



CITIZENS UNION OF THE CITY OF NEW YORK
Testimony to the City Districting Commission
Brooklyn Public Hearing
August 13, 2012

Good evening, Chair Romano and other members of the City Districting Commission. My name is Dick Dadey, and I am the Executive Director of Citizens Union of the City of New York, a nonpartisan good government group dedicated to making democracy work for all New Yorkers. Citizens Union serves as a civic watchdog, combating corruption and fighting for political reform. Thank you for the opportunity to provide Citizens Union's thoughts regarding the process of drawing the City Council's 51 district lines.

Having been active at the state level with the redistricting process for state legislative and congressional lines, we appreciate the complexity of the task that you are about to undertake. We are also keenly aware of the need for a transparent and fair process, as the process of drawing lines this year in Albany was hyper partisan and resulted in gerrymandered maps, undermining public confidence in government's ability to be fair and even-handed when it comes to matters of representation and elections. While the New York City Charter provides a good foundation for the process of drawing lines, with mandated deadlines and defined criteria, there is more that can be done to ensure that the public has the utmost confidence in the process as it unfolds in New York City.

As we presented to you in a letter earlier this summer, we believe that the Commission can administratively enact additional requirements beyond those in the City Charter to ensure that the districting process is as open, transparent, and fair as possible for all of New York City's diverse communities. The two areas Citizens Union believes can be improved upon are transparency and public participation in the process, as well as robust criteria to make the drawing of district lines more objective.

We have no specific suggestions at this point about the make-up or design of the new districts, but it is important to note that the changes for 2013 will likely be greater than those made in the 2003 lines since the city's demography has changed significantly in the past decade.

Over the past decade, the city as a whole increased in population by 2.1 percent to nearly 8.2 million people, with the Asian population growing the most by 31.8 percent, now encompassing 12.6 percent of the city's population. Latino communities have also seen growth, with the Hispanic population growing by 8 percent, accounting for 28.6 percent of the city's population. The changes in each particular borough and community according to race and Hispanic origin will make for important decisions as how best to draw new district lines that reflect these important changes and ensure that opportunities exist for effective representation of all of New York City's communities. Given these changes, it is important that the Commission act in as transparent and accessible a manner as possible.

Transparency and Public Access

We are pleased that the Commission has already begun to ensure its work is open and transparent. The Commission's website provides important information, including the dates and times of your hearings and meetings, materials and video from your first meeting on July 17th, information about the commissioners, and links to demographic information and relevant sections of the City Charter pertaining to the Commission's work. We are encouraged that the Commission plans on providing online mapping software to allow the public to draw its own district lines. We additionally recommend the Commission do the following to improve transparency and public participation:

- 1. Make available on the Commission's website any maps, comments and testimony provided by the public** – Several bodies in New York City have provided on their websites public feedback that has been received through various channels, allowing information and perspectives to be shared with the public, including: the Reports and Advisory Board Review Commission; the Campaign Finance Board, and the 2010 City Charter Revision Commission. Additionally, other redistricting bodies across the nation have published public comments on their websites, such as the California Citizens Redistricting Commission and the Arizona Redistricting Commission, the latter of which provides publicly submitted maps on its website.
- 2. Provide to the public any underlying data for draft maps revealing district populations in user-friendly formats** – It will be essential to provide the public with the information and tools necessary to conduct independent analyses of the proposed maps. While providing mapping software online will go a long way toward this goal, providing data about the demographics of proposed districting in spreadsheet formats for members of the public unfamiliar with mapping software will be important to allow the public to analyze the proposed districts.
- 3. Webcast future Commission meetings and hearings** – We understand that the Commission staff is examining the possibility of webcasting future hearings and meetings of the Commission. The 2010 City Charter Revision Commission webcast its proceedings in locations outside of government offices, holding many of its meetings in many different locations in the five boroughs. The Mayor's Office for Media and Entertainment, which administers video for the Council and Mayor for NYC TV (Channel 74), may also be a useful resource. While providing video online of meetings after they are held is helpful, as you have done already for your meeting that was held on July 17th, livestreaming will allow for a more meaningful and timely public engagement. We call upon you to webcast future meetings.

Criteria and Commission Voting Procedures

Citizens Union in 2010 provided recommendations to the 2010 Charter Revision Commission regarding the criteria for drawing district lines, which we urge you to adopt administratively prior to adopting draft district lines. While the City Charter provides a good foundation for the drawing of district lines, we urge the Commission to build upon the criteria specified in Section 52 of Chapter 2-A of the City Charter.

The current criteria in the Charter, which are very good, are prioritized and include the following: population consistency and justification of differences in population, “fair and effective representation of racial and language minority groups,” neighborhood and community cohesiveness, geographical compactness and contiguity, and compliance with voting rights laws. The charter additionally states that the commission may not redraw districts “for the purpose of separating geographic concentration of voters enrolled in the same political party” in order to weaken these voters’ representational power, and that no two districts should cross the same county lines.

Recognizing that the above criteria take precedence over any additional criteria, we suggest building on the existing principles and guidelines in the City Charter. The Commission should adopt the following two additional criteria to ensure public confidence in the district lines:

- 1. To the extent practicable, the most and least populous council districts should not exceed or be lower than the mean population of all senate districts by more than one, two or three percent unless needed to comply with the Voting Rights Act or required by the New York City Charter. We understand the inherent challenges in trying to meet this standard, but we believe that it is a good one to aspire to because it ensures fairness, balance, and less rigging to suit political outcomes.**
- 2. Council districts should not be drawn to favor or oppose any incumbent legislator, or any previous or presumed candidate for office. This builds on the existing criterion that prohibits weakening any political party’s representational power.**

Citizens Union also recommends that the number of commission members’ signatures to adopt a council district plan should be a minimum of 11 of 15 signatures (73 percent). The current approval threshold is 9 of 15. The higher threshold will ensure that the requirements set forth in the criteria, particularly provisions preventing partisan gerrymandering, are met in the final plan.

Thank you for the opportunity to present Citizens Union’s recommendations regarding the process and transparency of drawing the Council’s district lines. I am available to answer any questions you have.