

Providence Redistricting Report February 28, 2012

Background

In accordance with the Providence Home Rule Charter, every ten years and following the completion of the federal census, the boundaries of Providence's fifteen wards are to be redrawn. The new boundaries, as adopted, must comply with federal, state and city law. Under federal law, each ward must practically contain the same number of people, under the concept of "one person, one vote" [Baker v. Carr]. In addition, under the federal Voting Rights Act and the U.S. Constitution, minority representation must be preserved and not diminished. Specifically, a new plan cannot reduce the number of single majority-minority wards when compared with the current boundaries in place. In addition, the City Charter lays out a number of additional factors which are to be followed "as so far as practicable."

Process/Procedure

Pursuant to the City Charter, the City Council is charged with setting the new ward boundaries. The updated redistricting plan must be completed no later than March 1st. Prior to adoption, the Charter requires a public hearing at which the proposed plan is presented. To assist in the redistricting process, the City Council retained Election Data Services, Inc. (EDS) to prepare the plan. Following the review of census data, EDS prepared a draft plan. The draft plan is available at <http://council.providenceri.com/efile/71>.

The initial draft plan was presented at four public hearings over a two-week period as follows:

Tuesday, February 14th at Nathan Bishop Middle School, 101 Sessions Street

Wednesday, February 15th at the Silver Lake Community Center , 529 Plainfield Street

Tuesday, February 21st at the MET School, 325 Public Street; and

Wednesday, February 22 at Providence City Hall, 25 Dorrance Street.

At each of the four public hearings, EDS provided a presentation, explaining the general process of redistricting, specific census data as it relates to Providence, as well as the proposed plan. The EDS presentation is available at <http://council.providenceri.com/efile/72>. At each public hearing, EDS fielded questions from attendees and the Committee received both oral and written testimony.

Following the public hearings, a revised plan was prepared and presented to the Committee on Ward Boundaries on Thursday, February 23rd. At the February 23rd meeting, the Committee

voted to approve the revised plan and to have it sent on to the full Council for action. The revised plan map is available at http://council.providenceri.com/Council/Providence_Wards.pdf.

THE PLAN

Several critical demographic factors drove the solution to the redistricting plan, including the shift of population--particularly the loss of population on the East Side, and growth of population in the western-most parts of the city--and the increase of Hispanic and non-white minority populations.

Population Distribution

The increase of Providence's overall population from 2000 to 2010 was modest--a change of less than 5,000 people--increasing the city's population to 178,042. However, a significant change occurred in the distribution of the population throughout the city. Wards 1, 2 and 3 on the East Side lost significant population. Wards in the western-most portion of the city, Wards 6, 7, 8 and 15, gained significant population. Ward 5 also lost significant population. For the most part, the remaining wards remained stable and close to their target population. However, in order to properly equalize the population throughout the city, the East Side wards needed to gain population, which meant expanding those boundaries to including additional persons. At the same time, the western-most wards that hold too many people needed to shed voters, which meant contracting those boundaries, and giving territory to neighboring wards. As a result, a number of the wards located in the center of the City needed to shift westward, absorbing people from the west while at the same time shedding persons to the east.

Minority Populations

Another critical factor determining redistricting, is the growing minority voting-age population. From 2000 to 2010, the Hispanic total population has increased from 30.0% to 38.1% and the non-white population has increased from 54.3% to 63.4%. Federal law, including the Voting Rights Act, requires that any new plan does not reduce the number of single minority districts as calculated based upon the voting-age population. According to the 2010 census data, the ward boundaries currently in effect have a total of four Hispanic majority wards and a total of nine majority non-white wards. In order to comply with federal law and provide additional opportunity for minority representation, the Plan provides for the creation of an additional Hispanic majority ward in Ward 11- bringing the total to five Hispanic wards, and adds an additional majority non-white ward, bringing the total to ten.

The Map

Based upon the factors of population distribution and minority populations, EDS prepared the draft plan, in adherence to previous Court decisions and working, where practicable, to connect up neighborhoods that had been previously divided.

Specifically, a 1983 Rhode Island case has ruled that the boundary between Ward 3 and Ward 4 consisting of the North Burial Ground, Interstate 95 and the rail lines is to be considered a "natural boundary" which is inappropriate to cross. [In addition, a Rhode Island court has ruled that,

at least in Rhode Island, bodies of water are not to be considered “natural boundaries” as it pertains to redistricting.] As a result, for the population of Wards 1, 2 and 3 to increase, it was necessary to extend at least one of those wards into the downtown area. In addition, this provided an opportunity to join the residents of Downtown and Jewelry District to have a single representative.

Downtown/Jewelry District - Westerly Shift - Improving Representation

Under the existing ward boundaries, the downtown area is represented by multiple council members. Part of the center of the city and the Jewelry District are included in Ward 11. Other parts are in Ward 13 and Ward 1. These voters share a unique set of circumstances when compared with the rest of the city--living in close proximity to major commercial development on a scale that most other residents of Providence do not experience. Although they share unique and common concerns, these voters are currently spread among many wards. As a result, they face considerable challenges when trying to have their concerns heard by the City.

In addition, the built and geographical environment has significantly changed since the last redistricting. Interstate 195 previously split the area between the Jewelry District and downtown, which are officially considered one neighborhood. However, the realignment and removal of the old highway has removed the barrier and rejoined this area.

During the past ten years, the downtown constituency has emerged and grown; the Plan reflects that development, placing the residents of downtown and the Jewelry District into a single ward. In addition, the removal of this predominately white area allows the 11th ward to become a majority Hispanic district.

In addition, the Plan contains a number of other changes that consolidate other neighborhoods. For example, as a result of Ward 13 moving out of downtown and shedding population east, the boundary moves further west and joins with a section of Ward 15 that has been isolated from the rest of Ward 15 by Route 10 and the Route 6 Interchange. As a result, both Ward 15 and Ward 13 are now more strongly based around their respective neighborhoods.

Public Comment

A range of public comment was received regarding the initial draft plan, resulting in a number of changes to the map, which were adopted by the committee where practical.

Testimony regarding the initial draft map was received from:

- Residents of College Hill requesting boundary lines that maintain the neighborhood boundary within one councilperson’s ward, as opposed to splitting it in two, as was presented in plan 1.

- Residents from the area of Hammond and Division Streets requesting that their blocks remain in Ward 13 rather than be moved to Ward 11, as residents there have been very active in the local neighborhood association and ongoing projects.
- Testimony from residents of downtown and the Jewelry District, including active members of the neighborhood association, stating that, given that they are distributed throughout several wards, they are not adequately represented, as they make up such small portions of the wards to which they are attached. These residents testified in support of the Plan.
- Testimony from several residents who identified themselves as members of the group Direct Action for Rights and Equality (DARE), the Chair of the Ward 11 Democratic Committee, a community activist/developer who resides outside of Providence who has been active in the area, along with others, including individuals from the Olneyville and South Providence areas who opposed the Jewelry District being removed from Ward 11.

The primary argument from members of the public regarding the separation of Ward 11 from downtown centered around the economic impact of this move on Ward 11. However, such economic analysis is not a factor enumerated by federal, state law, nor is it a factor under the City Charter. Despite that, it is worth noting that Rhode Island Hospital, a Lifespan entity, remains in Ward 11 under the Plan and was not removed. According to the Rhode Island Economic Development Corporation, Rhode Island Hospital employs over 7,000 people, making it the largest employer in the city. In addition, Lifespan is considered the largest private employer in the State of Rhode Island, with nearly 60% of those positions, and obviously very significant economic activity, located in Ward 11.

Opponents to the Plan also challenged the connection of Ward 1 to the downtown, arguing that the river constitutes a “natural boundary.” However, under the current boundaries, Ward 1 is already connected to portions of downtown. Furthermore, as referenced above, Rhode Island case law has specifically held that for purposes of redistricting, bodies of water are not considered “natural boundaries” and may be crossed.

In addition, a number of process-based arguments were raised. Some were concerned that the March 1st deadline is too soon. It is set by Charter. Significantly, much of the work of compiling proper boundaries is contingent upon the State first defining Senate and House districts. As a result, the City has a very short time frame to complete its redistricting process. A currently convened Charter Review Commission will be asked to consider extending the March 1st deadline. Other arguments included requests for better publicized meetings. It is worth noting that the Charter requires a single Public Hearing, however the Committee held four public hearings over a period of two weeks. In addition to the publication of the hearing dates well in advance, a number of neighborhood groups and several stories in the Providence Journal and web-publications helped publicize the meetings.

CONCLUSION/HIGHLIGHTS

The Plan addresses critical requirements of equalizing population throughout the wards of the city. It increased minority representation by adding an additional majority Hispanic ward (Ward 11) for a total of five, or one-third of the fifteen wards. It also increases the number of majority minority wards to 10, or two-thirds of the fifteen wards. In addition, it consolidates the downtown and provides improved representation for downtown residents and their unique neighborhood issues and concerns. The plan also restores a number of previously divided neighborhoods, which should hopefully result in more cohesive and responsive representation of those areas.