



**MANHATTAN
DEMOCRATIC PARTY**

Keith L.T. Wright, County Leader

March 14, 2012

Honorable Reena Raggi
Honorable Gerard E. Lynch
Honorable Dora I. Irizarry
United States District Court for the
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 12201

Re: Favors v. Cuomo
11. Civ. 5632

Dear Judges Raggi, Lynch and Irizarry:

I am proud to stand with many of my colleagues at all levels in New York State Government as a member of the VOTING RIGHTS for ALL coalition and hereby submit my specific objections to United States Magistrate Judge Mann's Recommended Plan ("Plan"). I fully appreciate the enormity of the task Judge Mann was charged with but remain disheartened at the certainty of this Plan's chilling impact on the voice of millions of protected classes of Black and Hispanic voters in Northern Manhattan and the Bronx. I ask this Court to reject the Plan's treatment of the 13th Congressional District (presently 15th Congressional District) and approve the map as presented by the NAACP to the Legislative Taskforce on Demographic Research and Reapportionment as attached hereto.

**The Plan Compromises Joinder of Communities of Interest for
Substantial Population Equality**

The Plan rightly acknowledges the fundamental guidelines of compactness, contiguity and respect for political subdivisions but it fails to adequately preserve communities of interest through an overzealous attempt to create substantial population equality. I am greatly disturbed at the admission of Mr. Persily that Harlem was kept whole and joined with parts of the Bronx to achieve population equality. It is well founded and accepted that race cannot be the dominant factor in the creation of districts however, the relegation of race is certainly impermissible. While the African American Community of the entire 15th CD does not make up more than 50% of the population and qualify, by this Court's standard, for §2 protection, it must be acknowledged that this group does comprise more than 50% of the area of 15th CD known as "Harlem". Therefore, this Court must reject the treatment of the 13th CD in the Plan and instead seek to join the Harlem community with the Northeastern parts of the Bronx and Mount Vernon as suggested by the NAACP to ensure the preservation of the voting rights of a protected class constituting one of four African American Congressional Districts in the entire state.



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**The Recommended Plan Summarily Dismisses Suggestions for the
15thCD and Applies Inconsistent Standards of Review**

The Report indicates that changes to the Proposed Plan were made in certain districts based upon reducing violations of county boundaries or respecting communities of interest. I submit to this Court that the suggested changes to the Proposed 13th made by me in my letter of March 7, 2012, as supported by the NAACP and DANR were possible and the lack thereof has not respected the communities of interest.

A closer look at the communities suggested for joinder clearly indicate similarities in demographics – both projection areas share a labor force of approximately 57, 000 people, an unemployment rate of approximately 5,000 people, and a foreign born population of approximately 23, 000 people. This is underscored by the cultural similarities in religious worship, family ancestry and other varying cultural mores. Accordingly, this Court must give greater consideration to the “other factors” demonstrated herein and expand the 13th CD to include the communities of interest indicated on the attached map.

Further objections are made by incorporation of the DANR objections submitted today.

Consideration must be given for the District represented by Hon. Charles Rangel for the past 40 years. This recommended configuration for the District reflects the current realities of changing demographics and migrating African American populations in New York City and is consistent with this Courts modality for creating CD 8, which is a tri-county district combining heavy Hispanic and Asian populations in Brooklyn, Manhattan and Queens, which preserves a plurality (41% Hispanic VAP) Latino congressional district that has elected Hon. Nydia Velazquez for the past 20 years.

I reiterate that the proposals of all members of the VRA are consistent in one theme: this Court must not endorse the Plan as contemplated because it would have a disparate impact on millions of New Yorkers of color who must be protected under the Voting Rights Act of 1965. Thank you for your work thus far and I am available at your convenience to discuss the any of the above.

Sincerely,

Keith L. T. Wright
County Leader
New York County Democratic Committee

Rationale for Proposed 15th CD (Rangel) – 2012 Redistricting

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Background

The northern Manhattan based 15th Congressional District is the second oldest northern Black congressional district in the United States. The Deep South, where 90 percent of the Black population resided in the post Civil War era, elected several Black Congress members during the Reconstruction era. The first northern Black Congressman was elected from Chicago in the 1920s, Oscar DePriest, followed by Arthur Mitchell and William Dawson. The second northern Black Congressional district was based in Harlem and northern Manhattan, New York, and elected Adam Clayton Powell, Jr. in 1944, followed by Charles B. Rangel in 1970. Both Powell and Rangel achieved historic, powerful congressional roles benefiting Black Americans and indeed all Americans. Powell as Chair of the House Education and Labor Committee was a prolific legislator playing a seminal role in ushering in civil rights, and War On Poverty legislation of the 1960s. Rangel has played a key legislative role as Chairman of the powerful, tax writing House Ways and Means Committee; and today, he is the senior member and Chair of the New York Congressional delegation. Thus for decades, the 15th CD has been a national, historic congressional district for Black New Yorkers and Black Americans.

According to the 2010 Census, New York has the largest Black population of any state in America: this population has grown to 3.3 million Black New Yorkers, and has been represented by four Black members of Congress for the past three decades (Manhattan-1, Brooklyn-2, Queens-1). As expected, via Census 2010, there have been demographic shifts in the location and composition of New York's Black population and other populations, and there is a robust overall Black population base of 3.3 million, more than enough to sustain the continued representation of four Black congressional districts in New York, including the 15th CD.

It should also be noted that New York County, which is also the Borough Of Manhattan, is one of three counties in New York State, covered by the Section 5 preclearance provisions of the US Voting Rights Act; and the 15th CD is a voting rights district.

Boundary Descriptions, Proposed 15th CD – Contiguous, Compact, et.al.

The proposed 15th CD is highly compact, taking in all of Manhattan north of 97th St. from East River to Hudson River, with the exception of Washington Heights. Within its current boundaries, the 15th CD is some 80,000 short of the current equal population requirement of 717,707. The additional subtraction of Washington Heights with approximately 139,000 persons makes it necessary for the 15th CD to pick up major population and

geography. It cannot go further south in Manhattan without causing major disruptions. South of 97th St. on the East Side is the current 14th CD (Maloney); and on the West Side, is the 8th CD (Nadler). Thus the only directions for the 15th CD to go are: north and east, into the Bronx; and east into Queens. (CD 15 is bordered by the Hudson River on its west side.)

Going east, the 15th CD picks up Roosevelt Island (13,000) and three public housing developments very close to the East River waterfront in Queens: Queens Bridge Houses, Ravenswood Houses and Astoria Houses (Queens total, 20,000). The 15th CD already has one of the largest concentrations of public housing in the City, State and nation, and these three additions blend well with the public housing community of interest. This adds about 33,000 persons to the 15th CD. The balance of necessary population to reach 717,707 is added by going north and east, into the Bronx.

The 15th CD goes from the northern tip of Manhattan, the Marble Hill neighborhood, takes a narrow corridor eastward, hugging the southern border of Van Cortland Park, and adds the North Bronx areas of Williamsbridge and other areas between East Gunhill Road on the south, and the Bronx County line on the north; as well as Coop City, in order for the 15th CD to reach the population requirement of 717,707. The proposed 15th CD takes this particular route, in order to take the most unobtrusive pathway, leaving maximum maneuverability and unobstructed geography for the Bronx's nearly 750,000 Hispanic population including its heavily Dominican West Bronx, in order to constitute the basis for two Hispanic congressional districts anchored in the Voting Rights County of the Bronx, with 1.4 million persons, including the current 16th CD represented by Hon. Jose Serrano.

This 15th CD pathway to the Bronx also provides a geographic connector for two Black socio-cultural communities of interest, which are comprised of approximately 149,000 Blacks in North Manhattan and their socio-cultural siblings, who are 129,000 Blacks in the North Bronx.

Proposed Congressional Districts 14, 15 and 16

