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TESTIMONY BEFORE THE NEW YORK CITY DISTRICTING COMMISSION REGARDING THE PROPOSED DRAFT MAP FOR COUNCIL DISTRICT 8

OCTOBER 4, 2012

Good evening. I am Council Member Melissa Mark-Viverito, and I represent Council District 8 on the City Council. This district currently includes El Barrio/East Harlem, Manhattan Valley, part of the Upper West Side and part of Mott Haven. I am here this evening to express the serious concerns I am hearing across my district about the Commission's preliminary draft lines.

In the weeks since this proposal was released, I have studied the draft lines closely and have had countless meetings and conversations with members of my community as well as leaders around the city. At this time, I am prepared to state emphatically that these proposed district lines as presented are completely unacceptable to the communities I represent.

In looking at the proposed new district, and the rationale expressed by the Districting Commission, my constituents have expressed deep concerns for a number of reasons, and I share these concerns. First, the proposed lines divide up neighborhoods in a way that is unfair to those communities and does not reflect realities on the ground. Second, the proposal moves pockets of the current District 8 that are solidly Latino into districts that do not necessarily share their cultural and neighborhood identity. Finally, the proposal to split the 8th District evenly between the Bronx and Manhattan, allegedly done in the spirit of "borough equity," actually marginalizes residents of Manhattan.

I join my community in strongly urging the Districting Commission to use the Unity Map proposal as a starting point in re-drawing the 8th District, also taking into account additional feedback you receive from the community through the hearing process. This proposal, crafted by LatinoJustice PRLDEF, the Asian American Legal Defense and Education Fund, the Center for Law and Social Justice at Medgar Evers College and the National Institute for Latino Policy, maximizes representation for people of color in our city while truly preserving communities of interest and respecting neighborhood boundaries. I also urge the Commission to consider another round of hearings after this one, where the public would be invited to comment on a final set of draft lines.

In August, I testified before the Commission that because of the limited population growth in my district, and the fact that it remained primarily Latino, I believed the district should maintain its boundaries, understanding that some lines would shift slightly to accommodate for population growth in neighboring districts. Just a few weeks later, a proposal was released that radically changed District 8 on all fronts. Manhattan Valley and the Upper West Side, 30% of the district, was eliminated; the El Barrio/East Harlem boundaries were severely shifted; and suddenly the Bronx part of the district grew from 11% of the district to more than 50%, stretching all the way north to the Cross Bronx Expressway. Needless to say, I was greatly surprised to see such a dramatic shift, as was my community.

Respecting Neighborhood Boundaries & Communities of Interest

Despite the New York City Charter requirement for the Districting Commission to preserve communities of interest, the preliminary draft lines do just the opposite in neighborhoods of upper Manhattan and the Bronx. The proposed map shaves off 20 blocks of the El Barrio/East Harlem section of my district, moving them over to District 9. This neighborhood, which many call the “cradle of the Puerto Rican community” in both New York City and the United States as a whole, has a distinctly Puerto Rican and Latino identity. The splitting up of El Barrio in the proposed map is most absurdly reflected in the fact that La Marqueta – an iconic landmark for the Puerto Rican community, not to mention a site with immense potential for economic activity and investment – no longer falls squarely in District 8. However, to be clear, drawing La Marqueta back into the district alone is not sufficient. The Commission should restore those parts of El Barrio/East Harlem that remain strongly Latino and identify with the neighborhood. Anything else would represent a glaring disregard for maintaining this community of interest intact.

On the West Side, the proposed lines divide the Manhattan Valley community, needlessly separating Douglass Houses and 830 Amsterdam Houses from the rest of the neighborhood. The proposal even splits up a single residential community called Park West Village, which runs from West 97th Street to West 100th Street between Central Park West and Amsterdam, into two Council districts. Several residents of the West Side called for the creation of a true West Side district in their testimony before the Commission last month. However, what I have heard resoundingly from my constituents is that the proposed lines do not achieve their objectives whatsoever. In fact, the area of the West Side that I currently represent will now be represented by three Council Members, instead of one.

Both of these neighborhoods include Latino strongholds that are being left behind by not including them within a Latino majority district. Many of my constituents who are cut out of the 8th District in the proposed map have expressed feeling a greater affinity with a primarily Latino district that focuses on issues affecting our particular community and one that is also able to make offering services and programming for Spanish speakers a top priority. This is a critical concern not only in my district but among Latino leaders and communities across the city. *El Diario La Prensa* has weighed in on this issue,

expressing concerns that other neighborhoods are also seeing their Latino populations divided and diluted. Particularly at a time when the Latino population is growing in our city, this is not acceptable.

The re-drawn Bronx section of the 8th District splits up several neighborhoods, including Mott Haven, Melrose, Concourse Village and Highbridge. This configuration stands in stark contrast to the Unity Map proposal, which would have District 8 encompass nearly all of Mott Haven while not affecting any other neighborhoods. Similarly, the Unity Map also reflects much more accurately the boundaries of El Barrio/East Harlem and Manhattan Valley. A district covering the entirety of three neighborhoods like what the Unity Coalition has proposed appears much more reasonable than the district proposed by the Commission, which would lead to partial representation for at least three communities in the Bronx.

Finally, it is completely unclear to me why Randall's Island and Wards Island, which are part of Manhattan and fall within Manhattan Community Board 11's boundaries, would be shifted to District 22 in Queens. Crossing borough and Community Board borders just to represent an area that is primarily parkland with limited additional population on Wards Island simply does not make sense. I have been very active, along with my colleagues, in seeking to find ways to provide a direct connection to the much-needed green recreational space on Randall's Island for East Harlem and South Bronx residents. I believe that the 8th Council District is the one best suited to represent this area.

Questioning the "Borough Equity" Rationale

In response to the immense criticism that the proposed re-drawing of District 8 has generated, the Districting Commission has pointed to the population growth in the Bronx as a rationale for splitting the 8th District evenly between the two boroughs. The Commission has stated that the Bronx portion of District 8 must grow from 11% to over 50% in order to ensure that the Bronx is fairly represented on the Council.

Let me be clear: I absolutely welcome the opportunity to increase my representation of the Bronx. In fact, the Unity Map proposal nearly doubles District 8's portion of the Bronx from 11% to 20%. My concern is that, in expanding the Bronx share to the full 50% proposed by the Commission, it is actually Manhattan voters that are the most "under-represented." Under the Commission's proposal, the average Manhattan Council Member would represent 167,279 people, the highest number of any of the five boroughs. Meanwhile, the average Bronx Council Member would represent 161,823 constituents. Queens (the other borough that borders the Bronx) would be even lower than the Bronx at 158,000 residents per Council Member. Nearly all of the proposed Manhattan districts are at maximum allowed deviation, while some districts in the Bronx are actually at a *negative* deviation, suggesting that these districts could absorb more population growth.

Instead, the Districting Commission's proposal has the effect of creating an additional Bronx-majority seat on the City Council. Currently, there are 10 seats in the Manhattan delegation and eight in the Bronx; whereas, under the Districting Commission's proposal,

the delegations would effectively be evened out at nine members each. This is difficult to justify, given that Manhattan has 200,000 more people and still experienced a growth of 3.2%, which was only slightly lower than the Bronx's growth (3.9%).

Moreover, it is residents of the boroughs, not the boroughs themselves, that have a right to equal representation. There is nothing in the Charter, the Districting Commission rules, or Equal Protection Law that provides for "borough representation." In fact, the very reason that the City Charter was amended in 1989 was that the Supreme Court found that the emphasis on boroughs had the actual effect of disenfranchising voters.

Transparency and Public Process

There are also serious concerns related to the limited opportunity for public input going on the district lines moving forward. The first time city residents have been able to comment on specific draft lines was this week, and this round may be the last time. I believe strongly that there should be time for a final round of public review on the next draft of district lines, which the Districting Commission itself has said can change substantially based on feedback received at next week's hearings.

Conclusion

I have heard the message from my constituents loud and clear. The proposed district lines as currently drawn cannot stand. I urge the Commission to use the Unity Map as a basis for reconfiguring Upper Manhattan and the Bronx as a way of preserving communities of interest and minimizing the splitting up of our city's neighborhoods. The Unity Map provides an important framework, but the Commission should still take into account feedback from local communities in drawing the particular boundaries. I also urge the Commission to consider an additional set of hearings where the community can have another opportunity to weigh in on the lines.

For nearly seven years now, I have been truly proud and honored to represent such a diverse and dynamic district. In the Participatory Budgeting initiative that I began implementing last year, which gives all of my constituents the power to decide how to allocate over \$1 million in capital funding, the distinct neighborhoods that make up my district truly came together in incredible ways. The initiative has forged new linkages across the 8th District and has built a genuine sense of community. My constituents have shared with me that they would like to see these linkages continue, and using the Unity Map framework would accomplish these goals.

Thank you for your attention to these concerns.