

**New York City Districting Commission 2022-2023**  
**Voting Rights Act Evaluation of NYC City Council Revised Plan (for October 6, 2022)**

**By: Dr. Lisa Handley**

In my expert opinion, the Revised Plan complies with the Voting Rights Act by maintaining the voting strength of **Black and Hispanic voters** at a comparable level to the current plan and increasing the number of districts that offer **Asian voters** – the fastest growing minority group in New York City – an opportunity to elect their candidates of choice.

**Manhattan**

**Black Districts**

*Majority Black District:*

Revised Plan retains 1 majority Black district (**District 9**), equally effective in current plan and Revised Plan (based on votes for Adams). (Effective district = minority opportunity district)

<b>District 9</b>	<b>BVAP (DOJ)</b>	<b>BVAP</b>	<b>BCVAP</b>	<b>Vote for Adams</b>
Revised Plan	50.9	49.8	56.8	36.5
Current Plan	50.6	49.6	56.7	36.6

**Hispanic Districts**

*Majority Hispanic Districts:*

Revised Plan retains 2 majority Hispanic districts (Districts 8 and 10):

- **District 8** HVAP decreased from 59.4 to 53.4 but remains majority HVAP and HCVAP and Hispanic-preferred candidate Adams still carries the district, so it remains effective.
- **District 10** is equally or more effective in Revised Plan.

<b>District 8</b>	<b>HVAP</b>	<b>HCVAP</b>	<b>Vote for Adams</b>
Revised Plan	53.4	51.2	34.8
Current Plan	59.4	56.1	37.1

<b>District 10</b>	<b>HVAP</b>	<b>HCVAP</b>	<b>Vote for Adams</b>
Revised Plan	64.2	62.0	27.3
Current Plan	64.2	62.2	26.0

*Plurality Hispanic District in current plan that is plurality white in the Revised Plan:*

- **District 7** is plurality HVAP (39.6) in current plan and elected a Hispanic-preferred Hispanic candidate. It is plurality WVAP in Revised Plan (HVAP decreased to 33.4; WVAP

increased from 29.4 to 36.3). However, voting was not polarized between Hispanics and whites in 2021 or 2017 Democratic primaries (both groups supported current Hispanic incumbent in 2021).

District 7	HVAP	HCVAP	WVAP
Revised Plan	33.4	33.4	36.3
Current Plan	39.6	38.6	29.4

## Bronx

### Black Districts

*Majority Black District:*

Revised Plan retains 1 majority Black district (**District 12**), equally effective in current plan and Revised Plan (based on votes for Adams, Gibson).

District 12	BVAP (DOJ)	BVAP	BCVAP	Vote for Adams	Vote for Gibson
Revised Plan	64.7	63.9	65.5	58.1	57.2
Current Plan	66.2	65.5	67.1	58.4	57.8

### Hispanic Districts

*Majority Hispanic Districts:*

Revised Plan retains 5 majority Hispanic districts (**Districts 14, 15, 16, 17, and 18**):

- Three are equally effective (**Districts 14, 15, 17**) in current plan and Revised Plan (based on vote for Cabrera).

District 14	HVAP	HCVAP	Vote for Cabrera
Revised Plan	71.8	69.0	55.8
Current Plan	72.4	69.6	56.6

District 15	HVAP	HCVAP	Vote for Cabrera
Revised Plan	64.6	62.4	43.4
Current Plan	62.5	59.7	42.9

District 17	HVAP	HCVAP	Vote for Cabrera
Revised Plan	65.2	64.9	32.3
Current Plan	64.3	63.2	33.2

- **District 18** HVAP decreased from 54.3 to 51.8 but HCVAP is 53.8 and the vote for the Hispanic-preferred Hispanic candidate for Borough President (Cabrera) changes only minimally (from 29.1 to 29.0) between current plan and Revised Plan so it remains a Hispanic opportunity district.

District 18	HVAP	HCVAP	Vote for Cabrera
Revised Plan	51.8	53.8	29.0
Current Plan	54.3	56.2	29.1

- **District 16** HVAP increased from 59.5 to 61.8 (HCVAP now 57.2). District is a Black opportunity district but the slight increase in HVAP, accompanied by a slight increase in votes for Cabrera (although Gibson still easily carries the district), indicates that this district may eventually evolve into a Hispanic opportunity district.

District 16	HVAP	HCVAP	Vote for Cabrera	Vote for Gibson
Revised Plan	61.8	57.2	27.9	56.8
Current Plan	59.5	57.0	25.2	59.7

*Plurality Hispanic Districts:*

Revised Plan retains two plurality Hispanic districts (**Districts 11 and 13**):

- **District 13** changed only marginally from current plan. It is a Hispanic opportunity district in current plan – the Hispanic candidate elected was supported by Hispanic and white voters. It remains an effective district under Revised Plan (Cabrera easily carries the district).

District 13	HVAP	HCVAP	Vote for Cabrera
Revised Plan	42.8	44.4	37.0
Current Plan	42.1	43.8	36.7

- **District 11**, which is 42.6 HVAP in current plan is 40.4 HVAP in Revised Plan. It was not a Hispanic opportunity district – the white candidate elected was not preferred by Hispanic voters.

District 11	HVAP	HCVAP	Vote for Cabrera
Revised Plan	40.4	37.2	32.1

Current Plan	42.6	39.6	32.7
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## Queens

### **Black Districts**

#### *Majority Black Districts:*

Revised Plan retains 2 majority Black districts (**Districts 27 and 31**), both of which are equally effective in current plan and Revised Plan (based on vote for Adams, Richards).

<b>District 27</b>	<b>BVAP (DOJ)</b>	<b>BVAP</b>	<b>BCVAP</b>	<b>Vote for Adams</b>	<b>Vote for Richards</b>
Revised Plan	62.5	61.9	75.3	65.2	71.9
Current Plan	64.5	63.9	77.2	65.1	72.0

<b>District 31</b>	<b>BVAP (DOJ)</b>	<b>BVAP</b>	<b>BCVAP</b>	<b>Vote for Adams</b>	<b>Vote for Richards</b>
Revised Plan	64.2	63.5	70.4	65.1	77.4
Current Plan	64.5	63.8	70.8	65.5	77.8

#### *Plurality Black District*

Revised Plan retains 1 plurality Black district (**District 28**). The BVAP increased from 37.8 to 45.6 in Revised Plan. Votes for Black-preferred candidates also increased (votes for Adams, Richards). Black voting strength was increased in this Black opportunity district.

<b>District 28</b>	<b>BVAP (DOJ)</b>	<b>BVAP</b>	<b>BCVAP</b>	<b>Vote for Adams</b>	<b>Vote for Richards</b>
Revised Plan	45.6	45.2	56.2	57.3	66.0
Current Plan	37.8	37.5	48.5	53.2	61.9

### **Hispanic Districts**

#### *Majority Hispanic District:*

Revised Plan retains 1 majority Hispanic district (**District 21**), equally effective in current plan and Revised Plan (vote for Adams).

<b>District 21</b>	<b>HVAP</b>	<b>HCVAP</b>	<b>Vote for Adams</b>
Revised Plan	73.1	61.9	41.1
Current Plan	72.8	61.4	40.1

**Asian Districts**

*Majority Asian District:*

Revised Plan retains 1 majority Asian district (**District 20**), equally effective in current plan and Revised Plan.

<b>District 20</b>	<b>AVAP (DOJ)</b>	<b>AVAP</b>	<b>ACVAP</b>	<b>Vote for Yang</b>
Revised Plan	72.6	72.3	57.4	48.6
Current Plan	72.5	72.2	56.8	48.8

*Plurality Asian Districts:*

Revised Plan retains 4 plurality Asian districts (**Districts 23, 24, 25, and 26**):

- **Districts 23, 24 and 26** retain comparable AVAP and votes for Yang. Districts 23, 24, and 26 are Asian opportunity districts – all three elected Asian voters’ preferred candidates (although District 24 elects a white candidate, he was preferred over other Asian candidates by Asian voters). They remain opportunity districts in Revised Plan.

<b>District 23</b>	<b>AVAP (DOJ)</b>	<b>AVAP</b>	<b>ACVAP</b>	<b>Vote for Yang</b>
Revised Plan	44.1	43.6	40.7	22.8
Current Plan	44.0	43.6	39.6	22.9

<b>District 24</b>	<b>AVAP (DOJ)</b>	<b>AVAP</b>	<b>ACVAP</b>	<b>Vote for Yang</b>
Revised Plan	37.8	36.6	30.8	27.6
Current Plan	37.4	36.5	31.1	27.8

<b>District 26</b>	<b>AVAP (DOJ)</b>	<b>AVAP</b>	<b>ACVAP</b>	<b>Vote for Yang</b>
Revised Plan	33.5	32.8	24.9	17.2
Current Plan	32.2	31.5	23.9	17.0

- Although **District 25** has a higher Asian VAP than Districts 24 and 26, Asian voters in this district were not able to elect their preferred candidate in 2021 – the Asian candidate elected is NOT the Asian-preferred Asian candidate. This district is not an Asian opportunity district. The AVAP decreased from 45.1 in current plan to 42.5 in Revised Plan; votes for Yang decreased from 26.3 to 22.9.

<b>District 25</b>	<b>AVAP (DOJ)</b>	<b>AVAP</b>	<b>ACVAP</b>	<b>Vote for Yang</b>
Revised Plan	42.5	42.1	39.2	22.9
Current Plan	45.1	44.7	41.6	26.3

## Brooklyn

### **Black Districts**

*Majority Black districts:*

Revised Plan retains 6 majority Black districts, and all remain effective (**Districts 36, 40, 41, 42, 45, 46**)

- **District 36** has a BVAP of only 49.5 but the BCVAP is 57.0 in the Revised Plan
- **District 46** decreased BVAP from 54.5 in current plan to 50.5 in Revised Plan but Adams still easily carries the district (55.5 in current plan and 54.2 in Revised Plan)

<b>District 36</b>	<b>BVAP (DOJ)</b>	<b>BVAP</b>	<b>BCVAP</b>	<b>Vote for Adams</b>
Revised Plan	49.5	48.3	57.0	37.4
Current Plan	50.2	49.1	58.0	38.6

<b>District 40</b>	<b>BVAP (DOJ)</b>	<b>BVAP</b>	<b>BCVAP</b>	<b>Vote for Adams</b>
Revised Plan	50.5	49.6	56.9	44.1
Current Plan	48.7	47.9	54.6	40.4

<b>District 41</b>	<b>BVAP (DOJ)</b>	<b>BVAP</b>	<b>BCVAP</b>	<b>Vote for Adams</b>
Revised Plan	71.9	70.9	77.6	67.8
Current Plan	71.9	70.9	77.9	68.2

<b>District 42</b>	<b>BVAP (DOJ)</b>	<b>BVAP</b>	<b>BCVAP</b>	<b>Vote for Adams</b>
Revised Plan	65.2	64.5	74.6	71.0
Current Plan	66.0	65.2	74.7	71.4

<b>District 45</b>	<b>BVAP (DOJ)</b>	<b>BVAP</b>	<b>BCVAP</b>	<b>Vote for Adams</b>
Revised Plan	60.3	59.6	64.8	63.6
Current Plan	61.7	61.0	66.7	65.0

<b>District 46</b>	<b>BVAP (DOJ)</b>	<b>BVAP</b>	<b>BCVAP</b>	<b>Vote for Adams</b>
Revised Plan	50.5	50.0	50.9	54.2
Current Plan	54.5	54.0	54.8	55.5

### Hispanic Districts

Majority Hispanic districts:

Revised Plan retains 1 majority Hispanic district (**District 37**), which is equally effective in the Revised and current plan.

District 37	HVAP	HCVAP	Vote for Reynoso
Revised Plan	50.3	45.5	33.1
Current Plan	50.3	45.0	30.5

### Asian Districts

Majority Asian District:

Revised Plan creates new majority Asian opportunity district. **District 43** is 55.0 AVAP and Yang carries the district easily with 50.6 % of the vote.

District 43	AVAP (DOJ)	AVAP	ACVAP	Vote for Yang
Revised Plan	55.0	53.9	48.5	50.6

Plurality Asian District in current plan that is plurality Hispanic in the Revised Plan:

- **District 38** is a plurality Asian district in current plan but elected a Hispanic-preferred Hispanic candidate (not supported by Asian voters). Revised Plan retains essentially the same HVAP but decreased the AVAP and increased the WVAP. The current Hispanic incumbent was supported by both Hispanic and white voters in the 2021 Democratic primary. In 2017, the winning Hispanic candidate was also supported by Hispanic and white voters (but not by Asian voters).

District 38	AVAP (DOJ)	AVAP	HVAP	WVAP
Revised Plan	32.3	31.6	35.3	26.3
Current Plan	41.0	40.6	35.1	18.1

### Staten Island

Revised Plan retains 1 combined majority minority district (**District 49**) with BVAP, HVAP, and AVAP percentages very close to current plan.

District 49	BVAP (DOJ)	BVAP	HVAP	AVAP (DOJ)	AVAP	WVAP
Revised Plan	24.1	23.3	30.2	12.2	11.3	30.9
Current Plan	23.8	23.1	29.9	12.3	11.9	31.4