

# brownrudnick

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May 09, 2022

VIA E-MAIL

Professor Nathan Persily  
Stanford Law School  
559 Nathan Abbott Way  
Stanford, CA 94305-8610  
npersily@stanford.edu

**RE: Worcester Interfaith, Inc., et al. v. City of Worcester, et al.,  
Case No. 4:21-cv-40015-TSH**

Dear Professor Persily,

Attached please find Plaintiffs' proposed map for the new School Committee districts in Worcester. It can also be accessed [here](#). As you know, pursuant to the Consent Decree in the above-captioned case, you as the independent expert are charged with drawing the new district map to be implemented beginning with the 2023 School Committee elections.<sup>1</sup> We hope that this information will assist you in that effort.

In designing this proposed map, Plaintiffs have considered a number of different factors. First and foremost, we have looked to the mandates of the Consent Decree to ensure that the map is compliant in all respects with what the parties have agreed upon and the Court has approved as a binding court order. This includes the requirements that two districts be "majority-minority,"<sup>2</sup> that district boundaries be drawn "to optimally meet and protect" the ability of communities of color in Worcester to elect representatives of their choice, and that the map fully comply with the Voting Rights Act and other applicable federal and state laws.<sup>3</sup>

In addition, as we have done throughout this litigation, Plaintiffs have sought input from the broader community, particularly from Worcester's communities of color. In incorporating the

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<sup>1</sup> See *Worcester Interfaith, Inc. et al. v. City of Worcester et al.*, No. 21-CV-40015 TSH, ECF 54 (Consent Decree), Section R ("the final decision regarding district boundaries shall rest with the independent expert").

<sup>2</sup> *Id.* Section G(c) (defining majority-minority districts as "single member districts where Hispanic/Latino/a and Black residents together comprise a majority of the citizen voting age population").

<sup>3</sup> *Id.*, Section S.



community feedback we have gathered through community presentations and outreach, we have been guided by traditional redistricting principles, such as keeping communities of interest together and respecting natural boundaries where possible.<sup>4</sup> We have been particularly aided in this endeavor by the “districtr” mapping tool created by the MGGG Redistricting Lab at Tufts University, which has allowed direct community input and engagement in this mapping process. We extend our deepest gratitude to the Tufts team for their efforts in democratizing redistricting and making this type of mapping tool broadly accessible.

As to the specific districts created, Districts 1 and 2 are the two “majority-minority” districts called for under the Consent Decree. Notably, these districts not only meet the requirements of the Consent Decree, they are also districts that would naturally be created simply based on traditional redistricting principles. For example, District 1 encompasses a historically well-defined neighborhood – Main South – which is defined by the commercial and residential areas surrounding the southern portion of Main Street and includes Clark University and University Park. Proposed District 1 extends north and west from Main South, to surrounding areas that share many commonalities. Outer boundaries of this district were created based on community input as to where divisions appeared to make most sense. For example, Highland Street to the north was seen by many as a natural line of demarcation between this district and District 5.

District 2 begins just to the east of District 1 and extends northward. It encompasses established neighborhoods such as Union Hill and the Canal District near its southern boundary, and extends up to Great Brook Valley in the north, including a number of pre-existing East Side neighborhoods along the way (*e.g.*, Shrewsbury Street, Brittan Hill). This makes for a somewhat elongated district, but one that many community members noted is marked by commonalities shared by residents in these areas, including common recreation, shopping areas, and faith communities.

Once these first two districts were created, the remaining four districts fell into place around them quite naturally, due to Worcester’s configuration and outer limits. Of particular note, District 4 (the southernmost district) forms a cohesive district based on shared communities of interest, and also results in a district that is over 40% residents of color. This demography suggests a high probability that communities of color will be able to elect candidates of their choice in this district as well, consistent with the Consent Decree’s mandate that all districts be drawn to optimally meet and protect the interests of Worcester’s communities of color.

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<sup>4</sup> In addition to relying on information we have gathered from community input sessions specific to this litigation, we have also incorporated local community feedback obtained during Massachusetts’ recent State redistricting process, where similar issues concerning Worcester’s communities of interest, natural boundaries, etc. were relevant.



A few additional notes:

1) The district mapping tool shows Voting Age Population (VAP), rather than the Citizen Voting Age Population (CVAP) metric that is called for under the Consent Decree. Our preliminary analysis of CVAP data, however, suggests that our proposed map meets the requirements of the Consent Decree as to CVAP as well. We recognize though that some adjustments to district boundaries may be required as you analyze the most recent CVAP data in greater detail.

2) We are aware of the City's interest in aligning the School Committee districts with existing wards and precincts. Our view generally is that "the tail should not wag the dog" – *i.e.*, meeting the terms of the Consent Decree should be prioritized above aligning the districts with existing wards and precincts (and some precinct-splits will be required no matter how the map is drawn). Nonetheless, we recognize that precinct-splitting creates some administrative hurdles, which in turn can lead to voter confusion – a result that all parties wish to avoid. Accordingly, where possible, we have drawn our districts to respect existing precinct lines, and to minimize other administrative hurdles. In those instances where this effort was in tension with the mandates and goals of the Consent Decree, however, we have prioritized compliance with the Consent Decree, as we believe is required by law.

In this regard, we note that the City has not to date changed the number of *City Council* districts, of which there are currently five. This means that the City Council districts will be unable to align with the six School Committee districts that are now required by court order. The Consent Decree explicitly states that the City "shall consider whether to also change the City's method of electing City Council in order to align it with the Chosen Electoral System [for School Committee]..."<sup>5</sup> However, it is our understanding that this consideration has not yet occurred in any open, public session of the City Council. To the degree that the City wishes to avoid administrative burdens and voter confusion in its elections, aligning the City Council districts with the new School Committee districts is a clear and obvious way to do so. It remains Plaintiffs' hope that the City will take this step before the November 2023 elections, to prevent the type of administrative problem that City officials have stated they wish to avoid.

We look forward to hearing additional community input during the upcoming Election Commission hearings. In the meantime, please do not hesitate to reach out to us if you have any questions about our proposed map or would like any further information. Thank you in advance for your time and expertise in helping to effect this change in Worcester's electoral system, which will advance equal voting opportunity and benefit Worcester's residents for years to come.

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<sup>5</sup> Consent Decree, Section K.



Sincerely,

**BROWN RUDNICK LLP**

/s/ Brian M. Alosco

Rebecca MacDowell Lecaroz  
Brian M. Alosco

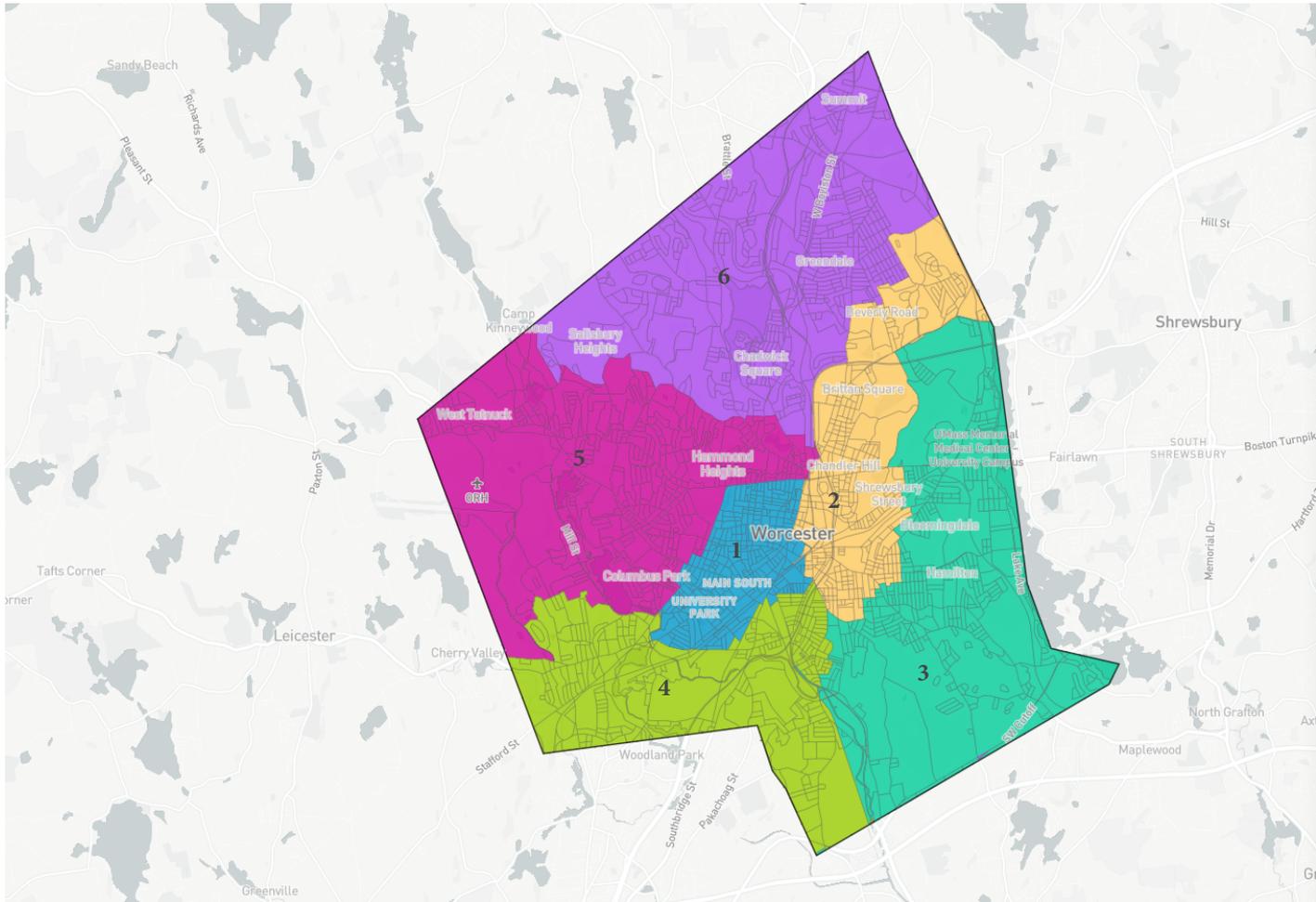
**LAWYERS FOR CIVIL RIGHTS**

/s/ Oren Sellstrom

Oren Sellstrom

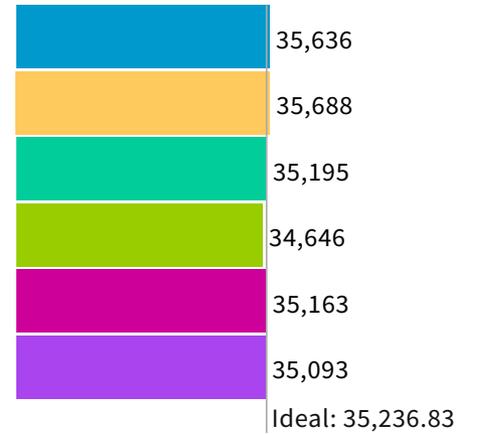
Enclosure

cc: Michael Traynor, City Solicitor



▼ Population Balance

① Uses 2020 Decennial Census data on 2020 Blocks.



UNASSIGNED POPULATION: 0  
 MAX. POPULATION DEVIATION: 1.68%