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Independent Redistricting Commission Hearing
Bronx, NY
November 9, 2021

Commissioners, thank you for the opportunity to participate in today's Independent Redistricting Commission hearing. My name is Fulvia Vargas-De Leon, and I am an Associate Counsel at LatinoJustice PRLDEF, a 501(c)(3) non-profit civil rights legal defense fund who for almost five decades has championed the constitutional rights of Latinos. Our redistricting work has focused on ensuring 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 striking down the Section 5 pre-clearance requirement protections from our advocacy toolbox in protecting the rights of racial and language minority groups. New York is no stranger to discriminatory voting practices where three of its counties, Bronx, New York, and Kings had been subject to Section 5 preclearance. The existing redistricting process without DOJ pre-clearance review and approval may result in the creation of electoral districts that ultimately seek to shut out minority groups from having meaningful access to the ballot, unless this Commission can put aside its partisan differences and fulfill their New York constitutional mandate to create fair maps!

The **Unity Map Coalition** was established with the intent of continuing a history of collectively defending Latino, Black and Asian communities from voting and redistricting practices which sought to dilute their voting strength despite their ever-growing population in New York City. Our map drawing process focused on drawing districts which respected communities of interest, defended electoral opportunities, and advanced our rights under the U.S. Constitution, state constitution, and the federal Voting Rights Act. The result was a set of maps that serves as an example for the governing redistricting bodies that this process can be conducted in a manner which is equitable and fair and does not dilute or diminish the vote of Latino, Black or Asian New Yorkers. The Voting Rights Act emphasizes the need to protect racial and language minorities from voting practices, including redistricting, that seek to shut them out of the democratic process. As evidenced in our maps, redistricting can be accomplished in a manner which is guided by this principle and does not unjustly disenfranchise our communities.

The Unity Map proposes 66 Assembly districts and 28 Senate districts. Among these districts, we retained our majority number of Assembly seats which stood at 26, created two additional assembly plurality seats raising the number to a total of 28. In the senate, we made even greater strides where we created an additional 4 majority senate seats, raising the total number to 32. These sets of maps aim to remedy the grave harm caused by a redistricting process which for decades discounted population growth in New York City and created severely overpopulated districts downstate. This led to a process which continuously harmed our communities leaving them split up into several districts, with less representation at the electoral level, and without meaningful access to elect a candidate of their choice.

The Bronx remains one of the most diverse boroughs in our City. Approximately 56.4% of the population identifies as Latino, 43.6% identifies as Black and 4.6% as Asian. For our Unity mapping in the Bronx, we were guided by the principles of protecting communities of interest, defending electoral opportunities where they exist, and advancing our electoral rights under the U.S. Constitution, state constitution and the federal Voting Rights Act. The result was a Unity map that sought to remedy a historical issue of overpopulated districts in the city including the Bronx at the expense of diluting the electoral power of Latino, Black and Asian communities.

As presented in our Unity Map, we reconfigured Senatorial seat 29 which is currently joined between the Bronx and the Upper East side to create a district which is held between East Harlem and the South Bronx. The district presented in our Unity map equitably reflects the demographics of the area while furthering the electoral power of Latinos and Blacks. Additionally, we protected current electoral opportunities for our communities which have benefited from being part of voting districts where they can use their vote to elect a candidate of their choice.

In analyzing the maps proposed by this commission, we focused on identifying electoral districts which would be harmed by reducing current majority-minority population. For example, in the proposed Letters map senate district X will run from East Tremont to the College Point area of Queens. In doing so, the commission dilutes the Latino and Black population of Senate District 33 from a 69.3% Latino and 23.3% Black population to a 55.3% Latino and a 19.8% Black population. A reduction in population turns into a reduction of the voice and vote of our communities. Additionally, the proposed "Names" plan intends to join parts of the 29th Senatorial seat with parts of the Hamilton Heights and Washington Heights neighborhoods in Manhattan. This cuts through the 179th street area in Manhattan and splits the largely Latino community business owners that align Broadway Avenue from approximately 170th street all the way up to Inwood. While we respect the need to ensure districts remain within reasonable deviations, we cannot support maps that join neighborhoods across boroughs without ensuring that we are keeping communities of interest intact and not unnecessarily diluting the vote of Latino, Black and Asian communities by packing them into districts. The Bronx cannot continue to be a borough in which legislative map-drawers just grab population without being cognizant of the communities of interest that we split in the process. In a city where the population of Latino, Black and Asian communities has carried the weight of the growth of this city, it is inconceivable that we would draw districts that are not representative and reflective of the population growth of our groups.

The Unity Map Coalition remains committed to protecting our communities from a redistricting process that seeks to shut them out of meaningful access to the ballot. A fair and equitable redistricting process requires this commission to ensure that the voting districts created and adopted focus on safeguarding racial minority groups from maps which have the effect of diminishing their ability to elect candidates of their choice.