than did her Indian-American background).

In the primary, Harris's opponents included Rocky Delgadillo, a former Los Angeles City Attorney who is Latino; Alberto Torrico, a state legislator who identifies as both Latino and Asian; Ted Lieu, an Asian-American state assemblyman; and Chris Kelly, a white businessman who was an executive at Facebook.[11] This primary had the potential for racially and ethnically polarized voting given the backgrounds of the many candidates running. In statewide primary results, Harris received 33.6% of the vote. Her two closest opponents were Alberto Torrico and Chris Kelly, with 15.6% and 15.5% of the vote respectively. In Los Angeles County, however, Harris received 30% of the vote, while Rocky Delgadillo received 20% and Chris Kelly garnered 13%.

In the general election, Harris faced Republican Los Angeles County district attorney Steve Cooley, who is white. The general election was very competitive. Harris won by less than a percentage point, and her opponent did not concede until almost four weeks after Election Day.

We examine the 2010 California Attorney General races to assess whether racially polarized voting occurred in the primary, and if it did, to determine whether minority voters formed a coalition around a minority candidate in the general election. It is also a useful case to examine because Cooley was a local Los Angeles County elected official, while Harris was San Francisco's district attorney. Thus, it may illuminate whether Asian American and

> Coalition districts, in which two (or more) groups together form a majority of the population, may be indicated when voters from those groups are politically cohesive and where the non-minority group tends to vote as a bloc against their interests.

Latino voters in Los Angeles County were willing to vote for a less familiar African-American candidate over a more familiar white candidate.

We used precinct-level data on racial and ethnic population as well as election outcomes in Los Angeles County, and performed ecological inference to estimate the percentage of voters from each group who supported each candidate.[12] For the proportion of African Americans in each precinct, we were able to obtain data only for Los Angeles city precincts and not all of Los Angeles County. Given our data, we are able to analyze the proportion of Latino and Asian-American voters supporting candidates in all of Los Angeles County, and the proportion of African-American voters in only the City of Los Angeles. Because we had only partial African-American precinct data, we estimate support of "other" voters for the county as a whole. "Other" voters include (a) white voters as well as any non-Latino, non-Asian, and non-African American voters in precincts in the City of Los Angeles, and (b) white, African American, and any other non-Latino and non-Asian voters in county precincts outside the City of Los Angeles.

Table 3 displays the estimated vote by racial/ethnic group in the 2010 Democratic primary for California Attorney General in Los Angeles County. Unlike the 2006 elections examined in San Mateo County, we find evidence of some racial and ethnic polarization in the primary election. Very few Latinos or Asians supported Kamala Harris in the primary, while she garnered 89% of the vote from African-American voters. She also garnered 45% support

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11. Pedro Nava and Mike Schmier were also candidates in the Democratic primary. Since they each received less than 10% of the vote in Los Angeles County, they are not included in the analysis.

12. All data, except the proportion of African American voters in precincts in the City of Los Angeles, were drawn from California Election data files from the California Statewide Database, http://swdb.berkeley.edu

TABLE 3 | 2010 Democratic Primary for State Attorney General, Los Angeles County, CA

Candidate (Race/ethnic identity)	Estimated Asian vote %	Estimated Latino vote %	Estimated African-American vote %*	Estimated White/other vote %**	Total vote received in L.A. County***
Alberto Torrico (Asian/Latino)	12.8%	24.9%	<1%	10.3%	11.4%
Rocky Delgadillo (Latino)	18.5%	59.0%	11.0%	14.2%	20.2%
Kamala Harris (Black/Asian)	<1%	<1%	89.0%	45.0%	30.3%
Chris Kelly (White)	16.3%	13.3%	<1%	14.2%	13.2%
Ted Lieu (Asian)	52.4%	2.8%	<1%	16.3%	11.4%

*The estimates for African Americans are based on only a subset of precincts in which the black population of precincts was available: those in the City of Los Angeles.

**This group is all other voters in a precinct after excluding Asian, Latino, and (if available) black voters. Many of these voters are white, but this estimate also includes black voters who live in portions of Los Angeles County located outside of the City of Los Angeles as well as any other non-Asian, non-Latino minority voters.

***This column does not sum to 100% because candidates not receiving at least 10% of the Los Angeles County vote are excluded from the table and the racially polarized voting analyses. Pedro Nava ran and received 9.6% of the vote in Los Angeles County; and Mike Schmier ran and received 3.9% of the primary vote in Los Angeles County.

from white and other voters in Los Angeles County. Harris was clearly the candidate of choice of Los Angeles County African-American voters in the primary.

Fifty-nine percent of Los Angeles County Latino voters favored Rocky Delgadillo, while 18.5% of Asian-American voters supported him. A majority of Asian-American voters (52.4%) favored Ted Lieu, but Lieu garnered much less support from Latino and other voters. Chris Kelly placed third in Los Angeles County and second statewide, but only 16.3% of Asians and 13.3% of Latinos supported him in Los Angeles County. Alberto Torrico, who is both Asian and Latino, received 12.8% and 24.9% from Asian and Latino voters, respectively. The results indicate that some Asians and Latinos had different preferences, with a majority of Asian voters supporting Lieu and a majority of Latino voters supporting Delgadillo. Interestingly, though, there was some Asian voter support for candidates also supported by Latino voters (Torrico and Delgadillo).

In Table 4, we show the results of vote estimates in the general election contest between Kamala Harris and Steve Cooley. Even though Harris fared very poorly with Los Angeles County Asian and Latino voters in the primary, she did much better in the general election. Eighty percent of Latino voters supported Harris in the general election, while about one-quarter of Asian-American voters supported her. Like Asians, a majority of white/other voters supported Cooley in the general. Among black voters

in the City of Los Angeles, Harris received nearly unanimous support. The general election evidence suggests that Latino and African-American coalitions can be formed to elect an African-American candidate or African-American representative of choice in Los Angeles County. In the general election, however, a majority of Asian-American voters did not support the African-American candidate of choice. The prospects for coalition districts may be stronger between Latinos and Asians as well as between Latinos and African Americans in Los Angeles County. There is less evidence suggesting coalition districts between Asians and African Americans in this election.

San Gabriel Valley Voting Patterns: California Assembly District 49, 2010 general election

To assess whether Latinos and Asian Americans form voting coalitions in Los Angeles County, we also analyzed voting patterns in a California state Assembly District in the San Gabriel Valley. This district includes Alhambra, Monterey Park, and other San Gabriel Valley communities as well as portions of the City of Los Angeles. The district has no racial or ethnic majority, but is 46.6% Latino, 39.1% Asian, and 12% non-Latino white; satisfying the first *Gingles* precondition in terms of combined majority-minority population. We examine the 2010 general election between Mike Eng, an Asian-American candidate, and Brad Taylor, a white candidate.

TABLE 4 | 2010 General Election for State Attorney General, Los Angeles County, CA

Candidate (Race / ethnic identity)	Estimated Asian vote %	Estimated Latino vote %	Estimated African-American vote %*	Estimated White/ other vote %**	Total two-party vote received in L.A. County
Kamala Harris (Black/Asian)	23.0%	80.1%	>99%	45.8%	57.7%
Steve Cooley (White)	77.0%	19.9%	<1%	54.2%	42.3%

*The estimates for African Americans are based on only a subset of precincts in which the black population of precincts was available: those in the City of Los Angeles.

**This group is all other voters in a precinct after excluding Asian, Latino, and (if available) black voters. Many of these voters are white, but this estimate also includes black voters who live in portions of Los Angeles County located outside of the City of Los Angeles as well as any other non-Asian, non-Latino minority voters.

Our analysis, summarized in Table 5, shows that significant majorities of Asian and Latino voters supported Eng's 2010 election. Over 90 percent of Latinos supported Eng, and more than 70 percent of Asian Americans supported him. In contrast, more than 70 percent of whites supported Taylor, Eng's white opponent. These voting pat-

TABLE 5 | 2010 General Election for Assembly District 49, San Gabriel Valley, L.A. County

Candidate (Race/ ethnic identity)	Estimated Asian vote %	Estimated Latino vote %	Estimated vote % of White/ other groups*	Total vote received in District 49
Mike Eng (Asian)	71.7%	93.6%	29.9%	69.1%
Brad Taylor (White)	28.3%	6.4%	70.1%	30.9%

*In this assembly district in the San Gabriel Valley, this category includes mostly non-minority whites.

terns indicate political cohesion between Asian and Latino voters, satisfying the second *Gingles* precondition that minority voters usually vote together as a group.[13]

LESSONS LEARNED AND IDEAS FOR REDISTRICTERS CRAFTING COALITION DISTRICTS

The above analyses offer insights for those charged with redrawing district lines in highly diverse areas. As we can see, determining political cohesion among a coalition of minority groups is a fact-based inquiry. The evidence presented above suggests that coalitions between Latino and Asian American voters as well as between Latino and African American voters are possible. However, the evidence also suggests that the strength and extent of these coalitions will vary dependent upon a number of factors. Line drawers should carefully consider population concentrations in determining whether and how to draw coalition districts. In addition, they should consider inter-group cohesion, including, social, economic, and voting behavior. Some important considerations include:

- Geography and context matter. As one of the authors of this paper writes in his book on racial redistricting, "policy makers charged with drawing districts should examine local conditions" to determine whether coalitions between different racial and ethnic groups are likely.[14] To determine whether coalition districts can be drawn, mapmakers should examine the extent of racially and ethnically polarized voting in previous elections in specific localities, counties, and cities.

- Polarized voting in some primary elections does not preclude coalitions in the general election nor a finding of coalition political cohesion. In primary elections, minority groups may sometimes not vote cohesively, particularly if more than one co-ethnic candidate compete for the nomination. Nevertheless, a minority candidate who succeeds in such a primary may very

13. The white voting patterns also suggest bloc voting that would satisfy the third *Gingles* precondition.

14. CHRISTIAN R. GROSE. CONGRESS IN BLACK AND WHITE: RACE AND REPRESENTATION IN WASHINGTON AND AT HOME 180 (New York: Cambridge Univ. Press. 2011).

15. See *Gingles, supra* note 3 at 56 ("A showing that a significant number of minority group members usually vote for the same candidates is one way of proving the political cohesiveness necessary to a vote dilution claim and, consequently, establishes minority bloc voting within the context of § 2" (internal citations omitted); *Brewer, supra* note 6 at 453 ("the determinative question is whether black-supported candidates receive a majority of the Hispanic and Asian vote; whether Hispanic-supported candidates receive a majority of the black and Asian vote; and whether Asian-supported candidates receive a majority of the black and Hispanic vote in most instances in the ... area").

likely win the support of multiple minority groups in the general election, particularly if paired against a white opponent. The second *Gingles* precondition does not require a record of perfect political cohesion, but rather evidence establishing that minority voters "usually" vote together.[15] Accordingly, the occasional election showing diverging voting patterns should not preclude a finding of political cohesion when other elections demonstrate cohesion. In addition, to determine coalition voting through racially polarized voting analysis, the most instructive elections pair one minority candidate against one or more white candidates.[16]

- Be cognizant of shifting demographics. When drawing lines, consider not only the aggregate population percentages of various racial and ethnic groups, but also the growth and decline of those groups between 2000 and 2010 to anticipate trends in the future. For example, particularly in locations like Los Angeles County, the demographic patterns of settlement by racial and ethnic groups are rapidly changing. Historically Latino areas are adding more white residents (e.g. parts of central and northeastern Los Angeles) or more Asian-American residents (e.g., parts of the San Gabriel Valley). In contrast, Asian and Latino growth is likely in areas in which Asians and Latinos have not traditionally resided.

- Increases in biracial and multiracial identification suggest the need for coalition districts. As more voters and candidates identify as multiracial, the importance of coalition districts may be even more pronounced.

In addition to the general points above, our analysis of five California primary and general elections in 2006 and 2010 provides helpful information for California line-drawing jurisdictions interested in creating coalition districts:

- Asian Americans and Latinos vote together, creating the possibility of coalition districts. That is, Asian-American voters have voted for Latino candidates of choice, and vice versa. Our analysis suggests that San Mateo County and the San Gabriel Valley area of Los Angeles County and its nearby environs may satisfy political cohesion requirements for coalition districts. Analysis of voting patterns in other areas of the state may show similar patterns.

> Particularly in areas where racial or protected language minority groups cannot form a majority of a district on their own, but could form a majority if included in a district together, line drawers should obtain and consider information about cohesion and voting patterns...

- There is evidence that Latinos and African Americans form coalitions, lending support to the drawing of black-Latino coalition districts. Past elections show that Latino voters appear willing to vote with African-American voters for an African-American candidate, though there is less evidence of Asian-American voters supporting African-American candidates of choice (based on the Kamala Harris general election example).

- Asian-Latino coalitions may be more likely when a white candidate runs against an Asian or Latino candidate.

CONCLUSION

To comply with the Voting Rights Act in increasingly diverse areas, line drawers should be cognizant of the potential need to draw districts that include a majority comprised of more than one minority group. Coalition districts, in which two (or more) groups together form a majority of the voting population, may be indicated when voters from those groups are politically cohesive and where the non-minority group tends to vote as a bloc against their interests. Analysis of political cohesion is a fact-based and location-specific inquiry, as demonstrated by our California case studies. Particularly in areas where racial or protected language minority groups cannot form a majority of a district on their own, but could form a majority if included in a district together, line drawers should obtain and consider information about cohesion and voting patterns to determine if such districts are a viable method to effectuate the mandates of the Voting Rights Act.

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16. *See supra* note 9.