

OCTOBER 15, 1986

The City Council, Committee as a Whole, meets this evening at 6:30 o'clock P.M. (E.D.T.) in the Council Chamber, City Hall, at which time a Public Hearing is held in accordance with the above Ad.

PRESENT: Council President Easton, Council President Pro Tempore Stravato and Councilman O'Connor - 3.

ABSENT: Councilman Annaldo Councilwoman Brassil, Councilmen Cola, Dillon, Councilwomen DiRuzzo, Fargnoli, Councilmen

**CITY OF PROVIDENCE
RHODE ISLAND**

**PUBLIC HEARING BEFORE THE CITY
COUNCIL COMMITTEE OF THE WHOLE**

Notice is hereby given that a PUBLIC HEARING is scheduled to be held WEDNESDAY, OCTOBER 15, 1986 at 6:30 o'clock P.M. (E.D.T.) in the Chamber of the City Council, City Hall, Providence, Rhode Island. Said Hearing is scheduled to be held pursuant to Section 204 of the Providence Home Rule Charter of 1980 relative to the following:

AN ORDINANCE IN AMENDMENT OF CHAPTER 1982-11, EFFECTIVE MARCH 14, 1982, ENTITLED: "AN ORDINANCE APPORTIONING THE FIFTEEN WARDS IN THE CITY OF PROVIDENCE IN ACCORDANCE WITH SECTION 204 OF THE PROVIDENCE HOME RULE CHARTER OF 1980 AS APPROVED BY THE ELECTORS OF THE CITY OF PROVIDENCE AT THE GENERAL ELECTION HELD NOVEMBER 4, 1980, AS AMENDED".

All persons interested in the above are cordially invited to be present at that time and place to be heard thereon.

PER ORDER OF COUNCIL PRESIDENT
NICHOLAS W. EASTON
AND THE MEMBERS OF THE
PROVIDENCE CITY COUNCIL.

ROSE M. MENDONCA
CITY CLERK

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Farmer, Glavin, Griffin, Lombardi, Petrosinelli and Pitts - 12.

(Rose M. Mendonca, Clerk).

RELATIVE TO AN ORDINANCE IN AMENDMENT OF CHAPTER 1982-11, EFFECTIVE MARCH 14, 1982, ENTITLED: "AN ORDINANCE APPORTIONING THE FIFTEEN WARDS IN THE CITY OF PROVIDENCE IN ACCORDANCE WITH SECTION 204 OF THE PROVIDENCE HOME RULE CHARTER OF 1980 AS APPROVED BY THE ELECTORS OF THE CITY OF PROVIDENCE AT THE GENERAL ELECTION HELD NOVEMBER 4, 1980, AS AMENDED."

Council President Easton calls the City Council, Committee as a Whole to come to order.

He states that for those who have questions as to attendance, the Rules of the City Council do not require that Public Hearings have a quorum.

He states that this is a Public Hearing for the proposed amendments to ward boundaries between Ward 9 and Ward 11, which were originally proposed in April of this year and a further hearing is held at this time to affirm those original boundaries.

He states that for those who believe they see the same changes that were enacted in April of this year, they are correct.

Council President Easton states that before they begin, he would just like to point out that three individuals have signed up to speak at this time. He states that they will be allowed ample time to make their statements. He would like to remind those present that one of the rules of this Council is that there be no cross questioning or argumentation that will be permitted at all.

At this time Council President Easton calls the first individual who signed up to speak this evening:

Allene R. Maynard

" My name is Allene Maynard, and I live in Ward 11.

I oppose the ordinance that changes the boundary line between Ward 9 and Ward 11 because I believe that it is a political and racial gerrymander by the City Council.

The identical ordinance was "adopted" by the City Council in April. The City Council apparently recognizes that when it adopted the ordinance in April, it completely ignored the requirements of the Home Rule Charter. That is why the Council is now attempting to adopt the identical ordinance a second time.

In August, opponents of the ordinance -- including myself -- filed a class action lawsuit in federal court seeking to have the ordinance declared unconstitutional. That lawsuit is currently pending.

The effect of the ordinance is to increase the size of Ward 11 and to decrease the size of Ward 9, making Ward 9 the smallest ward in the City.

On November 22, 1982, Councilman O'Connor, the incumbent Councilman from Ward 11, obtained a RIHMFC mortgage for a home at 202 Congress Avenue. Without this ordinance, 202 Congress Avenue would be in Ward 9, not in Ward 11. Councilman O'Connor has continuously lived at that house in Ward 9, as he swore he would in his RIHMFC mortgage application and as he must under the RIHMFC rules.

This ordinance benefits Councilman O'Connor by changing Ward 11's boundary to include his Congress Avenue home.

By changing the boundary between Ward 9 and Ward 11, the ordinance creates a big difference in population between the largest wards and Ward 9, which becomes the very smallest ward.

This means that the large wards are under-presented on the City Council and that Ward 9 is over-represented. This violates the constitutional rule of "one man, one vote." That is one of the claims we are making in our class action lawsuit.

We have now discovered that there is another illegal purpose behind this ordinance: to dilute the voting power of minority voters in Ward 9.

According to U.S. Census Bureau information (which my attorney, Max Wistow, has), Ward 11 is the only ward in the City that is overwhelmingly populated by minority people. On the other hand, Ward 9 is almost equally divided between white and minority people.

This ordinance moves people from Ward 9 into Ward 11: according to U.S. Census Bureau information, 70% of the people who are moved by this Ordinance are minorities.

Specifically, the ordinance moves 480 people from Ward 9 to Ward 11. Of that number, 330 are minorities and only 150 are white. These figures are based on 1980 census information: anyone who is familiar with that neighborhood knows that the percentage of minority people is now even higher than 70%.

I believe that this is a deliberate attempt to "pack" additional minority voters into Ward 11, a ward that already contains the heaviest concentration of minority voters in the City.

It is also a deliberate attempt to move minorities out of Ward 9, so that Ward 9 will remain a "politically safe" ward for the white incumbent councilman from Ward 9, Councilman Nick Easton.

Our lawyers will amend our class action lawsuit to add a charge that this ordinance is a racial gerrymander by the City Council.

The September primary election was based on the illegal change in the boundary line between Ward 9 and Ward 11. In the Ward 11 primary, Councilman O'Connor defeated Ronald Crosson by only 22 votes. The illegal change in the ward boundary line may have made the difference in the primary election.

I urge the City Council to put the interests of the people of the City above the interests of Councilman O'Connor and Councilman Easton. I urge the City Council to reject this illegal racial and political gerrymander."

Council President Easton calls the next speaker Ronald A. Crosson, to come forward.

Ronald A. Crosson states that he does not wish to speak at this time.

Council President Easton calls for the third and last named speaker, David Morrison, to come forward.

David Morrison:

"I see only three Council Members here, and yet this was called

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as a whole an entire City Council Meeting. I don't know if this is a quorum but the Council President says it is all right so we will go along with it.

The reason for this Public Hearing is still unclear to me. It appears to me that this body of the City of Providence, the City fathers and City mothers although there are no City mothers here tonight, are gathering today to ratify or approve an action taken by the Providence City Council on behalf of all the people, all the citizens of Providence.

On that date in April of 1986, can you tell me what has happened since that April, 1986 action taken by the Providence City Council to make necessary the repeat action by the same body. What procedure is being undertaken now that was neglected then. Why should the Providence City Council and the entire City become party to what I feel is a cohort scheme to disfranchise minorities from the 9th Ward of Providence.

Now the former 9th ward, this is before the April, 1986 action was taken on the part of the City Council, had the potential of electing a minority to the Providence City Council. But the present 9th Ward has no potential whatsoever of electing a minority.

This statement I make because of the April 1986 action taken by the Providence City Council, almost 500 potential voters were re-districted out of their natural boundaries and placed in unfamiliar boundary with premeditated distinction.

What is perceived by some to be an action taken by the Providence City Council to benefit the black councilman from the 11th ward is actually a cohort scheme to override the recent influx of minorities within the Elmwood area of the 9th ward and solidify the white incumbent's chances of retaining his council seat by gerrymandering. Almost 400 of those minorities out of the 9th ward of the Elmwood area were gerrymandered by the Providence City Council.

I am asking you today to accept this golden opportunity to stand and be counted, since there are only three councilmen present, there can't be too much done. I am asking you to stand, not for the Democratic Party, not for Council President Easton's sake, not for Councilman Thomas O'Connor's sake, but for all minorities who may or may not ever participate in the system you call the electoral process.

Some minorities may be thrilled to be gerrymandered into 11th ward where there are more. But think of the minorities who never held their own representation on the Providence City Council due to political gerrymandering.

I ask you once again to change the boundaries back to the way they were before the Providence City Council April 1986 action. Wait until the Providence City Charter mandated 1990 legalizes 202 Congress Avenue into the 11th ward.

Now, Councilman Easton has had a history of gerrymandering people out of his ward or his district for political purposes. In 1982 or at the beginning of 1983, one of his opponents was gerrymandered right into another ward so that he could solidify his seat in the 1982 election. The same thing is happening now and it has happened for the September primary.

The questions I would like answered are:

1. Since the identical ordinance was adopted by the City Council in April, and the September primary was based on the change in the Ward Boundaries, why is the City Council adopting the same Ordinance a second time:

It sounds confusing and it is.

2. I have a copy of Nick Easton's letter to Tom Glavin dated March 19, 1986. That sets forth the reasons for the Ordinance. Are the reasons in Nick Easton's letter the only reasons for the Ordinance?

3. Are there any other reasons?

Thank you."

Council President Easton calls for any one who wishes to speak.

There being no one else present who wishes to speak, this Public Hearing is adjourned at 6:50 o'clock P.M.

Rose M. Mendonca
Clerk

James L. McFerrin
Assistant Clerk

Copied *J.M.C.*

Compared *J.L.M.*