

UNITED COMMUNITIES ALLIANCE

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STATEMENT OF ALBERT BALDEO, DISTRICT LEADER PRESIDENT OF THE UNITED COMMUNITIES ALLIANCE TO THE NYC DISTRICTING COMMISSION FOR NEW CITY COUNCIL DISTRICTS

**August 21, 2012
Queens Library at Flushing, New York City**

I am an elected Democratic District Leader of the 38th Assembly District, a Community Advocate and an Attorney-at-Law. I am also the President of the United Communities Alliance, an organization that empowers and improves the quality of life of all residents-regardless of race, religion or national origin living in Queens, the place that best defines us all as a nation of immigrants.

Our goals are to consolidate residents of the district into active participation for the betterment of the district, to fight for fair redistricting and social justice, to develop coalitions of neighborhood organizations and groups, to foster a greater civic voice for the community, and to solve the common issues and problems confronting the neighborhoods of Richmond Hill, Ozone Park and South Ozone Park, which should constitute one City Council District: Exhibit "A."

In addition to running for public office several times before, my interaction with residents in these communities compared to others as an attorney, grass roots organizer and community leader, has given me a deep understanding of the common issues, problems, concerns and solutions that impact these residents collectively.

Gerrymandering has cracked these natural "communities of interest" into unrecognizable portions, with concomitant suppression from participation in even the most basic structures of government. The issues, problems, solutions and allocation of resources confronting them are overpowered and overlooked in preference to those confronting communities like Rochdale Village, and the Jamaica Housing Projects over the Van Wyck Expressway-a natural divide. These communities should not be lumped together. They all deserve separate attention. We ask you, "How can you lump these Mitchell Lama, Co-ops and Housing Projects together, with Richmond Hill, South Ozone Park and Ozone Park, which consists of only one and two family homes?"

Consequently, the present divisions fundamentally prohibit "fair and effective representation to these communities of interest," contrary to both the NY City Charter and the Voting Rights Act: Exhibit "B." Council Districts 28 and 32 emasculate what the Federal Courts have articulated as factors which establish a community of interest.

Common problems abound, common issues are ignored, and common solutions are impossible to achieve. Rampant home foreclosures, closure of hospitals, medical centers and schools, kids being subjected to filthy, overcrowded trailer parks and locker rooms for classrooms, spiraling unemployment, increased taxes and the cost of living have marginalized these communities of interest from government services and funding. Their need for representation at all levels of government has never been more compelling.

Our plight is best understood with the threatened closings of our area hospitals, our high schools like Richmond Hill High and John Adams, 10% rate of unemployment, high home foreclosures and small business closures in our district. We do not even have health clinics, community centers, day care centers, senior centers, social services centers, or job training centers. The press recently exposed the fact that we have only one (1) cooling center in the area! MTA has been shutting down our bus routes, and procrastinating on their promise to install what will be the only subway escalator in our community-right now a pie in the sky! No other community comes close to this paradigm of utter despair: Exhibit "C."

Currently, Richmond Hill, South Ozone Park and Ozone Park are cracked into numerous City Council Districts, State Senate Districts, Assembly and Congressional Districts. Consequently, there is reduced effectiveness in problem solving, shared bonds are destroyed, and constituents are reduced to mere statistics.

Therefore, it is respectfully submitted that this august body must fully comply with all of the factors the Federal Courts, Supreme Court and the NY City Charter have recognized in the drawing of district lines: (1) Compactness and contiguity (2) Respecting political subdivisions (3) Preserving communities of interest and race (4) Meeting political goals. They have recognized cultural background, economic status, common media markets, shared community services and organizations (including health clinics, stores, public transportation, and workplaces), voting patterns, common language and dialects, and common country of origin as factors and shared community concerns in drawing district lines. See e.g. *Diaz v. Silver*. The continued separation and fragmentation of Richmond Hill, South Ozone Park and Ozone Park will fundamentally breach these mandates, short change these vibrant communities of interest and cannot withstand legal muster/scrutiny.

It is imperative that you unite Richmond Hill, Ozone Park and South Ozone Park together, utilizing the Van Wyck Expressway to the East, Queens/Brooklyn County line to the West, Hillside/Jamaica Avenue to the North and the South Conduit/Belt Parkway to the South as a City Council District, which has an aggregate of 192,000 constituents: Exhibit "A." (If Howard Beach, Woodhaven and Glendale must be connected, we can adjust the Queens/Brooklyn County line nearer to Woodhaven Boulevard).

That is where the critical mass of this community of interest is, and I challenge this esteemed panel to produce a more compact and contiguous district, which also adheres to the NYC Charter-natural boundaries, and established ties of common interest and association-historical, racial, economic, ethnic, religious or other. The NYC Charter mandates that these communities must be kept together as described, not only for their continued economic and cultural survival and growth, but also with the practical goal of having laws tabled and passed in the City Council.

The needs of all Americans must be met in terms of education, housing, health, social, economic and human services, as well as representation in the City Council. Health care providers in this community also advise of the problems patients face when they cannot relate their symptoms to strangers who are insensitive to their medical needs. Likewise, citizens complain of law enforcement profiling and prejudices, all being evil consequences of the scourge of gerrymandering.

Moreover, this lack of representation has resulted in jobs being denied to constituents at JFK Airport and environs, the Resorts World/Aqueduct Development, area hospitals, schools, and other businesses right here in our back yard. This area does not get any meaningful member item funds from any elected official. It is a crying shame, resulting in a cycle of poverty!

These constituents pay all the taxes-income tax, city, federal, state, real estate, sales, et cetera. Over 4,000 houses have been bought and sold in these two- and three-jobs neighborhoods over the past decades, yielding billions of dollars. They have revitalized these once depressed neighborhoods, giving impetus to the American economy, and are ranked among the largest growing groups in New York City: Exhibit "D." With the hope and promise of the America Dr. Martin Luther King Jr, and other great visionaries have died for, they have come to cash that check.

If you still harbor pause, just attend the Phagwah Parade which ushers in the spring, and you will see the hundreds of thousands of these ignored minorities who participate in one of the largest parades in the entire USA. Or visit JFK Airport Arrivals or Resorts World and you will be convinced as to who constitute the critical mass.

Residents living in this district cannot help but feel that this is a deliberate, institutional attempt to disenfranchise them. This status quo threatens the life of their growing communities and causes new generations to grow up without representation, identity and commitment to the destiny of family, home, community, city, state and, ultimately, their country, the United States. It is a vicious and unnecessary cycle of poverty, humiliation and exploitation, leaving life and democracy better off in the Third World by comparison.

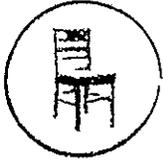
You must not precipitate this American tragedy any longer. We urge you, therefore, to redraw boundaries that will preserve their community of interests, their traditions, needs and solutions, and their common history. Richmond Hill, Ozone Park and South Ozone Park, must not be divided into different voting districts. We urge you to consolidate them now!

Dr. Martin Luther King Jr's guidance is instructive when he said that you should not make others exiles in their own land, and that you should judge each person by their content and character. Our Constitution still speaks to us all collectively, as "We the People." So we ask you to uphold the Constitution, reminding you of the fierce urgency of now, and the sins and omissions of the past. It will be an unforgivable travesty for you to give us back our deserving check back again, like previous redistricting committees did, marked "Insufficient Funds." Our children and families proudly fight and die for our great country, and, collectively, we continue to build America, with our blood, sweat and tears.

Right thinking Americans, like Abraham Lincoln, Emma Lazarus and others, will surely be turning in their graves. This Commission must do what you are mandated to do! Inasmuch we have been advised that these arguments constitute a valid legal claim for redress, we urge you to approve this district.

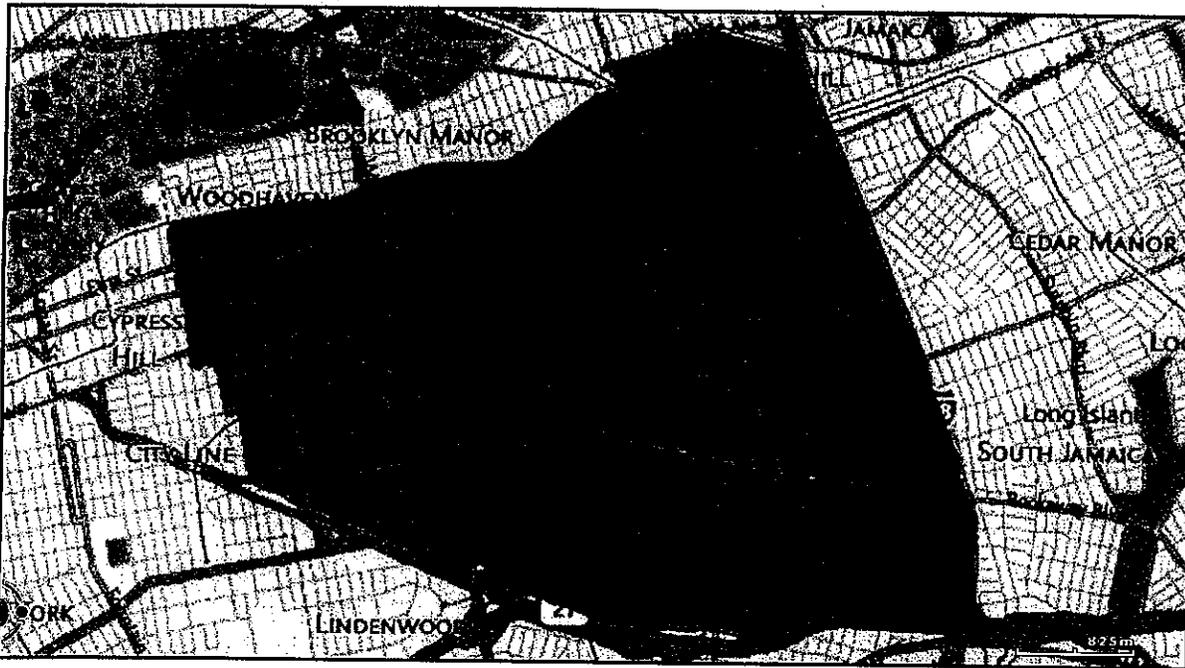
Respectfully submitted.

EXHIBIT A



Mosaic Districts

Richmond Hill, Ozone Park, South Ozone Park Community of Interest



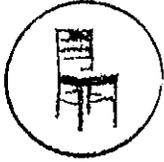
Boundaries: North: Jamaica Avenue to Hillside Avenue
East: Van Wyck Expressway
South: Belt Parkway
West: Brooklyn-Queens County Line

Cluster Profile: The SAAs in this cluster are primarily Asian-Indian and Indo-Caribbean.

Total Population	192,000
White	11.9%
Black	15.3%
Hispanic	33.8%
Asian	23.6%
Other	14.5%

Compact: Yes, approximately 6 square miles; smooth boundary; rectangular in shape.

Contiguous: Yes.



Community of Interest:

- 1) *Political Subdivisions:* Queens Community Boards 9 and 10.
- 2) *Local High Schools:*

Richmond Hill High School	Data for 2010-2011 School Year
Asian	34.1%
Black	16.0%
Hispanic	47.1%
White	2.4%

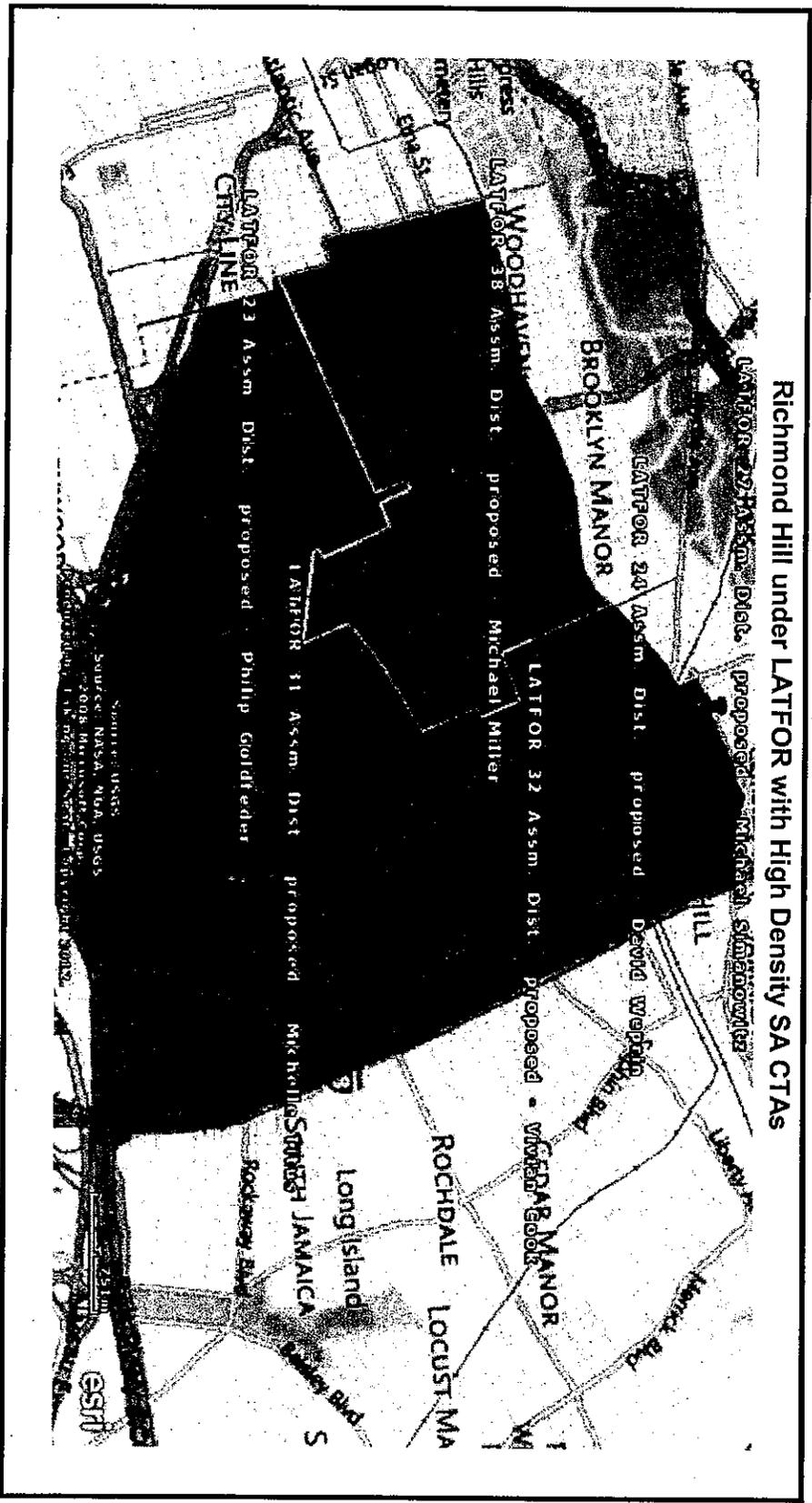
John Adams High School	Data for 2010-2011 School Year
Asian	28.2%
Black	29.3%
Hispanic	36.6%
White	4.4%

- 3) *Common Transportation Characteristics:*
 - a. Subway: J,Z line and A line;
 - b. Buses: Q7, Q8, Q10, Q11, Q21, Q24, Q37, Q41, Q53, Q56, Q110, QM15, QM 18, BM5.
 - c. Main Thoroughfares: Atlantic Avenue, Jamaica Avenue, Liberty Avenue, Woodhaven Boulevard.
 - d. Average Commute Time: 45 minutes⁶.

⁶ 2000 Census Data for Richmond Hill; information for other neighborhoods in this cluster not available.

New Lines! Now What?

Taking Our Seat, The South Asian Voice in Redistricting



Richmond Hill under LATFOR with High Density SA CTAs



ASIAN AMERICAN LEGAL DEFENSE AND EDUCATION FUND

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ASIAN AMERICAN NEIGHBORHOOD BOUNDARIES

LATFOR Public Hearing

September 7, 2011

Queens, New York

Asian American
Legal Defense
and Education Fund

**Asian American Legal Defense and Education Fund (AALDEF)
Asian American Communities of Interest Survey in New York City
submitted to LATFOR
at the Public Hearing, September 21, 2011
250 Broadway, New York City**

The Asian American Legal Defense and Education Fund, founded in 1974, has defended the voting rights of Asian Americans through litigation, legal advocacy and community education.

AALDEF submits this Asian American Communities of Interest Survey in connection with the redistricting hearings conducted by LATFOR in New York City. This survey, utilized in combination with the Asian American Neighborhood Boundaries, submitted to LATFOR at the September 7, 2011 public hearing in Queens, supplies LATFOR with the necessary tools to ensure that Asian American communities of interest will not be unfairly divided.

Asian Americans in New York City

Asian Americans are the fastest growing racial group in New York City. In New York City, the Asian American population has increased 32% over the past decade and now constitutes almost 13% of the city's population, numbering 1,028,119¹. Seven out of ten Asian New Yorkers reside in three New York City boroughs: Queens, Manhattan and Brooklyn.

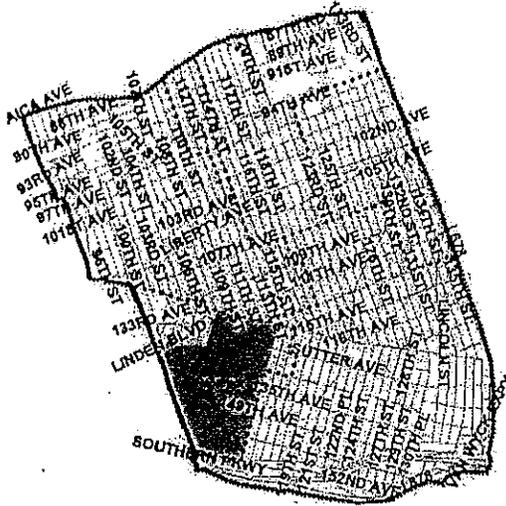
CENSUS 2010	Total Population	Asian Population	Asian Percent of Total	Total Growth Since 2000	Asian Growth Since 2000
New York State	19,378,102	1,406,194	7.3%	2.1%	35.7%
New York City	8,175,133	1,028,119	12.6%	2.1%	31.8%
- Queens	2,230,722	508,334	22.8%	0.1 %	30.6%
- Manhattan	1,585,873	177,624	11.2%	3.2%	24.0%
- Brooklyn	2,504,700	260,129	10.4%	1.6%	41.2%

* Only includes those who checked "Asian" and no other race².

¹ U.S. Census Bureau, 2010 and 2000 Census.

² This "Not Hispanic Asian alone" number should be taken as the bare minimum number of Asian Americans. In the 2000 and 2010 censuses, respondents were allowed to mark more than one race, yielding a race concept known as "alone or in combination," which includes people who reported a single race alone (e.g., Asian) and people who reported that race in combination with one or more of the other race groups (i.e., White, Black or African American, American Indian and Alaska Native, Native Hawaiian and Other Pacific Islander, and Some Other Race). In addition, race and ethnicity are considered separate and distinct identities, with Hispanic or Latino origin asked as a separate question. This means that all respondents are also categorized as either "Hispanic or Latino" and "Not Hispanic or Latino." Therefore, a more accurate and inclusive estimate of Asian Americans would be to aggregate both the Hispanic and Not Hispanic Asian alone or in combination populations (e.g., the maximum number of Asian

Richmond Hill/South Ozone Park (Attachment p. 9)



Current Legislative Districts: The community-defined area of Richmond Hill/South Ozone Park is currently divided among 6 assembly districts (AD27, AD25, AD32, AD31, AD23 and AD38); SD15 and SD10; and CD9 and CD6.

Richmond Hill and South Ozone Park comprise a single community of mainly Bangladeshis, Indians, Sikhs and Indo-Caribbeans.

There are no community centers for the youth and no senior centers. After-school programs are located in Howard Beach and Maspeth.

Richmond Hill

Housing: The residents are homeowners, and the neighborhood is zoned for single and multi-family homes. There are many extended families living together, reflecting their communities “back home” in South Asia and the South Asian Indo-Caribbean communities.

Employment: Many of the residents work in either Brooklyn or Manhattan as unskilled laborers. There is a demand for adult basic education and trade/vocational schools. Some of the residents are also self-employed entrepreneurs.

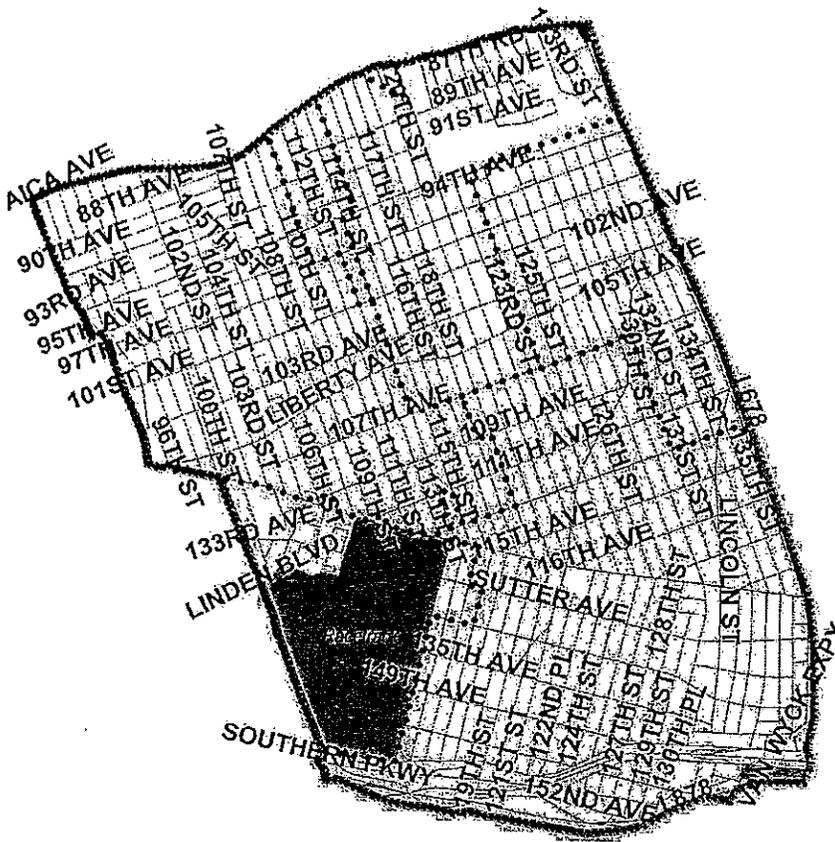
Transportation: Most residents are dependent upon public transportation and utilize the A train and J train subway lines for transportation services. Residents also use the Q112, Q8, Q10 and Q41 bus lines.

Education: The two high schools in the neighborhood are John Adams High School and Richmond Hill High School. All of the junior high schools that provide students to these two high schools are from Richmond Hill.

Concerns/Needs: A high number of senior citizens reside in Richmond Hill, but the only senior center is in Ozone Park on Sutter Avenue. There is only one park in Richmond Hill, Phil Rizzuto “Scooter Park” (formerly Smokey Oval Park). South Asian residents contend that their neighborhood does not receive its equitable share of resources; instead, they believe more resources go to Jamaica and Howard Beach.

Many cultural and religious institutions reflect the collective South Asian and Indo-Caribbean culture, including Sikh temples (101 Avenue and 114th Street), Hindu Temples (101 Avenue and Liberty Avenue), ethnic Christian churches (101 Avenue, Lefferts Boulevard and Rockaway Boulevard) and mosques (126th Street and Lefferts Boulevard).

Richmond Hill- South Ozone Park

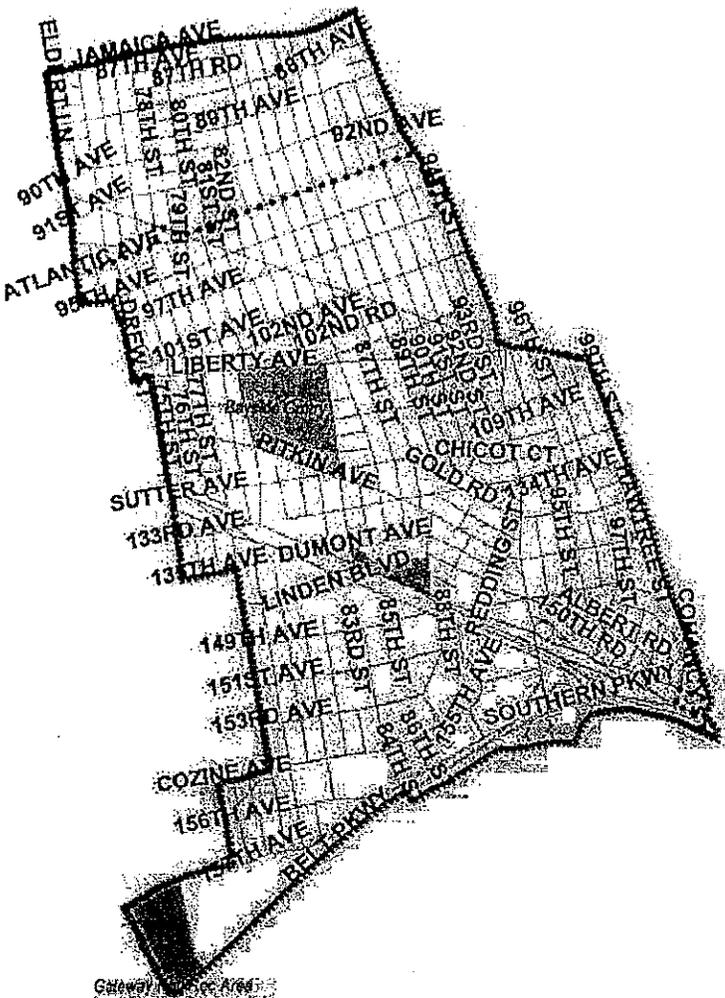


POPULATION	133,260
DEVIATION FROM IDEAL ASSEMBLY SIZE	+1.07% (+3.2%)
% HISPANIC	27.6%
% NH WHITE	7.9%
% NH BLACK	19.4%
% NH ASIAN	25.5%

Asian American
Legal Defense
and Education Fund

Ozone Park

POPULATION	68,070
DEVIATION FROM IDEAL ASSEMBLY SIZE	-61,117 (-47.3%)
% HISPANIC	45.1%
% NH WHITE	26.9%
% NH BLACK	5.9%
% NH ASIAN	16.3%



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Asian American
Legal Defense
and Education Fund

South Ozone Park

Housing: South Ozone Park has fewer shops and is more residential than Richmond Hill. Many of the residents do their shopping in Richmond Hill and live in South Ozone Park. The residents of Richmond Hill and South Ozone Park also share many characteristics.

Employment: Many of the residents work at John F. Kennedy International Airport (JFK), the Aqueduct Racetrack or work as local or livery cab drivers. Many residents also run day care centers out of their homes or work as nannies. In a typical family, the husband works at JFK Airport and the wife works as a nanny.

Concerns/Needs: Richmond Hill and South Ozone Park share many commonalities and should be grouped together into the same legislative district if possible. The neighborhood of South Jamaica, east of the Van Wyck Expressway, should not be grouped with Richmond Hill/South Ozone Park for several reasons. First, home property values are significantly less. Second, the high school population does not include middle school students from Richmond Hill or South Ozone Park. Third, the population in South Jamaica is not comprised of many immigrants like Richmond Hill/South Ozone Park. Instead, the population of South Jamaica is comprised of mostly African Americans who have settled in that neighborhood for a long time and rely on different public transportation lines, such as the E train subway line to Jamaica Center.

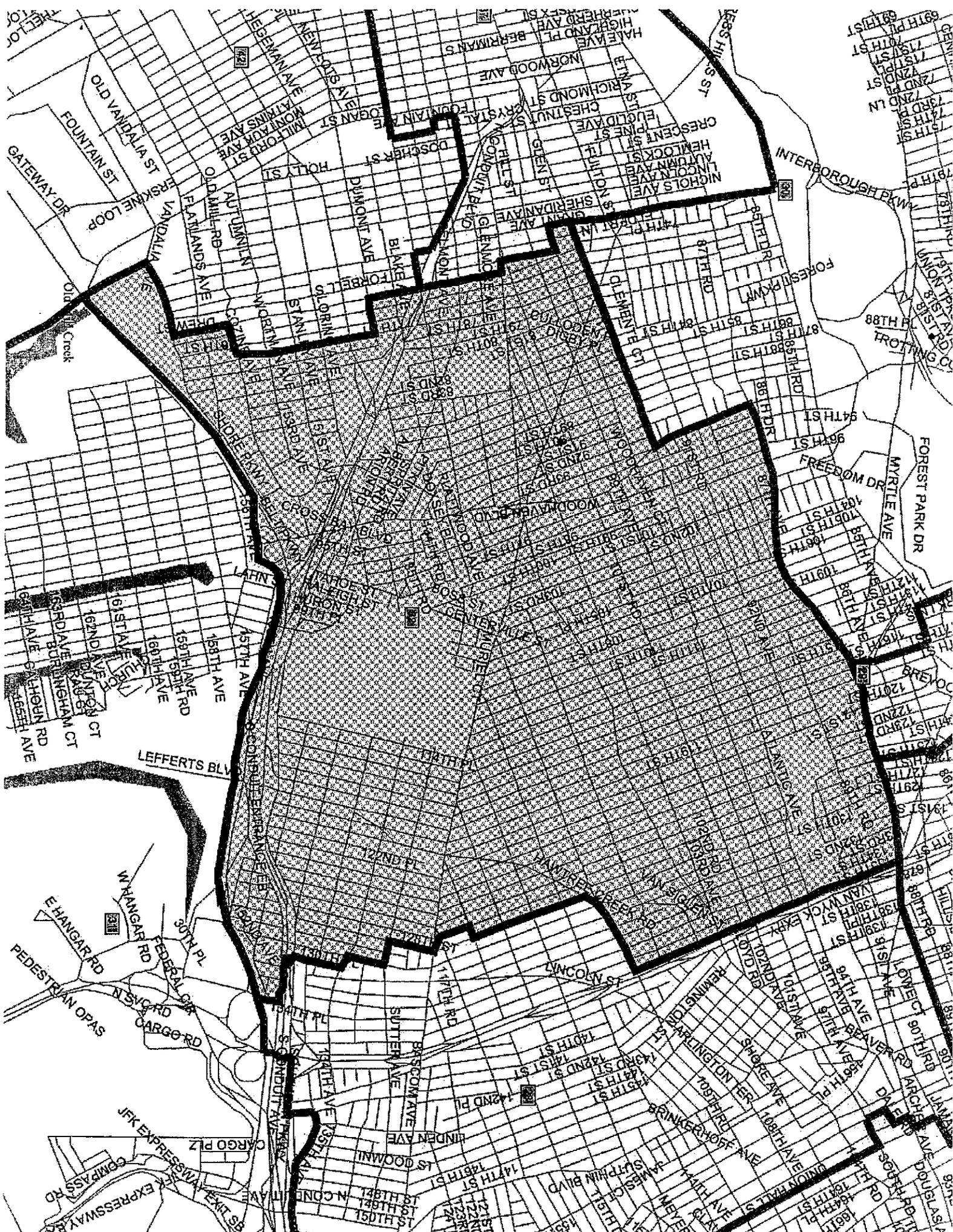


EXHIBIT B

**Asian American
Legal Defense
and Education Fund**

Criteria for the districts - applied and given priority in the order in which they are listed (N.Y. CITY CHARTER, ch. 2-A, §52(1) (2004)):

1) **Population.** The difference between the most populous and the least populous council district must not exceed 10% of the average population for all council districts. Any such differences in population must be justified by one or more of the other criteria stated in the City Charter. N.Y. CITY CHARTER, ch. 2-A, §52(a) (2004).

2) **Fair and effective representation.** The districting plan must be established in a manner that ensures the fair and effective representation of the racial and language minority groups in New York City which are protected by the Voting Rights Act. N.Y. CITY CHARTER, ch. 2-A, §52(1)(b) (2004).

3) **Communities of Interest.** District lines should keep intact neighborhoods and communities with established ties of common interest and association, whether historical, racial, economic, ethnic, religious or other. N.Y. CITY CHARTER, ch. 2-A, §52(1)(c) (2004).

4) **Compactness.** Each district must be compact and cannot be more than twice as long as it is wide. The districting plan must be established in a manner that minimizes the sum of the length of the boundaries of all of the districts included in the plan. N.Y. CITY CHARTER, ch. 2-A, §52(1)(d)(g) (2004).

5) **Contiguity.** Each district must be contiguous, and whenever a part of a district is separated from the rest of the district by a body of water, there must be a connection by a bridge, a tunnel, a tramway or by regular ferry service. N.Y. CITY CHARTER, ch. 2-A, §52(2) (2004).

6) **Political boundaries.** A district cannot cross borough or county boundaries. If any district includes territory in two boroughs, then no other district may also include territory from the same two boroughs. N.Y. CITY CHARTER, ch. 2-A, §52(3) (2004).

EXHIBIT C

July 19, 2012

Richmond Hill Feeling The Heat

By ROSS BARKAN

Richmond Hill and Woodhaven residents are hoping, for once, that the City keeps them out in the cold.

If a heat wave scorches Queens again on a Saturday, like it did on a sultry July 7, there will be no cooling centers in Woodhaven and Richmond Hill to handle exasperated residents who lack access to air-conditioning. Richmond Hill residents have despaired over the absence of cooling centers open on the weekend. Residents without air-conditioning can stay at the Richmond Hill library on weekdays or trek to the Lefferts Library, open only on Saturdays, to avoid temperatures nearing 100 degrees.

"Richmond Hill is the orphan child of Queens," said Albert Baldeo, a Democratic district leader. "There has always been a paucity of social services, job centers, health centers. We have been reduced to a neglected neighborhood, forgotten."

Cooling centers, established by the City to provide a free air-conditioned place where people can stay during a heat wave, are typically situated in either libraries or senior centers. Weekend library hours have

been slashed across the City; Richmond Hill library is not open on Saturdays or Sundays and the neighborhood does not have a senior center.

Richmond Hill, bounded by the Van Wyck Expressway and neighboring Ozone Park, is teeming with Guyanese, Caribbean and Punjabi immigrants. Storefronts adorned with Indian saris share blocks with restaurants cooking Trinidadian delicacies like doubles, though the once Irish and Italian neighborhood does not have a central community center that neighborhood advocates believe it desperately needs.

Tribune Photo by Ira Cohen.



The Richmond Hill Library serves as a cooling center during hot weather.

Civic leaders have lamented that seniors looking for a place to gather are forced to cluster in a local Burger King. The Woodhaven-Richmond Hill Senior Center, despite its name, is located on Jamaica Avenue in Woodhaven. Vishnu Amadeo, executive director of the Richmond Hill Economic Development Council, has argued that since Richmond Hill possesses

no single elected representative on the State or City level, funding is scarce for any social services. Councilwoman Ruben Wills (D-Jamaica) and Councilwoman Elizabeth Crowley (D-Middle Village) each represent portions of Richmond Hill and will fund the community far less than before for very different reasons: Wills, under investigation for the

alleged misappropriation of \$33,000, cannot allocate any money himself because Council Speaker Christine Quinn (D-Manhattan) suspended his Council powers. Quinn allocated Wills' money and drastically reduced Crowley's discretionary budget, believed by political observers to be retaliation for defying Queens Democratic Chair U.S. Rep. Joe Crowley (D-Jackson Heights) by making a run for Congress against his chosen candidate, Assemblywoman Grace Meng (D-Flushing).

The Office of Emergency Management said that there should be a cooling center "within walking distance" but did not comment specifically on the availability of weekend centers. In Woodhaven, there are several nearby cooling centers, including the Woodhaven library, Woodhaven-Richmond Hill Senior Center and Glendale library, but on weekends, the closest cooling center is the Cypress Hills-Fulton Street

Senior Center in Cypress Hills, Brooklyn.

"It is a problem, they have cooling centers in libraries but they could have made arrangements with churches and synagogues for people to go there," said Mary Ann Carey, district manager for Community Board 9, which represents Richmond Hill, Woodhaven, Ozone Park and Kew Gardens. Carey wrote a letter to Mayor Mike Bloomberg after a man complained to her that on July 7, he was shut out of the Richmond Hill and Woodhaven cooling centers, each located in a closed library. "There are other alternatives."

Ed Wendell, president of the Woodhaven Residents' Block Association, did not agree that a lack of cooling centers was a pressing issue for the Woodhaven community. He expressed concern that Carey did not speak with him about the letter. "Our office fields a lot of complaints but we've rarely heard complaints about cooling centers," Wendell said. "I'm not saying it's not a problem, I don't want to minimize it, but there are a lot of other issues." Reach Reporter Ross Barkan at (718) 357-7400, Ext. 127 or rbarkan@queenstribune.com..

EXHIBIT D