



Asian American
Legal Defense and
Education Fund



**CENTER FOR LAW AND
SOCIAL JUSTICE**

AT MEDGAR EVERS COLLEGE,
THE CITY UNIVERSITY OF NEW YORK

October 6, 2022

Via E-Mail

New York City Districting Commission
253 Broadway, 3rd Floor
New York, NY 10007

Dear Commissioners,

The Unity Map Coalition, is a group of the leading legal voting rights advocacy organizations representing people of color in New York City. The Unity Map Coalition, includes the Asian American Legal Defense and Education Fund (AALDEF), The Center For Law And Social Justice At Medgar Evers College (CLSJ) and LatinoJustice PRLDEF; organizations that have fought for decades to advance racial justice and equality. We have consistently called for the adoption of the Unity map which is a reflection of deep community engagement and conversation. The Unity Map represents the best possible map for protected communities of color in coalition with one another; it complies with the city charter and the Voting Rights Act of 1965 and should be adopted in full.

Additionally, we wanted to remind commissioners of their obligations under the law. As legal advocates we worked closely to examine the city charter and how it affects the map drawing process for the city. Particularly, we want to reiterate that the commission's primary obligation, after population equality, is to ensure the fair and effective representation of the racial and language minority groups in New York city which are protected by the United States Voting Rights Act of 1965 to the maximum extent practicable.¹ Prioritizing lower ranked criteria and non-protected classes is in direct contravention of the charter and its explicit instruction to protect the interests of historically marginalized community members. Black, Latinx, and Asian community members require maps that protect their voting power and their ability to elect a candidate of their choice; the charter plainly upholds this principle by designating it as a high priority criteria that must lead any map-making process.

¹ New York City Charter, Chapter 2-A, Section 52(1); 52(1)(a)(b)

A number of decisions made by the commission conflict with several aspects of the city charter (Charter) and the Voting Rights Act of 1965 (VRA). These examples are:

The Asian American community of interest in Richmond Hill/South Ozone Park (Districts 28 and 32) - this protected group does not have fair and effective representation to the maximum extent practicable, without harming another racial minority group, as is required under the Charter. Liberty Avenue is a major thoroughfare in the community, and the commission's plan divides the community in half - in violation of the Charter. The neighboring communities in district 32, cannot be prioritized above the Asian American community in Richmond Hill/South Ozone Park. The Charter requires that the Asian American community in Richmond Hill/South Ozone Park *first* be given fair and effective representation to the maximum extent practicable, only after ensuring that requirement is satisfied, is the commission to look to other surrounding communities. The Unity Map best represents a district configuration that complies with the Charter and the VRA for this protected community, as well as the protected communities in districts 28, 31 and 27. The Unity Map provides the Asian American community in Richmond Hill/South Ozone Park with an ability to elect a candidate of their choice in district 32, and creates a new Black majority district in district 28. The Unity Map should be adopted to comply with the Charter.

Woodside (District 26) - As we testified earlier, district 26 is a performing coalition district, which is protected under the VRA, and it was a potential violation of the VRA and the Charter to dismantle this plurality Asian, performing coalition district and replace with a white plurality district. We are pleased to see that most of the coalition district has been restored to district 26 - but all of Woodside should be restored to district 26, as is done in the Unity Map. Woodside has a large Asian American population that is prioritized and protected under the Charter.

Elmhurst (District 25) - AALDEF previously submitted communities of interest maps to the commission, including a community of interest map of Elmhurst. The commission should restore all of Elmhurst, a prioritized and protected Asian American community to district 25. Elmhurst should not be split in any map configuration. The Unity Map keeps Elmhurst whole in one district, as required by the Charter, and should be adopted.

Lastly, we urge the commissioners to follow the will of the people and testimony produced by the community. While this is a process that implicates political interest it cannot be one that is solely driven by it. At stake is the democratic representation of the various community members of our great city for the next ten years, simply put their voice and collective vision should define the process. The Charter requires you to follow a prioritized list and to apply that criteria to the maximum extent practicable. You must comply with your legal obligations in drafting a new city council map. We will use all available resources to ensure that you do, including legal action.

Sincerely,
The Unity Map Coalition
Asian American Legal Defense and Education Fund
Center for Law and Social Justice at Medgar Evers College
LatinoJustice PRLDEF

Cc: Dr. John Flateau, Executive Director