

COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
SUBCOMMITTEE ON REDISTRICTING
DRAFT REPORT

1350 Pennsylvania Avenue, N.W., Washington, D.C. 20004

To: All Councilmembers

From: Michael Brown, Co-Chairperson, Committee of the Whole, Subcommittee on Redistricting
Jack Evans, Co-Chairperson, Committee of the Whole, Subcommittee on Redistricting

Date: May 26, 2011

Subject: Bill 19-219 the "Ward Redistricting Amendment Act of 2011"

The Committee of the Whole, Subcommittee on Redistricting (Subcommittee) reports favorably on Bill 19-219 and recommends its adoption by the Council of the District of Columbia.

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I. Purpose and Effect

Background:

As required by law, the "Ward Redistricting Amendment Act of 2011" redefines Ward boundaries within the District of Columbia. D.C. Code 1-1011.01(b) requires that the Council make any necessary adjustments to election Ward boundaries within 90 days after receipt of the official report of the decennial census from the Mayor, or by July 14, whichever is later.

The number of Wards, guidelines for deciding relative populations, and considerations for adjustment of Ward boundaries are set out in D.C. Code 1-1011.01(c)-(g). This law requires that several principles guide any redistricting plan. The first requirement is that Wards must be

approximately equal in population. Adjustment of Ward boundaries is necessary when the Census indicates that changes in population have taken the eight election Wards outside the permitted range of deviation from the average. D.C. Code 1-1011.01(f) requires that the Wards fall within a range of plus or minus five percent of the average Ward population size. The 2011 Census set the District's overall population at 601,723. When divided equally among the eight Wards, this results in an average population of 75,215 persons per Ward. The allowed deviation is between 71,455 and 78,976 persons.

In developing its recommendations, the Subcommittee sought to bring the Wards as close to the target as possible. The Subcommittee heard significant public testimony regarding the 2001 redistricting unwisely separating neighborhoods. The Subcommittee's goal is to reunite neighborhoods and propose Ward boundaries that will keep the disruption of current neighborhoods to a minimum. The subcommittee also seeks to keep each Ward as compact as possible and align with census tract boundaries.

As noted in 2001 and in 2011 public testimony, the law encourages respect for natural geography and neighborhood cohesiveness. While § 1-1011.01(f) appears to suggest that deviations greater than plus-or-minus 5% are permissible if the deviations promote a rational public policy, including natural geography and neighborhood cohesiveness, such deviations implicate Constitutional questions involving the fundamental "one person, one vote" principle. The Subcommittee has worked to avoid placing any Ward near the maximum deviation limits.

The District of Columbia's population increased by 29,664, or 5.2 percent, between 2000 and 2010. This increase falls just short of returning the District to its 1990 census population of 606,900. Wards 1-7 gained population, while Ward 8 lost 215 residents, or 0.3 percent. Ward 2 exceeds the allowable population range by 939 persons, while Ward 7 is below the minimum by 386 and Ward 8 is below by 742. All other Wards are within the required population range. The populations of each Ward are listed on the following table:

Geographic Area	Population		Change, 2000 to 2010	
	2000	2010	Number	Percent
District of Columbia	572,059	601,723	29,664	5.2%
Ward 1	73,364	76,197	2,833	3.9%
Ward 2	68,869	79,915	11,046	16%
Ward 3	73,718	77,152	3,434	4.7%
Ward 4	75,179	75,773	594	0.8%
Ward 5	71,440	74,308	2,868	4.0%
Ward 6	68,035	76,598	8,563	12.6%
Ward 7	70,527	71,068	541	0.8%
Ward 8	70,927	70,712	-215	-0.3%

The Undercount:

Though the Census Bureau attempts to count every person, it is inevitable that there will be some inaccuracies. In 2010, the Census form was significantly simplified and did not include the demographic variables that used to create a "hard-to-count" index. In other words, the undercount measures from 1990 and 2000 are not available for the 2010 Census. According to the DC Office of Planning, the District has 188 census tracts and, of those, 103, or 55 percent, were considered hard-to-count in 2000. These 103 census tracts represent 319,973 persons.

Of particular concern to the Subcommittee is the historical tendency of the census to undercount urban areas like the District of Columbia. In 2000, over 11,000 persons were missed in the District's census, representing about 2 percent of the population. For 2010, the District had a 72 percent mail-in participation rate. The remaining 28 percent of households were counted in the non-response follow up phase. Thus, the census believes that all District residents were counted in 2010. These numbers are in line with a population forecast prepared by the Office of Planning, which anticipated a population of 605,513, just 0.6 percent above the actual census count. Just as in 2000, as a result of the District's population changes, the city's western Wards are overpopulated, relative to the mean, while the eastern Wards are under populated. This dictates that the Wards must shift to the west.

Timetable:

The Council received census data for the District on March 30, 2011. This set the Council's deadline for completion of Ward redistricting by July 14, 2011. The Subcommittee recommends final action by the Council, and signature by the Mayor, no later than July 1, in order that the ANC redistricting process may begin. A July 1 enactment would mean the Council can begin ANC redistricting by October 1, after receipt of Ward task force recommendations.

Options:

The U.S. Census for 2010 found that Wards 2, 7, and 8 are out of compliance with population requirements. The average size of a ward (the District's population, divided by eight) is 75,215. All wards should be approximately equal in size. The law permits a maximum deviation of $\pm 5\%$. Therefore, the largest population allowable for a ward is 78,975, and the smallest is 71,455.

- With a 2010 population of 79,915, Ward 2 is over the limit by 939, and over the target (the average) by 4,700.
- With a 2010 population of 71,068, Ward 7 is under the limit by 386, and under the target (the average) by 4,147.
- With a 2010 population of 70,712, Ward 8 is under the limit by 742, and under the target (the average) by 4,503.

The Subcommittee examined a number of options to redraw the ward boundaries in response to the 2010 U.S. Census. These included the following:

- ***To shift the population count out of Ward 2, the boundaries would have to change either:***

1. In the area of Foggy Bottom, with this area becoming either part of Ward 8 (connected via West Potomac Park and Hains Point) or part of Ward 6 (connected via West Potomac Park and the Mall); or
2. In the area of Shaw and the Mount Vernon Square neighborhoods, with this area becoming part of either Ward 5 or Ward 6.

The second option is preferable for a number of reasons. The connection between Foggy Bottom and either Ward 6 or 8 is tenuous because it spans a great distance with very few people

in between: at least 2-½ miles from Capitol Hill or about 5 miles (by car) from Anacostia. On the other hand, the communities in Shaw and Mount Vernon Square are much more connected with the communities in Wards 5 and 6 – adjacent, separated by streets rather than large, unpopulated land masses. Further, residents in the Mount Vernon Square neighborhood have, through their civic association, expressed an interest in being redistricted to Ward 6. Finally, public comments have ignored the Foggy Bottom option and instead focused on the Shaw/Mount Vernon Square option – confirming this is the more obvious area to redistrict.

- ***To expand the boundaries of Wards 7 and 8 so as to incorporate additional population, there are seven options:***

1. Expand the boundary of Ward 7 west of the Anacostia River to include Fort Lincoln (Census Tract 90). This action, alone, would leave Ward 7 below the acceptable $\pm 5\%$ deviation if Census Tract 76.05 (Fairlawn/Marbury Plaza) is redistricted to Ward 8. To also add Census Tract 111 (land east of 18th Street and south of Rhode Island Avenue, NE, including the Arboretum neighborhood) to Ward 7 would bring the Ward 7 population to 75,212, almost exactly the target. However, because this includes the 446-acre National Arboretum, a very large mass of land is involved in the shift. More important, even though Census Tracts 90 and 111 are adjacent to Ward 7, there is no pedestrian or vehicular connection across the Anacostia River and adjacent park land. Indeed, for the Ward 7 councilmember to travel from the eastern part of the ward to the (new) western part, she or he would have to travel either through wards 5 and 6 or through the State of Maryland (via 295 and New York Avenue). Therefore, this option is not recommended by the Subcommittee.

2. Expand the boundary of Ward 7 west of the Anacostia River to include Langston Dwellings and Carver Terrace. Shifting Ward 7 westward to include Census Tracts 89.03 and 89.04 would have the effect of adding 5,944 people into the Ward. The Ward 7 population would be 73,979 (assuming Census Tract 76.05 (Fairlawn/Marbury Plaza) is redistricted to Ward 8); this would be about 1.6% below the target, acceptably within the allowable deviation.

The Subcommittee rejects this option for several reasons. First, the only vehicular and pedestrian connection between the east and west sides of the ward would be via the Benning Road Bridge. From the perspective of west-of-the-river people feeling separated from the bulk of Ward 7, this option is worse than the current situation with Kingman Park because Kingman Park has two bridge connections with the rest of Ward 7. Second, it leaves Wards 7 and 8 1.6 - 2.0 percent below the target (average) population of 75,215, and the Subcommittee prefers that these wards be closer to the target. Third, this option draws new neighborhoods into redistricting, as compared to the more logical extension of Ward 7 west of Kingman Park, south of Benning Road, into Rosedale and Hill East. Fourth, this option is not as compact for Wards 5, 6, and 7 as retaining the status quo boundary of Benning Road and expanding Ward 7 to 17th Street south of Benning Road. Finally, this option is not preferable to option 3 below.

3. Expand the boundary of Ward 7 west of the Anacostia River to 17th Street. Combined with “moving” Census Tract 76.05 (Fairlawn/Marbury Plaza) into Ward 8, the result of this option is a Ward 7 population of 75,206 – nearly statistically equal to the target.

Unlike any of the other proposals, this option builds on an existing west-of-the-river connection with an east-of-the-river ward. With this option, the west-of-the-river portion of Ward 7 would exceed 9,000 or 12%. This is sufficiently significant that the area will not be ignored by the Ward councilmember as Kingman Park residents allege is currently the case. The area is large enough to warrant its own Advisory Neighborhood Commission. If created, this will facilitate the expression of neighborhood views.

The proposed boundary of 17th Street is clear and simple; this is a goal of redistricting.¹ The extension westward of Ward 7 in this area is logical, as evidenced by the Greater Greater Washington Redistricting Game in which a majority of the several thousand participants of this on-line tool chose this area as the one where Ward boundaries should shift. Unlike any of the other options, this area has three bridges crossing the Anacostia River. Although the river is a geographic barrier, it is less so with this option because of these connections.

The Subcommittee recommends this option, even though it has engendered great opposition from the residents in Hill East, Rosedale, and Kingman Park. It is the best of the options. Arguments by opponents have stressed the loss of their current, effective ward councilmember; the separation of their neighborhood(s) from the rest of the ward with which they identify; the possible adverse impact on pending economic development projects; problems with parking because of Residential Parking Permit requirements; inadequate physical (geographical) connection with the new ward; disconnection from neighborhood schools; and a minority role in the new ward. Without passing judgment on the merits, the Subcommittee notes that every one of these arguments can be made by residents in each of the other neighborhoods potentially affected by the various options. Redistricting does not “shatter historical, geographic, and community alliances,” does not “erase all [the] hard work” done by neighborhoods to improve quality of life, nor does it “move [people] out of [their] neighborhood.”

4. Reunite Census Tract 76.05, which includes Marbury Plaza, with the rest of Fairlawn in Ward 8. Ward 8 would have a population of 73,743 (-2.0%). (While statistically equal, this would be closer to the target than Ward 6 (-2.0%)).

The Subcommittee recommends this option: it establishes a clear and simple boundary between Wards 7 and 8 (25th Street and Naylor Road, SE); it contributes to compactness; it is an obvious change, as confirmed by the Greater Greater Washington Redistricting Game and comments received by the Subcommittee; and it brings Ward 8's population within 2% of the target/average for redistricting.

5. Expand the boundary of Ward 8 westward, across the Anacostia River, to include the new neighborhoods known as “Near Southeast.” This could involve several different combinations of census tracts or block groups within census tracts between the Sousa Bridge and South Capitol Street.

The Subcommittee does not recommend this option. Unlike option 3, there are only one or two bridge connections (depending on which tracts/block groups are involved) between current Ward 8 and the west-of-the-river Ward 8. Unlike option 3, there is no current presence of the east-of-the-river ward on the west side (actually, north side) of the Anacostia River. That

¹ Eastern High School and Eliot-Hines Middle School are carved out in recognition that these schools are primarily Capitol Hill (Ward 6) schools.

makes this option more difficult, because it is not building or expanding upon the current ward situation. Further, this option would leave Kingman Park in Ward 7, and, because this means that both wards would have a minor presence on the west/north side of the Anacostia, the Kingman Park and Near Southeast neighborhoods would have a diminished political role in their respective wards. Further, this option is unnecessary if option 4 is adopted.

6. Expand the boundary of Ward 8 across the Anacostia River to include portions of Southwest. This would involve all or part of Census Tracts 64 and 110. The Subcommittee does not recommend this option. There is only one bridge connection and there exist all of the disadvantages discussed above regarding options 2 and 5.

7. Expand the boundary of Ward 8 across the Anacostia River to include Hains Point and neighborhoods to the Northwest including Foggy Bottom. The Subcommittee does not recommend this option for the reasons discussed above.

Much has been made this year of the Anacostia River constituting a geographic barrier to any trans-river ward. Indeed, it is a barrier. But redistricting plans have crossed the river before. Until 2001, Ward 6 spanned the Anacostia River to include the Fairlawn neighborhood along with Capitol Hill, Hill East, etc. Since 2001, Ward 7 has spanned the River to include Kingman Park (which was challenged unsuccessfully in court). Elsewhere, Ward 1 has spanned the Rock Creek Valley for decades in the area of Woodley Park, and, since 2001, Ward 4 has reached westward across a very wide section of Rock Creek Park to include part of Chevy Chase.

The Subcommittee's recommendation is the preferred option to effect the changes required by the 2010 Census. It has disadvantages, but these disadvantages are shared among all the alternatives. It is the advantages that distinguish the changes recommended by the Subcommittee. It is the better plan to equalize the population of the city's eight wards.² It promotes compactness in several areas, including the shift from Ward 2 to Ward 6, the Ward 6/7 boundary along 17th Street, and the shift of the Marbury Plaza census tract from Ward 7 to Ward 8. It avoids the creation of isolated areas with diminished political strength. And it minimizes the number of neighborhoods affected by redistricting. There will be people who do not like the Subcommittee's recommendation (just as in 2001 there were objections sufficient to cause two lawsuits), but the criticisms would be similar regardless of what neighborhoods are affected.

² The Committee's plan has a total deviation of 4.6% – Ward 3 being 2.6% above the target and Ward 6 being 2.0% below. The 2001 redistricting had a total deviation of 8.5% with Ward 4 being 3.62% over the target and Ward 6 being 4.84% below.

Redistricting Summary Table

Ward	1991 Districts	2001 Districts	2011 Districts	% Deviation from 75,215
1	79,641	73,364	76,197	1.3
2	78,743	68,869	75,451	0.3
3	77,743	73,718	77,152	2.6
4	78,430	74,093	75,773	0.7
5	75,054	72,526	74,512	0.9
6	72,118	68,048	73,603	2.0
7	72,924	70,527	75,292	0.0
8	72,221	70,914	73,743	2.0
Total	606,874	572,059	601,723	

Source for historical data: Council records for the 2001 Subcommittee on Labor, Voting Rights and Redistricting

“One Man, One Vote”:

This is the fourth time since Home Rule that the District government has had to redistribute the population of its eight wards. The statute requires that “The Council shall divide the District into 8 compact and contiguous election wards, each of which shall be approximately equal in population size.” (D.C. Official Code § 1-1011.01) Fairness is the basis for this requirement – that every ward should be equal, and that every person should be equal to another in terms of the weight of their vote.

There is also a Constitutional requirement, popularly known as “one man, one vote.” The seminal cases are *Baker v. Carr*, 369 U.S. 186 (1962) and its progeny: *Gray v. Sanders*, 372 U.S. 368 (1963); *Reynolds v. Sims*, 377 U.S. 533 (1964); and *Wesberry v. Sanders*, 376 U.S. 1 (1964). These cases discuss a founding principle, applicable to the states: “that, no matter where he lived, each voter should have a voice equal to that of every other in electing members of Congress.” *Wesberry* at 10.

Baker v. Carr established that the Supreme Court has the jurisdiction to review matters pertaining to legislative apportionment. The Court held that legislative apportionment is a justiciable matter and does not raise a political question. *Id.* Despite the fact that the case centered on local administration, Justice Brennan, writing for the Court, explained that the equal protection clause of the Fourteenth Amendment provides a basis for the Court to evaluate the case on the merits. The principles found in *Baker* were later applied to the decision in *Gray v. Sanders*. *Id.* In this case, the Supreme Court held that states must apply a “one person one vote” standard for state apportionment and elections. *Gray v. Sanders*, 372 U.S. 368 (1963). The equal protection clause of the U.S. Constitution requires that states must adhere to standards of political equality which provides that each person has an equal vote. *Id.*

District law does permit a relative deviation of plus-or-minus 5% from the mean, which is 75,215. The Subcommittee has worked within this limitation, just as the Council did in 2001,

and before. Thus, each ward shall be no greater than 78,975, nor less than 71,455. The Subcommittee's proposed plan, in fact, would have every ward no greater than 77,152, nor less than 73,689 – for a total deviation of 4.6% (Ward 3 being 2.6% above the target and Ward 6 being 2.0% below).

The law also permits a greater deviation if it “results from the limitations of census geography or from the promotion of a rational public policy, including but not limited to respect for the political geography of the District, the natural geography of the District, neighborhood cohesiveness, or the development of compact and contiguous districts.” It is difficult, however, to square this with Constitutional requirements and precedent. With regard to precedent, the Council has repeatedly adopted election districts with boundaries spanning the Anacostia River or Rock Creek Park, which are the two most prominent natural geographic barriers in the District. The Council has repeatedly adopted election districts that have divided neighborhoods between wards, such as Woodley Park (since Home Rule), Georgetown (1981-1991), Fairlawn (2001-2011) and Chevy Chase (2001-present). And the Council has repeatedly ignored, on a small scale, compactness in order to achieve population counts within the five percent relative deviation – e.g., Kingman Park and Marbury Plaza in 2001.

The Subcommittee believes that having all of the wards close to the mean (75,215) is important and fair. This has been an important principle in our work.

Parking:

One complaint about redistricting is that it disrupts parking patterns. This is because most residential streets require Residential Parking Permits (RPP), and the permits specify zones which are identical to wards. Thus, there are eight RPP zones, and residents who live in Ward 6, for example, have Zone 6 residential parking permits. A Zone 6 permit allows the vehicle to be parked anywhere in Ward 6. With each redistricting, the Council has sought to minimize the effect on parking. In 2001, the Council established dual-zone RPP within one block of new ward boundaries. (DCMR, 2411.20) With this redistricting, the Subcommittee recommends that the RPP zones be disconnected from the wards. Thus, the Subcommittee recommends that the current RPP zones not be changed despite ward boundary changes. This will eliminate any impact on parking from the proposed redistricting plan.

II. Summary of Recommended Geographic Ward Boundary Changes

Ward 1 – No Change

Ward 2 – Gains the remainder of the Penn Quarter neighborhood from Ward 6; losses a portion of southwest to Ward 6, south of Independence Avenue, reunites previously split census tracks; loses a portion of the Shaw/Mount Vernon Square neighborhood to Ward 6.

Ward 3 – No Change

Ward 4 – No Change

Ward 5 – Gains a small area, from Ward 6, in the area of New York and New Jersey Avenues, NW.

Ward 6 – Gains a portion of southwest, south of Independence Avenue reuniting previously split census tracks, from Ward 2; gained a portion of the Shaw/Mount Vernon Square neighborhood from Ward 2; losses a portion of the Kingman Park/Rosedale/Hill East neighborhood along 17th Street NE from Benning Road to Barney Circle SE to Ward 7, Eastern High School and Eliot-Hine Middle School remain in Ward 6.

Ward 7 – Expands west from 19th Street to 17th Street NE, and from the Anacostia River to 17th Street SE from Benning Road to Barney Circle SE; loses a portion of the Fairlawn neighborhood in the area of Marbury Plaza west of 25th Street and Naylor Road to Ward 8.

Ward 8 – Gains a portion of the Fairlawn neighborhood including Marbury Plaza from Ward 7.

III. Legislative History

April 5, 2011	Bill 19-219 introduced by Councilmembers Michael Brown, Jack Evans and Phil Mendelson.
April 5, 2011	Bill 19-219 referred to the Subcommittee on Redistricting.
April 15, 2011	Notice of Intent to Act on Bill 19-219 published in the <i>District of Columbia Register</i> .
April 25, 2011	Public Hearing on Bill 19-219.
April 27, 2011	Public Hearing on Bill 19-219.
May 26, 2011	Subcommittee Mark-up of Bill 19-219.
June 1, 2011	Scheduled Public Hearing on Bill 19-219.

IV. Summary of Testimony

Government Witness

1. Joy Phillips, Associate Director of the State Data Center, Office of Planning

Ms. Phillips testified on the subject of the Census 2010 summary report and the results of the data released thus far as it relates to legislative redistricting. Ms. Phillips reported that the results of the 2010 Census show the District's population is now at 601,723, which demonstrates an increase of 29,600 persons or 5.2 percent since Census 2000. The largest gains in population were in Ward 2 (+11,046 or 16%) and Ward 6 (+8,563 or 12.6%), with lower growth rates in other Wards. The average, or ideal, Ward population is 75,215 persons; the redistricting statute allows for a relative deviation of plus or minus five percent (3,761 persons) from the ideal Ward population, and an overall deviation range of up to ten percent from the smallest to the largest Ward.

Based on these provisions, she states, the Ward boundaries are to be adjusted so that each Ward contains a minimum of 71,454 persons, or a maximum of 78,976 persons. According to the 2010 Census figures for the existing Ward boundaries show that Ward 2 is above the allowable range by 939 persons, Ward 7 is below by 386 persons, and Ward 8 is also below by 742 persons. She concludes that all other Wards are within the range allowed by the redistricting statute.

Public Witnesses – Day 1

1. E. Carol Burns, Ward 7 (Kingman Park neighborhood)

Ms. Burns, a Ward 7 resident expressed her disappointment that ten years ago the Kingman Park Community was redistricted from ward six to seven. Ms. Burns stated that she was not happy about being placed in ward 7 because it was not split in a reasonable manner, since she now resides directly across from ward 6. She also expressed concern that there are unequal privileges to some wards over others. Lastly, Ms. Burns suggested that Kingman Park be re-connected with the west of the river, since they have been a part of Capitol Hill for years.

2. Lisa White, ANC Commissioner SMD 7D01

Commissioner White testified that Kingman Park should be redistricted back into ward 6. She stated that the reasoning for her contention stems from the following areas: Parking, calls for emergency services, and political issues. Commissioner White stated that since most of Kingman Park residents work, shop, dine, attend church, conduct business, and visit family and friends in ward 6, the parking restrictions create an issue for these residents. She stated that, if some residents park on a different adjoining street in their community, they are given parking tickets. Additionally, Commissioner White added that the police and fire and emergency medical services that respond to the Kingman Park area are all apart of ward 6. Furthermore she testified that in many of the ANC Commission 6A meetings she finds out more information about issues that directly impact the Kingman Park neighborhood. Lastly, Commissioner White reported that in a Greater Washington survey 89% of Kingman Park residents wanted to be returned back to Ward 6.

3. Shelley L. Tomkin, Ward 3

Shelley Tomkin's testimony centered on the need for the redistricting process to be as accessible to D.C. residents as possible. Ms. Tomkin stated that with respect to general principles that should be adhered to in the redistricting process, every effort should be made to design boundaries that conform to the wishes of the largest number of residents. She also indicated that movement to another ward can disrupt civic participation.

4. Mary Cuthbert, Ward 8

Mary Cuthbert, a Ward 8 resident testified that it was her wish that ward 8 be expanded to the west of the river, in order to have a diversity of residents and amenities. Ms. Cuthbert stated that ward 8 residents are inundated with many negative issues such as crime, poor schools, housing challenges, and a lack of amenities, and that it is for this reason that ward 8 should be moved west of the river to "bring ward 8 into the fold".

5. Diana Hibbs, Ward 7 (Kingman Park neighborhood)

Diana Hibbs testified that the redistricting of Kingman Park into ward 7 ten years ago politically isolated its residents from their natural geographic community. Ms. Hibbs stated that the issues that affect residents of Kingman Park are not the same issues that affect residents east of the Anacostia River. She also stated that the parking restrictions are burdensome, as the residents of Kingman Park cannot park anywhere west of where they live without receiving a ticket. Ms. Hibbs suggested that instead of being allowed to park in one zone only, the law should be changed to allow each resident to park in, not one, but two zones. The resident's home zone and another contiguous adjoining zone as well.

6. Magic Payne, Ward 7 (Kingman Park)

Ms. Payne explained that she thinks it is unfair to the taxpaying residents in DC who cannot park in neighboring wards and who are ticketed on a yearly basis on top of paying taxes. Ms. Payne stated that she asked her mother for suggestions on how to remedy the problem and she came up with the following solution. People who live in wards that are geographically beside one another should have the option of picking the type of parking pass they need in order to function in the city. For example, she states, people who live in the part of ward 7 that neighbors ward 6 should have the option of picking a pass that says 6/7, or 7, or 7/8.

7. Roger Burns, ANC Commissioner 3C04

Commissioner Burns testified that in an effort to get a street lamp repaired at the Klinge Road exit of Beach Drive in Rock Creek Park, he found that the Park Service did not know which ward the street lamp fell within. Burns further explained that research revealed an odd finger of ward 4 that extends into his neighborhoods region. To this end, he requests that when the ward boundaries are re-drawn, ward 3 should have the east bank of Rock Creek, meaning the strip of land between Rock Creek and Beach Drive, from Klinge Road NW northwards to the pedestrian bridge at the southeast corner of the Peirce Mill Complex picnic area that is south of Tilden St NW. Commissioner Burns goes on to state that this is park land that has no human population, therefore no census principles would be violated by making this change.

8. Charlene Exum, Former ANC Commissioner and Gregory Hemby, Ward 7

Charlene Exum and Gregory Hemby testified stating that after walking through SMD 7A03, 7A04, 7A05 and 7A07, to solicit constituent opinions and hearing their concerns about redistricting of their SMDs, residents of 7A07 were concerned that they have not been represented for over four to five years, and that they stated that did not know who their representative was. The two suggested that the ANC allocation for SMD 7A07 could be eliminated and the constituents would be better serviced by being either absorbed by SMD 7A03 and its most southwest bordering SMD or a combination of both SMDs which border 7A07.

9. Mitchell Hawkins, ANC Commissioner 8B06

Commissioner Hawkins who testified that he was a third generation Washingtonian who has lived in South East DC his entire life, he stated that South East DC is divided by three different neighborhoods which, in his view, are not in walking distance. Hawkins went on to state that he applauds seeing additional residents, as a elected advisory neighborhood commissioner, however, he clarifies that he would much rather reach them by walking.

10. Geoffrey Hatchard, Ward 5

Mr. Hatchard, a U.S. Census Bureau employee testified stating the law requires that ward boundaries should correspond as closely as possible with census tract lines, and that one place this could begin is with tract 76.05 on the borders of wards 7 and 8. He stated that moving this tract would accomplish multiple ends such as putting more people in ward 8, putting the entire tract in one ward, and it would make it easier for agencies and individuals to get statistics for their part of the city. He also stated that he would like to see the wards drawn in a way that follows natural boundaries and recognizes where interconnected neighborhoods exist. On the other hand, he stated that his greater concern lies with the drawing of ANC boundaries that will

come in the next round of this process—and he looks forward to the opportunity to give feedback then.

11. Anne Van Camp, Ward 6

Ms. Van Camp testified that she is in favor of keeping ward 6 intact and objects to the current proposed plans to redistrict in her area. She stated that her choice to live in Capitol Hill was the conveniences, shopping, and dining. She believes that splitting Near Southeast from ward 6 and connecting them with another ward is not contiguous or compact with her neighborhood, and she feels that it is against both the spirit and the letter of the redistricting guidelines.

12. Frank Kapp, Ward 6

Mr. Kapp testified that he had concerns over the proposed redistricting of his neighborhood in ward 6 to ward 8. He stated that he is against the change because he believes the existing areas are not contiguous. He stated that if his neighborhood Barracks Row is annexed by ward 8, the residents who reside in Barracks Row will no longer have a voice in the interests of Barracks Row, Eastern Market, or the Penn Corridor, all of these areas, he explained are frequented often and supported by the affected resident's hard earned money.

13. Steve Jerry, Ward 6

Mr. Jerry testified that he is concerned about SW waterfront neighborhoods being redistricted into ward 8. He stated that he cannot think of a time where he has gone to park in ward 8, and that he feels he will be disadvantaged by this measure because he has no connection with ward 8.

Public Witnesses - Day 2

1. Kathryn C. Ray, President-Elect League of Women Voters of DC

Ms. Ray testified stating The League of Women Voters has worked for many decades to promote transparent and accountable redistricting processes and has fought to put an end to hyper-partisan practices. Ms. Ray explained that The League issued a Statement of Essential Principles on Redistricting, which are: (1) An accurate and complete count in Census 2010 (2) The process used for redistricting must be transparent to the public (3) The redistricting process, at all levels of government, must provide data, tools and opportunities for the public to have direct input into the specific plans under consideration by the redistricting body (4) In order to achieve representative democracy, redistricting plans must be drawn in a manner that allows elected bodies to reflect the diversity of the populace, especially racial and ethnic diversity.

2. Robert Stephens, Ward 6 Rosedale Citizens Alliance

Mr. Stephens testified that the “residents of Rosedale, a neighborhood in ward 6 with more than 3,800 residents, launched a grassroots campaign to stop nascent efforts by ward 7 Councilmember Yvette Alexander, to redistrict several neighborhoods from ward 6 into Ward 7.” He further mentioned that this change would affect several ward 6 neighborhoods including Rosedale, parts of which sit between Kingman Park and 17th St. NE, and as a result parts of Rosedale may become part of ward 7 while other parts may remain in ward 6. He also stated that redistricting Rosedale and Hill East into Ward 7 would have a large impact on residents due to

the loss of unrestricted parking rights in Capitol Hill where many Rosedale and Hill East residents shop, eat and work.

3. Gale Black, ANC Commissioner ANC 4A08

Mr. Black testified in his individual capacity, and offered the following remarks. (1) Commissioner Black urges the subcommittee to preserve the ward 4 boundaries (2) The Commissioner stated that the subcommittee may be using incorrect text and maps (3) the Commissioner indicated that the 2002 text and maps need to be updated (4) Mr. Black urged the subcommittee to keep census tract 26 (5) The Commissioner believes the maps do not accurately reflect the layout of the public roads (6) The Commissioner urged the subcommittee to look at the ward 4 voting precincts (7) Commissioner Black stated that he is concerned that releasing information in June will not present a real opportunity for the public to be informed and engaged in the redistricting process.

4. Anne-Marie Bairstow, Chair ANC 3C

Commissioner Bairstow presented a resolution from ANC 3C entitled, “Resolution Regarding Redistricting Unpopulated Area in Rock Creek Park”. The resolution calls upon the Council to transfer from ward 4 to ward 3 the region whose border on the south is Klinge Road NW from Rock Creek east to Beach Drive NW, whose border on the west is Rock Creek whose border on the east is Beach Drive NW, and whose border on the north is the pedestrian bridge at the southeast corner of the Peirce Mill Complex picnic area that is south of Tilden St.

5. Vera Abbott, Bellevue Civic Association

Ms. Abbott testified stating that she supports Councilmember Barry’s position on redistricting for ward 8. She explained that ward 8 needs approximately 5,000 additional residents to reach the statutory average of 75,000 residents in ward 8. Ms. Abbott said that in order to reach this goal she recommends that ward 8 boundaries should be moved into ward 6, which she says will give ward 8 greater economic and racial diversity.

6. Harold Thomas, Advocate, Henson Ridge Townhome Development

Mr. Thomas testified in support of expanding the boundaries of ward 8 to include a part of ward 6. Mr. Thomas stated that ward 8 needs 5000 more residents and ward 6 would be the best place to get them. Mr. Thomas explained that ward 8 is considered the poorest ward in our nation’s capital with the most children, and that redistricting will allow the youth to live in a community that is no longer considered the bad side of town. He believes that redistricting ward 6 in this manner will help address the issue of the city being racially, economically, and geographically divided.

7. Brian Flahaven, ANC Commissioner 6B09

Commissioner Flahaven stated that ANC 6B strongly urges the subcommittee to keep all of Hill East united in the same ward—ward 6. The Commissioner went on to say that Hill East and Capitol Hill residents are so connected, and benefit from being in the same ward and having the same representation as their neighbors. He also explained that ANC 6B is most disturbed by discussion of moving the future site of the Hill East Waterfront development, also known as Reservation 13, to a different ward.

8. Bishop C. Matthew Hudson, Jr., Pastor of Matthews Memorial Baptist Church

Bishop Hudson testified in support of extending ward 8 into ward 6. He states that by this process, it is his hope to build a bridge that will create “One City”. Lastly, he urges the subcommittee to guide the redistricting process so that it does not accentuate discourse but reaps a bountiful harvest that demonstrates the subcommittee’s investment in all residents of the District.

9. Albert “Butch” Hopkins, Jr., President and CEO Anacostia Development Corporation

Mr. Hopkins testimony centered on the need for ward 8 to extend into ward 6 in order to expand its economic opportunities. He stated that in order for ward 8 to improve its economic situation, it must improve its demographics. He explains that ward 6 is the only adjacent ward that can make the possibility of economic improvement a reality.

10. Absalom Jordan, ANC Commissioner Ward 8

Commissioner Jordan stated her support for extending the Ward boundaries to the east side of the Anacostia River and taking in a portion of Southwest along M street and the Water Front. The Commissioner also advocated for including the White House in ward 8. Jordan explained that making these suggestions apart of the redistricting legislation is important to ensure that ward 8 residents are treated more equitably.

11. Jack McKay, Ward 1

Mr. McKay testified that he would like to see a small piece of land in ward 4 be redistricted to ward 1. He stated that the change should be easy to make because it does not involve the shifting of residents from one ward to another, he further stated that it is about parkland, not residential area. To this end, Mr. McKay explained that Park Road has no traffic connection to Ward 4, but is a major automobile and bicycle route for residents of ward 1. The major issue that Mr. McKay pointed out with regard to Park Road was that when District agencies plan work on or changes to Park Road, they do not advise ANC 1D of their plans, which he believes disadvantages the residents of ward 1.

12. Francis Campbell, ANC 6B SMD 10

Commissioner Campbell stated that Reservation 13 has been an integral part of the hill as a public hospital and an area of great concern and hopeful development throughout recent history. She testified that to now separate and move Reservation 13 away from those in ward 6 is unconscionable. Lastly, she explained that it is her view that to know be placed in a position where the voice of ward 6 residents is one of an advisory capacity or as an affected ANC disregards all of the hard work and effort invested by those who live nearby.

13. Rosalind Styles, President and CEO of Capitol City Associates

Ms. Styles urged the members of the subcommittee to carefully consider a redistricting plan that will bring diversity, revitalization, and economic growth to ward 8 communities while taking into account the residents that currently reside there. She went on to state that a redistricting plan that will take into account diversity and help reshape the image of ward 8 will allow businesses that are currently in ward 8 such as Uniontown Bar and Grill, to grow and

attract other businesses to the ward. Styles stated that if the image of ward 8 was reshaped it will bring about new opportunities for employment and financial gains to existing residents.

14. Frazer Walton, Kingman Park Civic Association

Mr. Walton testified in favor of returning the portion of Kingman Park located in ward 7 back to ward 6. He stated that the association acknowledges the fact that the population of each ward must be within five percent of the mean ward population. However, he feels that exceptions should be given to wards 6 and 7. Mr. Walton described the effects of having part of Kingman Park in ward 6 such as, ward, neighborhood, and government confusion regarding the distribution of city services, and the use of public safety measures for the protection of the neighborhood.

15. Dr. Gregg Edwards, All-Ways Mt. Pleasant Neighbors Association

Mr. Edwards suggested the subcommittee do the following: (1) Preserve neighborhoods and foster their political maturity (2) Follow the intent of federal voting rights legislation, and court decisions growing out of the 14th amendment (3) Do not pack high-income areas next to lower income areas (4) Mandate ward boundaries such that the further redistricting can preserve individual blocks with similar demographics (5) Provide for moderate sized ANC's.

16. David Holmes, ANC Commissioner 6A3

Commissioner Holmes stated that there is no need to change the boundaries of Ward 6. He believes that ward 6 is under the ward population maximum limit. The Commissioner went on to state that taking any part of Hill East destroys a natural community—a community that should not be divided.

17. Jeff Epperson, Urban City Ventures

Mr. Epperson stated that redirecting some of the neighborhoods south of I-395 to ward 8 would provide a unique opportunity to connect people and businesses to new opportunities in profound ways. He noted that this in turn may provide support for political leaders to unite two sides and bring about united support for impacting development east of the River. He believes the result will be a healthier ward and a healthier city.

18. Charles Wilson, Historic Anacostia Block Association and ANC Commissioner 8A04

Commissioner Wilson stated that one of the great things about Anacostia is that it is slowly becoming more diverse with respect to race and income. He explained that they have realized that new neighbors and old ones can learn from each other. To this end, he said that he would like for the redistricting boundaries to extend across the Anacostia river into SW to become a part of ward 8.

19. Gregory Hemby, Ward 7 resident

Mr. Hemby testified that the 7A07 SMD should be redistricted out to benefit its citizens and the revenue of the District. He stated that residents of 7A07 are concerned that they have not been represented for over four to five years, and that they have not known who their representative is. Mr. Hemby explains that this serves to justify eliminating the SMD however the Council sees fit.

20. Lee Brian Reba, ANC Commissioner 3C01

Commissioner Reba testified urging the subcommittee and the Mayor to include Ward Park East in the same election ward as the rest of the Woodley Park neighborhood, pursuant to ANC Resolution No.2011-019. The status of Ward Park East has created and caused unnecessary confusion within the Government of the District of Columbia as well as its residents when dealing with and receiving city services, Commissioner Reba explained. Commissioner Reba cited instances such as confusion with respect to voter registration cards, as well as parking with the DMV.

21. Steve Jerry, Ward 6

Mr. Jerry testified that he is concerned about SW waterfront neighborhoods being redistricted into ward 8. He stated that he cannot think of a time where he has gone to park in ward 8, and that he feels he will be disadvantaged by this measure because he has no connection with ward 8.

22. Michael Stevens, Executive Director, Capitol Riverfront Business Improvement District

Mr. Stevens testimony centered on his opposition to any redistricting plan that removes the Capitol Riverfront from Ward 6. Mr. Stevens explained that his neighborhood has historically been a part of Capitol Hill, and that the residents of the Capitol Riverfront consider themselves part of ward 6 from a historic, geographic, sense of community, and proximity/adjacency to Capitol Hill. He further testified that the goal of the redistricting process is to have the wards be compact and contiguous, he states that removing the Capitol Riverfront from ward 6 is in direct conflict with these goals.

23. Michelle Clark, Ward 6

Ms. Clark's testified that she is adamantly opposed to the redistricting of Rosedale into ward 7. She stated that she recently purchased a home in the Rosedale neighborhood, after renting nearby. Ms. Clark stated that during her housing search it was important for her to remain in ward 6, and that she is attached to the ward 6 community.

24. Dan Fitzgerald, Ward 6

Mr. Fitzgerald stated his concern about redistricting parts of ward 6 into ward 7. He stated that the cultural and character of ward 6 and 7 are distinct. Mr. Fitzgerald also indicated that he did not want his political condition to change abruptly and without sufficient community input.

25. Kara Peralta, Ward 6

Ms. Peralta stated that she was against redistricting the Capitol Riverfront into ward 8 because the neighborhood's connection and identity is tied to the Capitol and their livable, walkable community as a whole. She stated that while the neighborhood may be in a transition they still identify strongly with ward 6 and see and see that identity as vital to their blossoming and maturing neighborhood.

26. Joseph Rimmell, Ward 6

Mr. Remmell expressed his opposition to redistricting part of ward 6 into ward 8. He stated that he sees no benefit to ward 6 residents of being absorbed into ward 8. Mr. Remmell further testified that if any such redrawing of boundaries is to be considered, it makes more sense for the economic viability of near southeast to be included with Barracks Row/Capitol Hill than ward 8.

27. David Cook, Ward 6

Mr. Cook stated that he is a very concerned resident of ward 6. He stated that C Street and 19th St NE, and the surrounding area on Capitol Hill should remain as part of ward 6.

28. Peter Courtney, Ward 6

Mr. Courtney testified that Hill East should be kept in ward 6 with the rest of the Hill community. He stated that he is a resident of Hill East and a regular customer of businesses on H St. NE, and 8th St SE as well as Capitol Hill. Mr. Courtney further stated that Hill East is a community that was become increasingly enjoyable over the past three years that he has lived in that community.

29. Christina Gobin, Ward 4

Ms. Gobin expressed concern over Oregon Avenue and the need for it to be redistricted into ward 3. She states that little or no attention is paid to the needs of Oregon Avenue by ward 4 representatives. For example, she concludes that, Oregon Avenue is a road in total disrepair, and that the only bus servicing Oregon Avenue is being threatened with removal.

30. Kitty Loyd, Ward 6

Ms. Loyd testified that Near Southeast should remain in ward 6. She stated that she is proud to be represented by Councilmember Wells, and that he has made consistent efforts to realize the vision of a great waterfront in the District. She also believes that the D.C. Government has invested too much time and money to put the future of this neighborhood's development under another Councilmember's control.

V. Fiscal Impact

The Chief Financial Officer's fiscal impact statement is attached to this report. Funds are sufficient in the District's budget and financial plan to effect this Act.

VI. Section-by-Section Analysis

Section 1	Short title.
Section 2	Establishes new geographic boundaries for the District's 8 Wards. Except where specifically stated to the contrary, all boundary lines are the center of the street.
Section 3	Fiscal impact statement.

Section 4

Effective date. Note: per section 2, the now boundaries are effective January 1, 2012 and shall be used in all elections after February 1, 2012.

VII. Impact on Existing Law

Bill 19-219 will amend the Redistricting Procedure Act of 1981 to redefine the ward boundaries within the District of Columbia based on the 2010 census data.

VIII. Subcommittee Action

On May 26, 2011 the Subcommittee on Redistricting met to consider and mark-up, Bill 19-219 the "Ward Redistricting Amendment Act of 2011". Co-chairperson Michael Brown moved for approval of B18-219, the Draft Subcommittee Report and the Draft Committee Print, with allowance for staff to make technical and conforming amendments.

Subcommittee members voted as follows:

Subcommittee members voting in favor:

Subcommittee members voting against:

Subcommittee members voting present:

Subcommittee members absent:

IX. Attachments

- A. Committee Print and District & Ward Maps
- B. Fiscal Impact Statement
- C. B19-219 as introduced
- D. Testimony