

Charter Review Commission Public Hearing

Black/Brown Coalition

Urban League of Greater Kansas City

In-District vs At-Large Process for Electing City Council Members

Wednesday, July 10, 2013

My name is Gwendolyn Grant. I am President & CEO of the Urban League of Greater Kansas City. And I am here at the request of Congressman Emanuel Cleaver to bring testimony on behalf of the Black/Brown Coalition and at the request of Dr. Gayle Holliday to speak on behalf of the Urban League of Greater Kansas City.

The Black/Brown Coalition was formed two years ago by Congressman Emanuel Cleaver during Kansas City, Missouri's City Council Redistricting - a high water mark of racial division in Kansas City's urban neighborhoods and polarization among Blacks and Hispanics. Since its inception, a group of African-American and Hispanic business owners, elected officials, community leaders and not-for-profit executives have sought to shed light on those barriers which impede the establishment of a just society in Kansas City and to illuminate a path toward the eradication of those barriers.

The Urban League is the nation's oldest and largest community-based movement devoted to empowering African Americans and other underserved populations to enter the economic and social mainstream. Our mission is to enable African Americans and other disadvantaged persons to secure economic self-reliance, parity, power and civil rights.

To begin, we wish to commend Mayor James for appointing this Charter Review Commission to engage in a deliberative process to determine the efficacy of our Council-Manager form of government and to consider a change in the manner in which we elect city council members.

The Black/Brown Coalition and the Urban League believe that a change in how we elect City Council members is warranted because our current system may be in violation of Section 2 of the Voting Rights Act which prohibits states and local governments or jurisdictions from adopting policies, procedures and redistricting plans that dilute minority voting strength.

In the case of *Thornberg v. Gingles*, the Supreme Court set forth three factors a minority group must prove in order to establish a violation of Section 2 of the Voting Rights Act as follows:

1. That the minority group is sufficiently large and geographically concentrated to make up a majority in a single-member district.
2. That the minority group is politically cohesive – that is, it usually votes for the same candidates; and,
3. That, in the absence of special circumstances, the white majority votes together to defeat the minority's preferred candidate.

If the minority group can establish these three things known as preconditions, the Supreme Court has said that the next question is whether, the minority group had less opportunity than other members of the electorate to participate in the electoral process and to elect representatives of its choice.¹

We can cite several compelling facts that substantiate our position that our ability to elect representatives of our choosing in the 5th District at-large City Council races has been obviated by the will of the white majority.

Remember the Becky Nace vs Holly Holliday and the subsequent Nace vs Wesley Fields races. In both elections, the majority white electorate chose a high-school graduate with minimal contacts and no history of working with the people who

¹ The Impact of Redistricting YOUR Community: A Guide to Redistricting, A Publication of NAACP Legal Defense Fund, Inc., page 14-15.

comprised a majority of the district over two law school graduates with considerable public and community service. It is important to note that when given similar choices for majority white districts, that same electorate chooses the better educated individual. Case in point, compare the credentials of Becky Nace with those of Ed Ford, a lawyer who had served on the PIAC; Bonnie Sue Cooper, an experienced former state legislator; Everett Asjes, a former councilman and a college educated, successful businessman; Troy Nash, who holds several postgraduate degrees; and Al Brooks, who holds a postgraduate degree and has a history of civic service.

Another compelling example – the race between Brooks and Circo for the 5th District-at-large seat – Brooks, a minister with a record of military service, three years of college, and numerous professional certifications was defeated by Circo whose credentials included a high-school diploma and a cosmetology license. In that race, the will of the protected minority class was thwarted by the majority white electorate. Four years later Brooks ran in-district and was elected.

Our current at-large system of electing council members is inherently inequitable relative to African Americans. It dilutes our votes and diminishes our freedom of choice. We are only guaranteed the freedom to elect two of 13 members of the council although we comprise approximately 30% of the population. This process denies equal representation and equitable voting rights to African Americans and that may be illegal; it is certainly unjust and unfair.

For these reasons, a more equitable process with 12 in-district seats or 9 in-district and three at-large is highly recommended.