



**CITIZENS UNION OF THE CITY OF NEW YORK**  
**Testimony to the New York City Districting Commission 2022-23**  
**Preliminary Public Hearing**

Pace University  
May 26, 2022

Good afternoon, Chair Walcott and members of the New York City Districting Commission. My name is Ben Weinberg, and I am the Director of Public Policy at Citizens Union. Citizens Union is an independent and nonpartisan good government group dedicated to making democracy work for all New Yorkers. Thank you for the opportunity to testify on the process of drawing the City Council's 51 district lines.

Having been active at the state-level redistricting process and previous council districting cycles, we appreciate the complexity of the task that you are about to undertake.

We are also keenly aware that the negative experience many New Yorkers had with the state's redistricting process could foster cynicism and apathy towards the city's redistricting. Citizens Union has been conducting a public education campaign to overcome that obstacle. We've spoken with hundreds of people across the five boroughs to get them involved in the process and help them engage the Commission.

But the faulty process this year in Albany has undermined public confidence in government's ability to draw lines in a fair, transparent, and independent manner. Given this context, as well as the substantial legal and demographic changes in the city, it is important that the Commission take more steps to ensure that the public trusts and engages the process as it unfolds in New York City.

Based on our analysis of previous cycles and the City Charter, we believe there are two areas that can be improved upon:

**First, transparency and public participation**

We were encouraged to hear at the Commission's first meeting that there are plans to provide the public with an online mapping software. To maximize transparency and public participation in the redistricting process, we also recommend the Commission to take the following steps;

**1. Make all materials related to the Commission's meetings and operations public**

Meeting agendas, written minutes, and transcripts should be uploaded to the Commission's website in a timely manner to allow the public to follow its proceedings. So should the Commission's adopted by-laws and resolutions. For example, commissioners adopted a resolution in their May 11<sup>th</sup> meeting, but the public did not see it before the meeting or after it was adopted.

**2. Maximize public participation by scheduling some public hearings on evenings and weekends and providing increased language and disability access**

The Commission should allow people with pressing work schedules to participate in the process by holding some evening hearings, and holding hearings at an easily accessible location in every borough. Like previous Commissions, it should offer interpreters in the languages most prevalent in that borough and translate key documents into the ten designated citywide languages. There should be accommodations for people with disabilities, such as ASL interpretation, live captioning of meetings, website accessibility, and in-person hearings at accessible locations.

**Second, fair and independent redistricting**

This is critical in light of the latest developments at the state-level redistricting and after the Court of Appeals tossed out congressional and state senate maps.

**1. Adopt expansive anti-gerrymandering criteria**

While the City Charter provides a good foundation for the drawing of district lines, including by forbidding partisan gerrymandering, it does not address the possibility that maps would be drawn to favor incumbents or a particular candidate. Incumbent-based gerrymandering is more likely when all Council Members are up for reelection, and the city has seen such cases before. The Commission should adopt a more expansive anti-gerrymandering criterion, mirroring New York's constitutional provision, which states that districts should not be drawn with an intent to favor or oppose any political party, an incumbent legislator, or any previous or presumed candidate for office.

**2. Adopt a Code of Ethics and address conflicts of interest**

We were pleased to hear the Commission plans to adopt a code of ethics to ensure commissioners remain impartial when discussing, negotiating, and voting on future maps. Citizens Union has submitted detailed proposals on this issue, including addressing political conflicts of interest for members who are affiliated with incumbents, presumptive candidates, or campaign activities, and including disclosures when discussing maps with individuals outside of the Commission.

3. **Release underlying data used to prepare the maps and a written explanation for each district**

This redistricting cycle will be the first where the Commission will not be required to submit a preclearance report to the U.S. Department of Justice. That submission provided comprehensive details on the process, the underlying data used to draw each district, the major issues and factors affecting the composition of each district, and the justification for the final lines. The Commission should issue a similar document, which would provide written justification for every district and underlying data used to draw it. The 2012-2013 Commission produced a similar "staff memorandum" at the end of its term. The Special Master drawing the legislative and congressional lines has done the same.

Thank you for the opportunity to present Citizens Union's recommendations regarding the process of drawing the Council's district lines. I am available to answer any questions you have. You can find more details in Citizens Union's [report](#) on the 2022 council redistricting cycle.