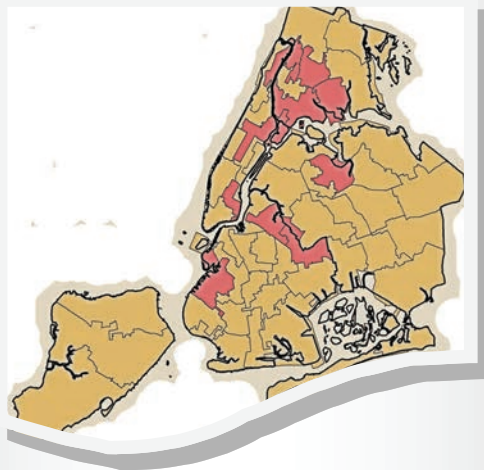


Latinos and NYC Council Districting, 2012

An Introduction



by Angelo Falcón



Updated August 2012



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About the Author

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Introduction

With the 2011-2012 New York State Congressional, State Senate and Assembly redistricting now over in its traditionally convoluted manner, New York City has start to turn to the districting of its 51-member City Council. The changes to be made in the boundaries of these Council districts come at an important political juncture for New York City with the election of a new Mayor in 2013 as a result of the final end to the protracted “term-unlimiting” of Mayor Michael Bloomberg, the election of all Council and Borough President seats (as well as of a new Council Speaker within the Council), and the election of [twenty open seats](#) on the Council as a result of term limits.

The purpose of this report by the National Institute for Latino Policy (NiLP), *Latinos and the NYC Council Districting 2012: An Introduction*, is to provide an introduction to the process and issues involved for the Latino community in order to promote its full participation in the districting of the New York City Council. This report contains basic demographic and political data, as well as information on New York City districting past and present, and other basic information that we believe would be useful starting points in developing strategies for protecting the voting rights of Latinos in this process.

There are currently 11 Latinos of the total 51 members of the New York City Council (23 percent of the total). In 2010, Latinos made up 22.8 percent of eligible voters (US citizens 18 years and older). This community has, in other words, achieved parity with its eligible voting population on the NYC Council, but not with its share of the population (28.6 percent). Having achieved this level of parity means that the Latino community’s challenges in this districting process include assuring that retrogression does not occur in terms of its representation on the NYC Council, that the development of new Latino communities of interest that have grown within the last decade are recognized and not politically fragmented by this process, that patterns of racially polarized voting are not allowed to disenfranchise Latino voters, and that opportunities where the growing number of Latino voters can exercise their ability to effectively elect candidates of their choice are strengthened (for an overview of these issues specific to New York, see Cartagena 2006).

Although a Puerto Rican, Oscar Garcia Rivera, was first elected to public office in New York City in 1937 (as a Republican-American Labor Party candidate to the State Assembly from East Harlem [Falcón 1984]), it was not until 1965 that someone from this community was elected to the City Council. (Baver 1984; Cruz 2011) This was Carlos Rios of East Harlem, who was elected as Manhattan’s Councilmember At-Large. At that time, two Councilmembers were elected at-large to represent each borough and, for the rest, two were elected from each State Senate District. Latino representation on the City Council was exclusively Puerto Rican until 1991, when the first Dominican, Guillermo Linares, was elected to this body. (Aparicio 2006; and Torres-Saillant and Hernandez 1998) Latinos of other national origins have not been elected to the NYC Council to date. For an overview of Latino politics in New York City today, see Falcón (forthcoming).

The role, structure and terms of the City Council have been changed since 1965 a number of times. In 1983, the courts found the at-large positions to be unconstitutional. In 1989, the Supreme Court determined that what was then the Board of Estimate was also unconstitutional, prompting the city to enlarge the role of the City Council, along with its size from 35 to 51 seats each to be elected each from its own Council Districts. As part of this change, the Council was granted full power over the municipal budget, and authority over zoning, land use and franchises. This led to the creation of an independent New York City Districting Commission to draw these new districts every ten years based on the enumerations of the decennial Censuses. Note that the Charter Revision Commission that created this new commission decided to use the term “districting” instead of the more common “redistricting” because, according to one inside observer, they then saw it “. . . as meaning that the work of the body was not to ‘add’ sixteen additional districts to the existing thirty-five but it was to start with a clean slate in drawing the fifty-one ‘new’ districts.” (Gartner 1993: 5)

In 1986, the Council created the position of Speaker, and in 1993, the Council replaced the position of Council President

with that of Public Advocate as a result of a Charter revision change. That same year, as a result of a referendum by the city's electorate, two consecutive 4-year term limits were imposed on Councilmembers. In 2008, at the urging of Mayor Michael Bloomberg, the Council, in a highly controversial vote, extended term limits to three terms.

Council members are elected every four years. The exception being for two consecutive two year terms every twenty years to allow for redistricting between the terms as a result of the decennial U.S. Censuses.

Latino Demographics and the NYC Council

The growth of the Latino population in New York City is the obvious starting point in developing a strategy for enhancing Latino representation and influence in the New York City Council districting process. However, there are many other demographic factors that need to be taken into consideration, including age, national origin composition, rates of citizenship, socioeconomic status and residential concentrations/ segregation, and language barriers, among others.

The Latino population for New York City in 2010 was 2,336,076, or 28.6 percent of the total population. This represents a 31.0 percent increase since 1990, when the Latino numbered 1,783,511, or 24.4 percent of the city's total population.

New York City's Latino population is one of the most diverse in the United States based on national origin, with no one subgroup making up a majority. According to the 2010 Census, Puerto Ricans were the largest Latino group, making up 31.0 percent of the total, closely followed by Dominicans (24.7

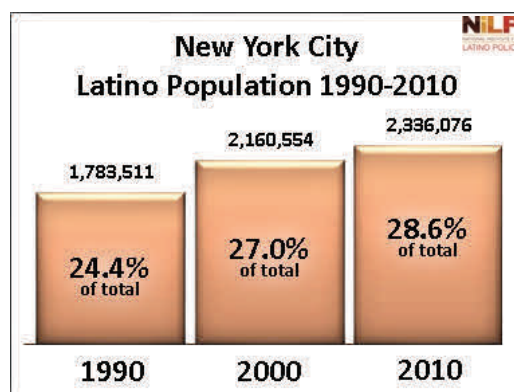
percent of the total), The Latino national-origin groups making up the

next largest share of total Latinos in the city are: Mexicans (13.7 percent), Ecuadorians (7.2 percent) and Colombians (4.1 percent).

Geographically, Puerto Ricans are most concentrated in The Bronx and Brooklyn, Dominicans in The Bronx, Manhattan and Brooklyn, while Central and South Americans are largely concentrated in Queens. These national-origin differences are important to figure in districting decisions as they are an important component of shared histories, cultures and structures within the notion of communities of interest.

Other factors that are important to the electoral participation of Latinos are age and citizenship. Both of these factors disproportionately limit Latino voting eligibility compared to other communities. Latinos are one of the youngest racial-ethnic groups in the city with 26.8 percent being under 18 years of age compared to 21.6 percent of the city as a whole. In terms of the voting age population (18 years and older, or VAP), there are 1,709,204 Latinos in that age group in the city, making up 26.7 percent of New York City's voting age population.

In addition, except for Puerto Ricans who have been U.S. citizens since 1917, other Latinos have large numbers who are not U.S. citizens. The result is that although Latinos are 28.3 percent of the total population, they are estimated to be 22.8 percent of those eligible to vote. While we present this citizenship data at the



NYC Latino Population by National-origin 2010
Source: 2010 Census

	Number	Percent
Total Hispanic	2,336,076	100.0%
Puerto Rican	723,621	31.0%
Mexican	319,263	13.7%
Cuban	40,840	1.7%
Dominican Republic	576,701	24.7%
Total Central American	151,378	6.5%
Honduran	42,400	1.8%
Salvadoran	38,559	1.7%
Guatemalan	30,420	1.3%
Panamanian	22,353	1.0%
Nicaraguan	9,346	0.4%
Costa Rican	6,673	0.3%
Other Central American	1,627	0.1%
Total South American	343,468	14.7%
Ecuadorian	167,209	7.2%
Colombian	94,723	4.1%
Peruvian	36,018	1.5%
Argentinean	15,169	0.6%
Venezuelan	9,619	0.4%
Chilean	7,026	0.3%
Bolivian	4,488	0.2%
Paraguayan	3,534	0.2%
Uruguayan	3,004	0.1%
Other South American	2,678	0.1%
Total Other Hispanic	180,805	7.7%
Spaniard	17,793	0.8%
Spanish	11,935	0.5%
Spanish American	1,110	0.0%
All Other Hispanic	149,967	6.4%

citywide level, because it is based on a sample survey (the Census Bureau's [American Community Survey \[ACS\]](#)), we urge caution in the use of these statistics at the very local level of geography for districting purposes. The margins of error can be very large and the sensitivity of the issue of citizenship in the current anti-immigration climate in the country makes responses to this question problematic. We, therefore, do not use this statistic in the analysis that follows.

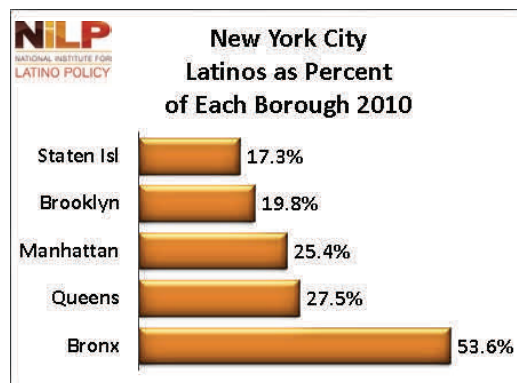
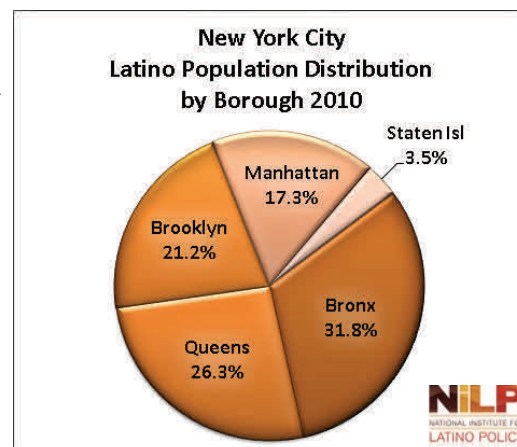
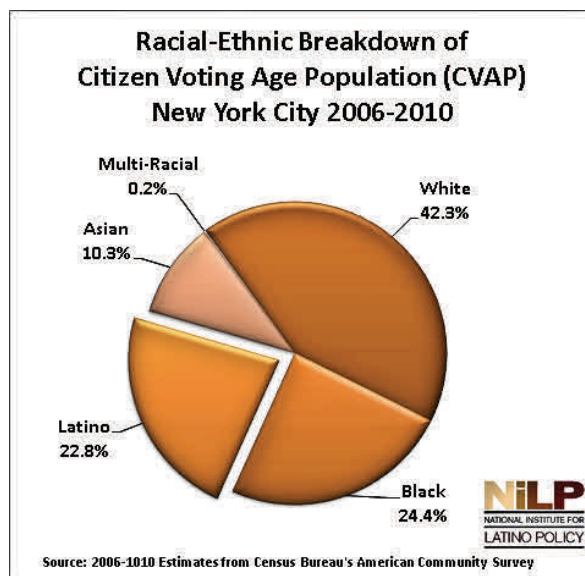
Socioeconomic status also affects levels of electoral participation in significant ways. In this sense, Latinos in New York City find themselves disproportionately impacted. Here are a few key social indicators for Latinos in New York City that dampen their voting levels (Bergad 2011):

- 37 percent of Latinos have not completed high school, compared to 9 percent of non-Latino Whites
- Latinos have the lowest median household incomes of the city's major racial-ethnic groups: \$45,300 compared to \$81,300 for Whites
- 29 percent of Latinos live in poverty, compared to 13 percent of Whites
- 24 percent of Latinos report that they do not speak English or do not speak it well.

The largest concentration of Latinos reside in The Bronx (31.8 percent of total NYC Latinos), followed by Queens (26.3 percent), Brooklyn (21.2 percent) and Staten Island (3.5 percent). The Bronx is the only borough with a majority Latino population (53.6 percent of the total).

One major factor requiring the protections of the federal Voting Rights Act (VRA) for racial-ethnic minorities such as Latinos is the continuing problem of residential segregation in New York City and other major U.S. metropolitan areas. (Alba and Romalewski 2012) This segregation is accompanied by the concentration of high levels of poverty that affect participation levels and foster racially polarized voting patterns.

The Latino population is segregated throughout New York City into *barrios* of different sizes and configurations. This is the result of decades of housing discrimination, residential disruptions through urban renewal and related programs, discriminatory zoning changes, White gentrification and increasing income inequality along racial-ethnic lines. Historically, the Latino population in New York City has been more residentially dispersed than the Black population, producing statistics that, as a methodological artifact, indicate greater residential integration among Latinos than actually exists. The form of Latino segregation, as opposed to simply occurring in large geographic concentrations, also involves a significant level of "detailed segregation" at a much more local level than traditional segregation indices appear able to measure and characterize adequately. Complicating this research is the racial, as opposed to ethnic, identifications of Latinos, which some researchers incorrectly utilize in their analyses. (Glaeser and Vigdor 2012)

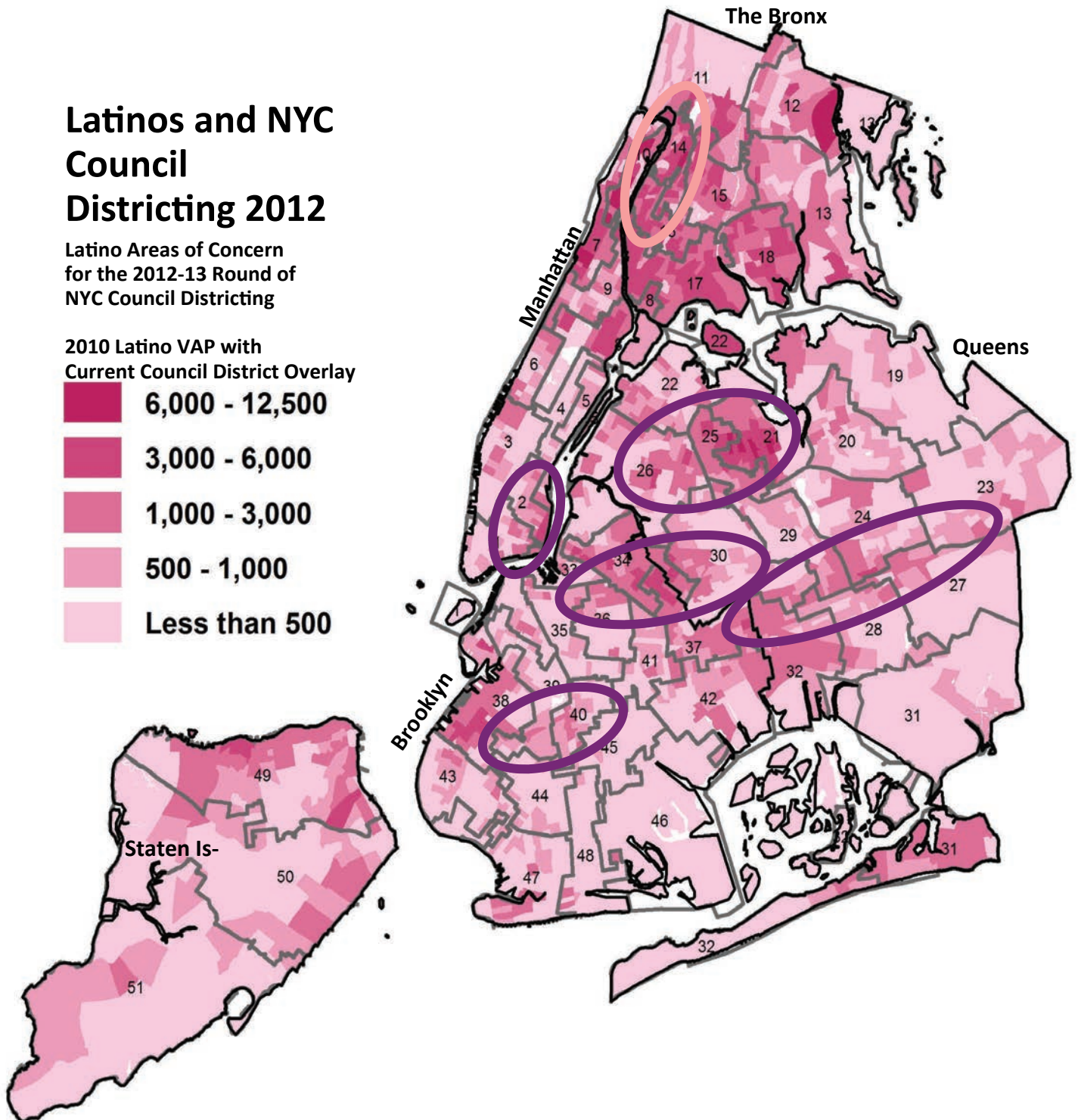


A quick overview of an overlay of current NYC Council District lines over Latino population concentrations (see map below) reveals at least five possible areas of concern where Latino communities are being divided in ways that could dilute their voting power and thus their ability to effectively elect representatives of their choice. A more careful review and discussion with local Latino residents may reveal other areas where this may be the case. This is a process that Latino community organizations and voting rights advocates need to pursue with community residents to determine ways to district the NYC Council that protect the voting rights of Latinos and their neighbors. This map can hopefully serve as a useful starting point.

Latinos and NYC Council Districting 2012

Latino Areas of Concern
for the 2012-13 Round of
NYC Council Districting

2010 Latino VAP with
Current Council District Overlay



The New York City Department of City Planning has created tables of 2010 Census profiles for the current City Council districts. These can be accessed on their website under the "[Population: 2010 Demographic Tables](#)" page as follows:

Total Population, Under 18 and 18 Years and Over by Mutually Exclusive Race and Hispanic Origin and Total Housing Units, 2000-2010

[PDF](#) [Excel](#) [PDF Chart](#)

---Total Population by Mutually Exclusive Race and Hispanic Origin, 2010

[PDF](#) [Excel](#)

---Population Under 18

[PDF](#) [Excel](#)

---Population 18 Years and Over

[PDF](#) [Excel](#)

Demographic Profile, 2000-2010

[PDF](#) [Excel](#)

To promote further analysis of these dynamics, in the Appendix (following page 12) to this report, we present two series of thematic maps:

NiLPmap Series 1 – Council District Overlays

Map 1 - 2010 Total Latino Population by Census Tract, Overlaid by Current Council Districts

Map 2 - 2010 Puerto Rican Population by Census Tract, Overlaid by Current Council Districts

Map 3 - 2010 Dominican Population by Census Tract, Overlaid by Current Council Districts

Map 4 - 2010 Mexican Population by Census Tract, Overlaid by Current Council Districts

Map 5 - 2010 Other Latino Population, (excluding Puerto Ricans, Dominicans and Mexicans) by Census Tract, Overlaid by Current Council Districts

NiLPmap Series 2 – Council District Profiles

Map 6 - Latino Percent of Voting Age Population by Council District 2010

Map 7 - Latino Voting Age Population Change by Council District 2000-2010


Map 8 - Council District Total Population Deviation from Ideal District Size (160,297) based on 2010 Census

Map 9 - Racial-Ethnic Identity of Councilmember NYC Council Districts 2012

Map 10 - Major Political Party of Councilmember by Council District

Current Latino Councilmembers

The 11 current Latino member of the City Council are:

Latino Members of the NYC Council 2012 			
Council District	Current Councilmember	Borough	Party
Council District 2	Rosie Mendez	Manhattan	Democrat
Council District 8	Melissa Mark-Viverito	Manhattan	Democrat
Council District 10	Ydanis Rodriguez	Manhattan	Democrat
Council District 14	Fernando Cabrera	Bronx	Democrat
Council District 15	Joel Rivera *	Bronx	Democrat
Council District 17	Maria del Carmen Arroyo	Bronx	Democrat
Council District 18	Annabel Palma	Bronx	Democrat
Council District 21	Julissa Ferreras	Queens	Democrat
Council District 34	Diana Reyna*	Brooklyn	Democrat
Council District 37	Erik Martin Dilan*	Brooklyn	Democrat
Council District 38	Sara M. Gonzalez	Brooklyn	Democrat
* term limited in 2012			

Committee Chairs. The Council has 35 committees that oversee the various functions of the city government. Each Councilmember sits on at least three standing, select or subcommittees. In 2002, Councilmember Joel Rivera (District 15 – The Bronx) was elected by the Council as Majority Leader, a position he holds today.

Latino Councilmembers currently chair the following committees:

General Welfare – Anabel Palma

Health – Maria del Carmen Arroyo

Higher Education – Ydanis A. Rodriguez

Housing and Buildings – Erik Martin Dilan

Juvenile Justice – Sara M. Gonzalez

Parks and Recreation – Melissa Mark Viverito

Public Housing – Rosie Mendez

Rules, Privileges and Elections – Joel Rivera

Small Business – Diana Reyna

Task Force to Combat Gun Violence – Fernando Cabrera (Co-Chair)

Technology – Fernando Cabrera

Women's Issues – Julissa Ferreras

New York City Council Black, Latino and Asian Caucus. The Latino Councilmembers are all members of the Black, Latino and Asian (BLA) Caucus, which is currently co-chaired by Councilmembers Fernando Cabrera and Robert Jackson. The BLA Caucus consists of 27 of the 51 members (53 percent) of the City Council. All 11 Latino Councilmembers are Caucus members, along with the 14 Black and 2 Asian Councilmembers.

Party Representation. All the Latino Councilmembers are in the Democratic Party. All but three were also endorsed by the Working Families Party. (see Map 10 in Appendix)

Gender Representation. While the perennial problem of the underrepresentation of women among Latino elected officials remains, this is not the case with the New York City Council. Of the 11 Latino Councilmembers, 7 (64 percent) are women. This is in comparison to women representing only 25 percent of the non-Latino Councilmembers. In addition, among Latino elected officials in New York State, women hold only 47 elected positions (35 percent of the total). Of these 47 elected positions held by Latinas statewide, 94 percent are in local positions (among male Latino elected officials, 83 percent hold local office). (Fondacaro 2012).

Ethnic Representation. The majority of the Latino Councilmembers are Puerto Rican or part Puerto Rican (8, or 73 percent). The next largest group is made of those who are Dominican or part Dominican (4, or 36 percent). Among those of mixed ancestry, one is of Puerto Rican and Dominican parents, and the other of Puerto Rican and African-American parents. There are no Latino Councilmembers from Central or South America (although one was born in Belize but raised in Puerto Rico). At least two Latino Councilmembers are foreign-born and two were born in Puerto Rico. (see Map 9 in Appendix, following page 12)

Geographic Representation. The Bronx has the largest number of Latino Councilmembers (4, or 36 percent of total Latino Councilmembers), followed by Brooklyn and Manhattan (3, or 27 percent, each), and Queens (1, or 9 percent). Staten Island has no Latino Councilmembers. Based on population distribution, Latinos in Queens and Staten Island, using this measure, are the most underrepresented on the City Council.

The NYC Council Districting Process

The New York City Council Districting process is defined by the City Charter and shaped by other legal and political factors like the federal Voting Rights Act (VRA). [Sections 50, 51 and 52 of the New York City Charter](#) define the districting process for the New York City Council and establishes a New York City Districting Commission for this purpose.

The Districting Commission consists of 15 members. Seven are appointed by the Mayor, five by the City Council majority party (currently the Democrats), and three by the minority political party (currently the Republicans). The last (2002-3) Districting Commission members were appointed in July 2002. They were Henry M. Calderon (Chair), Ross Brady, Christian P. Browne, Karen S. Burstein, Mary Carol French (who was replaced by Charles Capetannakis), Lorraine A. Cortes-Vazquez, John Flateau, Martha Galvez, Anthony Giaccio, David Hong (who was replaced by David Jackson), Julie Menin, Jerome X. O'Donovan, Christopher Renfoe, Victoria Schnepps, and Marc A. Wurzel. Three Commission members (20 percent) were Latinos: Calderon, Cortez-Vazquez and Galvez.

Three general sets of criteria govern the districting process (see Hebert, Smith, Vanderberg and DeSanctis [2010] for a much fuller discussion of these):

1. Population equity or the “one-person, one vote” standard. The City Charter defines this as “The difference in population between the least populous and the most populous districts shall not exceed ten percentum (10%) of the average population for all districts.”

2. The Federal Voting Rights Act, Sections 2 and 5. The counties of The Bronx, Brooklyn and Manhattan are covered under Section 5 of the Voting Rights Act, which requires that New York City needs to obtain for these covered jurisdictions either:

- a. *Administrative preclearance* from the Attorney General of the United States, or
- b. *Judicial preclearance* from the U.S. District Court for the District of Columbia for any change in a “standard, practice, or procedure with respect to voting.”

To obtain preclearance, the city has to prove that its plan does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color, or membership in a language minority group.” A change in the city’s districting plan will be considered an unacceptably discriminatory effect under Section 5 if it leads to “retrogression” or the worsening of the position of minority voters, either through fragmenting (dispersing) or packing (over concentrating) these voters.

Section 2 of the Voting Rights Act applies nationwide. It prohibits “minority vote dilution” and allows the creation of majority-minority districts if the three so-called *Gingles* prongs are met: numerosity and compactness; minority political cohesion; and the existence of a White voting bloc (along with the *Grandy* prong of lack proportionality of minority districts). These criteria can be a bit complicated and require a fuller legal analysis to effectively apply.

It is important to note that, under the Voting Rights Act, race or ethnicity cannot be used as the predominant factors over race-neutral districting principles and political factors. In making the case for a particular district, race can only be considered along with traditional race-neutral factors such as community of interest, contiguity, compactness, etc.

3. Other Traditional and Local Criteria. The City Charter defines the criteria for membership on the Commission. These includes limitations on their party affiliation, borough residence, the requirement that protected classes under the federal Voting Rights Act be appointed in proportion to their representation in the population, and so on. While this

Commission is described as “independent” from the City Council, the majority of its members are appointed by the Council leadership and the Mayor’s appointees are largely limited to nominations from the county party organizations. The Mayor is charged with convening all the appointing and recommending authorities to establish a screening and selection process.

In Section 52, the City Charter sets the following districting criteria:

1. In the preparation of its plan for dividing the city into districts for the election of council members, the commission shall apply the criteria set forth in the following paragraphs to the maximum extent practicable. The following paragraphs shall be applied and given priority in the order in which they are listed.

- a. The difference in population between the least populous and the most populous districts shall not exceed ten percentum (10%) of the average population for all districts, according to figures available from the most recent decennial census. Any such differences in population must be justified by the other criteria set forth in this section.*
- b. Such districting plan shall 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 United States voting rights act of nineteen hundred sixty-five, as amended.*
- c. District lines shall keep intact neighborhoods and communities with established ties of common interest and association, whether historical, racial, economic, ethnic, religious or other.*
- d. Each district shall be compact and shall be no more than twice as long as it is wide.*
- e. A district shall not cross borough or county boundaries.*
- f. Districts shall not be drawn for the purpose of separating geographic concentrations of voters enrolled in the same political party into two or more districts in order to diminish the effective representation of such voters.*
- g. The districting plan shall be established in a manner that minimizes the sum of the length of the boundaries of all of the districts included in the plan.*

2. Each district shall be contiguous, and whenever a part of a district is separated from the rest of the district by a body of water, there shall be a connection by a bridge, a tunnel, a tramway or by regular ferry service.

3. If any district includes territory in two boroughs, then no other district may also include territory from the same two boroughs.

Based on the last round of redistricting (2002-3), one organization projected the following timetable for the forthcoming round (Taking Our Seats 2012; also see New York City Districting Commission [2003] for a detailed description of the 2002-3 process):

Projected NYC Council Districting Timetable for 2012-13	
Date	Action
Spring 2012	Commission formed and announces schedule
Fall 2012	Commission makes plan available to public for inspection and hold public hearing about the plan. Commission will submit redistricting plan to the Council for approval. Council can formally file objections to the submitted plan.
Winter 2013	If the Council formally files objections to the plan, the commission submits revised plan for a second round of public and Council inspection.
Spring 2013	Upon the receipt of any such resolution and objections to the plan, the Commission shall prepare a revised plan and shall, no later than ten months before such general election of the city council, make such plan available to the council and the public for inspection and comment. The final approved plan is then submitted to the federal government
July 2013	Candidate petitioning process, to get on the voting ballot, begins.
Sept. 2013	Primary election
Nov. 2013	General election

Source: adapted from Taking Our Seat 2012 Fact Sheet.

NYC Council Districting 2002-3 Schedule

Based on the NYC Council districting in 2002-3, this process is about to begin in July 2012. Here is the general timetable that was followed in the last round of districting a decade ago:

July 2002

The fifteen members of the NYC Districting Commission were appointed

July 24, 2002

First Stated Meeting of the Commission at which the Chairperson and Executive Director were selected

September 2002-February 2003

Commission held three rounds of evening public hearings totaling 17:

Round 1 – September 5-26, 2002

Round 2 – November 19-December 4, 2002

Round 3 – February 10-19, 2003

October 23, 2002

Commission released its preliminary plan at a Stated Meeting

October 28-December 13, 2002

Commission provided public access terminals

December 18, 2002

Commission approved second draft of preliminary plan at a Stated Meeting

January 16, 2003

City Council submitted comments to NYC Districting Commission

February 6, 2002

Commission released third draft of preliminary plan

February 26, 2003

Commission approved final plan

March 4, 2003

Commission filed final plan with City Clerk and was officially adopted

March 18, 2003

“A Voting Rights Act Evaluation of the New York City Council Redistricting Plan” was submitted to the Commission, commissioned from Lisa Handley, Frontier International Electoral Consulting, LLC

March 31, 2003

Commission submitted expedited preclearance request to US Department of Justice under VRA Section 5 covering changes in the Bronx, Brooklyn and Manhattan

May 30, 2003

US Department of Justice precleared NYC Council districting plan under VRA Section 5

September 9, 2003

Primary Election

November 4, 2003

General Election

Latino Issues in the 2002-3 NYC Council Districting

The Puerto Rican Legal Defense and Education Fund (PRLDEF) (currently known as LatinoJustice PRLDEF) and the Latino Voting Rights Committee began the NYC Council districting process in 2002-3 arguing in their Latino Opportunity District Plan that of the 51 Council seats, 13 should be majority-Latino based on their community's population growth as reflected in the 2000 Census. In their initial plan presented in October 2002, the NYC Districting Commission proposed 9 majority-Latino districts. In their final plan, presented in February 2003, the Commission increased that number to 12, one short of what Latino voting rights advocates had proposed. Besides these majority-Latino districts, the Commission also created 11 Black and 8 multi-ethnic minority districts.

One controversial decision was the inclusion of the Ridgewood section of Queens in the Bushwick and Williamsburg sections of Brooklyn to create the majority-Latino Council District 34. Homeowners in Queens argued that their property values would suffer by being part of these predominantly Latino neighborhoods in northern Brooklyn. However, the Commission concluded that these communities looked alike in terms of language, ethnicity, income and education.

Another controversial decision was the creation of Council District 7 in northern Manhattan that was only 50 percent Latino. Latino advocates called this an "illusory Latino district" because, once age, citizenship status and other factors were taken into account, they estimated that in terms of voters, this district was more like 35-40 percent Latino. This district went on to be represented by a non-Latino African-American. This was also the case with Council District 25 in Jackson Heights/Elmhurst in Queens, which went on to be represented by a non-Latino White.

There was also some disagreement between Asian and Latino advocates over the configuration of Council districts in Lower Manhattan. The Asian American Legal Defense and Education Fund (AALDEF) argued for a Council district that would be 30 percent Asian and 30 percent Latinos, while Latino advocates argued for a district that would be 51 percent Latino and 25 percent Asian-American.

The Commission in the end created Council District 2, which was 40 percent Latino and 30 percent Asian, which went on to be represented consecutively by three Puerto Ricans (all, incidentally, openly gay). Asian advocates pointed out that Manhattan's Chinatown was largely left connected to affluent White neighborhoods in lower Manhattan's new District 2, which went on to be represented by a White but eventually elected a Chinese-American Councilmember.

The Commission also created a new district, Council District 38, in the Sunset Park section of Brooklyn that brought together Latino and Chinese voters. This district went on to be represented by a Puerto Rican.

There was also some controversy over the creation of what were called "fair-fight" or competitive districts that would provide the minority party, the Republicans, real opportunities to be elected. The Commission failed to create three new "fair-fight" districts they set as their goal, raising accusations that this was basically an "incumbent-protection" plan. Charges were also made that Mayor Bloomberg had used the districting process to punish incumbents with which he had political disagreements.

Finally, questions were raised about what appeared to be racially discriminatory manipulation of the population deviations of the new districts. The City Charter allows for a 10 percent deviation from the ideal population for a district, which at the time was 157,025. Noting that the districts with the lowest deviations were in predominantly White Staten Island, and the highest was in areas like the predominantly minority South Bronx, the argument was made that the Commission was diluting the power of voters of color by crowding them in the larger districts and spreading White voters over one and smaller districts, a charge the Commission did not address.

The Future of Latino Council Representation

Based on the current districts that were adopted in 2003, opportunities for increased Latino representation on the City Council and of potential losses are presented in this section to provide a sense of these representational dynamics. However, these political calculations will, of course, be altered by how the new districts are drawn.

In addition, the relationship between the size of the Latino electorate and the election of Latinos is also not necessarily correlated. What follows, then, is simply a thought exercise to provide some broad parameters for discussing the future of Latino representation once districting occurs and depending on the geographic spread of the Latino population. There are, of course, other factors besides race and ethnicity determining the election of representatives, such as the role of the political parties, the quality of candidates, campaign finances, and so on.

With the current districts, there are possibilities for the expansion of Latino representation on the NYC Council in three districts not represented by Latinos that have a 40 percent or more eligible Latino voter population. These are:

District 16 (The Bronx) represented by Helen Foster (56.6 percent eligible Latino voters);

District 7 (Manhattan) represented by Robert Jackson (46.3 percent); and

District 25 (Queens) represented by Daniel Dromm (40.5 percent).

There are also four Council members who are term limited in 2013 that represent districts with significant Latino populations. These are:

District 42 (Brooklyn) represented by Charles Baron (18.5 percent eligible Latino voters);

District 36 (Brooklyn) represented by Albert Vann (16.9 percent);

District 31 (Queens) represented by James Sanders, Jr. (15.5 percent); and

District 47 (Brooklyn) represented by Domenic M. Recchia, Jr. (12.3 percent).

On the other hand, there is the potential loss of Latino representation in two Council Districts currently represented by Latinos where the Latino voting age population is less than 50 percent. (see Map 6 in the Appendix) These are:

District 38 (Brooklyn) represented by Sara M. Gonzalez (41.8 percent Latino voting age population) ; and

District 2 (Manhattan) represented by Rosie Mendez (18.1 percent Latino voting age population).

In addition, three of the current Latino Councilmembers, two in Brooklyn and one in The Bronx, are term limited in 2013:

Erik Martin Dilan (Democrat - District 37 – Brooklyn);

Diana Reyna (Democrat - District 34 – Brooklyn); and

Joel Rivera (Democrat – District – The Bronx)

A significantly lower percentage of Latino Councilmembers (27 percent) are term-limited in 2013 than non-Latinos (43 percent).

Conclusion

As New York City's political leaders begin to pull together to commence the districting of the City Council based on the 2010 Census, there are a number of questions that Latino and other communities of color need to ask. These include the following:

1. How independent will this process be? The selection process for the members of the New York City Districting Commission is largely controlled by the two major party leaders, leaving little room for independent and third party voters. Given the statewide call for an independent redistricting process for the state legislature and Congressional districts, can a more open nomination and selection process be developed within the framework contained in the City Charter?

In the spirit of the proposed state constitutional amendment calling for an independent redistricting process at the state level, should consideration be given to a future New York City Charter revision that would establish a completely independent Council districting commission that removes or greatly limits the role of the Mayor and Council from appointing its members for the 2021-22 round and beyond?

2. How transparent will this process be? Will all meetings and interactions of the Commission members with the Mayor, City Council and their staff be made public and on the record? Will an aggressive public education and media campaign be undertaken? Will all Commission materials and information be available in the languages of at least those protected classes under the Voting Rights Act? Will the Commission make publicly available all identical demographic and political data to the public as they become available to them?

3. Will there be meaningful public participation, especially among Latino and other communities of color? Will the Commission assure that sufficient public hearings will be held throughout all of the five boroughs and at times convenient for working people, including evenings and weekends? Can the Internet be used to allow public input through a website and various social media? Will special outreach and timely consultations with representatives of members of the protected classes under the Voting Rights Act be a priority? Will the Commission encourage the submission of alternative districting plans from the public?

4. Will mapping and related technologies be made widely available to all communities? Given the availability of many new forms of mapping and data processing technologies, will the Districting Commission develop creative ways to make these technologies available to all members of the public, including those with limited Internet access? Will the Commission develop a proactive outreach plan that will provide technical assistance to all communities needing it on how to develop viable districting proposals?

5. Will the reallocation of state prisoners to their original New York City addresses be implemented? Will this be done for the city jails as well? New York State has allocated the original addresses of state prisoners throughout the state, including New York City. Will the Commission utilize this information in its official districting database? Will consideration be given to replicating this prisoner address reallocation to the city jail population?

The purpose of this report is to stimulate discussion in the Latino community on strategies to promote the full participation of this community in this important process. The issues and process are presented here in a summary form and will require more detailing and deeper analyses as the districting process unfolds. We hope this report provides a useful starting point for such planning.

Acknowledgements

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Appendix

Table 1—Current NYC Council Districts Selected Demographics 2010

NiLPmap Series 1 – Council District Overlays

- Map 1 - 2010 Total Latino Population by Census Tract, Overlaid by Current Council Districts
- Map 2 - 2010 Puerto Rican Population by Census Tract, Overlaid by Current Council Districts
- Map 3 - 2010 Dominican Population by Census Tract, Overlaid by Current Council Districts
- Map 4 - 2010 Mexican Population by Census Tract, Overlaid by Current Council Districts
- Map 5 - 2010 Other Latino Population, (excluding Puerto Ricans, Dominicans and Mexicans) by Census Tract, Overlaid by Current Council Districts

NiLPmap Series 2 – Council District Profiles

- Map 6 - Latino Percent of Voting Age Population by Council District 2010
- Map 7 - Latino Voting Age Population Change by Council District 2000-2010
- Map 8 - Council District Total Population Deviation from Ideal District Size (160,297) based on 2010 Census
- Map 9 - Racial-Ethnic Identity of Councilmember NYC Council Districts 2012
- Map 10 - Major Political Party of Councilmember by Council District

Current NYC Council Districts Selected Demographics 2010
based on Council Districts created in 2003



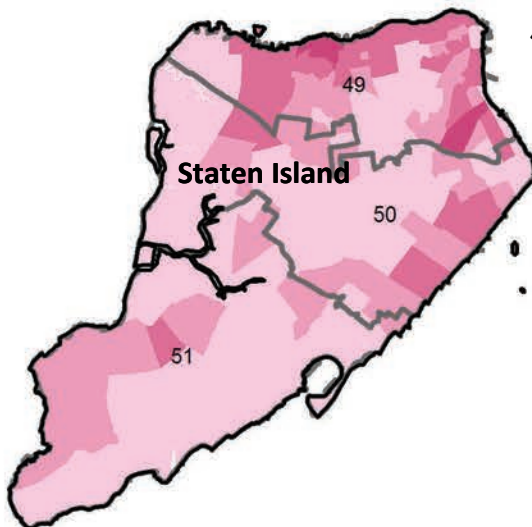
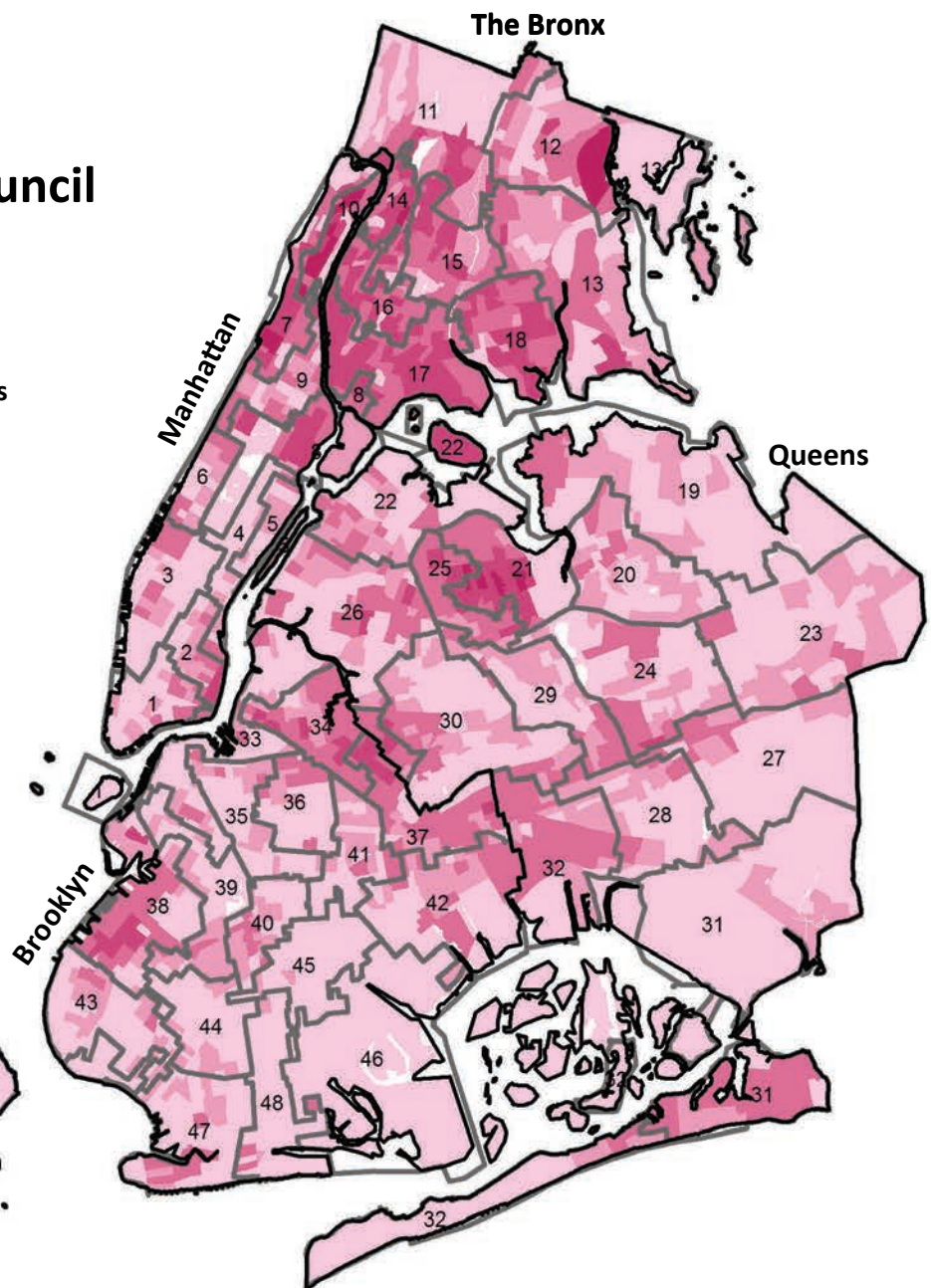
Source: 2010 Census

Council District	Current Councilmember	Borough	Party	Total Population	Total Population Change 2000-2010	Total Voting Age Population	Latino VAP	Percent Latino of VAP	Latino VAP Change 2000-2010
1	Margaret Chin	Manhattan	Democrat	168,966	15.7	146,145	17,184	11.8%	8.5
2	Rosie Mendez	Manhattan	Democrat	161,554	6.9	145,773	26,327	18.1%	2.9
3	Christine C. Quinn	Manhattan	Democrat	173,254	14.2	159,415	19,012	11.9%	7.8
4	Daniel R. Garodnick	Manhattan	Democrat	155,199	-1.5	135,526	9,103	6.7%	13.6
5	Jessica S. Lappin	Manhattan	Democrat	161,269	1.8	141,905	9,453	6.7%	23.0
6	Gale A. Brewer	Manhattan	Democrat	163,820	-0.2	141,199	15,572	11.0%	1.3
7	Robert Jackson	Manhattan	Democrat	156,217	3.1	125,430	58,110	46.3%	1.5
8	Melissa Mark-Viverito	Manhattan	Democrat	162,606	6.7	127,727	60,730	47.5%	-0.7
9	Inez E. Dickens	Manhattan	Democrat	164,423	11.2	133,504	23,926	17.9%	39.6
10	Ydanis Rodriguez	Manhattan	Democrat	136,647	-0.5	107,661	85,733	79.6%	-3.0
11	G. Oliver Koppell	Bronx	Democrat	162,922	0.7	127,725	46,304	36.3%	24.6
12	Larry B. Seabrook	Bronx	Democrat	171,183	7.1	129,141	29,875	23.1%	32.7
13	James Vacca	Bronx	Democrat	168,530	2.8	132,430	47,724	36.0%	44.9
14	Fernando Cabrera	Bronx	Democrat	158,875	8.3	113,337	79,744	70.4%	18.8
15	Joel Rivera	Bronx	Democrat	167,995	11.6	116,709	75,633	64.8%	18.2
16	Helen D. Foster	Bronx	Democrat	176,956	17.2	123,105	69,731	56.6%	30.3
17	Maria del Carmen Arroyo	Bronx	Democrat	180,064	18.3	126,550	86,975	68.7%	20.7
18	Annabel Palma	Bronx	Democrat	169,410	8.6	124,344	70,721	56.9%	13.6
19	Daniel J. Halloran	Queens	Republican	155,237	1.1	126,262	17,740	14.1%	36.6
20	Peter Koo	Queens	Republican	160,913	6.6	134,236	19,386	14.4%	-11.5
21	Julissa Ferreras	Queens	Democrat	172,670	7.2	130,810	96,699	73.9%	18.8
22	Peter F. Vallone, Jr.	Queens	Democrat	146,509	-6.6	125,830	29,001	23.0%	-6.9
23	Mark Weprin	Queens	Democrat	151,382	2.3	121,941	15,892	13.0%	11.9
24	James F. Gennaro	Queens	Democrat	167,448	5.5	132,826	28,190	21.2%	11.8
25	Daniel Dromm	Queens	Democrat	162,560	0.7	130,858	53,052	40.5%	5.2
26	Jimmy Van Bramer	Queens	Democrat	161,419	2.7	131,894	44,193	33.5%	0.6
27	Leroy G. Comrie, Jr.*	Queens	Democrat	155,898	2.7	119,951	14,409	12.0%	34.6
28	Ruben Wills	Queens	Democrat	147,327	3.5	110,609	20,113	18.2%	11.7
29	Karen Koslowitz	Queens	Democrat	147,922	-0.4	122,708	21,394	17.4%	14.9
30	Elizabeth Crowley	Queens	Democrat	154,608	4.2	121,847	33,803	27.7%	52.1
31	James Sanders, Jr.*	Queens	Democrat	160,123	7.3	117,238	18,200	15.5%	26.4
32	Eric Ulrich	Queens	Republican	163,306	2.5	126,757	35,616	28.1%	29.6
33	Stephen Levin	Brooklyn	Democrat	170,735	8.6	130,594	18,263	14.0%	-13.3
34	Diana Reyna*	Brooklyn	Democrat	158,141	17.3	125,418	64,000	51.0%	-1.1
35	Letitia James	Brooklyn	Democrat	151,793	6.4	119,695	15,721	13.1%	-5.0
36	Albert Vann*	Brooklyn	Democrat	148,936	10	114,023	19,219	16.9%	32.2
37	Erik Martin Dilan*	Brooklyn	Democrat	158,438	15.5	114,284	63,270	55.4%	13.1
38	Sara M. Gonzalez	Brooklyn	Democrat	157,282	10.3	119,814	50,132	41.8%	-4.0
39	Brad Lander	Brooklyn	Democrat	154,341	1.1	115,908	16,657	14.4%	-9.1
40	Mathieu Eugene	Brooklyn	Democrat	146,522	2.6	112,858	17,501	15.5%	20.6
41	Darlene Mealy	Brooklyn	Democrat	153,328	10	111,823	14,508	13.0%	34.5
42	Charles Barron*	Brooklyn	Democrat	165,150	8.9	120,682	22,334	18.5%	10.7
43	Vincent J. Gentile	Brooklyn	Democrat	169,098	2.8	135,762	17,641	13.0%	51.7
44	David G. Greenfield	Brooklyn	Democrat	164,339	0.7	114,052	11,303	9.9%	35.8
45	Jumaane D. Williams	Brooklyn	Democrat	140,433	-2.8	107,806	8,231	7.6%	10.4
46	Lewis A. Fidler*	Brooklyn	Democrat	165,679	3.7	128,216	8,437	6.6%	17.7
47	Domenic M. Recchia, Jr.*	Brooklyn	Democrat	161,814	3.4	128,243	15,725	12.3%	25.1
48	Michael C. Nelson	Brooklyn	Democrat	158,086	0.7	125,000	10,460	8.4%	14.0
49	Deborah Rose	Staten Island	Democrat	170,363	11.2	126,486	32,756	25.9%	62.1
50	James S. Oddo	Staten Island	Republican	155,537	6.1	122,501	14,086	11.5%	52.0
51	Vincent Ignizio	Staten Island	Republican	157,906	8.7	122,474	9,415	7.7%	51.7

Latinos and NYC Council Districting 2012

Map 1
2010 Total Latino Population
by Census Tract
Overlaid by Current Council Districts

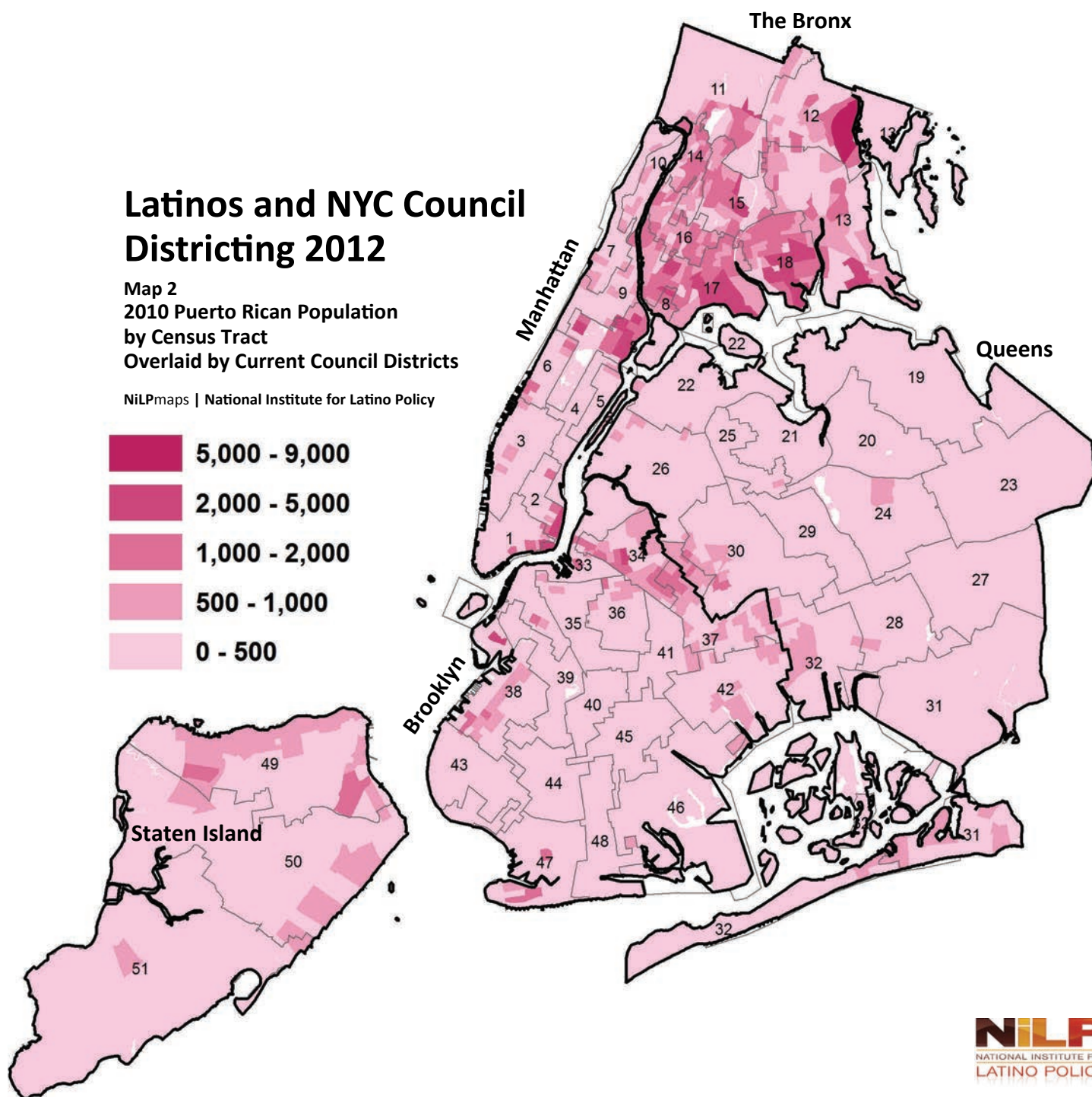
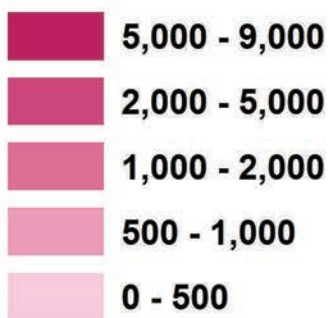
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Map 2
2010 Puerto Rican Population
by Census Tract
Overlaid by Current Council Districts

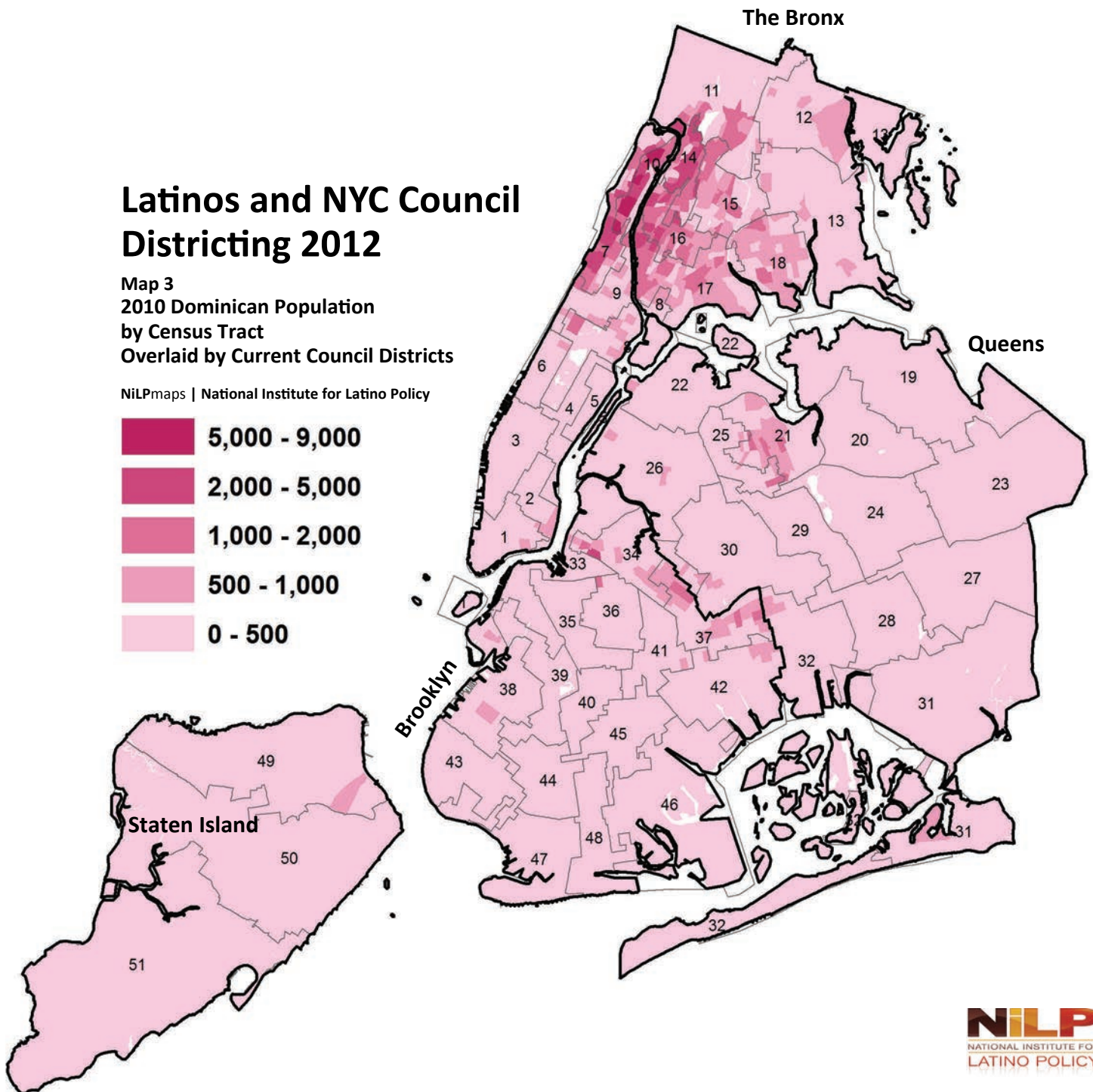
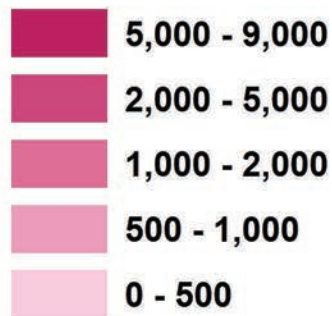
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Map 3
2010 Dominican Population
by Census Tract
Overlaid by Current Council Districts

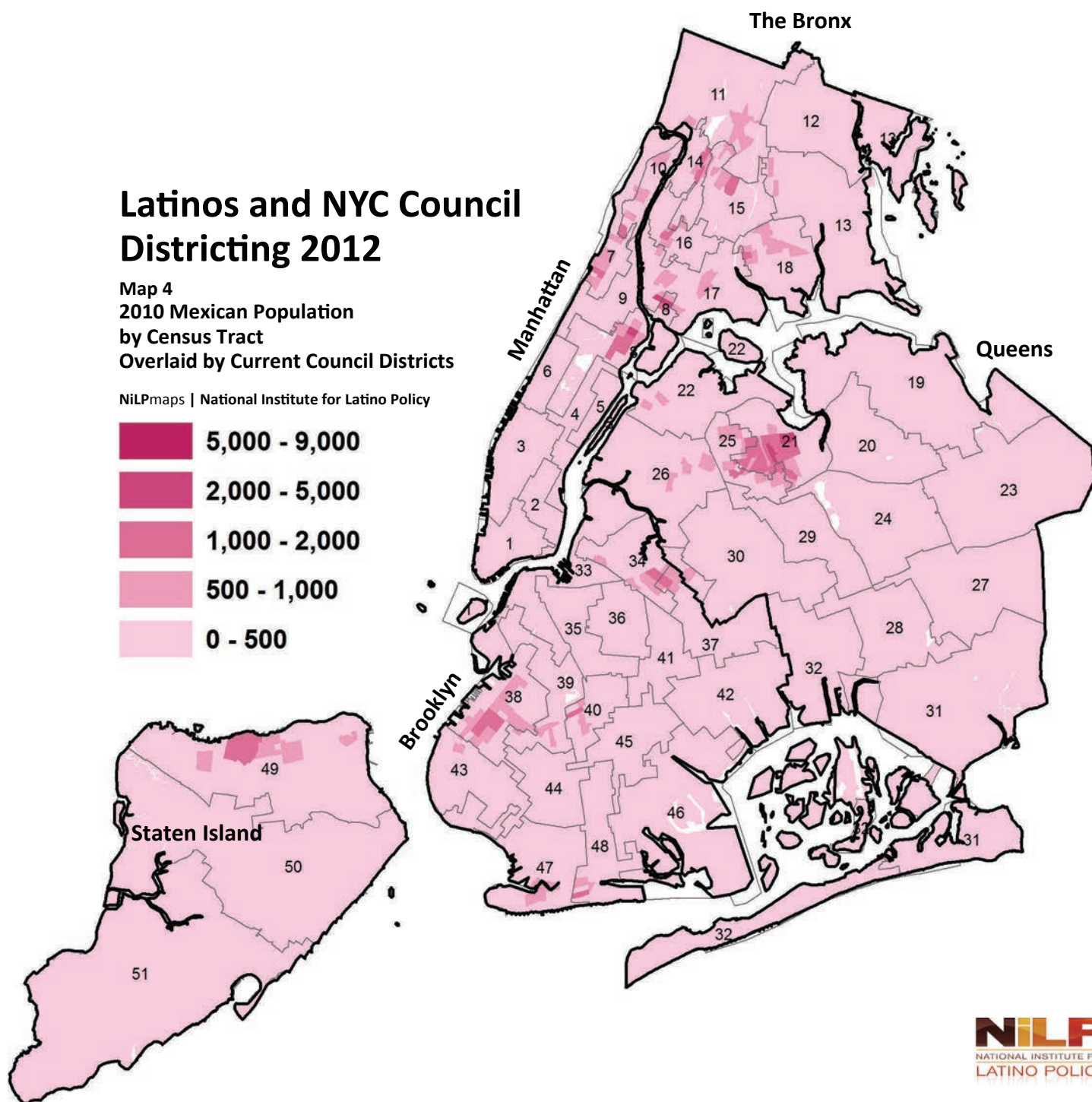
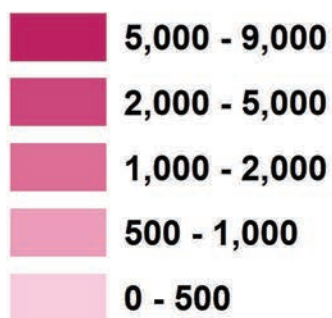
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Map 4
2010 Mexican Population
by Census Tract
Overlaid by Current Council Districts

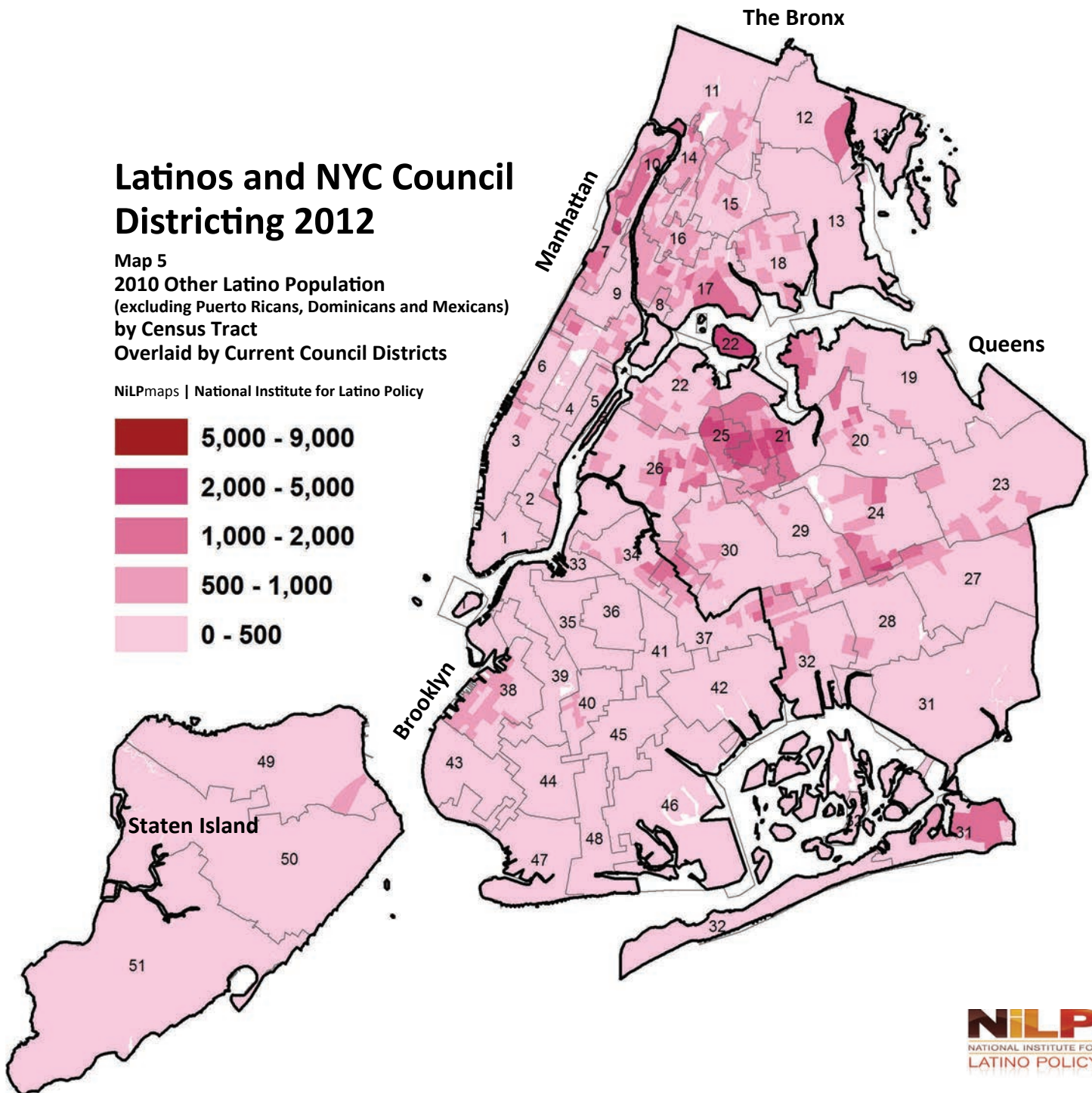
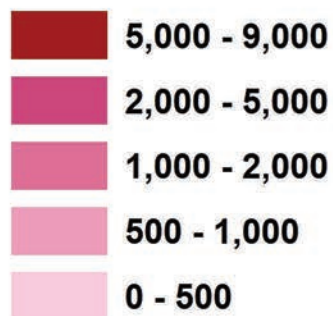
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Map 5
2010 Other Latino Population
(excluding Puerto Ricans, Dominicans and Mexicans)
by Census Tract
Overlaid by Current Council Districts

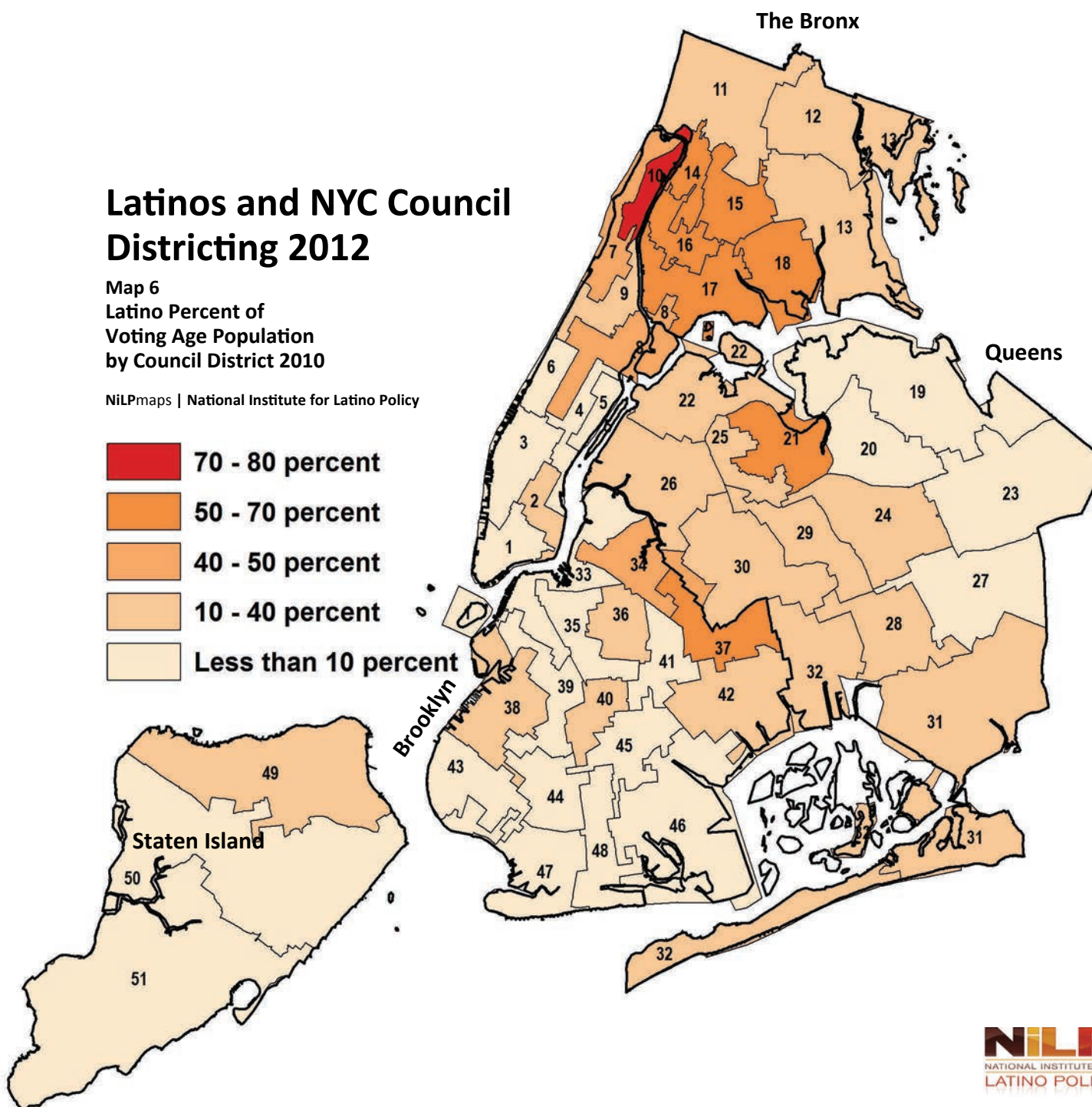
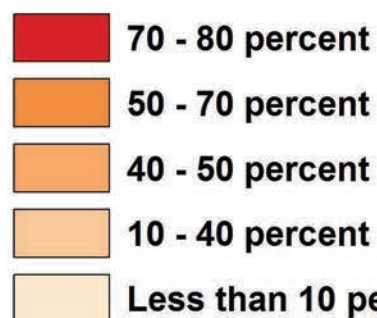
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Map 6
 Latino Percent of
 Voting Age Population
 by Council District 2010

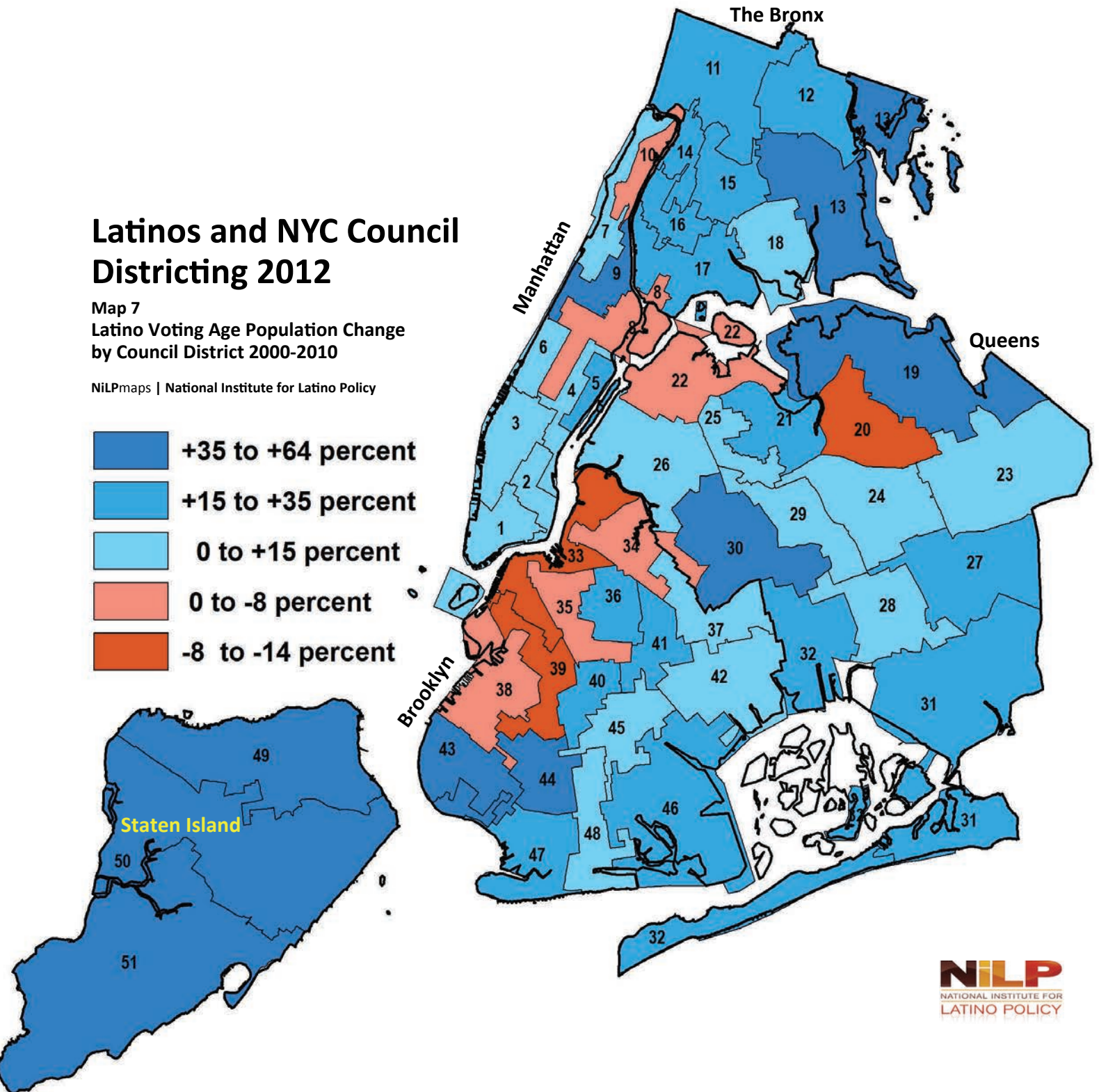
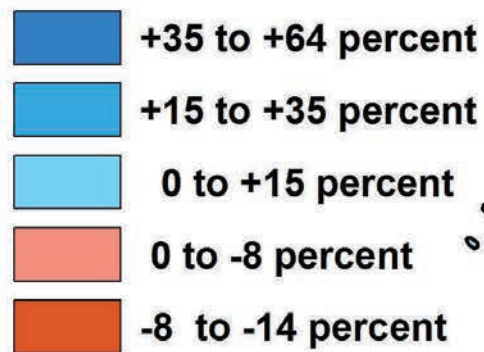
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Map 7
 Latino Voting Age Population Change
 by Council District 2000-2010

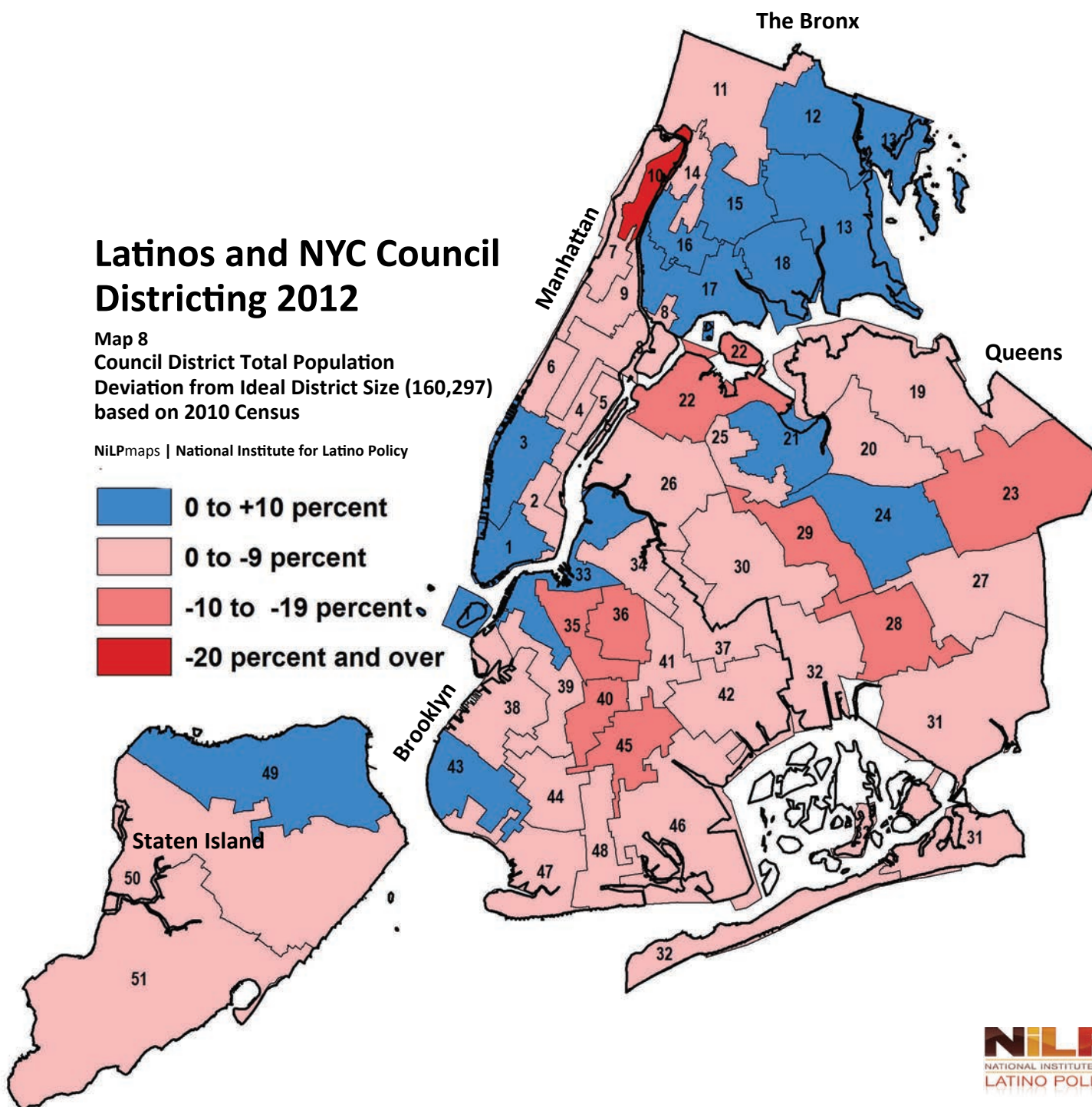
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Map 8
Council District Total Population
Deviation from Ideal District Size (160,297)
based on 2010 Census

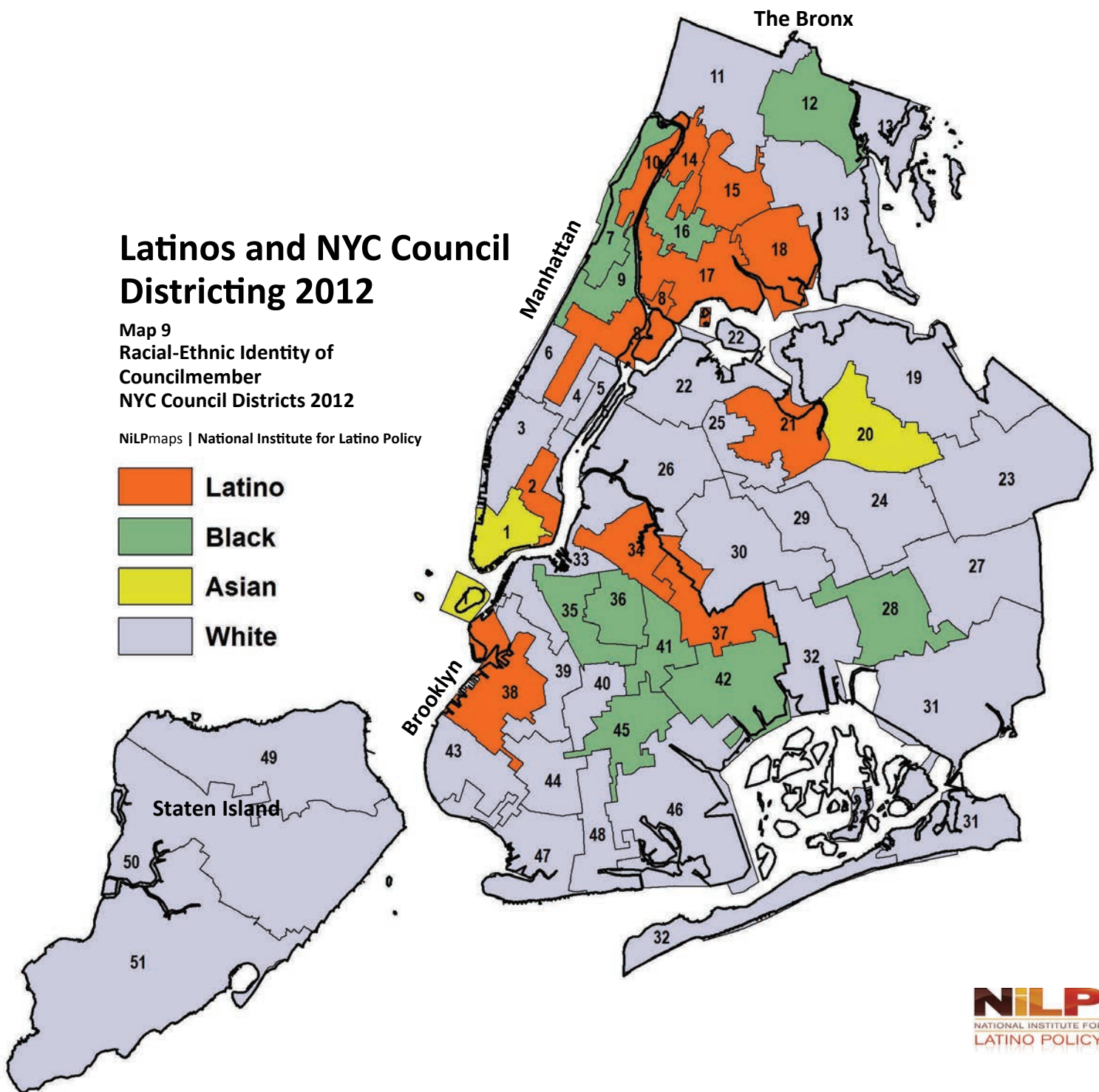
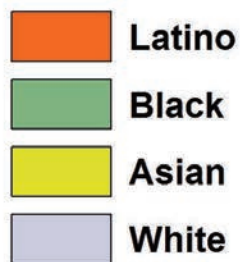
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Map 9
Racial-Ethnic Identity of
Councilmember
NYC Council Districts 2012

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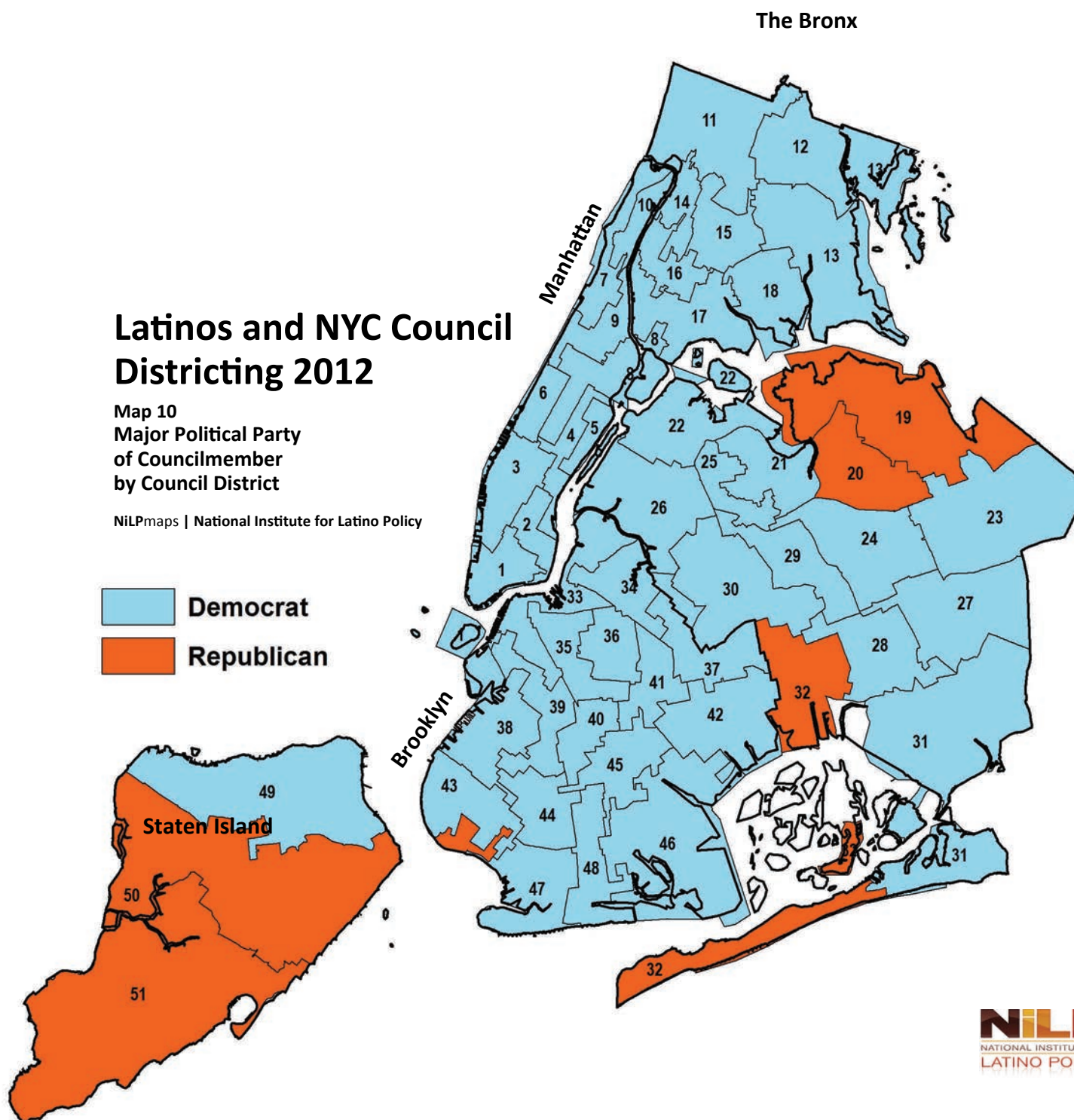


Latinos and NYC Council Districting 2012

Map 10
Major Political Party
of Councilmember
by Council District

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Democrat
Republican





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