

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON CIVIL RIGHTS

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December 21, 2009

Start: 10:35 am

Recess: 10:41 am

HELD AT: Council Chambers
City Hall

B E F O R E: LARRY B. SEABROOK
Chairperson

COUNCIL MEMBERS:
Larry B. Seabrook
Mathieu Eugene
Julissa Ferreras
Darlene Mealy

CHAIRPERSON SEABROOK: Good

morning. My name is Larry B. Seabrook and I am Chair of the City Council's Committee on Civil Rights.

Today we will be voting on two Resolutions that are currently in the Civil Rights Committee, Proposed Resolution 190-A and Resolution 2661. Both Resolutions address a similar but significant issue, the inclusion of prisoners in the census tracts of their correctional facilities as opposed to their pre-incarcerated addresses.

Proposed Resolution 190-A, introduced by Council Member Jackson, calls on the New York State Legislature to amend the Election Law so that prisoners are counted as residents of the county in which they resided prior to incarceration rather than as residents of the county in which they are detained.

I introduced Resolution 2661 which states a similar purpose. It calls upon the United States Census Bureau to enforce a decennial census enumeration policy in which incarcerated juveniles and adults are counted in keeping with

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2 the one person one vote principle inherent in the
3 14th Amendment to the Constitution to ensure that
4 resources for the general welfare of all citizens
5 are equitable and appropriately distributed.

6 Article 1 Section 2 of the United
7 States Constitution mandates that a census of the
8 country's population be taken every ten years.
9 Data gathered is used to redraw congressional and
10 legislative district lines, allocate funds for
11 governmental programs, determine areas in needs of
12 schools, roads and other infrastructural
13 necessities and identify demographic trends which
14 can be used to predict future community-specific
15 needs.

16 In sum, an accurate census is
17 necessary to meet the needs of our community.
18 Including non-voting prison populations in a
19 correctional facility, pre-incarceration census
20 tract artificially strengthens the voting power
21 and increases the allocation of government
22 resources for the tract's non-prisoners population
23 at the expense of the residents of the prisoner's
24 original census tract.

25 In New York State, two-thirds of

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2 the prisoners originate from New York City. Given
3 that fact and the fact that communities of color
4 make up about 80% of the prison population in the
5 state, the continued inclusion of prisoners in a
6 prison census tract not only hurts our communities
7 of color, it also hurts the city as a whole.

8 These two Resolutions would seek to
9 eliminate this discriminatory policy. It is
10 imperative that the Census enact a complete and
11 accurate enumeration of our city residents. With
12 the 2010 census fast approaching, these
13 Resolutions are timely and significant.

14 Unless someone else would like to
15 say something, I would like to introduce the
16 members of the committee who are here. We have
17 Julissa Ferreras from Queens, Darlene Mealy from
18 Brooklyn, who are members of the committee. We
19 will be taking a vote on these Resolutions. Yes,
20 we can have them coupled.

21 ERIC STEVENSON: Eric Stevenson,
22 Committee Clerk, Reso 190-A and 2261. Seabrook?

23 CHAIRPERSON SEABROOK: I vote aye
24 on all.

25 ERIC STEVENSON: Mealy?

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2 COUNCIL MEMBER MEALY: I vote aye
3 on all.

4 ERIC STEVENSON: Ferreras?

5 COUNCIL MEMBER FERRERAS: I vote
6 aye.

7 ERIC STEVENSON: Motion stands at
8 three in the affirmative, no negatives and no
9 abstentions. Motion carries. We have a comment
10 from our colleague who has one of the Resolutions,
11 Council Member Jackson.

12 COUNCIL MEMBER JACKSON: Thank you,
13 Council Member Seabrook and members of the
14 committee. Let me thank you for approving this
15 Resolution.

16 As you know, New York City has
17 approximately 65,000 prisoners throughout the
18 state system. The majority of those prisoners
19 come from the New York City area. As you know,
20 they are counted in the prisons in which they're
21 located even though they do not access the social
22 services, the educational facilities and any other
23 programs that are offered by that county or
24 municipality, primarily because they're in prison.

25 So this Resolution basically

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2 supports the State Law bill that's been introduced
3 by Eric Schneiderman, our State Senator and
4 Adriano Espaillat, our State Assembly Member,
5 whereas prisoners should be counted in their place
6 of residence prior to incarceration. When
7 prisoners are released, they go back to the
8 communities from which they come from. In fact,
9 we see that every single day here in New York
10 City. So they need to be counted in New York City
11 where the services are needed when they return
12 home.

13 I encourage all of our colleagues
14 at the Stated Meeting to vote positively on this
15 Resolution. Thank you, Mr. Chair.

16 CHAIRPERSON SEABROOK: Thank you
17 very much, Councilman Jackson. Are there any
18 other comments or concerns? This meeting is
19 adjourned. Thank you.

20 [Pause]

21 ERIC STEVENSON: Committee on Civil
22 Rights. Eugene?

23 COUNCIL MEMBER EUGENE: I vote aye.

24 ERIC STEVENSON: The vote now
25 stands at four in the affirmative, no negative,

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and no abstentions.

C E R T I F I C A T E

I, Donna Hintze certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

Signature *Donna Hintze*

Date December 30, 2009