

## **A Section 5 Voting Rights Act Evaluation of Local Law 51**

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### **I. Introduction**

I have been retained by the city of New York to ascertain whether, in my expert opinion, Local Law 51 (extending term limits from two to three terms for city officeholders) satisfies the requirements of Section 5 of the Voting Rights Act of 1965 (the "Act"). My analysis has led me to conclude that the proposed change is not retrogressive and therefore does not violate Section 5 of the Act.

### ***Professional Background and Experience***

I have advised numerous jurisdictions and other clients on voting rights-related issues and have served as an expert in dozens of voting rights cases including redistricting, one person/one vote and partisan gerrymandering cases. My clients have included scores of state and local jurisdictions, a number of national civil rights organizations, the U.S. Department of Justice, and such international organizations as the United Nations and International IDEA. In New York specifically, I served as an expert to the Special Master in the New York State Supreme Court 2002 redistricting litigation,<sup>1</sup> and was a consultant to the New York City Redistricting Commission in 2003.<sup>2</sup>

I have been actively involved in researching, writing and teaching on subjects relating to voting rights, including minority representation, electoral system design and redistricting. I co-authored a book, Minority Representation and the Quest for Voting Equality (Cambridge University Press, 1992), and numerous articles, as well as co-edited a volume (Redistricting in Comparative Perspective, Oxford University Press, 2008) on these subjects. I have taught several political science courses, both at the undergraduate and graduate level. I hold a Ph.D. in political science from George Washington University.

I have been a principal of Frontier International Electoral Consulting since co-founding the company in 1998. Frontier IEC specializes in providing electoral assistance in transitional democracies and post-conflict countries.

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<sup>1</sup> *Allen v. Pataki*, Index No.101712/02 (N.Y. Sup. Ct., May 3, 2002) (Order). New York State 2002 congressional redistricting.

<sup>2</sup> I advised the Redistricting Commission and prepared a report for submission to the Department of Justice pertinent to Section 5 of the Voting Rights Act. The redistricting plan was precleared and is currently in place.

## *Summary of Findings*

In October 2008, the New York City Council passed Local Law 51 amending § 1138 of the City Charter to extend the limit on the number of terms that elected City officials may serve consecutively from two to three four-year terms. Because three of New York City's five counties, Bronx, Kings and New York (referred to herein as Bronx, Brooklyn and Manhattan), are covered by Section 5,<sup>3</sup> the City is submitting Local Law 51 for preclearance.

Neither term limits nor their absence have been recognized as one of the traditional "invidious practices" likely to have a negative impact on the ability of minority voters to cast an effective vote.<sup>4</sup> Term limits do not change who may cast a ballot. Nor do they affect the design of the electoral system (e.g., by replacing a districted system with an at-large system), or alter the boundaries of electoral districts (e.g., by redistricting). They do not modify the method by which voters elect their representatives (e.g., by imposing runoff elections, numbered posts, or staggering elections). Term limits impact only the ability of specific candidates (both minority and white) to seek re-election after a pre-established period of time.

Opponents of Local Law 51 have alleged publicly that the gains in minority representation in the City are attributable to the imposition of term limits and that extending term limits would therefore undercut minority representation. Because of these allegations, the City has asked me to undertake a study of the potential factors responsible for the increase in minority officeholders. I have conducted a New York City-specific analysis and have concluded that the steady increase in minority representation since the mid-1980s is much better explained by demographic shifts and redistricting than by the imposition of term limits.

Given the nature of change occasioned by Local Law 51 (e.g., its non-effect on existing districts) and the lack of a direct connection between term limits and minority representation in New York City, I have concluded that Local Law 51 is not retrogressive and therefore does not violate Section 5 of the Act.

## **II. Factors Potentially Related to Minority Representation on the City Council**

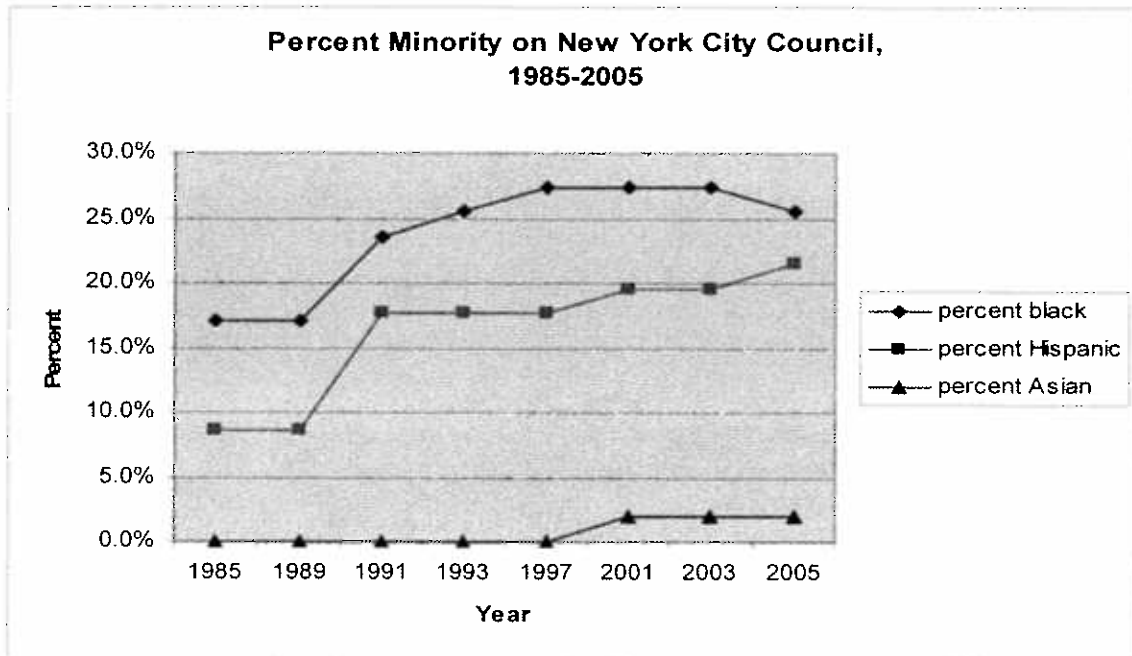
There has been a relatively steady increase in the percentage of minorities serving on the city council over the past 20 years. As the chart below indicates, the increase began several years prior to term limits having their first effect in 2001. And the most dramatic

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<sup>3</sup>To obtain preclearance, a covered jurisdiction must establish that the voting change "does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group." In *Beer v. United States*, the U.S. Supreme Court held that "the purpose of Section 5 has always been to insure that no voting-procedure changes would be made that would lead to a retrogression in the position of racial minorities with respect to their effective exercise of the electoral franchise." *Beer v. United States*, 425 U.S. 130, 141 (1976).

<sup>4</sup> In this instance, term limits have neither been imposed nor repealed – Local Law 51 has merely extended term limits from two to three terms.

increase in minority representation did not occur in 2001, but rather between 1989 and 1991, following the redrawing of council districts and the increase in the number of city council districts from 35 to 51. (The raw information on which this chart is based can be found in the appendices: Appendix 1 lists the names and race/ethnicity of council members by district since 1985; Appendix 2 contains the summary numbers and percentages on which the chart below is based.)



Black representation on the council went from 17.1% in the 1980s to 23.5% in 1991, increased to 25.5% in 1993, and then remained steady at 27.5% from 1997 until the 2005 election, when it declined to 25.5%. The percentage Hispanic membership on the council increased from 8.6% in the 1980s to 17.6% from 1991 to 1997, then increased to 19.6% in 2001 and 2003, and now rests at 21.6%. Asian representation emerged in 2001 (when an Asian candidate won a seat on the council for the first time) and has remained steady at 2% since that election.

### ***Demographic Trends***

The changes in black, Hispanic and Asian percentages on the city council reflect demographic shifts in the city over time. Table 1, below, lists the percentage white, black, Hispanic and Asian in New York City since 1980.<sup>5</sup>

<sup>5</sup> Although the text refers to the white, black and Asian population percentages, these percentages have actually been calculated using non-Hispanic white, non-Hispanic black and non-Hispanic Asian population figures. The non-Hispanic Asian percentage includes a relatively small number of Pacific Islanders.

**Table 1: Percent White and Minority, New York City, 1980 - 2007<sup>6</sup>**

	Non-Hispanic White	Non-Hispanic Black	Hispanic	Non-Hispanic Asian
1980	52.37	23.96	19.89	3.38
1990	43.20	25.22	24.36	6.69
2000	34.98	24.50	26.98	9.78
2007	35.08	23.54	27.43	11.72

The percentage black in the city, like the percentage black on the city council, increased between 1980 and the mid-1990s. However, sometime during the 1990s the black proportion of the city began to decline relative to other minority groups in the city; this is especially true since 2000. The percentage black on the city council has also declined slightly recently.

The Hispanic population percentage has steadily increased over the course of the last couple of decades; so too has the percentage of Hispanics serving on city council. The Asian population percentage has also grown in New York City, though Asians were still only slightly less than 10% of the population in 2000 and are estimated to have increased to 11.7% as of 2007.

### ***Redistricting***

The most dramatic increase in minority representation occurred following the 1991 City Council redistricting when the number of council districts was increased. This is because the proportion of districts that were either majority black or majority Hispanic also increased. In the late 1980s, 25.7% of the council members were minority; in 1991, in the first election after redistricting, 41.2% of the council members were either black or Hispanic. This corresponds with an increase in the number of council districts that were either majority black or majority Hispanic: 11 of the 35 districts (31.4%) were majority black or Hispanic in the late 1980s (according to the 1990 census); following the 1991 redistricting, 22 of the 51 districts (43.1%) were majority black or Hispanic.

In the late 1980s, there were nine minority representatives serving on city council and all were elected from districts that were either majority black or majority Hispanic in voting age population.<sup>7</sup> (Two majority black or Hispanic districts did not elect minority council representatives to office.) Table 2, below, lists the majority black and Hispanic districts and the race/ethnicity of the council members in the late 1980s.

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<sup>6</sup> Data, including the 2007 estimates, was supplied by the New York City Department of City Planning.

<sup>7</sup> One of the nine council representatives – a black council member – was elected from a district that was 48.1% black and 47.1% Hispanic in voting age population so, although this district (District 9) was technically neither majority black nor Hispanic, it was overwhelmingly minority in composition.

**Table 2: Majority Black and Hispanic Districts, 1980s Plan (1990 Census Data)**

District	Percent Black	Race/Ethnicity of Council Member (1985, 1989)	District	Percent Hispanic	Race/Ethnicity of Council Member (1985, 1989)
5	65.4	Black	6	61.9	White
9	48.1	Black	11	63.9	Hispanic
17	84.2	Black	13	61.8	Hispanic
24	72.9	Black	27	64.2	Hispanic
25	66.5	White			
26	86.5	Black			
28	75.4	Black			

The 1991 redistricting increased the total number of council seats from 35 to 51. The new plan included 22 majority black or Hispanic districts. Of the 12 districts that were majority black in composition, 11 elected black representatives to city council in 1991.<sup>8</sup> Eight of the 10 majority Hispanic districts elected Hispanic candidates to office in 1991; one of the other two majority Hispanic districts elected a black candidate to office and the other one elected a white candidate to office in 1991.<sup>9</sup> Table 3, below, lists the majority black and Hispanic districts and the race/ethnicity of the council members elected in the 1991 election (following the redistricting).

**Table 3: Majority Black and Hispanic Districts, 1990s Plan (1990 Census Data)**

District	Percent Black	Race/Ethnicity of Council Member (1991)	District	Percent Hispanic	Race/Ethnicity of Council Member (1991)
9	58.5	Black	8	50.2	Hispanic (Black)
12	58.8	Black	10	75.0	Hispanic
16	54.4	Black	14	58.4	Hispanic
27	77.1	Black	15	58.3	Hispanic
28	63.4	Black	17	61.4	Hispanic
31	64.8	Black	18	57.3	Hispanic
35	69.2	Black	21	49.6	Black
36	89.0	Black	34	69.4	Hispanic
40	74.2	Black	37	51.1	Hispanic
41	87.9	Black	38	50.3	White
42	74.3	Black			
45	72.9	White			

<sup>8</sup> The other majority black district (District 45) elected a black representative to office in 1993. In addition, a black candidate was elected to represent a majority Hispanic district (District 21). In 1991, therefore, a total of 12 black members were elected to city council.

<sup>9</sup> A ninth Hispanic member was elected to city council in 1991 from a majority white district (District 2).

Clearly the number of minority districts created during redistricting is a very good predictor of the number of minorities likely to win office: the percentage of minority city council districts increased from 31.4% to 43.1% and the percentage minority on the city council increased from 25.7% to 41.2%. This point is further illustrated by the most recent redistricting: in 2003, no new additional minority districts were drawn and there was no increase in the number of minority members elected to city council.

### *Term Limits*

Term limits had their first impact in 2001.<sup>10</sup> Black representation did not increase at all that year; however, it did increase prior to the imposition of term limits in 1991, 1993 and 1997. Hispanic representation increased in 2001 by one council member, but this is far less than the increase in Hispanic representation in 1991. The first Asian was elected in 2001.

The most pertinent question to address is whether term limits have led to the replacement of white council members with minority council members – and more specifically, whether any replacement was due solely to term limits or whether, because of demographic shifts in the population and other factors such as redistricting, the increase would have occurred in any case.

Of the 22 white council members who have been term limited out since the first set of term limited elections in 2001,<sup>11</sup> 20 have been replaced by white members (91%); the other two white incumbents were replaced by a black council member (District 7) and an Asian council member (District 20). No white incumbent term limited out has been replaced by a Hispanic member in any of the three elections since term limits went into effect. Hispanic candidates have replaced two black incumbents term limited out, however. (In fact, since the imposition of term limits, the only additional Hispanic members elected to city council have replaced black council members.)

A comparison of the three elections since the imposition of term limits to the three elections studied prior to term limits taking effect for which direct comparisons could be

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<sup>10</sup> A total of 35 (of the 51) council members were term limited out of running for council seats in 2001. Council members who may have been subject to term limits but vacated their seats before their terms expired to pursue, for example, higher office were not counted as being term limited out of office. In any event, even if such individuals were counted, the underlying analysis is not impacted because such members were succeeded by individuals of the same racial/ethnic background.

<sup>11</sup> Twenty white council members were term limited out in 2001, none were term limited out in 2003, and two white incumbents were term limited out in 2005. In 2001, 57% of those term limited out were white, the other 43 % were minority. (The council was 45% minority at that point in time.) In 2003, no sitting member of the council was term limited out. In 2005, six council members were affected by term limits. The large majority of those affected in 2005 were minority council members (67%).

made (1989, 1993 and 1997)<sup>12</sup> yields an identical number of changes: two seats switched from white to minority representation. In 1993, the election in District 45 replaced a white representative with a black representative. And in the 1997 election, District 38 voted in a Hispanic council member to replace a white council member.

In other words, there have been no more changes from white to minority city council representatives since the imposition of term limits than for a comparable period prior to 2001 when term limits were not in effect. In fact, there have been far fewer changes since term limits went into effect when the dramatic changes in minority representation as a result of redistricting in 1991 are considered. This finding supports the conclusion that the increase in minority representation on the City Council is largely a product of demographic change and redistricting rather than the imposition of term limits.<sup>13</sup>

### ***Impact of Term Limits on Citywide and Borough-wide Offices***

Term limits apply not only to city council, but to citywide and borough-wide offices as well. These offices include the mayor, comptroller and public advocate for New York City and the borough presidency for each of the five boroughs. Appendix 3 lists citywide and borough-wide officeholders and their race/ethnicity from 1985 to 2005.

In 2001, six city and borough-wide officeholders were term limited out of office: the mayor and comptroller, as well as four of the five borough presidents (Brooklyn, Bronx, Queens and Staten Island). Five of these officeholders were white, the other officeholder termed out was Hispanic (Bronx borough president). Three of the five white incumbents were replaced by white officials; the other two were replaced by black officeholders. (The Hispanic borough president in the Bronx was replaced by another Hispanic official.)

Prior to the imposition of term limits, white officials had also been replaced by minorities; in fact, this happened three times between 1989 and 1997. In 1989 the white mayor (Koch) was replaced by a black mayor (Dinkins) and the white Bronx borough president (Simon) was replaced by a Hispanic president (Ferrer). In 1997, the white Manhattan borough president (Messinger) was replaced by a black president (Fields).

In 2005, one city or borough-wide officeholder was term limited out: the Manhattan borough president (Fields), who was black. A white official (Stringer) replaced this minority officeholder. Given the recently increasing white population percentage and the

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<sup>12</sup> The 1991 elections – when the increase in minority representation was greatest – cannot be included in this discussion because the total number of council seats increased, making direct comparisons between 1989 and 1991 difficult.

<sup>13</sup> This finding accords with the literature on the subject of term limits and minority representation. Generally, the literature indicates that term limits have not acted to increase the number of minority legislators (Thompson and Moncrief, 1993; Reed and Schansberg, 1995; Carey, Niemi, and Powell, 1998, 2000, 2006; Moncrief, Niemi and Powell, 2004; Farmer, Rausch, and Green, 2003; Bowser, 2005; Hajnal and Trounstein, 2007). There are specific case studies that are exceptions to this general rule and a jurisdiction-specific analysis is required (Caress et al., 2003; overall findings of the Joint Project on Term Limits, published in Kurtz, Cain and Niemi, 2007). The examination here is, of course, specific to New York City.

decreasing black and Hispanic population percentages in Manhattan (see Table 4 below), this change may be indicative of future trends.

**Table 4: Percent White and Minority, Manhattan, 1980 - 2007<sup>14</sup>**

Manhattan	Non-Hispanic White	Non-Hispanic Black	Hispanic	Non-Hispanic Asian
1980	50.52	20.34	23.47	5.19
1990	48.86	17.55	25.99	7.15
2000	45.79	15.27	27.18	9.36
2007	48.77	13.66	24.71	10.73

Manhattan is not the only borough in which the white population is increasing relative to the minority population; this is true of one of the two other covered jurisdictions, Brooklyn, as well. The table below (Table 5) shows the population percentage estimates by race/ethnicity for Brooklyn.

**Table 5: Percent White and Minority, Brooklyn, 1980 - 2007<sup>15</sup>**

Brooklyn	Non-Hispanic White	Non-Hispanic Black	Hispanic	Non-Hispanic Asian
1980	49.12	30.86	17.62	2.01
1990	40.13	34.68	20.10	4.61
2000	34.65	34.42	19.79	7.51
2007	36.37	33.43	19.54	8.99

The only covered jurisdiction in New York City in which the minority population is continuing to increase relative to the white population is the Bronx.<sup>16</sup> The borough president of the Bronx has been Hispanic since 1989 – prior to the imposition of term limits.

<sup>14</sup> Data, including the 2007 estimates, was supplied by the New York City Department of City Planning.

<sup>15</sup> Data, including the 2007 estimates, was supplied by the New York City Department of City Planning.

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Bronx	Non-Hispanic White	Non-Hispanic Black	Hispanic	Non-Hispanic Asian
1980	34.38	29.94	33.80	1.42
1990	22.64	30.66	43.46	2.59
2000	14.53	31.24	48.38	2.93
2007	12.74	30.71	51.11	3.41

Overall, the somewhat erratic changes from white to minority officeholders – and from minority to white officeholders – in the three covered New York City counties since the imposition of term limits in 2001 substantiate the earlier conclusion that increases in the number of minority officeholders in the City are largely a product of demographic change rather than the imposition of term limits.

### III. New York City Council Members’ Vote on the Term Limit Extension

It is worth noting that minority support for Local Law 51 extending term limits was strong. The overall council vote was 57% (29-22) in favor of extending the limit, but among minority council members the vote was 68% (17-8) in support of the extension. Black council members were particularly supportive – 77% of the black council members voted for the extension. The majority of white council members, on the other hand, voted against the extension. Table 6, below, summarizes the relationship between the race/ethnicity of council members and votes cast for or against the term limit extension.

**Table 6: Vote on Term Limit Extension by Race/Ethnicity of Council Member**

	Total Number	“Yes” on Extension	“No” on Extension	Percent “Yes”
White	26	12	14	46%
Black	13	10	3	77%
Hispanic	11	7	4	64%
Asian	1	0	1	0%
Total Minority	25	17	8	68%
TOTAL	51	29	22	57%

The relationship between support for the term limit extension and the race/ethnicity of council members is stronger than the relationship between a “yes” vote on the extension and whether the council member was due to be termed out in 2009. As Table 7, below, indicates, of the 35 council members due to be term limited out in 2009, 66% supported the extension; 38% of the 16 council members not termed out in 2009 supported the extension. When this relationship is broken down further, it is clear that while a majority of the white council members term limited out in 2009 (52%) supported the extension compared to a very large majority of the minority council members (80%), only 17% of the whites not due to be term limited out in 2009 supported the extension compared to 50% of the minority council members. In other words, being term limited out serves as an explanatory variable for white council members more so than for minority council members – indeed half of the minority council members not termed out in 2009 supported the extension.

**Table 7: Vote on Term Limit Extension by Race/Ethnicity of Council Member and Whether the Council Member would be Term Limited Out in 2009**

		Total Number	Yes	No	Percent Yes
White	Termed Out	20	11	9	52%
	Not Termed Out	6	1	5	17%
Black	Termed Out	8	7	1	88%
	Not Termed Out	5	3	2	60%
Hispanic	Termed Out	6	5	1	83%
	Not Termed Out	5	2	3	40%
Asian	Termed Out	1	0	1	0%
	Not Termed Out	0	0	0	
Total Minority	Termed Out	15	12	3	80%
	Not Termed Out	10	5	5	50%
TOTAL	Termed Out	35	23	12	66%
	Not Termed Out	16	6	10	38%

Appendix 4 to this report provides a more detailed list of council members by district, their race/ethnicity, whether they would be term limited out in 2009 and the vote they cast on the extension.

#### **IV. Conclusion**

My jurisdiction-specific study of New York City has led me to conclude that the increase in minority representation in the City cannot be traced directly to the imposition of term limits. Other factors, particularly demographic shifts and redistricting, better explain the steady growth in the number of minority officeholders that has occurred since the mid-1980s.

Local Law 51 is not retrogressive because an extension of term limits will not impact the opportunity of minority voters to elect their candidates of choice. A modification of the term limits law is simply not equivalent to such electoral law changes as a move from a districted to an at-large electoral system, a decrease in the number of minority districts or the introduction of some other device or practice recognized as a means of diminishing the ability of minority voters to cast an effective vote. Additional corroboration for this conclusion is the strong support for Local Law 51 among minority council members.

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**Appendix 1A: City Council Members, 2001-2005<sup>17</sup>**

District	2005 Election	Race	2003 Election	Race	2001 Election	Race
1	Alan Gerson	W	Alan Gerson	W	Alan Gerson	W
2	Rosie Mendez	H	Margarita Lopez	H	Margarita Lopez	H
3	Christine Quinn	W	Christine Quinn	W	Christine Quinn	W
4	Daniel Garodnick	W	Eva Moskowitz	W	Eva Moskowitz	W
5	Jessica Lappin	W	Gifford Miller	W	Gifford Miller	W
6	Gale Brewer	W	Gale Brewer	W	Gale Brewer	W
7	Robert Jackson	B	Robert Jackson	B	Robert Jackson	B
8	Melissa Mark-Viverito	H	Philip Reed	B	Philip Reed	B
9	Inez Dickens	B	Bill Perkins	B	Bill Perkins	B
10	Miguel Martinez	H	Miguel Martinez	H	Miguel Martinez	H
11	Oliver Koppell	W	Oliver Koppell	W	Oliver Koppell	W
12	Larry Seabrook	B	Larry Seabrook	B	Larry Seabrook	B
	James Vacca	W	Madeline Provenzano	W	Madeline Provenzano	W
13			Provenzano	W	Provenzano	W
14	Maria Baez	H	Maria Baez	H	Maria Baez	H
15	Joel Rivera	H	Joel Rivera	H	Joel Rivera	H
16	Helen Foster	B	Helen Foster	B	Helen Foster	B
	Maria del Carmen Arroyo	H	Jose Serrano	H	Jose Serrano	H
17			Jose Serrano	H	Jose Serrano	H
18	Annabel Palma	H	Annabel Palma	H	Ruben Diaz	H
19	Tony Avella	W	Tony Avella	W	Tony Avella	W
20	John Liu	A	John Liu	A	John Liu	A
21	Hiram Monserrate	H	Hiram Monserrate	H	Hiram Monserrate	H
22	Peter Vallone, Jr.	W	Peter Vallone, Jr.	W	Peter Vallone, Jr.	W
23	David Weprin	W	David Weprin	W	David Weprin	W
24	James Gennaro	W	James Gennaro	W	James Gennaro	W
25	Helen Sears	W	Helen Sears	W	Helen Sears	W
26	Eric Gioia	W	Eric Gioia	W	Eric Gioia	W
27	Leroy Comrie	B	Leroy Comrie	B	Leroy Comrie	B
28	Thomas White	B	Allan Jennings	B	Allan Jennings	B
29	Melinda Katz	W	Melinda Katz	W	Melinda Katz	W
30	Dennis Gallagher	W	Dennis Gallagher	W	Dennis Gallagher	W
31	James Sanders	B	James Sanders	B	James Sanders	B
32	Joseph Addabbo	W	James Addabbo	W	Joseph Addabbo	W
33	David Yassky	W	David Yassky	W	David Yassky	W
34	Diana Reyna	H	Diana Reyna	H	Diana Reyna	H
35	Letitia James	B	Letitia James	B	James Davis	B

<sup>17</sup> There have been special elections since the November 2005 election which have resulted in the 2005 winner being replaced: in District 30 Dennis Gallagher has been replaced by Anthony Como, in District 40 Yvette Clarke has been replaced by Mathieu Eugene, and in District 51 Andrew Lanza has been replaced by Vincent Ignizio. In all three instances, the replacement was the same race/ethnicity as the former council member. In general, classifications within the appendices are based on publicly available information. Where multiple classifications have been made, the primary classification for analytic purposes was in accord with the demographics of the relevant district.

<b>District</b>	<b>2005 Election</b>	<b>Race</b>	<b>2003 Election</b>	<b>Race</b>	<b>2001 Election</b>	<b>Race</b>
36	Albert Vann	B	Albert Vann	B	Albert Vann	B
37	Erik Martin Dilan	H(B)	Erik Martin Dilan	H(B)	Erik Martin Dilan	H(B)
38	Sara Gonzalez	H	Sara Gonzalez	H	Angel Rodriguez	H
39	Bill de Blasio	W	Bill de Blasio	W	Bill de Blasio	W
40	Yvette Clarke	B	Yvette Clarke	B	Yvette Clarke	B
41	Darlene Mealy	B	Tracy Boyland	B	Tracy Boyland	B
42	Charles Barron	B	Charles Barron	B	Charles Barron	B
43	Vincent Gentile	W	Vincent Gentile	W	Martin Golden	W
44	Simcha Felder	W	Simcha Felder	W	Simcha Felder	W
45	Kendall Stewart	B	Kendall Stewart	B	Kendall Stewart	B
46	Lewis Fidler	W	Lewis Fidler	W	Lewis Fidler	W
47	Domenic Recchia	W	Domenic Recchia	W	Domenic Recchia	W
48	Michael Nelson	W	Michael Nelson	W	Michael Nelson	W
49	Michael McMahon	W	Michael McMahon	W	Michael McMahon	W
50	James Oddo	W	James Oddo	W	James Oddo	W
51	Andrew Lanza	W	Andrew Lanza	W	Andrew Lanza	W

### Appendix 1B: City Council Members, 1991-1997

District	1997 Election	Race	1993 Election	Race	1991 Election	Race
1	Kathryn Freed	W	Kathryn Freed	W	Kathryn Freed	W
2	Margarita Lopez	H	Antonio Pagan	H	Antonio Pagan	H
3	Thomas Duane	W	Thomas Duane	W	Thomas Duane	W
4	Andrew Eristoff	W	Andrew Eristoff	W	Carolyn Maloney	W
5	Gifford Miller	W	Charles Millard	W	Charles Millard	W
6	Ronnie Eldridge	W	Ronnie Eldridge	W	Ronnie Eldridge	W
7	Stanley Michels	W	Stanley Michels	W	Stanley Michels	W
			Adam Clayton Powell		Adam Clayton Powell	
8	Philip Reed	B	IV	H(B)	IV	H(B)
9	Bill Perkins	B	Virginia Fields	B	Virginia Fields	B
10	Guillermo Linares	H	Guillermo Linares	H	Guillermo Linares	H
11	June Eisland	W	June Eisland	W	June Eisland	W
12	Lawrence Warden	B	Lawrence Warden	B	Lawrence Warden	B
	Madeline					
13	Provenzano	W	Michael DeMarco	W	Michael DeMarco	W
14	Adolfo Carrion	H	Israel Ruiz	H	Israel Ruiz	H
15	Jose Rivera	H	Jose Rivera	H	Jose Rivera	H
16	Wendell Foster	B	Wendell Foster	B	Wendell Foster	B
					Rafael Castaneira	
17	Pedro Espada	H	David Rosado	H	Colon	H
18	Lucy Cruz	H	Lucy Cruz	H	Lucy Cruz	H
19	Michael Abel	W	Michael Abel	W	Michael Abel	W
20	Julia Harrison	W	Julia Harrison	W	Julia Harrison	W
21	Helen Marshall	B	Helen Marshall	B	Helen Marshall	B
22	Peter Vallone	W	Peter Vallone	W	Peter Vallone	W
23	Sheldon Leffler	W	Sheldon Leffler	W	Sheldon Leffler	W
24	Morton Povman	W	Morton Povman	W	Morton Povman	W
25	John Sabini	W	John Sabini	W	John Sabini	W
26	Walter McCaffrey	W	Walter McCaffrey	W	Walter McCaffrey	W
27	Archie Spigner	B	Archie Spigner	B	Archie Spigner	B
28	Thomas White	B	Thomas White	B	Thomas White	B
29	Karen Koslowitz	W	Karen Koslowitz	W	Karen Koslowitz	W
30	Thomas Ognibene	W	Thomas Ognibene	W	Thomas Ognibene	W
31	Juanita Watkins	B	Juanita Watkins	B	Juanita Watkins	B
32	Alfonso Stabile	W	Alfonso Stabile	W	Walter Ward	W
33	Kenneth Fisher	W	Kenneth Fisher	W	Kenneth Fisher	W
34	Victor Robles	H	Victor Robles	H	Victor Robles	H
35	Mary Pinkett	B	Mary Pinkett	B	Mary Pinkett	B
36	Annette Robinson	B	Annette Robinson	B	Annette Robinson	B
37	Martin Malave Dilan	H	Martin Malave Dilan	H	Martin Malave Dilan	H
38	Angel Rodriguez	H	Joan McCabe	W	Joan McCabe	W
39	Stephen DiBrienza	W	Stephen DiBrienza	W	Stephen DiBrienza	W
40	Una Clarke	B	Una Clarke	B	Una Clarke	B
41	Tracy Boyland	B	Enoch Williams	B	Enoch Williams	B
42	Priscilla Wooten	B	Priscilla Wooten	B	Priscilla Wooten	B
43	Martin Golden	W	Sal Albanese	W	Sal Albanese	W
44	Noach Dear	W	Noach Dear	W	Noach Dear	W

District	1997 Election	Race	1993 Election	Race	1991 Election	Race
45	Lloyd Henry	B	Lloyd Henry	B	Susan Alter	W
46	Herbert Berman	W	Herbert Berman	W	Herbert Berman	W
47	Howard Lasher	W	Howard Lasher	W	Samuel Horowitz	W
48	Anthony Weiner	W	Anthony Weiner	W	Anthony Weiner	W
49	Jerome O'Donovan	W	Jerome O'Donovan	W	Jerome O'Donovan	W
50	John Fusco	W	John Fusco	W	John Fusco	W
51	Stephen Fiala	W	Alfred Cerullo	W	Alfred Cerullo	W

### Appendix 1C: City Council Members, 1985-1989

District	1989 Election	Race	1985 Election	Race
1	Susan Molinari	W	Susan Molinari	W
2	Miriam Friedlander	W	Miriam Friedlander	W
3	Carol Greitzer	W	Carol Greitzer	W
4	Ronnie Eldridge	W	Ruth Messinger	W
5	Virginia Fields	B	Hilton Clark	B
6	Stanley Michels	W	Stanley Michels	W
7	Robert Dreyfoos	W	Robert Dreyfoos	W
8	Carolyn Maloney	W	Carolyn Maloney	W
9	Wendell Foster	B	Wendell Foster	B
10	June Eisland	W	June Eisland	W
	Rafael Castaneira		Rafael Castaneira	
11	Colon	H	Colon	H
12	Michael DeMarco	W	Michael DeMarco	W
13	Jose Rivera	H	Fernando Ferrer	H
14	Jerry Crispino	W	Jerry Crispino	W
15	Walter Ward	W	Walter Ward	W
16	Sheldon Leffler	W	Sheldon Leffler	W
17	Archie Spigner	B	Archie Spigner	B
18	Morton Povman	W	Morton Povman	W
19	Julia Harrison	W	Julia Harrison	W
20	Peter Vallone	W	Peter Vallone	W
21	Walter McCaffrey	W	Walter McCaffrey	W
22	Arthur Katzman	W	Arthur Katzman	W
23	Herbert Berman	W	Herbert Berman	W
24	Priscilla Wooten	B	Priscilla Wooten	B
25	Susan Alter	W	Susan Alter	W
26	Enoch Williams	B	Enoch Williams	B
27	Victor Robles	H	Victor Robles	H
28	Mary Pinkett	B	Mary Pinkett	B
29	Abraham Gerges	W	Abraham Gerges	W
30	Stephen DiBrienza	W	Stephen DiBrienza	W
31	Salvatore Albanese	W	Salvatore Albanese	W
32	Noach Dear	W	Noach Dear	W
33	Samuel Horowitz	W	Samuel Horowitz	W
34	Joseph Lisa	W	Joseph Lisa	W
35	Jerome O'Donovan	W	Jerome O'Donovan	W

**Appendix 2: Minority Representation on the New York City Council,  
1985-2005**

<b>Year</b>	<b>total</b>	<b>white</b>	<b>black</b>	<b>Hispanic</b>	<b>Asian</b>	<b>percent white</b>	<b>percent black</b>	<b>percent Hispanic</b>	<b>percent Asian</b>	<b>percent minority</b>
1985	35	26	6	3	0	74.3%	17.1%	8.6%	0.0%	25.7%
1989	35	26	6	3	0	74.3%	17.1%	8.6%	0.0%	25.7%
1991	51	30	12	9	0	58.8%	23.5%	17.6%	0.0%	41.2%
1993	51	29	13	9	0	56.9%	25.5%	17.6%	0.0%	43.1%
1997	51	28	14	9	0	54.9%	27.5%	17.6%	0.0%	45.1%
2001	51	26	14	10	1	51.0%	27.5%	19.6%	2.0%	49.0%
2003	51	26	14	10	1	51.0%	27.5%	19.6%	2.0%	49.0%
2005	51	26	13	11	1	51.0%	25.5%	21.6%	2.0%	49.0%

Appendix 3: Citywide and Borough-wide Officeholders, 1985-2005

Office	2005 Election	Race	2001 Election	Race	1997 Election	Race	1993 Election	Race
<b>Mayor</b>	Michael Bloomberg William Thompson	W	Michael Bloomberg William Thompson	W	Rudy Giuliani	W	Rudy Giuliani	W
<b>Comptroller</b>	Betsy Gotbaum	B	Betsy Gotbaum	B	Alan Hevesi	W	Alan Hevesi	W
<b>Public Advocate</b>	Scott Stringer	W	Betsy Gotbaum	W	Mark Green	W	Mark Green	W
<b>Manhattan B-P</b>	Marty Markowitz	W	Virginia Fields	B	Virginia Fields	B	Ruth Messinger	W
<b>Brooklyn B-P</b>	Adolfo Carrion	H	Marty Markowitz	W	Howard Golden	W	Howard Golden	W
<b>Bronx B-P</b>	Helen Marshall	B	Adolfo Carrion	H	Fernando Ferrer	H	Fernando Ferrer	H
<b>Queens B-P</b>	James Molinaro	W	Helen Marshall	B	Claire Shulman	W	Claire Shulman	W
<b>Staten Island B-P</b>			James Molinaro	W	Guy Molinari	W	Guy Molinari	W
Office	1989 Election	Race	1985 Election	Race				
<b>Mayor</b>	David Dinkins Elizabeth Holtzman	B	Edward Koch Harrison Goldin	W				
<b>Comptroller</b>								
<b>Public Advocate</b>								
<b>Manhattan B-P</b>	Ruth Messinger	W	David Dinkins	B				
<b>Brooklyn B-P</b>	Howard Golden	W	Howard Golden	W				
<b>Bronx B-P</b>	Fernando Ferrer	H	Stanley Simon	W				
<b>Queens B-P</b>	Claire Shulman	W	Donald Manes	W				
<b>Staten Island B-P</b>	Guy Molinari	W	Ralph Lamberti	W				

#### Appendix 4: New York City Council Members' Vote on Term Limit Extension

District	Borough	Council Representative	Term Limited Out	Race/Ethnicity Incumbent	Vote on Extension
1	Manhattan	Alan Gerson	Y	W	Y
2	Manhattan	Rosie Mendez	N	H	N
3	Manhattan	Christine Quinn	Y	W	Y
4	Manhattan	Daniel Garodnick	N	W	N
5	Manhattan	Jessica Lappin	N	W	N
6	Manhattan	Gale Brewer	Y	W	N
7	Manhattan	Robert Jackson	Y	B	Y
8	Manhattan	Melissa Mark-Viverito	N	H	N
9	Manhattan	Inez Dickens	N	B	Y
10	Manhattan	Miguel Martinez	Y	H	Y
11	Bronx	Oliver Koppell	Y	W	Y
12	Bronx	Larry Seabrook	Y	B	Y
13	Bronx	James Vacca	N	W	Y
14	Bronx	Maria Baez	Y	H	Y
15	Bronx	Joel Rivera	Y	H	Y
16	Bronx	Helen Foster	Y	B	Y
17	Bronx	Maria del Carmen Arroyo	N	H	Y
18	Bronx	Annabel Palma	N	H	N
19	Queens	Tony Avella	Y	W	N
20	Queens	John Liu	Y	A	N
21	Queens	Hiram Monserrate	Y	H	N
22	Queens	Peter Vallone	Y	W	Y
23	Queens	David Weprin	Y	W	N
24	Queens	James Gennaro	Y	W	N
25	Queens	Helen Sears	Y	W	Y
26	Queens	Eric Gioia	Y	W	N
27	Queens	Leroy Comrie	Y	B	Y
28	Queens	Thomas White	N	B	Y
29	Queens	Melinda Katz	Y	W	Y
30	Queens	Anthony Como	N	W	N
31	Queens	James Sanders	Y	B	Y
32	Queens	Joseph Addabbo	Y	W	N
33	Brooklyn	David Yassky	Y	W	Y
34	Brooklyn	Diana Reyna	Y	H	Y
35	Brooklyn	Letitia James	N	B	N
36	Brooklyn	Albert Vann	Y	B	Y
37	Brooklyn	Erik Martin Dilan	Y	H (B)	Y
38	Brooklyn	Sara Gonzalez	N	H	Y
39	Brooklyn	Bill de Blasio	Y	W	N
40	Brooklyn	Mathieu Eugene	N	B	N
41	Brooklyn	Darlene Mealy	N	B	Y

<b>District</b>	<b>Borough</b>	<b>Council Representative</b>	<b>Term Limited Out</b>	<b>Race/Ethnicity Incumbent</b>	<b>Vote on Extension</b>
42	Brooklyn	Charles Barron	Y	B	N
43	Brooklyn	Vincent Gentile	N	W	N
44	Brooklyn	Simcha Felder	Y	W	Y
45	Brooklyn	Kendall Stewart	Y	B	Y
46	Brooklyn	Lewis Fidler	Y	W	Y
47	Brooklyn	Domenic Recchia	Y	W	Y
48	Brooklyn	Michael Nelson	Y	W	Y
49	Staten Is.	Michael McMahon	Y	W	N
50	Staten Is.	James Oddo	Y	W	N
51	Staten Is.	Vincent Ignizio	N	W	N