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New York City Redistricting Commission

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Commissioners, thank you for the opportunity to participate in today's hearing. My name is Fulvia Vargas-De Leon, and I am Senior Counsel at LatinoJustice PRLDEF, a 501(c)(3) non-profit civil rights legal defense fund who that for almost five decades has championed the constitutional rights of Latinos. Our redistricting work has focused on ensuring that districts are drawn in a manner which fully comply with the U.S. Constitution and the Voting Rights Act. Additionally, we advocate for districts to respect communities of interest, fairly and accurately reflect community population demographics, and safeguard racial minority groups from maps which have the effect of diminishing their ability to elect candidates of their choice.

As long-time voting rights advocates, we have seen first-hand the devastating consequences of the Supreme Court's *Shelby County* decision in 2013. That decision struck down the Section 5 preclearance requirement protections in the Voting Rights Act, removing preclearance from advocates' toolbox for protecting the rights of racial and language minority groups. New York is no stranger to discriminatory voting practices: Three of our counties, including the Bronx, had been subject to Section 5 preclearance at the time the *Shelby County* decision was issued. We remain cautiously optimistic that with the passing of the John R. Lewis Voting Rights of New York preclearance requirement, we are now better equipped to address inequities in our electoral districts.

For the Latino community, the Bronx remains the center point of this thriving demographic, as it is the only borough with a Latino majority. Currently, approximately 56.4% of the population in the Bronx identifies as Latino. Over the last decade, there was a total gain of 65,050 Latino

residents or about 8.8% increase in population.¹ There are currently 8 wholly contained city council districts held in the Bronx and 1 additional district split between East Harlem and the South Bronx. Out of these 9 districts, Latinos are currently the majority in 6 districts and the plurality in 2. We would argue that Latino voters can elect candidates of their choice in the Bronx and any changes made must not ignore that progress or intentionally dilute Latino voters' ability to elect preferred candidates in the coming decade.

It is no surprise that high rents in Manhattan have caused boroughs like the Bronx to see an influx of Latino residents from its surrounding areas. Through its multiple crossings and blurred boundaries, Upper Manhattan and the Bronx share communities of common interest, and these artificial boundaries do not represent real divisions. Instead, residents of the Bronx and Upper Manhattan are united, and share means of transportation from home to work, places of worship, shopping hubs, and family and friends. In the last decade, they have also shared in voting for elected officials in districts within both boroughs at the federal and state levels.

We suggest District 11 no longer crack the community of Wakefield and ask that it unite the community of Bedford Park instead. This district, currently plurality Latino, should not avoid the growing Latino segments of its surroundings by choosing to draw north into Wakefield. Instead, we ask that this district go south to 195th street on its easternmost border along Webster Avenue.

Further, we ask that your ranked criteria of protecting communities of interest be adhered to by uniting all of Marble Hill in District 10. While Marble Hill is politically part of the borough of Manhattan, it is in every way a Bronx County neighborhood. This community is currently served by three different Council members, is part of Bronx Community Board 8, has a Bronx zip code of 10463 and is served by the 50th Police Precinct in the Bronx. This is yet again one

¹ 2020 Census Results for New York City: Key Population and Housing Characteristics available at https://www1.nyc.gov/assets/planning/download/pdf/planning-level/nyc-population/census2020/dcp_2020-census-briefing-booklet-1.pdf?r=3#%5B%7B%22num%22%3A117%2C%22gen%22%3A0%7D%2C%7B%22name%22%3A%22FitR%22%7D%2C-90%2C-50%2C1317%2C841%5D

of the wonders of the political world in NYC where Marble Hill residents' voices are divided, and their electoral strength diminished. With just four blocks moved into District 10, you can unite Marble Hill. We suggest going north to 230th Street, west to Johnson Avenue, and east to Exterior Street.

Lastly, we ask that the Commission follow the current border crossing of East Harlem into the South Bronx. These communities have similarities in economic, social, and residential infrastructure, and both are being impacted by new developments and gentrification. These communities can harness collective power on issues of asthma and clean air, criminal justice, educational equity, public and senior housing for the majority of their residents. While wholly contained districts in a borough are preferable to ensure communities socio-political ties aren't broken, this crossing has political and social ties that predate this Commission, and we ask that you respect and maintain this majority-Latino district.

As this Commission sets the stage for local politics for the next decade, this process shall fully account for and draw districts that reflect the demographic growth of the Latino community. Electoral power is the voice of the community. At a time where voting rights are continuously under attack, we must seek to ensure that access to the ballot remains tangible for historically disenfranchised groups. LatinoJustice continues to stand by a process that is (1) open in the public's ability to actively engage at every step of the process; (2) draws maps in a manner which accurately reflects changes in the population; and (3) focuses on safeguarding racial minority groups from maps which have the effect of diminishing their ability to elect candidates of their choice. We look forward to the Commission's map release and further engagement with the City's redistricting process.