



NEW YORK CITY DISTRICTING COMMISSION  
PUBLIC HEARING ON THE PRELIMINARY DRAFT COUNCIL DISTRICT MAP

**TESTIMONY OF DAVID NOCENTI  
EXECUTIVE DIRECTOR  
UNION SETTLEMENT ASSOCIATION**

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Chairman Romano and members of the New York City Districting Commission (“Commission”), thank you for the opportunity to testify here today.

My name is David Nocenti, and I am the Executive Director of Union Settlement Association, which is the oldest and largest social service provider in East Harlem. Union Settlement has been an integral part of the East Harlem community since 1895, and we assist thousands of local residents each year with a wide array of programs and services, including child care, after-school and summer program, ESL and GED classes, mental health counseling, college prep, job readiness training, senior centers, Meals on Wheels, home health care and more.

I am here today to express my significant concerns about the preliminary draft district map that the Commission released last month, and in particular the way in which it tears portions of East Harlem out of Council District 8.

East Harlem – also known as Spanish Harlem or El Barrio – lies east of Fifth Avenue and north of 96<sup>th</sup> Street, and is a vibrant community of strong and committed neighbors working together to succeed.

The preliminary map inexplicably removes 21 blocks of East Harlem from Council District 8, and moves them instead to Council District 9. There is absolutely no reason for the Commission’s decision to divide the East Harlem community. Although the northwest corner of East Harlem is already in Council District 9, that is a portion that

should be been restored to Council District 8, rather than having the community divided even further.

Indeed, the Commission has proposed to move La Marqueta – the historic and much beloved heart of El Barrio – out of Council District 8. It is unimaginable that the Commission would ever consider moving the Apollo Theater out of Council District 9, or the Empire State Building out of Council District 3, and so it is shocking – and appalling – that the Commission somehow felt comfortable moving La Marqueta out of Council District 8.

But La Marqueta is just a symbol of a larger problem. Our concerns are much broader than those relating to a single location, and the affront cannot be addressed by simply moving La Marqueta back into the district. Instead, the problem is the axe that was used to cleave all 21 blocks of East Harlem away from the rest of our community.

This is not just a perception problem; it is a legal problem. As the Commission is well aware, the New York City Charter sets forth some very specific criteria that must be applied when dividing the city into districts. While these criteria are not inviolate, the Charter specifically says that they must be applied “to the maximum extent practicable.” Not “to the extent practicable,” but “to the maximum extent practicable.”

I will not repeat all seven Charter criteria here, but instead will focus on just two.

First, the Charter requires that district lines “keep intact neighborhoods and communities with established ties of common interest and association, whether historical, racial, economic, ethnic, religious or other.” New York City Charter, § 52(c).

The Commission’s proposed preliminary map clearly violates that requirement, by further dividing the East Harlem community, rather than keeping the neighborhood intact.

And make no mistake about it – East Harlem truly is a “neighborhood” and a “community” with “established ties of common interest and association.”

Thinking just of my own organization, Union Settlement Association, we are members of the East Harlem Chamber of Commerce, the Human Services Consortium of East Harlem, the East Harlem Community Alliance, and Manhattan Community Board 11, all of which cover the same geographic neighborhood north of 96<sup>th</sup> Street and east of Fifth Avenue. We also work closely with other organizations with the exact same community of interest, such as the East Harlem Business Capital Corporation, the East Harlem Mexican Chamber of Commerce and the East Harlem Council for Community Improvement.

There is no justification for the Commission’s failure to keep our East Harlem neighborhood and community intact. And the Commission’s proposed map divides not

just East Harlem, but also the Manhattan Valley area of the west side of Manhattan, and the High Bridge area of the Bronx.

As the Commission is well aware, in August LatinoJustice PRLDEF, the Asian American Legal Defense and Education Fund, the National Institute for Latino Policy, and the Center for Law and Social Justice of Medgar Evers College released a joint proposed “Unity Map,” setting forth district proposed lines that seek to strictly meet the Charter’s redistricting criteria. That Unity Map keeps Manhattan Valley intact and does not add the large section of the Bronx to Council District 8, thereby demonstrating that the Charter’s “common interest” criteria can be met, and that the Commission’s proposed map fails to meet the “to the maximum extent practicable” requirement.

The second Charter criteria that is particularly applicable here is the “compactness requirement,” which provides that each district “shall be compact and shall be no more than twice as long as it is wide.” New York City Charter, § 52(c).

This requirement similarly is violated by the Commission’s preliminary draft map. Excluding Central Park – where no one lives – the current Council District 8 is relatively compact, and is approximately as long as it is wide.

The Commission’s proposed new district, in contrast, removes the entire western portion of Council District 8, as well as portions in East Harlem, and inexplicably adds a

large, narrow portion of the Bronx, all the way up to High Bridge. Even without Central Park, the new proposed district is more than three times as long as it is wide.

Once again, the Commission cannot claim that it is maintaining compactness “to the maximum extent practicable,” because the Unity Map amply demonstrates that a map can be drawn that strictly complies with this requirement of the Charter.

In sum, we strongly urge the Commission to re-draw the boundaries of Council District 8, to restore the portions of East Harlem moved to Council District 9, to eliminate the large, narrow portion that was added in the Bronx, and to retain to the maximum extent possible the district’s current compact design, which unites rather than divides communities.

Thank you for giving me the opportunity to testify here this evening, and I would be happy to answer any questions the Commission might have.