

NEW YORK STATE
LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND
REAPPORTIONMENT

PUBLIC HEARING
CONGRESSIONAL AND STATE LEGISLATIVE REDISTRICTING

Thursday, February 9, 2012

Suffolk County Legislature

William H. Rogers Legislative Building - Auditorium

725 Veterans Memorial Highway

Smithtown, New York

Thursday, February 9, 2012

11:00 a.m.

Demographic Research and Reapportionment, 2-9-2012

TASK FORCE MEMBERS PRESENT:

SENATOR MICHAEL F. NOZZOLIO, Co-Chair

ASSEMBLY MEMBER JOHN M. McENENY, Co-Chair,

SENATOR MARTIN M. DILAN

ASSEMBLY MEMBER ROBERT OAKS

DEBRA LEVINE

ROMAN HEDGES

WELQUIS LOPEZ

LEWIS HOPPE

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2 (The public hearing commenced at 11:06
3 a.m.)

4 ASSEMBLY MEMBER JOHN J. MCENENY, CO-
5 CHAIR, NYS LEGISLATIVE TASK FORCE ON DEMOGRAPHIC
6 RESEARCH AND REAPPORTIONMENT: Good morning, and
7 thank you very much for coming to this meeting of
8 LATFOR. There will be three more public hearings
9 on the lines. And all of these hearings you may
10 discuss Congress, Senate, Assembly, anything
11 related to the drawing of lines, particularly
12 with the latest map, which is a draft, and will
13 change to one extent or another before it becomes
14 final.

15 My name is Jack McEneny. I'm the
16 Assemblyman who is the Co-Chair. I represent
17 parts of Albany city and several towns in Albany
18 County. And on the Assembly side, I am
19 accompanied with a long-time friend and
20 classmate. Bob Oaks represents the Republican
21 Minority in the Assembly, and a citizen
22 representative, Dr. Roman Hedges. There are six
23 people who are on the committee. There's also
24 co-directors, executive directors.

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2 We will be limiting people to five-
3 minute comments. Now, we rarely get upset if
4 somebody goes to a six minute. But, given the
5 number of people who have requested an
6 opportunity to speak, which is now at 44, and
7 there may be others coming in the door, we will--
8 we will enforce that if it goes too far beyond
9 the five minutes.

10 Giving a history of your organization
11 usually takes up too much time. We know, pretty
12 much, who the organizations are if you've already
13 spoken at a previous public hearing. Please
14 concentrate on your critique of the lines and any
15 solutions that you might recommend for LATFOR to
16 adjust these lines, hopefully, during the week of
17 President's week. We're on a tight schedule
18 here. I'm going to turn it over now to my Co-
19 Chair, Mike Nozzolio, who will introduce his side
20 of the panel.

21 SENATOR MICHAEL F. NOZZOLIO, CO-CHAIR,
22 NEW YORK STATE LEGISLATIVE TASK FOR ON
23 DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT: Thank
24 you very much, Assemblyman McEneny, and my friend

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2 and colleague. We've now been--this is our 20th
3 hearing as we have approached the dynamics and as
4 we have met with many constituent groups and
5 individuals across this great state of New York.

6 We wish to thank the county government
7 of Suffolk for allowing us to use this wonderful
8 facility. And without further ado, I wish to
9 recognize the senate appointees to this task
10 force.

11 On my immediate left is Senator Martin
12 Dilan. To his left is Citizen Representative,
13 appointed by the Senate, Welquis Ray Lopez. And
14 to his left is the co-executive director of the
15 task force, Debra Levine.

16 As this is our 20th session to hear from
17 the citizens of this state, we want each of you
18 to know that your testimony is being recorded.
19 It's part of the official record of the
20 proceedings. It is video recorded by the cameras
21 that we have here. Those cameras will place the
22 record of this hearing--along with all the other
23 hearings--on the LATFOR website for all to view.

24 We ask you to be concise. We ask you to

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2 summarize your written testimony, submit that
3 written testimony for the record, but utilize
4 your time in describing your major concerns.

5 That--we appreciate the opportunity to hear those
6 concerns.

7 And, without further ado, Assemblyman, I
8 appreciate your comments and your work. It's
9 been wonderful to work with you in this process.
10 Any members of the task force wishing to make an
11 opening statement?

12 Not at this time?

13 ASSEMBLY MEMBER MCENENY: Thank you,
14 Senator. We have a number of elected officials
15 here. Some will speaking and have already
16 indicated that.

17 I do not think they're speaking, so I
18 will introduce Assembly Member, Mike Fitzpatrick,
19 Mike Montesano, Steve Labriola, who is a former
20 member of the Assembly, and now Clerk of Oyster
21 Bay, and should he show up--just because he has
22 served with me a long time ago--Joe Sawicki, the
23 comptroller of Suffolk County is a former member
24 of the Assembly.

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Please advise me of any other elected officials that wish to be recognized and we'll move ahead with those who are speaking. And I'll ask Assembly Member Andy Raia to come forward.

Now this is a tricky situation. You have to keep your finger on the microphone and the little green light goes on, so--

ASSEMBLY MEMBER ANDREW RAIA, 9th
ASSEMBLY DISTRICT: [Interposing] Is that like walking and chewing gum?

ASSEMBLY MEMBER MCENENY: Yeah. While you talk and--

ASSEMBLY MEMBER RAIA: [Interposing] I can figure it out.

ASSEMBLY MEMBER MCENENY: --it probably keeps the speakers down because their fingers get tired.

ASSEMBLY MEMBER RAIA: Thank you. Well, it's a good way to keeping everybody under five minutes. But, I'd like to welcome my colleagues to Suffolk County, and I'd like to thank the Legislative Task Force on Demographic Research and Reapportionment, LATFOR, for holding this

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public hearing in Suffolk County.

As the current representative for the 9th Assembly District and a resident of the proposed 12th Assembly District, I am compelled to offer constructive criticism on LATFOR's proposed lines for the the 12th and 9th Assembly Districts.

When drawing new assembly districts, LATFOR's legal and social responsibility is to ensure newly districts--newly drawn districts reflect population changes while remaining compact and keeping intact communities of interest. Unfortunately, LATFOR failed to reach this objective in both the proposed 9th and 12th Assembly Districts.

The decision to transform one predominantly North Shore centered district and one predominantly South Shore centered district into two districts meandering through portions of multiple towns, spanning from the Atlantic Ocean in the south to the Long Island Sound in the north, violates the very spirit of LATFOR's mission and legal responsibility.

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Both districts span over 25 miles from end to end. While that may not seem like a long distance for an assembly district in Upstate New York a recent drive through the proposed 12th Assembly District--starting at Gilgo Beach in the southern portion of the district, and ending at Mackimaw [phonetic] Beach in the northern portion of the district--took this seasoned Long Island driver an hour in the middle of a weekday with very little traffic.

As a representative and a public servant, I'm expected to attend multiple events in the district on any given day and night. Such an expansive district will clearly limit the public's opportunity to interact with me or their future legislator.

Maintaining the continuity of local community should be paramount when conceiving new districts. Unlike the rest of the state, Long Island is heavily dependent on numerous local governments, or special districts, as they are often referred to.

Through special--through school

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1
2 districts, fire districts, library districts, and
3 dozens of community organizations, we have
4 managed to maintain a wonderful sense of
5 community and feeling of civic pride.

6 These proposed district lines will
7 undoubtedly fracture all that has been gained
8 over the past 350 years, because that's how old
9 the towns of Huntington and Babylon are.

10 With multiple legislators often come
11 multiple opinions and positions on local and
12 state issues important to those communities thus
13 preventing communities from speaking in a unified
14 voice.

15 Instead of strengthening representation,
16 LATFOR is diminishing it. The current 9th
17 Assembly District encompasses four entire zip
18 codes and three partial zip codes. Conversely,
19 the proposed 12th Assembly District does not
20 encompass any zip codes in their entirety as the
21 district cuts a narrow swath through the towns of
22 Huntington, Babylon and Islip.

23 The town of Huntington, which has
24 traditionally contained two assembly districts

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for nearly 100 years, would now be represented by three legislators. And the town of Babylon, which is approximately the same size would now see their number of assembly districts increased from four to an astonishing five districts under LATFOR's 2012 proposed district lines.

Multiple districts within one town, not only arbitrarily and unnecessarily splits communities within a town, but also undercuts the communities voice with regards to qualifying candidates for the ballot.

As New York State's future fiscal condition remains uncertain LATFOR should make every effort to minimize the costs of the redistricting process to taxpayers while adhering to its primary goal of conceiving districts that maintain a continuity of community.

It is important to note that should the proposed 9th and 12th Assembly Districts become law, it is the taxpayers that will have to pay the bill to relocate two new district offices. As proposed, the current 12th Assembly District will no longer be located in the entirely new

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12th Assembly District and the current district office for the 9th Assembly District is located so far north in the district that residents from Massapequa would have to travel over an hour to see their representative.

Long Island has very little mass transit and we pay the highest prices for gasoline in the state. Such circumstances may very well prevent senior citizens, the disabled, and the poor direct access to their assembly representative and the many services that a district office provides.

This task force has transformed well-balanced and collective communities into entirely new districts. Creating unnecessary confusion for residents as to who represents a specific area. It will complicate joint meetings with multiple levels of government and make extremely-and make it extremely difficult to maintain the current productive level of communication that exists between our elected officials, constituents, community leaders, and business leaders.

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In fact, in a recent press interview,

3

Governor Cuomo stated, "Redistricting in New York

4

is a system that has prioritized incumbency and

5

partisan interests over democratic

6

representation." The governor went on to say,

7

"This process needs to be about the people and

8

not the politics. And to help restore faith in

9

our state government, we need to reform the

10

system."

11

I could not agree more. Thank you for

12

your time.

13

ASSEMBLY MEMBER MCENENY: Any questions

14

from the panel? Thank you.

15

ASSEMBLY MEMBER RAIA: Thank you much.

16

ASSEMBLY MEMBER MCENENY: Thank you.

17

Assembly Member Joe Saladino.

18

ASSEMBLY MEMBER JOSEPH SALADINO, 12TH

19

ASSEMBLY DISTRICT: --defer to other members of

20

the community and come and speak at a later time

21

today?

22

SENATOR NOZZOLIO: Certainly.

23

ASSEMBLY MEMBER MCENENY: Certainly.

24

ASSEMBLY MEMBER SALADINO: Thank you.

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SENATOR NOZZOLIO: Thank you.

3

ASSEMBLY MEMBER MCENENY: Assembly

4

Member, Dan Losquadro.

5

ASSEMBLY MEMBER DANIEL P. LOSQUADRO, 1ST

6

ASSEMBLY DISTRICT: Thank you, members, and

7

unfortunately, I'm very familiar with this

8

microphone system, having served seven years here

9

in the - - legislatures to welcome to my old

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stomping grounds.

11

I come before you today to offer

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commentary on the proposed changes to the 1st

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Assembly District. The 1st Assembly District is

14

unique in many ways. First and foremost--and I

15

knew this coming in as an elective last year--it

16

has the largest population of any assembly

17

district in New York State, 149,700 residents.

18

We knew that this district would have to

19

change substantively--to lose 21,000 residents--

20

in order to maintain a parity with the

21

surrounding districts.

22

When looking at a map of the district,

23

furthest from anyone's mind, was cutting the

24

North Fork of Long Island in half to achieve that

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2 goal. Splitting Southold and Riverhead towns--
3 two townships that share a long history--share
4 common interests with agriculture, agri-tourism,
5 open space, and land preservation, primary home
6 ownership. As opposed to the South Fork where
7 there are many more second-home owners.

8 There are very different issues on the
9 South Fork than on the North Fork. Having these
10 two districts separate and distinct from each
11 other gives the East End twice the voice in the
12 New York State Assembly. It is imperative that
13 we keep those voices strong and contiguous with
14 each other in these areas.

15 Many local groups have spoken out in
16 opposition to this. I have a letter that I will
17 not read, but I will submit into written
18 testimony from five different civic associations.
19 Stating substantively similar comments that I
20 have made here, concerned about the quality of
21 life on the North Fork, having those areas along
22 the North Shore congruent with each other,
23 contiguous to each other, and having those needs
24 met by and individual from that district.

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There's also the additional problem of logistics when it comes to the east end of Long Island. We are an island, and we are split into two forks. The residents from the town of Southold, which is proposed to be removed from the 1st Assembly District and put in as part of the 1st--the current 2nd Assembly District, on the South Fork, would either have to take two ferries and cross Shelter Island or drive more than an hour around the twin forks to visit their state assembly person.

13

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22

We know--and I look to my colleagues on the assembly side--that we are the more local of the state representatives. Our districts are smaller. We pride ourselves on making our offices very accessible to the public. I think that this is a logistical nightmare for the extreme east-end residents who have found it very easy to access my office now that I relocated it, centrally, in my district, in the county seat, here in Suffolk County, in the town of Riverhead.

23

24

Cutting the east end of Long Island off from the North Fork, putting it in with the South

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2 Fork, I think does a tremendous disservice to the
3 residents of that district. And I think
4 diminishes the voice of a small township that
5 feels they will get lost in a sea of issues that
6 are very different from their own on the North
7 Shore by putting them in with a district that
8 would primarily be on the South Shore.

9 So, I thank you for your comments. I
10 will be submitting the written comments of the
11 civic associations, and I hope that you take
12 these and the public's comments into account when
13 making your final decision. Thank you for your
14 time.

15 ASSEMBLY MEMBER MCENENY: Thank you,
16 Assemblyman.

17 SENATOR NOZZOLIO: Thank you very much,
18 Assemblyman.

19 ASSEMBLY MEMBER LOSQUADRO: Thank you.

20 ASSEMBLY MEMBER MCENENY: Mayor William
21 Hendrick.

22 That's correct.

23 WILLIAM HENDRICK, MAYOR, LYNBROOK

24 VILLAGE: Ladies and gentlemen, thank you very

1

2 much--

3 SENATOR NOZZOLIO: [Interposing] Not
4 hearing him.5 MAYOR HENDRICK: I'm Bill Hendrick and
6 I'm the mayor of Lynbrook. There you go. I'm
7 Bill Hendrick, and I'm the mayor of Lynbrook.
8 I've been associated with village government for
9 over 21 years, as a trustee, then Deputy Mayor,
10 and for the last year, the Mayor of this village.
11 And I'm very proud of that.12 Lynbrook is two miles, approximately,
13 square. It has about 20,000 residents, 6500
14 homes. I have a small but active police
15 department, a very active but small fire
16 department, a department of public works and
17 various village employees--about 200--besides
18 that.19 Lynbrook always was represented, first
20 by the 14th District. It's now proposed that
21 Lynbrook will be sliced in half by the 21st and
22 now the 22nd. This is really unacceptable to us.
23 Thank you.

24 Our current assemblyman is Brian Curran

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2 and he's a former mayor of Lynbrook. You could
3 understand how Lynbrookites love having a former
4 mayor being their advocate in Albany. He's been
5 very, very helpful in state matters and we do not
6 want that to change.

7 The way the new district is drawn--his
8 office is now no longer in his district, neither
9 is my house. Everybody from the north side of
10 Sunrise Highway will now remain in the 21st with
11 Brian.

12 Everybody from the south side of Sunrise
13 Highway, including my very, very active business
14 district--which is represented here today by
15 members of the chamber of commerce, and I hope
16 will be speaking to you as well--will not be in
17 the district.

18 We now have--we how have their interest
19 being pulled apart, and it's unacceptable to me.
20 The new district will be mainly Rockville Centre
21 and no longer be centered in Lynbrook. And
22 Brian's district--I'm sorry will be Rockville
23 Centre--the new one will be mainly Valley Stream.

24 We feel we've been orphaned by this

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2 district that is drawn, which I think is very,
3 very gerrymandered and does not benefit my
4 residence at all.

5 I'm going to--I said I'd be brief today.
6 And I want you to be our advocate in the state
7 and go and tell the legislators and the governor
8 this should not be accepted and he should not
9 sign for these two new districts.

10 Lynbrook does not want to be divided.
11 And, ladies and gentlemen, please, when you go
12 back to Albany report that to them. I'm not
13 going to take any more of your time. Just know
14 our disappointment with this district. And I
15 thank you for listening and working for a small,
16 very home-like community on the South Shore.
17 Thank you so much. Is there any questions?

18 SENATOR NOZZOLIO: Thank you very much,
19 Mr. Mayor.

20 ASSEMBLY MEMBER MCENENY: Thank you,
21 Mayor.

22 MAYOR HENDRICK: Bye, bye.

23 ASSEMBLY MEMBER MCENENY: I have a good
24 relationship with your historian down there. Art

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2 Maddox? I acknowledge the presence of Assembly
3 Member Al Graf. Happy to see you here. And our
4 next speaker is Frank Sprouse. And, Frank, I
5 think you wanted a translator?

6 MALE VOICE 1: Yes.

7 ASSEMBLY MEMBER MCENENY: Is there
8 anyone else who would be needing translator
9 services?

10 INTERPRETER: - - anywhere, and - - can
11 speak into the microphone.

12 [Foreign Language]

13 ASSEMBLY MEMBER MCENENY: This one will
14 stay on. He has to hold this one down to speak.
15 You've got to keep your finger on. Okay?

16 INTERPRETER: Okay. Thank you. Bye,
17 bye. Okay, so--

18 [Foreign Language].

19 MR. FRANK SPROUSE, MAKE THE ROAD NY
20 (Through Interpreter): Thank you very much, and
21 thank you for letting me [audio gap].

22 INTERPRETER: Okay. Okay.

23 MR. SPROUSE (Through Interpreter):

24 Thank you very.

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SENATOR NOZZOLIO: [Interposing] You

3

don't have to hold that, it will stay on.

4

INTERPRETER: Oh, okay. Okay.

5

MR. SPROUSE (Through Interpreter):

6

Thank you and--thank you--good morning, and thank

7

you very much for letting me testify today. My

8

name is Frank Sprouse, and I am a member of - -

9

in New York, in Long Island. And I am a resident

10

of Brentwood since 2005 when I came from

11

Dominican Republic.

12

MALE VOICE 1: Here's your copy.

13

INTERPRETER: Okay. Oh, thank you.

14

MR. SPROUSE: Last year I join Make the

15

Road New York, an organization that defend the

16

rights of Latino immigrants in low-income

17

communities.

18

We are an organization of working

19

families who work tirelessly to make New York a

20

better place.

21

Last year, I also became a citizen, and

22

was able to participate in November 2011 county

23

elections.

24

It was an honor for me to be part of the

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2

electoral process, as an immigrant, as a Latino,

3

and also as a father of two children.

4

I was so excited to be part of this

5

process that I even volunteer with the Suffolk

6

County Board of Elections helping and orienting

7

fellow voters.

8

I also participate as a volunteer in a

9

campaign led by Make the Road New York and the

10

Long Island Civic Engagement Table to increase

11

the participation of communities of color in

12

Suffolk County elections.

13

I am a citizen just as any other in this

14

county and I abide by my citizenship and pay my

15

taxes as anyone else.

16

So, I don't understand why politicians

17

in Albany want to undermine the power and

18

influence of my vote and the vote of Latino and

19

African-American communities can have in upcoming

20

elections.

21

After having worked with Make the Road

22

New York in the past elections, I was really

23

happy to see that our work influenced and

24

increase voters participation. And that,

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2 finally, after years of anti-immigrants, anti-
3 worker policies, we have a county government that
4 is willing to be accountable to communities of
5 color in Suffolk County.

6 But now, I found out that what LATFOR
7 maps want to do on a state level, specify - -
8 District 3 and 4 in Central Islip and Brentwood,
9 and I realize that our struggle is not over.

10 The power of people of color community
11 lies in their ability to participate in the
12 electoral process.

13 In order to have a full democracy,
14 communities of color need to be part of this
15 process.

16 Our voices need to be heard and our
17 interests need to be taken into account.

18 - - LATFOR maps are clear example of how
19 politicians in office want to abuse the power and
20 take advantage of communities of color to - - the
21 interest over ours. And we are here to stop
22 that. If the interest of the people are damaged
23 to advance the interest of politicians, we have
24 to say no.

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2 It is obvious that this maps want to
3 divide and conquer the Latin and African-American
4 communities of Brentwood and Central Islip by
5 undermining and dissolving our power as an
6 electoral block.

7 We are able--we are today to stop this
8 injustice and to ask Governor Cuomo to - - to the
9 proposed LATFOR maps and assign an independent
10 body that could trace these electoral lines
11 democratically.

12 My children, my community, and all the
13 residents of New York deserve respect and
14 dignity. And we will fight until the end of it.
15 Thanks for your attention. Yes, we can.

16 ASSEMBLY MEMBER MCENENY: [Foreign
17 Language]. Phil Healy.

18 MR. PHIL HEALY, PRESIDENT, BILTMORE
19 SHORES CIVIC ASSOCIATION: How's that? Is it on?
20 All right. My name is Phil Healy. How's that?
21 Okay. We're on.

22 MALE VOICE 1: - - to stand or to sit -
23 -.

24 MR. HEALY: I'm here.

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MALE VOICE 1: - -.

3

MR. HEALY: - - My name is Phil Healy.

4

I'm a resident of Massapequa. I'm the President

5

of the Biltmore Shores Civic Association.

6

Massapequa currently in the 12th Assembly

7

District. I think it's important--

8

SENATOR NOZZOLIO: [Interposing] Just a

9

minute. May I just interrupt you for second?

10

Are you any relation to Former Assemblyman Phil

11

Healy?

12

MR. HEALY: --I want to--yes. Thank

13

you. Thank you.

14

SENATOR NOZZOLIO: I served - - father,

15

brother? Father?

16

MR. HEALY: Correct.

17

SENATOR NOZZOLIO: I served with

18

Assemblyman Healy for a number of years and he

19

was a very fine man. And I just wanted you to

20

know that we in the assembly respected him a

21

great deal.

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MR. HEALY: Definitely threw off my game

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by saying that. I do appreciate you remembering

24

him. And thank you for saying that. I

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appreciate it.

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But on that note, I come here as a civic leader, no political ties as a committeeman or a zone leader or anything. And I think that's important. And I don't want to reiterate what the elected officials said before us about the logistical nightmare or what Frank said so perfectly about creating the political chaos and devaluing democracy by what's the intent of these new districts.

But I think, at the nuts and bolts of it is you've got to understand from our level, the difficulty to keep neighborhoods together and the work we put into it as volunteers. But, what you're doing here is segregating us so we're irrelevant--everybody is irrelevant.

The intent is--I understand the intent of what the committee is trying to do. But, to take us apart--to take anybody apart--whether it's in Central Islip or in Massapequa is destroying our communities. And you really--you really have to--I hope you would put your foot down and say this is unacceptable.

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2 You elected officials know how difficult
3 it is to work. And you have my prepared
4 statement. I don't want to take up any more
5 time.

6 Please feel free to contact me with any
7 of the addresses I gave you.

8 ASSEMBLY MEMBER MCENENY: Thank you, Mr.
9 Healy. We also acknowledge and listed to speak
10 at some point, Tom Donnelly of the Babylon Town
11 Council. Jeffrey Greenfield.

12 MR. JEFFREY GREENFIELD, VICE PRESIDENT
13 OF GOVERNMENT AFFAIR, LYNBROOK CHAMBER OF
14 COMMERCE: Good morning. Good morning, Senators,
15 Assemblymen, and members of the task force. My
16 name is Jeff Greenfield. I'm the real Jeff
17 Greenfield, not the guy on CBS news that uses my
18 name under license.

19 And I'm not--I've appeared before some
20 of the members in Albany on insurance matters and
21 as Chairman of the Nassau County Planning
22 Commission.

23 But, I appear here today in keeping with
24 Tip O'Neill's famous statement, "All politics is

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local." I'm here as Vice President of the

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Lynbrook Chamber of Commerce, Vice President and

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for Government Relations.

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The Lynbrook Chamber of Commerce works

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hand in hand to build a better community with the

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village of Lynbrook. We are the voice. Hold - -

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. In the middle? - -. Okay. Green for

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Greenfield. Okay.

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We worked hand in hand with the village

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of Lynbrook. We are the voice of the business

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community, we are obvious on behalf of our

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members and try to inform the elected and

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appointed officials in the community of positions

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relevant to our business community constituents.

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We have enjoyed a strong working

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relationship with our public officials because

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what is good for the chamber is good for the

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Village of Lynbrook. The prospect of our village

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being split into two legislative districts will

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affect the manner in which we operate and govern.

22

Anything that is going to split our

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village into two districts gives an opportunity

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for matters pertinent to our constituents to

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become convoluted.

The division would affect our applications for state grants and revitalization projects. It would make it more difficult to deal with the state government, not knowing which legislator to turn to. We implore this body to preserve the totality of our village and our community.

The dividing the village would be dividing us and not allowing us to operate with the unity we strive for. Lynbrook's relationship with our current assemblyman, Brian Curran has deep roots. Before he was our assemblyman, he was our mayor. You heard our current mayor tell you that.

He attended all our meetings in his prior capacity and in his current capacity he has a strong personal investment and bond between the community and the Lynbrook Chamber of Commerce.

We have worked with our Senate and assembly legislative representatives - - as well as [audio gap] concerning downtown revitalization for the dilapidated properties under the Long

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2 Island Rail Road under the control of the [audio
3 gap]. However, - - are a 100% complete and a
4 change of the district lines will not allow the
5 same focus of energies to see them through
6 completion.

7 We are concerned that these projects
8 that benefit the Lynbrook community will not have
9 the same level of success implementation. But, I
10 urge this task force to consider the needs of our
11 community over the political drawing of lines.

12 Certainly, no good could come from
13 dissecting a close-knit community and diluting
14 resources. In these tough, turbulent [audio gap]
15 we need a better and stronger communications.
16 And we have to force the--a working relationship
17 with our assemblymen and senators.

18 Having two assemblymen serving the same
19 community can lead to disorientation and
20 confusion. Inadvertent as it may seem, we don't
21 want things to fall through the cracks. And we
22 will not get the same level of attention that
23 we'll get from one voice, one leader, one elected
24 official.

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Please help the Lynbrook Chamber of Commerce continue to serve the community, working hand in hand, building that better community. Thank you very much.

ASSEMBLY MEMBER MCENENY: Thank you. Marcos Maldonado.

MR. MARCOS MALDONADO, CLEAN STREETS COMMITTEE: Dear ladies and gentlemen, of LATFOR, thank you for your time today. I want to start of my time and comments here with the simple statement--

ASSEMBLY MEMBER MCENENY: [Interposing] Excuse me. Please introduce yourself by name and if there's--your representing an organization say so, because this goes into the official record.

MR. MALDONADO: Absolutely. My name is Marcos Maldonado. I'm a resident of Brentwood, New York--lifelong resident. And I come today representing myself as a resident.

So, again, thank you for your time today. And I want to start of my comments here today with a simple statement.

Please keep our communities together.

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Please keep our communities as one voice. And keep our community strong.

You see, I am the future of my community, our country, and our great State of New York. And I would like to stress the importance of keeping our political districts in line with our population and demographic trends.

Over the last ten years, while the majority of Suffolk County was losing people due to a number of reasons, one region continued its phenomenal growth. Bay Shore, Brentwood and Central Islip, today, now account for over 144,000 of the total number of people living in the town of Islip today.

Our community is growing more civically minded every day. And while this is not the beginning, it is most--it most certainly will not be the end of our civic consciousness. We are tired of being cut up into different sections to benefit everyone else but us.

I currently live in a part of Brentwood that is in every way a part of the greater community, the town and the school district. But

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yet, when I have issues--when I need to have

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issues addressed in my community--let's say in

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the Senate--I either have to go to Manhasset,

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which is the seat of the 3rd Senate District or

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Babylon, the seat of the 4th Senate District.

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And while I'm not suggesting that the

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local officials are completely ignoring my

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community, I am stating that it is very, very

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hard for them to pay attention to my community

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when it is cut up so it is a small piece in

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different districts.

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One glaring example, or two, the

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Heartland Mega-project is located in the current

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4th Senate District, while the majority of

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Brentwood is in the 3rd Senate district. That's

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a \$4 billion project that's going on that has to

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be decided, you know, by a lot of people there.

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Also, the Brentwood school district is

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in two separate senate districts, making advocacy

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tough when you have to go to two completely

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different places to advocate for our young youth.

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I'm not necessarily trying to make this

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an issue of should we have a minority district.

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But Brentwood is home to a very diverse population. And we all feel, together, that this is an issue of keeping us together, keeping us stronger, and giving us the tools to help make our community gain greater importance, greater empathy, and a greater voice is the only way to ensure that more young people, like myself, are inclined to stay in Suffolk County and in New York State.

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Bay Shore, Brentwood, and Central Islip contribute greatly to the region and to the entire state. For years, we have shouldered political ambitions, dreams, state mandates, violence, issues with our schools, neighborhoods and every other entity that wants our communities to make a concession for the greater good.

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Again, I'm asking you all today, to do what we, here in our communities have been doing for you all for years. Let's make a concession, let's move forward into the next ten years with a unified community.

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Again, please keep our community together, keep our community as one voice, and

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2 keep our community strong. I want to stay here.

3 Thank you.

4 ASSEMBLY MEMBER MCENENY: Thank you.

5 David Stonehill.

6 MR. DAVID STONEHILL, ESQUIRE, PRESIDENT,

7 DAVID H. STONEHILL PC: My name is David H.

8 Stonehill--

9 ASSEMBLY MEMBER MCENENY: [Interposing]

10 Press the mic--

11 SENATOR NOZZOLIO: [Interposing] You

12 have to hold the button.

13 ASSEMBLY MEMBER MCENENY: And keep your

14 finger on it.

15 MR. STONEHILL: I'll hold on to it.

16 Suffolk County, what can I say? Okay. No, no,

17 no, no. I like Suffolk. All right. Good

18 morning, everyone. My name is David H.

19 Stonehill. This is my third appearance before

20 this committee. I hope that you have enjoyed

21 your visits to Long Island, just as I look

22 forward to my occasional visits to Albany.

23 I'm speaking today because I wished, as

24 an interested citizen, to make some observations

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2 regarding the redistricting process as it now
3 stands.

4 I should begin by noting that your
5 committee has unfortunately neglected to schedule
6 a public meeting in Nassau County. Each Long
7 Island county was provided with a hearing last
8 October, as you may recall, and would have been
9 in the public interest have done so again this
10 time around.

11 Long Island is indeed long. And for
12 many a potential testifier or observer a day
13 trip--a day-time trip to this particular venue,
14 as charming as it may be, may have been out of
15 the question.

16 I personally have the interest and the
17 ability to travel anywhere within this state to
18 attend this kind of a forum, but others lack the
19 means to do so.

20 It is also distressing to learn that no
21 public hearings are contemplated regarding an
22 analysis of the redistricted congressional
23 district lines. We expected to vote for our
24 representatives, yet we have no say regarding who

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2 their constituents should be. Very ironic, I
3 think.

4 I have previously remarked that
5 following the guidelines established by the New
6 York State Constitution, the latest census data
7 compels us to determine that the composition of
8 the state senate should be 62, not 63.

9 I again defer to the superb examinations
10 of this issue by my colleagues, Paul Evans and
11 Todd Breitbart. This issue will have to be
12 resolved by the court system.

13 The continued expenditure of time,
14 effort, and money, by all concerned could have
15 been employed to better purposed had this
16 committee followed the previous practice in
17 determining the senate's number.

18 I will simply note that the addition of
19 a 63rd senator would entail additional office and
20 staff expenses for the state government. This
21 increased expenditure is supported by a political
22 party, which allegedly advocates a smaller and
23 less intrusive government--another irony.

24 The 63rd senate seat would be allocated

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2 Upstate, although the state's population growth
3 is greatest in the downstate area--irony again.

4 However, in my view, a permanent
5 solution to determining the number of state
6 senators would necessitate a state constitutional
7 amendment fixing the number of senators in the
8 same way the assembly is set at 150 members. 60
9 senators is a nice round number and easy to
10 remember. Unfortunately, we still have to get
11 through this round of redistricting.

12 Assuming *arguendo* for the purposes of
13 this testimony that the new redistricted senate
14 should have 63 senators, the way the legislative
15 lines have been drawn presents us with perfect
16 examples of gerrymandering, and why the
17 redistricting process needs thoughtful, unbiased,
18 and independent input.

19 Influential newspapers, such as the *New*
20 *York Times*, *Newsday*, and the *Albany Times Union*
21 have all denounced extreme gerrymandering and
22 have provided relevant examples from around the
23 state.

24 There will certainly be much testimony

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2 today regarding Long Island and how the new
3 senate districts ignore communities' and minority
4 needs.

5 Both Nassau and Suffolk counties have
6 potential majority minority areas, which if drawn
7 into a state senate district or two, would
8 further the goal of increased democratic
9 participation in the political process.

10 Ultimately, more ever--moreover, an
11 attempt to preserve the past political
12 arrangement in Long Island will fail, due to
13 demographics. New York State, even Long Island,
14 is becoming more multi-ethnic and multi-cultural.

15 We cannot recreate the Long Island of
16 1960, even if we wanted to. That is why the
17 proposed senate lines do not make any sense.
18 They represent a vanished projection of what Long
19 Island was.

20 The major problem involved with the
21 proposed senate districts, is that they fit in
22 with the low public perception of government and
23 its competency.

24 There is the appearance of cynical

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2 political manipulation of the process in order to
3 perpetuate power. The shape of many of these
4 gerrymandered districts invokes amusement,
5 because they do not seem rational.

6 This may not be the committee's actual
7 intent, but it certainly seems that way to the
8 general public. Don't believe me? Try some
9 polling of average informed citizens.

10 My suggestion to this committee is to
11 appeal to your enlightened self-interest. Please
12 carefully review these lines, and make the
13 changes you are certain to be informed about
14 today. Let's avoid a veto by the governor, and
15 more litigation.

16 New York State deserves a redistricting
17 process better than this. Thank you for giving
18 me the opportunity to speak today.

19 ASSEMBLY MEMBER MCENENY: Thank you.

20 SENATOR NOZZOLIO: - - .

21 ASSEMBLY MEMBER MCENENY: Yeah. Steve.
22 Steve Labriola, Oyster Bay Town Clerk.

23 MR. STEVE LABRIOLA, TOWN CLERK, OYSTER
24 BAY: Thank you, members of the task force, for

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2 giving me the opportunity to be heard on your
3 proposed plan to reapportion the assembly and the
4 senate district.

5 So, I'm here specifically to speak about
6 the proposed plan for the 12th Assembly District.
7 As some of you may know, I had represented the
8 12th Assembly District for four elections, and
9 served with some of you on this board. And so, I
10 certainly do understand and appreciate the very
11 difficult task that you have before you.

12 And it is my hope that the comments that
13 you're hearing throughout New York State are
14 being, are being taken extremely seriously and
15 being taken into that back room. And I hope that
16 it will not be, ultimately, three men in a room.
17 And I hope that you will take into consideration
18 the concerns from my community and the town of
19 Oyster Bay.

20 In particular, you're hearing from many
21 people today from the Massapeguas, a community
22 that I represented in Albany. And was very proud
23 to represent a district that for everyone who
24 could see this, it is a picture--what I believe

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the definition of what a compact district is supposed to look like--that keeps communities together with commonality, same interests, geographically, politically, our schools, our villages, our town, even our county. All represented in this one beautiful district.

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And now, I see the proposal, in my hand here today, and I really do hope that this is just what you would call the battle lines being drawn and that it will change substantially, and hopefully, to revert to something very similar to this.

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Because this--I guess I could poke a little fun at it--I looked at the *Newsday* editorial today and the headline was time to be mad and vocal. And although I'm not so sure that I'm mad, and I know that--how this process will play out. I think, ultimately, if these lines are drawn, there are going to be a lot of people that will be mad.

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But I do think that, as far as time is concerned, we are out of time. And we're running perilously close to a deadline that's been

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imposed upon us.

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And when I looked in the *Newsday* article, they talk about this looking like a Rorschach Blot. So, I decided to take *Newsday's* test. And I took the district and I looked at and stared at it, tried to come up with something--something relevant that it means. And then, when I turned it upside down, it strangely reminds me of that character ET, who only wanted to phone home.

And I think if this district were to be adopted as it is proposed, many of us will not have a home, geographically and representatively, that would be represented in the New York State Assembly, because our interests will be too diverse to be represented by one member of the state assembly.

And I think there is where the danger lies in adopting something like this. Now, I think the public has come to expect a certain amount of one-upmanship between the parties that are drawing these lines. Think that a certain amount of it is acceptable.

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But when you're doing things like this, I think that gets people angry. And I think it divides communities. And I think it causes a lack of--for this institution, that I hold personally in the highest--in the highest esteem for what you do.

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And so, I hope that this is really just the first step and that you will come back to a district that more closely represents this, where my friend and colleague, Assembly Saladino does a fine job in representing the suburban interests of Southeastern Nassau County. And I hope that it remains that way.

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Thank you very much for your time and attention.

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ASSEMBLY MEMBER MCENENY: Thank you.

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SENATOR NOZZOLIO: Very good to see you again, thank you.

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ASSEMBLY MEMBER MCENENY: Ken Daly.

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MR. KEN DALY, RESIDENT, SUFFOLK COUNTY:

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Good morning. My name is Ken Daly. I'm here representing myself as a resident of Suffolk County.

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2 It's the first time I've felt compelled
3 to come and testify at any hearing on any
4 subject. This one here hits home because Senator
5 LaValle is our current senator. And I wanted to
6 come and shed a little light on this that these
7 aren't just lines on a piece of paper to the
8 communities. They're people.

9 In a time where, you know, most regular
10 guys feel, kind of, disenchanted and
11 disenfranchised, Senator LaValle has gone out of
12 his way to be part of our community and to
13 represent us as a member of the community serving
14 in Albany. Not as someone serving in Albany, but
15 as a member of a community serving in Albany.
16 It's important I make that distinction.

17 I wanted to tell a personal story from a
18 different angle. So when you guys are looking at
19 this--ladies and gentlemen, are looking at this--
20 there will be more of a personal touch, I hope.

21 I run a business on Long Island for 30
22 years. We have health insurance and everyone
23 knows the pitfalls of that. We had a situation
24 recently where our health carrier decided to

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cancel us. They weren't really allowed to, and,

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you know, we were a little guy fighting a big

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guy.

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And as a last resort I called Ken

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LaValle's office. Not only did he fight on our

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behalf, he copied us on the emails, he let us--

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his staff let us know every day what--that, you

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know, they were working on this, that it was a

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really important thing for him that the 62 souls

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that are insured by this policy were taken care

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of.

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So, I wanted to come here to today and

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be brief, and just tell you that to a regular

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working class guy in the community, I don't

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pretend to understand the politics and the

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reasons why these redistrict things need to

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happen.

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But, I do understand one thing, in all

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the years I've been in business, and all the

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years I've worked in Suffolk County, it's really

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important to have a personal touch and to have a

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community attached to these districts.

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And I just wanted to make that statement

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here today. And I appreciate you hearing me.

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Thank you.

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ASSEMBLY MEMBER MCENENY: Thank you.

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SENATOR NOZZOLIO: Thank you very much.

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ASSEMBLY MEMBER MCENENY: Charles

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Gucciardo.

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MR. CHARLES GUCCIARDO: Good morning.

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My name is Charles Gucciardo. I live in

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Massapequa. I've been a resident of Massapequa,

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I guess, for the past 42 years or so. We moved

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there when I was about 12.

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Listen, we have a lot of people and I

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have a lot of friends in Massapequa. We have a

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lot of people that respect our government and the

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way it's working, and we want to, you know, first

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thank you for all of your consideration, whatever

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you do.

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However, we take a look at--and we look

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at what's going on with this. And I just had to

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come here today to just make a statement. And

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so, I'm not going to be long. But I do with that

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you'd take this to the bank, so to speak, when

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you go back there and try to make your decisions.

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You know, there's a certain pride that we have as Massapequans. Now, you can say that's a selfish motive or not, but the truth of the matter is, is that the people in Massapequa-- whether it's North Massapequa or South Massapequa, East Massapequa or Central Massapequa--all have this certain pride when we say that we're from Massapequa.

Why is that? Because the community that we live in is cohesive, and even the people from north of the track, south of the tracks or wherever they are, are all of the same opinions when it comes down to how we want to be governed.

Now, I know people from all over Massapequa. Living there for so long, you just can't help it. And the truth of the matter is that we have common interests. Whether it be our taxes, our library service, the water, the sewer, law enforcement--we have a great police force that takes care of us. We have great fire departments that take care of us. Our library is second to none. And I really give the people of the government credit for putting all that

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2 together and keeping it that way.

3 But, we need to be able to run to the
4 same individuals, the same people that we have in
5 the past when we need things.

6 Now, I understand--and I don't know much
7 about this--and I promise you that I don't have
8 the wisdom to tell you how to do these things. I
9 give--my hat is off to all of you who can figure
10 out how to run this government. I don't have
11 that capacity.

12 But, I do know that in Massapequa Park
13 where I original came from 42 years ago--where my
14 father still lives and my sister still lives, and
15 most of my friends also live--that we don't need
16 to have, if you will, to have our government in
17 Massapequa Park split up. And that's one of the
18 things that's going to happen here.

19 I don't know how that makes things
20 easier. All I know about government is is that
21 it's become very, very complex. And the needs of
22 people to voice their opinion to get it done,
23 through the people that they elect is getting
24 more and more complex. And it makes it harder

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2 for us to understand where we're going.

3 Listen, I feel bad for my children who
4 are now 15, 12, and 10--where they're going in
5 this community. How you going to be able to
6 afford to live the way we live? To have the
7 dream that my father had for me to be here, for
8 me to have the same for my child--my children.

9 Now what does that have to do with
10 anything? Let me tell you. If we can't have the
11 people who are taking care of our politics, and
12 the people who we elect, that we can get to and
13 know where we're going with this, then it's going
14 to make it that much more difficult for us to
15 stay here. You know, more and more people are
16 moving out of Long Island. More and more people
17 are moving out of New York State. We can't have
18 this. I don't know what's going to happen in the
19 future, but it doesn't look good to me. So most
20 respectfully, I ask you to take all of this into
21 consideration. Once you divide this, once you
22 put all of this in different divide, you're
23 taking the cohesiveness of a community, and
24 you're destroying it. Most respectfully to all

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of you, when you do this, if the needs of the

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Massapequans are united, and they are, our water

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ways, the difference between the North Shore and

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the South Shore, people that live here, that use

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our water ways, our beaches, the whole nine

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yards, if all of that becomes mashed in with

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somebody from the North Shore, or the communities

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form the North Shore, there is different

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environmental concerns. There are different

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neighborhood concerns. There is different

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traffic concerns. I heard something here

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earlier, that it takes 25 minutes, you have to go

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25 miles, took an hour and 10 minutes or so to

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get from the South Shore to the North Shore.

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That's absolutely true. And I do appreciate, and

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I love Upstate New York. It's a whole different

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ball game up there. It really is beautiful. And

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you can have, and you need the people of

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different districts and different counties in

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order to be, you know, to have the requisite

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votes. However, down here, this place has gone

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from, Massapequa has gone from when I first moved

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out there, where a lot of the land was still

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2 swamp and being filled in, to a major concern.
3 This, Massapequa is just a major concern in the
4 state of New York. And I've got to tell you
5 something. I'm very proud of the leaders that we
6 have and what they're doing. But in any event,
7 listen, I don't want to take up anymore of your
8 time. I speak for the people that I know. I
9 know a lot of people in Massapequa. I can't help
10 it. I've been there for a long time. The needs
11 of the people are similar. Our desires to be
12 represented are similar. There is no reason to
13 chop this thing up. And with, from the bottom of
14 my heart I ask you most respectfully to consider
15 that everyone that I know from Massapequa is of
16 the same opinion that I am. And I don't
17 represent anybody, but I can tell you what their
18 concerns are. I thank you very much for the
19 opportunity to speak, and I wish you, really, the
20 best of luck in this endeavor. I'm glad I'm not
21 you.

22 ASSEMBLY MEMBER JOHN J. MCENENY, CO-
23 CHAIR, NYS LEGISLATIVE TASK FORCE ON DEMOGRAPHIC
24 RESEARCH AND REAPPORTIONMENT: Thank you.

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1

2

MALE VOICE: Thank you very much.

3

ASSEMBLY MEMBER MCENENY: Robert

4

Summerville [phonetic], Robert Summerville,

5

Violet Smith.

6

MS. VIOLET SMITH: - - hello.

7

MALE VOICE: - - the button. Make sure

8

- - . There you are.

9

MALE VOICE: And hold it.

10

MALE VOICE: Hold it.

11

MS. SMITH: Hello.

12

MALE VOICE: - - hold it.

13

MS. SMITH: Oh, I got it. Okay, good

14

morning everybody. My name is Violet Smith. I

15

am a resident of Brentwood. I've been living in

16

Brentwood for over 20 years. I don't see myself

17

as a, don't laugh; but I don't see myself as a

18

black person, a minority. I see myself, you

19

know, as a resident of Brentwood. That being

20

said, I do believe that, you know, our Senators

21

and our representative are listening to us, not

22

as a Black person, or as a minority person, as a

23

Hispanic person, but as a Long Island resident, a

24

Brentwood, whether it's Brentwood, Bay Shore or

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1

2

CI, it really doesn't matter. I have never been

3

to any of these offices where they identified me

4

as this label that, I really feel that, you know,

5

this has become a racial issue. They are making

6

it a racial issue. As, when I think that, you

7

know, it's, it's a community issue. It's a, it's

8

issues that we are all concerned about, whether

9

we are black, whether we are white or Hispanic,

10

the issues really are the, you know, the job in

11

the community. The issues are our schools. The

12

issues are our, you know, taxes, quality of life.

13

It's not a racial issue. It's a Long Island

14

issue. So our Senators have been fighting, you

15

know what I mean, for the same issues without

16

separating, you know, Hispanic, White or Black,

17

all right. And also, there is an assumption

18

that, you know, Black and African American and

19

Hispanic, you know, when it comes to voting, that

20

we all vote for the same thing. As a minority

21

person, you know, as a African American, you

22

know, woman, I think, you know, that is not as

23

true as they want us to believe. We can see the

24

example in the election in 2008, where the

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1

2

majority of Hispanic vote went to Senator, you

3

know, Clinton, and the majority of African

4

American vote went to former Senator, current

5

President Obama. So I don't want to make this,

6

you know, I don't agree for this to be a racial

7

issue. I don't want to be divided. We have

8

fought, you know, in our society, you know, for

9

so long, for, for the unity, for our community to

10

be one voice, okay, that being, you know, African

11

American, Hispanic or White. Now I feel that,

12

you know, I mean the, we, we want, they're going

13

to separate us like, you know, I mean, okay,

14

like, go back, you know, I mean, to being the

15

little group, Hispanic and Black, rather than

16

being a full community of Long Island. It's

17

about Long Island. It's not really about, you

18

know, our race. And I don't agree with it, okay.

19

So I would like, you know, I mean, to support the

20

non-division of this, you know, I mean, of our

21

community. I do not want our community to, to,

22

to divide. I don't want to be seen like, you

23

know, I mean, the, oh this is the minority group.

24

This is the Hispanic group. Oh this is the

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1

2

quote, unquote, White group, okay. I don't want

3

that. We are one community no matter what our

4

race is okay. Let's make our Senators,

5

Assemblymen, all our elected officials

6

accountable, okay. Let them, you know, I mean,

7

hear all our voices, not just like, you know, I

8

mean, oh, okay, so you don't listen to us. We'll

9

make our little own group. That's again separate

10

us again. I don't want to be separated. My

11

community doesn't want to be separated. We want

12

to be one voice. And we want whether we

13

represent by our, somebody of our race, or

14

somebody, or which, regardless of race, we want

15

to be heard for who we are, the person, the

16

resident we are, mother, okay, or a teacher,

17

whoever, a father, you know, a coach, you know,

18

that work with our kids. I, I've been coaching

19

in the community of Brentwood, you know, I mean,

20

for the soccer club for 17 years, okay. And I've

21

seen it all, you know, whether they are White,

22

Hispanic, or Black, we all have one problem, the

23

concern for our kids' education, the concern for

24

our kids' future, okay. And I have, I have

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1

2 coaches that are, you know Caucasian. I have
3 coaches that are Black, that are African
4 American. I have coaches that are Hispanic. And
5 we all have one concern. Let's make our elected
6 officials accountable for all of us. Don't
7 separate us. That's what I would like to say on
8 behalf of my community, Brentwood and a Long
9 Island resident. And as what they would call an
10 African American woman, okay, thank you very much
11 for the time.

12 ASSEMBLY MEMBER MCENENY: Thank you.

13 MALE VOICE: Thank you very much.

14 ASSEMBLY MEMBER MCENENY: Gil
15 Bernadino.

16 MR. GIL BERNADINO: Good morning, oh,
17 okay, my name is Gil Bernadino. I am the founder
18 and the Secretary Director of - - , a non-profit
19 organization established over 30 years ago with
20 offices in Long Beach and Hampstead. Our
21 organization offers the community over 20
22 different programs, including educational
23 programs, domestic violence services, HIV/AIDS
24 and health programs, - - services and youth

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2 services. These programs reach many thousands of
3 residents from National County, including
4 Hispanics, as well as non-Hispanics. In 2010 our
5 organization celebrated the opening of a center,
6 a green facility of over 33 thousand square feet.
7 This facility, built in Hampstead, is the first
8 facility of its kind in the United States, and
9 the first community based organization to have
10 achieved gold status for this lead facility. In
11 addition, three years ago, our organization
12 sponsored - - Charter School, offering public
13 school, serving elementary school children
14 English - - to five. This center helps hundreds
15 of national - - Hispanics and non-Hispanics as
16 well, youth and adults every year. So now that
17 you know something important about what I do, and
18 the organization I represent, I want to tell you
19 why I'm here. It happens that the organization
20 was established over 30 years ago in the ninth,
21 New York State Senatorial District. This
22 district has selected our current New York State
23 minority leader, Dean G. Skelos, as a Senator for
24 more than 25 years. Within all these years,

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1

2

Senator Skelos has supported programs and

3

projects that have benefited, have helped the

4

National County Hispanic community, as well all

5

Long Island communities. The center I just

6

mentioned began with a seed grant of \$1.5

7

Million, from Senator Skelos. This happened over

8

15 years ago where Hispanic cultures, needs and

9

aspirations were not popular, and we did not

10

count as Hispanics in Long Island, for Long

11

Island community leaders. We Hispanics were not

12

invited to the table at all for anything. We

13

simply did not count. Senator Skelos, by his

14

actions to support Hispanic cultures many years

15

ago, when it was not popular to do so, took a

16

political risk by providing support for the, to

17

the National County Hispanic community needs.

18

Senator Skelos actions to support our center, as

19

well as other Hispanic causes, will impact

20

hundreds of individuals and families - - for many

21

generations to come. In my experience, I know of

22

no other elected official in National County,

23

that has supported Hispanic causes for so many

24

years in so many ways. His leadership has been

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2 important to our community, and for this reason,
3 I support Senator Skelos and LATFOR proposal,
4 Senate, Estate Senate decision for Long Island.
5 Thank you for your attention.

6 MALE VOICE: Thank you.

7 ASSEMBLY MEMBER MCENENY: Thank you very
8 much, Manny Vidal Junior.

9 MR. MANNY VIDAL JR: Hello, my name is
10 Manuel Vidal. I'm a Bay Shore resident. I'm
11 here to testify in support of the proposed state
12 senate district, redistricting lines. My review
13 doesn't show much of a change for my district.
14 I'm between the third and the fourth. My current
15 Senator is Owen Johnson. Without no question,
16 he's always been around to hear our problems, to
17 pay attention to us, and each and every one
18 person in the community and stuff. It's always
19 easy to get in touch with him. He's not, he's
20 no, he's been great with us, really. Also,
21 standing witness to Owen Johnson, and the lines
22 that they, the way they are, we have Owen Johnson
23 and Lee Zeldin. They are both very community
24 oriented. We have two people to go to when we

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1

2

need somebody. The lines don't really change so

3

I really feel that the change won't be that major

4

to us. And I'm short and sweet and I really

5

appreciate it. Thank you very much.

6

ASSEMBLY MEMBER MCENENY: Thank you,

7

Bessie Ortega.

8

MS. BESSIE ORTEGA: Having my little one

9

here, you know I'm very happy that I'm up next.

10

I only had so many Cheerios. My name is Bessie

11

Via [phonetic] Nueva [phonetic], and I am a

12

resident of North Bay Shore, and I have, I am a

13

homeowner, and I am representing myself, and I

14

have been a resident in the community for about,

15

I would say a little over 23 years I've owned my

16

home there. And I also, at the beginning of my

17

career, worked for a non-profit organization that

18

served both third and fourth district. And I do

19

understand that there is talk currently of

20

changing the current lines to, redrawing the

21

lines, and I have come to testify that I am

22

against redrawing the lines. I have seen out of

23

my whole time that I have been living in North

24

Bay Shore, I have seen the growth, and I have

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1

2

seen the, both senate offices give to the

3

community and hear the community concerns. Back

4

then when I did work as a non-profit

5

organization, they were very much involved in

6

community needs. And as you all know, both

7

Brentwood, North Bay Shore, and Central Islip,

8

those are high need communities, and they were

9

there. They were there listening to our

10

responses and providing services as needed, and

11

supporting local non-profit organization. The

12

non-profit organizations that are located in

13

those areas are very grass root organizations.

14

They are not, they don't have those big bucks to

15

pay those lobbyists to go to Albany. They are

16

very grass roots. They solely depend on the

17

voice of the people in the community, and the

18

senators and political representatives that serve

19

the communities. Now, as a mom at home, my

20

biggest concern, as another mom spoke before form

21

Brentwood, is my school district, is my

22

neighborhood, is my community where my children

23

grow and we live in. And I have to say that I do

24

not feel as a mom that I am not heard. When I do

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2

call the offices and I have questions about some

3

of the things I'm hearing or things that are

4

going on, I do feel that I'm represented. I do

5

see the benefit of having two offices involved,

6

because when it comes to pooling funds for

7

community projects, such as the wastelands that

8

they recently invested monies in, across from

9

Suffolk Community College, which is now a soccer

10

field, which is a safe soccer field, which at one

11

point was like an illegal soccer field, people

12

were just going there, now it's fenced in; it's

13

clear; it's an area where families who enjoy the

14

sport can go to. And that was done possible by

15

offices pooling money together, two offices. It

16

was simple. There was good communication. It

17

was done. That's what I want to see in my

18

neighborhood, I want to continue to see. I feel

19

that if we are redistricting, I am afraid that we

20

are going to lose a voice. As a Hispanic woman,

21

I do not feel that I am under-represented in any

22

shape, way or form. I feel that my kids are

23

represented. I do, as another mom said, I do not

24

feel that this is a racial issue. I, my children

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1
2 in the school districts, they do not feel that
3 they are segregated or mistreated in any shape,
4 way or form. The lines should stay as they are.
5 There is nothing wrong with them. If it isn't
6 broke, don't fix it. Thank you for your time.

7 ASSEMBLY MEMBER MCENENY: Thank you, Dr.
8 Andrew Beveridge. Good afternoon.

9 DR. ANDREW BEVERIDGE: Good afternoon,
10 my name is Andrew Beveridge. I live in Yonkers,
11 and I'm a professor of Sociology Queens College,
12 and the Graduate Center of CUNY. I'm also a
13 President and Co-founder of Social Explorer,
14 which supplies data to a large range of clients
15 through a web-based service. Since the early
16 1990s, I've been involved in redistricting in New
17 York State. In 1993, I assisted in drawing the
18 plans for the Yonkers City Council. In 2003 I
19 assisted with the new plan for the Yonkers City
20 Council. This year I helped draw the plans for
21 the Westchester County Board of Legislators and
22 the New York - - City Council. I've also been
23 involved in redistricting litigation. I was an
24 expert witness, the successful suit against the

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1 town of Hampstead, which resulted in drawing
2 districts for the first time. I was an expert in
3 the challenge to the current state senate lines,
4 2002 to 2004. I was an expert witness in the
5 successful litigation against - - in 2003/2004,
6 and against the village of Port Chester in 2009.
7 I testified in a case involving the Suffolk
8 County Board of Legislators in 2002, and assisted
9 in redistricting Nassau County in 2003. I was
10 also involved in the 2011 federal court challenge
11 to the proposed district lines Nassau County, now
12 suspended by a state court ruling. Today I rise
13 to analyze the proposed state senate plan from a
14 voting rights perspective. I've compared the
15 plan to the current lines, which were adopted in
16 2002, and updated the demographic information to
17 use current data. I also compare the proposed
18 plan to that proposed by common cause, to that
19 proposed by the so-called Unity Group, and to
20 another plan crafted by Todd Breitbart
21 [phonetic], who gained expertise in redistricting
22 while working for the State Senate Majority for
23 many years before he retired. I should note all
24

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1
2 of the block assignments of these plans are
3 publicly available, but if you have trouble
4 getting them, we can, I'm certain we can
5 facilitate that.

6 MALE VOICE: Excuse me, I thought I
7 heard you indicate that Mr. Breitbart worked for
8 the Senate Majority.

9 DR. BEVERIDGE: Minority, for many years
10 before he, he retired. It said minor-, I said
11 minority. At the White Plains hearing, I called
12 upon - - 40s, citizens of voting age population,
13 rather than voting age population, for all their
14 calculations with respect to the Voting Rights
15 Act for this round of redistricting. Despite the
16 fact that using voting age population plainly
17 includes many people who cannot legally vote, as
18 many as two-thirds in some cases, LATFOR and
19 majorities of both houses have apparently
20 continued to use VAP, event though C-VAP, the
21 Citizen of Voting Age Population was adopted in
22 the last round of litigation about the state
23 senate plan itself, as well as by federal courts
24 reviewing plans for - - , Porchester and Suffolk

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1
2 County. When one uses a standard based upon C-
3 VAP, where a minority group is in the majority,
4 often considered a minimal standard for showing
5 that a district has an effective majority,
6 effective majority of a minority group the
7 results are very telling. First, with respect to
8 non-Hispanic African Americans, or black
9 population, all five plans analyzed, create seven
10 districts with an effective majority. However,
11 when one uses C-VAP to examine the number of
12 Hispanic districts with an effective majority,
13 the plans vary greatly. The proposed plan has
14 two Hispanic districts both in the Bronx. The
15 third plan has two Hispanic districts both in the
16 Bronx. The Common Cause Plan has three Hispanic
17 districts, two in the Bronx, and one in Queens.
18 The Unity Plan has three Hispanic districts in
19 the Bronx, and the Breitbart [phonetic] Plan has
20 two Hispanic districts, using the 2005 to 2009
21 ACS C-VAP, but has five using the more up to date
22 2006 to 2010 C-VAP data. Plainly this
23 demonstrates that an array of plans exist that
24 goes much further towards protecting Hispanic

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2 minority voting rights, than the proposed Senate
3 plan. And I haven't yet had time since the plans
4 were released very recently, to analyze the
5 Assembly Plan. It's now clear why those
6 proposing the Senate Plan have chosen to confuse
7 matters by not using the appropriate standard.
8 When one looks at the potential for coalition
9 districts between African Americans and
10 Hispanics, the proposed Senate Plan has one such
11 district, as does the current plan. The Common
12 Pause Plan creates two such districts, one of
13 which is in Nassau. The Breitbart Plan creates
14 four such districts, including one in Nassau, and
15 one in Westchester County. I understand that
16 there has been an assertion that there is no
17 evidence of coalition between Hispanics and
18 African Americans in Long Island or Nassau
19 County, so therefore such a plan should not be
20 drawn. However, working on the litigation
21 regarding the Nassau Board of Legislators, there
22 was ample evidence--

23 MALE VOICE: [Interposing] - - .

24 DR. BEVERIDGE: Yes, I'll be done in

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2 about one minute, or less, that Blacks and
3 Latinos who live near one another vote together.
4 That was further demonstrated that when African
5 Americans and Latinos together helped cause the
6 defeat of an incumbent member of the Nassau
7 Board. In sum, the current proposal does much to
8 diminish the voting power of Hispanics, as well
9 as Hispanics and Blacks living near one another.
10 In short, it is depriving these groups of their
11 rights. I expect that the plan eventually, that
12 eventually goes into effect will not engage in
13 these blatant denials of rights. Instead, the
14 plan the eventually comes into effect will be the
15 result of a veto by the governor and, or a - -
16 that will not trample on the voting rights of
17 minorities. And I have appended to the data of
18 my analysis of all five plans. Thank you very
19 much.

20 ASSEMBLY MEMBER MCENENY: Thank you very
21 much. Alisha--

22 MALE VOICE: [Interposing] I think I
23 have a question.

24 ASSEMBLY MEMBER MCENENY: Oh, I'm sorry.

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Sir, Senator Dilan has a question.

3

4

5

6

SENATOR MARTIN MALAVE DILAN: Yeah, you mentioned that you were involved in the Nassau plan. Can you very quickly explain to me what happened there?

7

8

9

10

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21

DR. BEVERIDGE: Well what happened in the Nassau situation was that we had filed a federal case on voting rights, and there was also a case going on with respect to whether or not they'd violated the charter the way they'd draw the lines. And eventually the Court of Appeals, the highest court in the state, ruled that they had, and so they kept the current lines in place. So the case is currently suspended, and if the, if the law, you know, if, depending on how they ultimately draw the lines, it may come back into, into play. And one legislator who actually would, was representing this kind of mixed district lost and was replaced by a person who actually is of mixed, minority descent.

22

23

24

MR. WELQUIS LOPEZ, NYS LEGISLATIVE TASK FORCE ON DEMOGRAPHIC RESEARCH AND REAPPORTIONMENT: Let me ask you a question, - -

1

2

?

3

DR. BEVERIDGE: I think it's three.

4

It's the one over by--

5

MR. LOPEZ: [Interposing] - - .

6

DR. BEVERIDGE: Yeah.

7

MR. LOPEZ: - - voting - - have a

8

statistic about that right.

9

DR. BEVERIDGE: Well, the, the expert in

10

the case who did the voting rights analysis,

11

which is Michael McDonald, who is at CUNY - - who

12

actually also did the voting, the voting analysis

13

in the case, the original Goosby case, the case

14

that forced Hampstead to withdraw the lines, and

15

then, so he did the analysis, and yes that is

16

what we found. And the second point is that

17

Robert Smith, who worked on what are called the

18

Senate Factors in that case is a prior award

19

winning, wrote an award-winning book on Hispanic

20

immigrants in the New York Metro area, also found

21

that based on his work on the ground. So in

22

fact, in areas where Hispanics and African

23

Americans are nearby one another, they do in fact

24

vote together. So the idea that there is not an

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2

ability for coalition reform is wrong.

3

MR. LOPEZ: I understand what you're

4

saying; but you're saying that in that district

5

Hispanic voted. And that district, if I'm not

6

mistaken, is very Caribbean.

7

DR. BEVERIDGE: It's Caribbean and

8

Hispanic.

9

MR. LOPEZ: Right, so you have

10

statistics that show--

11

DR. BEVERIDGE: [Interposing] Yeah, we

12

do have those--

13

MR. LOPEZ: [Interposing] Can you

14

provide me the statistic?

15

DR. BEVERIDGE: I don't have them.

16

Robert, we can get them for you.

17

MR. LOPEZ: Thank you.

18

DR. BEVERIDGE: Okay.

19

SENATOR MICHAEL F. NOZZOLIO, CO-CHAIR,

20

NYS LEGISLATIVE TASK FORCE ON DEMOGRAPHIC

21

RESEARCH AND REAPPORTIONAMENT: Senator Dilan

22

still has the floor.

23

SENATOR DILAN: Thank you very much.

24

Basically, with respect t your testimony, and

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2 with respect to the product that this commission
3 has come out with so far, is there an opportunity
4 here in Suffolk County or in Nassau County for
5 either Latinos or, or Blacks to possibly elect a
6 candidate of their choice?

7 DR. BEVERIDGE: Not at this point, and
8 there could be, nor is there a coalitional
9 district in Nassau Suffolk. But from the
10 Breitbart Plan and the Common Cause Plan, the
11 Unity Plan didn't, the Unity Group did not go
12 outside of the city limits of New York City, but
13 both the Breitbart Plan and the Unity Plan do in
14 fact draw such a coalitional district in Nassau
15 Suffolk.

16 SENATOR DILAN: That's either respect to
17 the assembly or--

18 DR. BEVERIDGE: [Interposing] Senate.

19 SENATOR DILAN: --the Senate.

20 DR. BEVERIDGE: Actually, so far, all
21 we've done is, all I've been able to analyze is
22 the Senate. So this, these are all about the
23 Senate. There are, there is a Common Cause Plan
24 and a Unity Plan for, and I believe the Common

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2 Cause people are here. So they're going to
3 discuss their plan. They have a plan for the
4 Assembly, the Senate and Congress, and I think
5 Unity does as well. I haven't had the chance
6 really to analyze those plans. But I, you know,
7 I'm planning to.

8 SENATOR DILAN: Okay, thank you.

9 MS. DEBRA LEVINE, CO-EXECUTIVE DIRECTOR,
10 NYS LEGISLATIVE TASK FORCE ON DEMOGRAPHIC
11 RESEARCH AND REAPPORTIONMENT: - - .

12 MALE VOICE: Okay.

13 ASSEMBLY MEMBER MCENENY: Thank you,
14 Alicia Figares [phonetic], Figares, Alicia
15 Figares, Leah Jefferson, Leah Jefferson, Roderick
16 A. Pearson.

17 PASTOR RODERICK A. PEARSON: Good
18 afternoon, my name is Pastor Roderick A. Pearson.
19 I am President of the Islip Town NAACP, and a
20 resident of the town of Islip. Members of the
21 Legislative Task Force of Reapportionment, I
22 would thank you, would like to thank you for the
23 opportunity to address you, and some concerns
24 which are echoing throughout the Black and

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1
2 Hispanic community, and communities of color in
3 reference to the proposed lines which have been
4 drawn thus far. Our community has become
5 educated and more engaged in this process of
6 redistricting and reapportionment, so much so
7 that we are, that we vehemently reject the
8 proposed lines and ask Governor Cuomo to vote, to
9 veto these lines and demand from you a fairer and
10 a just proposal that give all people,
11 particularly communities of common interest, a
12 more equal voice, and more equal representation.
13 The proposed maps for the fourth and third senate
14 legislative districts, do not afford Blacks and
15 Hispanics fair and equitable representation. The
16 large and growing African American and Latino
17 population in Nassau and Suffolk are consecrated,
18 are concentrated in the same villages and
19 hamlets. Districts' boundaries that divide one
20 group, diluting its voting power, divide both.
21 The African American and Latino communities have
22 been systematically split each time the senate
23 district boundaries have been redrawn after the
24 census. Today we draw the line against the

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2 gerrymandering of our communities, particularly
3 in Brentwood, Central Islip, Bay Shore, Wine
4 Dance and Wheatley Heights. The efforts to
5 dilute and disenfranchise Black and Latino
6 voters' needs needs to cease and it needs to
7 cease now. February is the month that America
8 celebrates Black history. While our story has
9 much to celebrate, it is also filled with painful
10 lessons, and at times, dreadful sacrifices of
11 many who gave their lives for the price of
12 freedom. Today we are still facing forces who
13 seek to oppress us and take away our voice. The
14 New York Senate proposed district, redistricting
15 plan is another example of the pain and struggle
16 we still face. Slavery demoralized us and kept
17 us divided and powerless. While most laws
18 prohibit slavery, except for the punishment for a
19 crime in the 13th Amendment, which means that the
20 prison industrial system is modern day slavery
21 geared towards keeping us in chains.

22 [Applause]

23 PASTOR PEARSON: Don't, don't mess with
24 my five minutes.

1

2

[Laughter]

3

PASTOR PEARSON: Then there is the

4

system of gerrymandering, which keeps us divided

5

and takes away our voice politically, giving a

6

particular party an unfair advantage over

7

another. This impacts the reallocation of

8

resources for infrastructure, education, health

9

care, and much more for our communities.

10

Redistricting is supposed to draw voting lines so

11

that each community will have fair and equal

12

representation. The reality is that lines get

13

drawn to favor incumbent elected officials, and

14

weaken the voting powers of minorities. As for

15

the Black and Hispanic communities in Islip, our

16

voting base is split both within, and between the

17

third and fourth New York State senatorial

18

districts, thus weakening our vote.

19

Gerrymandering is not new. It has been around

20

since biblical days when Moses warned the people

21

of Israel as they reached the Promised Land that

22

they shouldn't cheat their neighbors by moving

23

the landmarks to give themselves more land and

24

their neighbors less. Solomon wrote in the book

1 Demographic Research and Reapportionment, 2-9-2012

2 of Proverbs 22 and 28, remove not the ancient
3 landmarks, which thy fathers have set. The
4 proposed voting lines split Central Islip,
5 Brentwood and North Bay Shore, and therefore give
6 us an unfair disadvantage. We propose that the
7 lines should be redrawn to give these communities
8 of color, along with Wine Dance and Wheatley
9 Heights, a greater collective voting power.
10 Thank God for the Voting Rights Act, which has
11 changed the political climate, particularly in
12 the segregated south, in states like Alabama,
13 Georgia and Louisiana. Because of the Voting
14 Rights Act, there is a greater proportion of
15 Black and Hispanic elected at every level of
16 government, including the highest office in
17 America, held by our President, Barrack Obama.
18 The goal of section two of the Voting Rights Act
19 is to eliminate discriminatory election practices
20 and procedures, including the drawing of
21 electoral districts to minimize the significance
22 of minority voters, and thus take away their
23 right to elect persons who support their best
24 interests and concerns.

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1

2

SENATOR NOZZOLIO: - - .

3

PASTOR PEARSON: I at the end. I'm at

4

the end. I'm asking you the members of this

5

Legislative Task Force, to follow and respect the

6

Voting Rights Act; two, to respect communities of

7

interest, respect where people live and don't

8

split communities; number three, respect Black,

9

Hispanic and Asian America communities, and not

10

cut them for political gains. Even if

11

communities cannot make up the majority in a

12

single district, draw the line - - communities

13

are, and where the people live. Be transparent

14

about your redistricting decisions; and please

15

don't pass another proposal, a political

16

gerrymander, which Governor Andrew Cuomo has

17

already said he would reject and veto. Give

18

African Americans, Latino and Hispanic Americans,

19

Asian Americans and all Americans equal and free

20

representation. Let the segregated north of

21

Suffolk County begin to look like the reformed,

22

desegregated south. Let's build a stronger New

23

York. God bless you; God bless New York; and God

24

bless the United States of America.

Demographic Research and Reapportionment, 2-9-2012

1

2

[Applause]

3

ASSEMBLY MEMBER MCENENY: Thank you,

4

thank you very much, Richard McGrath.

5

MR. RICHARD MCGRATH: Oh there we go.

6

Richard McGrath, I live in Huntington Village.

7

Speaking as a private resident, I know it's

8

outside your purview, but my first takeaway is to

9

get a microphone with a green button that stays

10

on. But anyway, I appreciate very much the

11

opportunity to address the Task Force. I happen

12

to be in Senator Carl Marcellino's fifth

13

senatorial district, and personally, Carl

14

Marcellino has done a wonderful job. He's very

15

accessible, and, and so far, it's, it's been a

16

great relationship, you know, between him and his

17

constituents. I'm going to be a little unusual

18

here in that I'm going to speak in favor of, of

19

the Task Force maps that you have proposed, and

20

I'm going to explain why. I mean, obviously, you

21

have an impossible job. You have to take

22

population shifts, and you have to change maps,

23

which is never going to be easy, all right. But

24

I'm going to explain why I think the key building

Demographic Research and Reapportionment, 2-9-2012

1

2

block, for me, personally, why I think you did a

3

great job in the fifth, is to me, the key

4

building block, we talked about a lot of

5

different things, but it's school districts okay.

6

When I think about what my state representatives

7

do for me, it's primarily educational. That's

8

the number one thing when I think of Marcellino.

9

You always think school funding, you guys are it,

10

everything goes through, through Albany, the

11

mandates, the fact they're not funded, okay,

12

state aid, or the lack thereof, or test, the, the

13

testing standard. When you think of state

14

representatives, what you do, you do a lot, but

15

that's the main thing that comes to me okay. And

16

when you drew this map, in my particular case,

17

some people are going to have different opinions,

18

I'm in a, I happen to be on the Huntington School

19

Board. I'm here speaking on behalf of myself,

20

nothing to do with the school board. But my

21

experience as I look at the map is, Huntington is

22

solely still with Carl Marcellino. And the

23

school districts we interact a lot with, probably

24

like many other school districts, are your

1 Demographic Research and Reapportionment, 2-9-2012

2 neighbors. So I look to my south, down in South
3 Huntington, which has similar challenges. They
4 too have Carl Marcellino under the proposed map.
5 Now I go to the east, I look at Harborfields.
6 They still have Carl Marcellino. Then I go to my
7 west, over to Cold Spring Harbor, which crosses
8 into the magical Nassau County, okay, but they
9 don't care. I mean it's Cold Spring Harbor
10 school district, okay. And they still have Carl
11 Marcellino as the - - . So I think in our
12 particular case, you adjusted it, and you kept in
13 tact that core component. I go to more meetings
14 where it's school districts talking to a Carl
15 Marcellino, as opposed to, before, we talked
16 about the town of Huntington. Town of Huntington
17 has 200,000 people. It's not a whole, it's not
18 real meaningful to me that he, Carl Marcellino
19 represents those 200,000. The building block, I
20 think a more accurate building block is the
21 school districts. Now I've heard of many cases
22 today, if I was in those communities, like
23 Lynbrook, I'm assuming it's the same school
24 district, and to, you know, divide it right in

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1

2

half, or Massapequa, or any of those, you know,

3

I'd have a very different opinion. But I think

4

in the fifth, you did an excellent job. So, you

5

know, I, I think, on, on as far as the senatorial

6

district, specifically the fifth, I'm very much

7

in favor of it. I don't think you could have

8

done much better from my perspective. I was here

9

primarily to speak about that, but Andrew Raia,

10

who is not my Assemblyman, but Jimmy Conte is

11

currently, if I was going to speak about assembly

12

districts on the other hand, I can't say what I

13

just said, 'cause you violated everything I

14

talked about. You know, all of a sudden, my

15

school district who has had Jimmy Conte, you

16

know, half of it does, half of it doesn't. I

17

guess I'd get Mr. Saladino; Andy Raia is wrapped

18

around. So everything I said that was positive

19

on the building blocks of school districts just

20

seems like you violate on the assembly. So I'd

21

be very much against the way you do the assembly

22

maps. But once again, school, if you take a

23

school district and divide it into half, it, all

24

these other things might be bad, but I think

1 Demographic Research and Reapportionment, 2-9-2012

2 that's the worst, okay, thank you very much.

3 ASSEMBLY MEMBER MCENENY: We'd like to
4 send the translator on her way. If there is
5 anyone else here who needs a translator please
6 let us know. [Foreign Language] the translator
7 [Foreign Language].

8 MR. LOPEZ: God, you impress me. That
9 was very nice.

10 ASSEMBLY MEMBER MCENENY: You'd be more
11 impressed if I learned the right word for
12 translator. M.J. Fitzgerald.

13 MR. M.J. FITZGERALD: Good morning, my
14 name is M.J. Fitzgerald, the Chief Development
15 Officer of the Pederson-Krag Center, as well as
16 the President of the Huntington Community
17 Council, a group of 46 Not For Profits in Senator
18 Marcellino's fifth district in the Suffolk
19 County. I'm also the President Elect of the
20 Rotary Club of Huntington. I've lived in his
21 district since Senator Marcellino became our
22 Senator, and I sincerely appreciate this
23 opportunity to address the Legislative Task Force
24 On Demographic Research and Reapportionment. I

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2

would like to begin my statement that Senator

3

Marcellino has done an amazing job representing

4

his district and our communities. Our community

5

is very diverse, and he goes out of his way to

6

address various concerns. For example, he

7

initiated efforts and provided leadership and

8

funding for things as diverse as the Anti-Gang

9

Task Force. The task force's goal is to provide

10

early intervention and wrap around social

11

services to children and their families that

12

would be prone to being part of a gang. This has

13

been an effective program and is ongoing. He's

14

been a great supporter of the most vulnerable in

15

our communities. He's helped my agency

16

tremendously over the years. Pederson-Krag Center

17

is an outpatient, not for profit mental health

18

and addiction recovery service provider,

19

something most people don't want to talk about,

20

let alone openly support. On behalf of the 46

21

members, agencies of the Huntington Community

22

Council, Senator Marcellino has helped us get

23

legislation through the state that supports our

24

efforts. He's been generous with us through

Demographic Research and Reapportionment, 2-9-2012

1
2 numerous grants, and by providing information
3 that is critical to us all. He is honest to a
4 fault. Even though we haven't always been happy
5 with his message, you know it's the truth. We're
6 also very active with outreach in the Hispanic
7 community. The Senator also strongly supports.
8 Senator Marcellino was instrumental in helping to
9 launch the Hispanic Cultural Center of Oyster
10 Bay, a community foundation that provides an
11 ambitious after school program. This program is
12 targeted to assist children in the community that
13 come from homes where English is their second
14 language. Another remarkable trait, in my
15 opinion, is his availability to those he serves.
16 I've never heard in all my years as a
17 constituent, or as a member of the Not For Profit
18 community, that someone hasn't been able to get a
19 meeting with the Senator, or that he was
20 unwilling to help. He is responsive to local
21 concerns, and has done an excellent job
22 addressing the issues of all the communities
23 within the fifth senate district. I'm here to
24 testify in support of LATFOR's proposed design

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1
2 for the fifth senate district. Recognizing the
3 population shifts on Long Island during the last
4 10 years, I believe your plan does an outstanding
5 job preserving the existing district as much as
6 possible. For our community, we are all doing
7 less with less. And we do not have the resources
8 or the wherewithal to unnecessarily take the time
9 to educate another elected official about our
10 agencies, and our concerns in the fifth district,
11 when we have Senator Marcellino, who is willing
12 and able to address our concerns. This is
13 important because it enable excellent legislators
14 to maintain the relationships they've built with
15 the local communities in their districts. I've
16 seen the proposed changes to the fifth district
17 by the group Common Cause, and, has proposed.
18 And unlike LATFOR's plan, it fails to respect
19 these longstanding communities of interest and
20 appears to make change just for the sake of
21 change. We fully support LATFOR's proposed
22 redesign for, design for the fifth senate
23 district. However, regarding LATFOR's design for
24 the Assembly, my opinion is quite contrary. My

1 Demographic Research and Reapportionment, 2-9-2012

2 opinion mirrors that of Assemblyman Raia. I'm
3 against the LATFOR plan for the Assembly, thank
4 you.

5 SENATOR NOZZOLIO: Thank you very much,
6 Denise Sandoval, Denise Sandoval.

7 MS. DENISE SANDOVAL, LONG ISLAND

8 PROGRESSIVE COALITION: Hello, my name is Denise
9 Sandoval, and I work with the Long Island
10 Progressive Coalition. I'm a Community Organizer
11 with them. The Long Island Progressive Coalition
12 works towards social, economic and racial justice
13 across Long Island. We are disappointed with the
14 redistricting plan that has been proposed. We
15 believe that the maps are politically motivated,
16 and do not respect the people of Long Island and
17 New York State. We had hoped that New York State
18 would not duplicate the horrible process and plan
19 that Nassau County conducted last year. Our
20 organization is opposed to the proposed FATFOR
21 maps, as we see them in the same category as the
22 gerrymandered maps that the Nassau County
23 Legislature created last year. And that category
24 is maps that blatantly dilute the voting power of

Demographic Research and Reapportionment, 2-9-2012

1
2 minorities and essentially draw existing elected
3 officials out of office. We call on Governor
4 Cuomo to veto this plan. Long Island is one of
5 the most segregated communities in the country.
6 Many people believe that the residents are all
7 rich and white. That is not the case. The
8 changing demographics of the island over the past
9 40 years has been a growing minority community.
10 This new population lives in segregated
11 communities due to the lack of affordable rental
12 apartments and homes. These communities have
13 high tax rates due to the lack of businesses and
14 poor performing school districts. While Long
15 Island has some of the best schools in the state,
16 it also has some of the worst schools in the
17 state. The Long Island Progressive Coalition was
18 hoping for the new maps to include a new minority
19 district in the middle of Long Island. To further
20 illustrate my point, the town of Islip has a high
21 concentration of people of color and immigrants
22 sharing the same socio-economic level, sharing
23 the same high needs school districts, one of
24 those districts being the largest in New York

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1
2 State. This certainly qualifies as a community
3 of interest, as residents in the Brentwood,
4 Central Islip, Bay Shore area share similar
5 interests and priorities, including social,
6 cultural, ethnic, economic and political
7 interests. Low income working class hamlets in
8 the town of Babylon also face similar challenges
9 as a community, and there is a need for unity.
10 The benefits of this area becoming one solid
11 senatorial district are paramount. Please throw
12 out the proposed maps, and instead, use the
13 alternative maps, such as the ones created by
14 Common Cause, which create a minority opportunity
15 district, so that the power of the minority vote
16 in these areas is not diluted, so that we may
17 have the opportunity to run a candidate from our
18 communities, and have a real chance of getting
19 them elected. I live and vote in Brentwood,
20 please do not split my community in half. Please
21 do not approve the maps that dilute my, and my
22 community's voting power. Our community, our
23 community needs unity more than ever. Thank you
24 very much.

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1

2

SENATOR NOZZOLIO: Thank you.

3

ASSEMBLY MEMBER MCENENY: Nicholas

4

Ramcharitan.

5

MR. NICHOLAS RAMCHARITAN: Good

6

afternoon members of the Task Force. My name is

7

Nicholas Ramcharitan, and I am a resident of

8

Nassau County, the 18th assembly district for

9

Assemblywoman Arlene Hooper, excuse me, and the

10

sixth, seventh district for Senator Kemp Hannon

11

[phonetic]. The reason I'm in front of you today

12

is to testify before the Task Force in support of

13

the proposed senate district lines. I've read

14

and done much research, and read that some

15

individuals are opposing the plan because they

16

say that the Task Force on Demographic Research

17

and Reapportionment should draw senate districts

18

on, on Long Island that tie together communities

19

in which many Caribbeans constitute a large

20

portion of the population. Now from the

21

information I have come across and read, claim

22

that this should be done to give the Caribbean

23

community a more distinct representation, because

24

they assert that the Caribbeans are a cohesive

1 Demographic Research and Reapportionment, 2-9-2012

2 voting block. I'm here to testify that the
3 individuals who claim to speak on behalf of my
4 Caribbean community, and are making these claims,
5 are not only wrong, but unaware of the needs and
6 the consistency of the Caribbean community.

7 First, I'm currently represented by Senator Kemp
8 Hannon. Without question, I can assure the Task
9 Force that he is always responsive to all the

10 needs of his constituents, from which racist - -
11 and more importantly, he knows that the

12 Caribbeans on Long Island, are Long Islanders

13 first. We all share the same concerns, and even
14 though I may be younger than most people, I still
15 have the same concerns about my future, high

16 property taxes, good schools for my future

17 children, quality jobs, and the balance of my

18 current and future quality of life for me, my

19 family and my community. I strong heartedly

20 believe that these are not racial issues. They

21 are Long Island issues, and more importantly,

22 these are human issues. Senator Kemp Hannon has

23 done an excellent job fighting for these

24 important issues, and also being very responsive

1 Demographic Research and Reapportionment, 2-9-2012

2 to the minorities in his district. One need no
3 to look any further than the democratic
4 presidential primary in 2008, when Hispanics
5 heavily voted for former Senator Clinton, while
6 African Americans predominately supported Senator
7 Obama. On Long Island, I can tell you that the
8 Caribbean community has a large, has largely been
9 split in many elections, including those for
10 County Legislature, State Senate, and State
11 Assembly. I know that the organization's common
12 cause has submitted a proposed state senate lines
13 that they say will empower African Americans and
14 Hispanic voters. To embellish on my previous
15 testimony, I think it is also important to note
16 that the Common Cause maps do not create a
17 majority Caribbean district. Instead, they rely
18 on false assumptions, as I mentioned before.
19 Again, thank you for your time, and giving me the
20 opportunity to speak here today.

21 ASSEMBLY MEMBER MCENENY: Thank you, Tom
22 Donnelly, Babylon Town Councilman.

23 MR. TOM DONNELLY, BABYLON TOWN
24 COUNCILMAN: Good morning, am I on? Good, good

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1

2

morning Mr. Chairman, members of the committee.

3

I want to just take a few minutes to speak to you

4

this morning, not so much as an elected official

5

from the town of Babylon, but as a Deer park

6

resident. I've been a Deer park resident; I've

7

also served with the Deer Park Fire Department

8

for the better part of 30 years. I've been

9

involved with the Deer Park Soccer Club for over

10

15 years. I have three children in the Deer Park

11

school district as well. While I know that this

12

committee here faces a great many challenges in

13

this assembly redistricting, I specifically would

14

like to speak to you about assembly district

15

number nine. Assembly district number nine as it

16

stands right now is very, very well served by

17

Assemblyman Andy Raia. That being said, this

18

conversation is not necessarily about Assemblyman

19

Raia and the good work that he does. Rather, it

20

is about the mapping and the proposed changes.

21

The Deer Park community would fall towards the

22

east end of another assembly district, just as it

23

did over 10 years ago. As an active member of

24

the Deer park community, when the redistricting

Demographic Research and Reapportionment, 2-9-2012

1

2

took place over 10 years ago, we advocated

3

strongly that the Deer Park community should have

4

a better, influential role in how the assembly

5

district line went. You may not know this, but

6

the Deer Park community is home to almost 40,000

7

residents. Within the community itself is the

8

New York State road, route 231. That road is one

9

of the most well trafficked roads throughout New

10

York State. It runs north and south, delivering

11

residents, consumer goods and various other items

12

to different parts of, of our assembly district.

13

Moving our assembly district to another assembly

14

district, we actually feel in the Deer Park

15

community, and I think I speak for most of the

16

civic organizations, the fire department, as well

17

as the school district, is really going to put

18

us, put us, and New York State at a bit of a

19

disadvantage. The other area I just would like

20

to touch on is education. As the dad of a

21

special education child, I well, very well know

22

the strengths and the accomplishments of our

23

special education program in the Deer Park

24

community. A large part of that success is due

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1

2 to the hard work of the ninth assembly district.
3 I implore you as this redistricting discussion
4 goes on, please do not forget my community, the
5 Deer park community. Thank you for your time,
6 thank you.

7 ASSEMBLY MEMBER MCENENY: Thank you
8 Councilman, Commander Joseph McCarthy.

9 COMMANDER JOSEPH MCCARTHY: Good
10 morning, do I use it? Oh, okay, I am a resident
11 of--

12 MALE VOICE: [Interposing] Speak
13 directly - - .

14 MALE VOICE: - - .

15 COMMANDER MCCARTHY: I'm a resident of
16 Lynbrook for 52 years okay, today, the other day
17 when I found out that the, our town was being
18 split, and I'm going to lose my Assemblyman,
19 who'd done a fantastic job as a Mayor, who lived
20 in Lynbrook all his life, and he was,
21 unfortunately when, he's not going to be our
22 Assemblyman anymore. Also, I'm involved with the
23 VFW for the last 20 years. I've been 11 years a
24 Commander, and the members don't want to lose his

1 Demographic Research and Reapportionment, 2-9-2012

2 expertise, let's put it that way. I mean, there
3 is a lot of issues on Long Island that we have
4 today, that we don't have to disrupt something
5 that is good. He came into Lynbrook as Mayor.
6 It was a white elephant, 'cause I was there for
7 52 years, and he turned the place around. He's a
8 great guy. His name is Brian Curran. And I
9 would still want to have him as our
10 representative. And with that, thank you and
11 have a great day.

12 ASSEMBLY MEMBER MCENENY: Thank you.

13 SENATOR NOZZOLIO: Thank you for your
14 service to our nation Mr. McCarthy.

15 ASSEMBLY MEMBER MCENENY: Elizabeth
16 Bonia [phonetic], Elizabeth Bonia, any name that
17 is called and the person doesn't come forward, at
18 the end we go through those names once again.
19 Anyone who's not signed up and would like to sign
20 up, that's not a problem, as long as we're here,
21 we'll keep signing people up, as long as they
22 want to speak, Brian Paul.

23 MR. BRIAN PAUL, COMMON CAUSE: Do I have
24 the button right? Okay, My name is Brian Paul,

Demographic Research and Reapportionment, 2-9-2012

1

2

and I'm the Research and Policy Coordinator at

3

Common Cause New York. Thank you for the

4

opportunity to testify to testify in Long Island

5

today. When we at Common Cause decided to draw

6

model redistricting plans for New York State, our

7

goal was to demonstrate what a non-partisan,

8

independent process, one that nearly every

9

legislator pledged to support back in 2010, would

10

look like in practice, while following all the

11

applicable federal and state constitutional law.

12

There is no question that redistricting is a

13

complicated task, but it has been frustrating to

14

see some members of this panel at times blame

15

politically gerrymandered lines on the Voting

16

Rights Act, Block on Border, or some other

17

complex law when speaking with the media and the

18

public. Our experience shows that these laws are

19

not impediments to drawing fair districts, now to

20

move onto specific analysis of these Long Island

21

drafts. First, we are glad to see that assembly

22

decided to return the 22nd assembly district to

23

Long Island. This is the correct apportionment

24

according to population. We are also, but we are

1 Demographic Research and Reapportionment, 2-9-2012

2 concerned by the assembly's partisan gerrymander
3 of Huntington, Babylon, Oyster Bay, specifically
4 in assembly districts nine, 10 and 12 - - and 13,
5 as many have already spoken about here today. In
6 this draft, assembly districts nine, 10 and 12
7 have been radically redrawn, as you can see on
8 page nine of this testimony. Districts nine and
9 12 now form long slivers, running from the sound
10 to the bay, in shapes that have nothing to do
11 with local communities, villages or school
12 districts. Looking at party enrollment, as we
13 illustrate on page 10, these new districts appear
14 to be an overt attempt to increase the chance of
15 electing democratic members. In Nassau, we also
16 see assembly district 13 continue to maintain
17 this looping horseshoe shape, from Roslyn, to
18 Glen Cove, to Plainview, to Jericho, in what
19 appears to be a game of "follow the democratic
20 voters". See page 10 of this testimony again.
21 The Common Cause Reform Plan is, which you can
22 see on pages eight, nine and 11 of this
23 testimony, offers a clear alternative of how Long
24 Island's assembly districts could look if drawn

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1

2

based on communities of interest, village, and

3

school district lines, rather than partisan

4

gamesmanship. Now to turn to state senate, we at

5

Common Cause New York are very disappointed that

6

LATFOR decided to completely ignore the testimony

7

of dozens of Long Islanders last fall and keep

8

these district lines almost exactly the same as

9

the current lines. Here in Suffolk, the line

10

between SD three and four continues to split the

11

minority community in Brentwood directly in half,

12

and the lines between SD four and eight in

13

Babylon continue to separate Wyndance from North

14

Amityville. Despite the fact that the Hispanic

15

and Black communities in Suffolk grew by almost

16

49% since the last redistricting, these lines

17

remain the same. Despite the fact that these

18

areas of Suffolk share distinct socioeconomic

19

characteristics and have distinct concerns, these

20

lines remain the same. These lines do not have

21

to remain the same. The Common Cause Reform Plan

22

right here on page five, clearly demonstrates

23

that SD four can be redrawn to include these

24

areas together, in a reasonably compact district,

Demographic Research and Reapportionment, 2-9-2012

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2

that respects village and school district lines.

3

This district would almost double in minority

4

influence from any Suffolk district in LATFOR's

5

draft. And just as important, it would keep

6

distinct local communities together. In Nassau,

7

the gerrymandering is perhaps even more

8

egregious. The minority community in Hampstead

9

continues to be cracked between four senate

10

districts, between SD six and eight at Union Dale

11

Roosevelt, and between seven and nine in Elmont.

12

Like in Suffolk, this Task Force chose to keep

13

those lines in place, despite tremendous growth

14

in the minority community, 32% growth. Again,

15

there is no excuse. The Common Cause Reform

16

Plan, right here on page seven, again shows that

17

SD six can be redrawn to include these areas

18

together in a reasonably compact district that

19

follows village and school district lines. This

20

district will become a true majority and minority

21

coalition district with more, with more than

22

double the minority influence of any Nassau

23

district in LATFOR's draft. Overall, in Long

24

Island, the Black and Hispanic population now

Demographic Research and Reapportionment, 2-9-2012

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2

accounts for 22% of the voting age. There are

3

nine senate districts on Long Island. Adopting

4

the Common Cause lines would allow growing

5

minority communities a real opportunity to

6

participate in two of these nine districts.

7

What's two divided by nine? 22%. The

8

demographic math here is undeniable.

9

On top of all this the Senate plan fails

10

to follow the State Constitution's clear mandate

11

to minimize the division of counties. This plan

12

crosses the Nassau-Suffolk border twice in SD's 5

13

and 8, while the Common Cause reform plan shows

14

that it is possible to only cross the county

15

border once. In fair redistricting, partisan

16

politics is not allowed to trump community's

17

interests or the State Constitution. And this is

18

the key difference between these LATFOR proposals

19

and the Common Cause reform plan. I thank you

20

for the opportunity to testify. And I hope that

21

you take the time to revisit our recommendations.

22

ASSEMBLY MEMBER McENENY: Mr. Paul.

23

MR. PAUL: I urge you to give New Yorkers

24

the fair nonpartisan voting districts they want

Demographic Research and Reapportionment, 2-9-2012

1

2

and deserve.

3

ASSEMBLY MEMBER McENENY: Mr. Paul,

4

several speakers ago Denise Sandoval was

5

expressing her displeasure at a county

6

legislative reapportionment and she cited that

7

incumbents had been drawn out of their districts.

8

How many incumbents will have to run against

9

another incumbent in the Common Cause plan?

10

MR. PAUL: Here for Long Island? In one

11

moment.

12

ASSEMBLY MEMBER McENENY: How many

13

statewide?

14

MR. PAUL: Statewide it's 10 Senators

15

and, I think 26 Assemblymen.

16

ASSEMBLY MEMBER McENENY: So 36

17

incumbents are pitted one against the other.

18

MR. PAUL: That's correct.

19

ASSEMBLY MEMBER McENENY: And that's the

20

reform plan.

21

MR. PAUL: With the reform plan we drew

22

incumbent-blind. Without politics, without

23

looking at where the incumbents lived.

24

ASSEMBLY MEMBER McENENY: Can you see

Demographic Research and Reapportionment, 2-9-2012

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2

where, with legislatures which based a lot of

3

their clout on seniority of older members who

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then, more experienced members, who then become

5

committee chairs and hold leadership positions,

6

might not consider it a reform to find that they

7

will most likely be represented by a freshman who

8

will have to wait years to get a committee or to

9

rise to leadership positions?

10

MR. PAUL: Well that's an argument you

11

can make but I think throughout these hearings

12

we've see 9 out of 10 people that speak talk

13

about keep my community together, keep my

14

neighborhood together, not keep my incumbent in

15

the district.

16

ASSEMBLY MEMBER McENENY: Well that's

17

not what I heard here today.

18

MR. PAUL: And I'd also like to point

19

out that only--there's only two pairings of

20

incumbents in Long Island in this plan.

21

ASSEMBLY MEMBER McENENY: Thank you.

22

SENATOR DILAN: Yes. Dr. Beveridge also

23

testified and agreed with your analysis, do you

24

agree with him with that analysis that there

Demographic Research and Reapportionment, 2-9-2012

1

2 could be an additional district in the Senate in
3 Nassau County for a minority community or Latinos
4 where they would have an opportunity to select
5 their candidate of choice?

6 MR. PAUL: That's District number 6 in
7 our plan would over 60% Hispanic and Black voting
8 age.

9 SENATOR DILAN: Thank you.

10 MR. PAUL: Thank you--

11 SENATOR DILAN: [Interposing] That was
12 in the Senate, right?

13 MR. PAUL: Yes, Senate District 6.

14 ASSEMBLY MEMBER McENENY: Stephen D.
15 Wangel. By the way we thank Common Cause, though
16 we spar on issues from time to time, they've been
17 at very single hearing, maybe with on exception
18 in Plattsburg since this began. There was 14
19 followed by 9, that's a lot of hearings and a lot
20 of work and much of it provided not only by staff
21 but by volunteers.

22 MR. STEPHEN D. WANGEL, LYNBROOK CHAMBER
23 OF COMMERCE: Good morning Co-chairs and--and
24 other members of the Task Force. I appreciate

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2

the opportunity to be able to address you today.

3

My name is Stephen Wangel. I'm a resident of

4

Lynbrook and I currently reside in the 14th

5

Assembly District which is the focus of my

6

conversation today.

7

Earlier on you heard Mayor William

8

Hendrick testify that the proposed plan would

9

split Lynbrook in half. I--I've seen the maps

10

and I couldn't disagree with him more that the

11

fragmentation will take a very small part of

12

Lynbrook and throw it into what appears to be a

13

brand new district.

14

Again, I'm a 23-year resident of

15

Lynbrook. And I also operate a kitchen design

16

business here. I don't come to you as an elected

17

official. I don't come to you as a

18

representative of a business group. I come to

19

you as a concerned citizen, a father of a child

20

with special needs, and somebody who just wants

21

to call an island home.

22

I am disappointed in this Task Force

23

decision to redraw the district boundaries as--as

24

they have been proposed for the 14th District.

Demographic Research and Reapportionment, 2-9-2012

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2

These new boundaries will remove Assemblyman Brian Curran from what appears to be nearly his entire constituency in the Village of Lynbrook.

3

4

5

The business community has always enjoyed a remarkable working relationship with Mr. Curran both as our Assemblyman and prior to that as our Mayor. Assemblyman Curran has always taken an interest in our economic wellbeing and has fought hard for projects like our downtown revitalization, drawing anchor businesses to our community, and most recently the rental of vacant commercial properties which are currently owned by the MTA.

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These are in the heart of our downtown. Although well under way, these projects are not yet complete. Rather than remove Assemblyman Curran from the Lynbrook downtown area, it is sensible to keep him at the helm of these projects, seeing them through to fruition. In addition Mr. Curran has been a unifying force in the communities that he serves.

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The redistricting as--as it is proposed would put to waste years of work by Assemblyman

Demographic Research and Reapportionment, 2-9-2012

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Curran and his predecessor, in effect, un-ringing

3

the bell. As a long-time resident and business

4

owner, I see the following as having a negative

5

impact due to the proposed redistricting. The

6

Village of Lynbrook will be split and absorbed

7

into two Assembly Districts, effectively,

8

effectively diluting this community's needs among

9

the needs of other communities which will be

10

totally unrelated to our own.

11

Someone who is totally unfamiliar with

12

this community, its businesses and its people

13

will represent the majority of our village. The

14

majority of the Village of Lynbrook will be

15

incorporated into an Assembly District with

16

communities that I believe have different needs

17

than our own.

18

More importantly my reasons for

19

testifying here today are personal. After all,

20

people not business elected Assemblyman Curran.

21

After growing up in New York City, I chose to

22

make Lynbrook my home because it had all of those

23

wonderful attributes that made it feel like a

24

small hometown. When it came time to purchase a

1 Demographic Research and Reapportionment, 2-9-2012

2 home and choose a place to raise my family, I
3 convinced my new wife that Lynbrook was the only
4 choice. Assemblyman Curran shares that vision.

5 This Task Force has chosen to propose
6 removing Assemblyman Curran from the place where
7 he may be most effective. Fragmenting the
8 Lynbrook community appears to have drawn lines
9 based on raw data rather than community and
10 family boundaries. It is incumbent upon this
11 Committee to have another look at the impact
12 their decision will have on my Lynbrook neighbors
13 and redraw lines that will keep Lynbrook as a
14 unified, family community. Thank you.

15 ASSEMBLY MEMBER McENENY: Thank you.

16 Les Wright.

17 MR. LES WRIGHT: Good afternoon. My
18 name is Les Wright and I a resident of Valley
19 Stream, New York in the Senate District of
20 Majority Leader Dean Skelos. I'm here today to
21 voice my concerns and testify before the
22 Legislative Task Force on Demographic Research
23 and Reapportionment in support of the proposed
24 State Senate Districts. This was brought to my

1 Demographic Research and Reapportionment, 2-9-2012

2 attention through newspapers and through my own
3 research that individuals are opposing this plan
4 because they say that LATFOR should draw Senate
5 Districts on Long Island which African Americans
6 constitute a large share of the population.

7 From my understanding this is being done
8 to give African Americans better representation.
9 I'm here to tell you today that that's just not
10 true. Senate Majority Leader Dean Skelos has
11 always been very responsive to the needs of all
12 his constituents regardless of color. All
13 Americans, regardless of their location, share
14 the same concerns about their future and most
15 importantly their quality of life. And these
16 issues transcend race.

17 The other false proposition is that
18 African Americans vote as a cohesive block. If
19 you look at the Democratic presidential primary
20 in 2008, when Hispanics heavily voted for former
21 Senator Glenn while African Americans heavily
22 supported then Senator Obama. On Long Island I
23 can tell you African Americans have largely split
24 in many elections.

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I know that the organization Common Cause has supported--proposed State Senate lines that they say will empower African Americans. And an extension of my previous testimony, I think it's important to note that Common Cause maps do not create a majority African American district. Instead they rely on these false assumptions I noted before. Again thank you for giving me the opportunity to testify in support of LATFOR's proposed State Senate Districts for Long Island. Thank you.

ASSEMBLY MEMBER McENENY: Thank you.
Mauricio Gaviria [phonetic].

MR. MAURICIO GAVIRIA: Good afternoon. My name is Mauricio Gaviria [phonetic] and I am a resident of the 3rd Senatorial District out of the Hamlet of Ronkonkoma and I represent myself. I have seen the proposed Senate District lines for my district and I'm here to show support for this change and these lines. They are essentially the same as before with minute changes, if any, made to sectors, ironically, of the largest advocates against them.

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I truly believe that the changes are necessary for the 3rd District as a whole and I trust that Senator Zeldin will be even more effective with these changes proposed. I have been very happy with my current government and I look forward to how much it will--how much better it will run after the redistricting.

Furthermore as a Hispanic in my district I am taken back by the talk of establishing a minority district. I moved out of the inner city because of the belief that diversity produces greater benefits to the town as well as the individual. I grew up in the 13th District in Queens and didn't realize I had State government representation until I was 21 and had returned from Air Force basic training and was filled in on this great-kept secret from one of my buddies who was stationed in upstate New York.

I ask this Committee to keep the course with the proposed lines until the opposition can demonstrate with actual facts instead of actual feelings how they are affected negatively as a town and as a district. Thank you for your time.

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2 ASSEMBLY MEMBER McENENY: Senator Dilan.

3 SENATOR DILAN: What--what facts do you
4 have with your assertions? What documentation do
5 you have?

6 MR. GAVIRIA: Sir, I don't have any
7 associates. I'm here representing myself.

8 SENATOR DILAN: All right. You said
9 that when the opposition has documentation or
10 specifics that--what--what specifics do you have?
11 What research do you have to affirm your
12 assertion?

13 MR. GAVIRIA: The research that I
14 brought here--

15 SENATOR DILAN: [Interposing] If you
16 don't have any, you can say you don't have any,
17 but if you do have some, I'd like you to submit
18 them.

19 MR. GAVIRIA: The research that I did
20 bring with me today, which was, I would say,
21 extremely basic, it was the information that I
22 thought that I should come here with, which was
23 the actual maps and how my district would be
24 affected.

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It shows that the majority of the people who have spoken today seem to represent the western part of my district, in general, a concentrated corner, Brentwood and Central Islip. I have brought the map as it is now and the proposed map as it will be and it shows a very minute change to that particular district. I have yet to understand why there is so much opposition to this particular change. And for-- more than that I can--I--I have no further information, Sir.

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SENATOR DILAN: Okay. So you don't have any statistics or documentation that would back up what you were saying.

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17

MR. GAVIRIA: Sir, I don't come here as a, as a statistician, no Sir.

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SENATOR DILAN: Well all right. No, I only asked you that because you were talking about that other people should have their facts so all I'm saying is that you should have yours also. Thank you.

23

ASSEMBLY MEMBER McENENY: Thank you.

24

MR. GAVIRIA: Thank you.

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ASSEMBLY MEMBER McENENY: H. Scottie

3

Coads.

4

MS. HAZEL SCOTTIE COADS, CIVIC

5

ENGAGEMENT CHAIR, NATIONAL ASSOCIATION FOR THE

6

ADVANCEMENT OF COLORED PEOPLE, NEW YORK STATE

7

CONFERENCE: Oh, good afternoon. Thank you for

8

the opportunity to speak. Mr. Chairman and

9

members of the LATFOR Committee, can you hear me?

10

My name is Hazel Scottie Coads. I use H. Scottie

11

Coads sometime. I am the Civic Engagement Chair

12

of the NAACP New York State Conference. That's

13

the National Association for the Advancement of

14

Colored People founded in 1909. It's the oldest

15

civil rights organization in the country.

16

In its 102 years of existence we have

17

seen our share of disappointments,

18

disenfranchisement, and yes, downright blatant

19

racism. Through all of it we continue to stay in

20

the struggle, fighting and supporting causes that

21

will benefit all people. Today our fight is on

22

behalf of all communities but especially for the

23

minority communities that are being blatantly

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disregarded through your gerrymandering process

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of 2012.

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Be mindful the NAACP intends to stay the course in this fight for minority representation throughout the State of New York. Historically Caucasians have dominated the legislative process across the country. In New York State the non-white population is close to 40%, yet people of color are not reflected in the State Legislature. This, too, will change. One would think that the members--the mapmakers would want to present districts reflective of African Americans, Hispanics, Latinos, Asians, Jews, Arabs, et cetera: ethnicity reflective of the State of New York.

But you did not think this was important. What seems more important to you in 2012 is the power grab and the reelection of colleagues. It's amazing that individual--individuals of common interests as specified by the Voting Rights Act of 1965 is being ignored. Of course you have found another avenue to circumvent the Voting Rights Act: "split those folks". Split those folks up and forget about

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On Long Island, areas that are heavily populated by minorities have been split and diced into many, many pieces to avoid the changes of minorities ever being elected. This, too, can change. Our communities are demanding that lines be drawn to reflect the voting age population. You see it all the time, VAP. The growth reported by the US 2012 Census. Our districts have grown.

However the political representations are expected to remain the same with the same nine representatives or their hand-picked individuals for decades to come. As a representative of the NAACP New York State Conference, I came before this body prior--at prior hearings asking not for more districts, instead to draw the lines fairly and with a serious consideration of representation for the minority communities.

Unfortunately my voice fell on deaf ears. You still have the opportunity to redo your map and draw each Senate District to be as

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1
2 equal in population as possible. One person, one
3 vote requires fair representation for everyone.

4 I ask that you draw the lines that
5 maintain equal population across the State and
6 that it follows where people live in their
7 communities. I ask again to respect the
8 boundaries of where people live and not look into
9 other areas to connect boundaries that would
10 guarantee reelection of your fellow elected
11 officials.

12 The NAACP is quite disappointed that
13 this legislative body does not have an African
14 American representative as part of the LATFOR
15 Task Force. Yes. Nor is there a woman
16 representative on the Committee. Each of you
17 should be proud to serve on this esteemed
18 Committee however you should be equally concerned
19 that 3.1 million African Americans in the State
20 of New York, not one African American serves with
21 you.

22 I will go to my final statement. You
23 have four pages to read. And I will make sure
24 that the public gets a copy of this statement. I

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1
2 will go to the great Voting Rights Act of 1965.
3 We fought for it and then came finally the
4 passing of the Voting Rights Act prohibiting
5 attempts to dilute African Americans' voting
6 strength, authorizing Federal officials to ensure
7 fair voting practices.

8 The African American communities'
9 experiences and witnesses lots of tragedies, the
10 disenfranchisement at the polls is not a tragedy
11 that the NAACP will tolerate. On election day,
12 attempts to weaken and dilute our voting
13 strength, broken machines, new mandated
14 government issued photo IDs in more than 34
15 states to allow residents to vote is simply
16 overtaking minority communities.

17 The US Census report of 40 years ago as
18 well as the 2010 Census report always indicated
19 voting age population grown in Nassau and Suffolk
20 Counties although there was an increase in the
21 voting age population every ten years, the
22 minority communities always got sliced and diced
23 to the interests of the political party in power.

24 It is mind-boggling that after all--

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2 after each US Census report we always find
3 ourselves in court, fighting and redistricting
4 and gerrymandering that happens in the State of
5 New York. We are determined to stop what you
6 have done to this great state of ours. We will
7 not accept the cutting up of the election
8 districts in any New York State counties,
9 downstate or upstate.

10 I close with this. Adding an extra
11 Senate District, 63 is the number, to guarantee
12 an election, to maintain a majority in the New
13 York State Senate is perpetuation of reversing
14 prison [phonetic] gerrymandering allocation will
15 not work. Thank you for listening.

16 ASSEMBLY MEMBER McENENY: Thank you.
17 Rosa Quiles.

18 MS. ROSA QUILES, MEMBER, NEW YORK
19 COMMUNITIES FOR CHANGE; MEMBER, PUERTO RICAN
20 COALITION FOR A BETTER COMMUNITY, INC.; MEMBER,
21 HEMPSTEAD HISPANIC CIVIC ASSOCIATION: Good
22 afternoon. My name is Rosa Quiles. I am an
23 Hispanic woman who has lived in Central Islip for
24 the last 40 years and am a member of New York

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Communities for Change.

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I am concerned that the Hispanic population has very little representation at the State level. In fact we do not have one single State Senator from Long Island that is Hispanic. We need representation in the Senate and we deserve the representation. We want representation for our community. Currently our State Senator is ignoring the important issues in our community like education and foreclosure.

As a retired teacher I know how important education is to the children of Central Islip and Brentwood. Many residents have been scammed and have had their homes foreclosed. We need to be able to elect someone who is going to stand up and really fight for the resources of our school and our community.

I would like the Senate District maps to be fair so that as a community we have a chance to elect someone who will truly represent us and care about our issues. I don't think that is too much to ask. Splitting Brentwood down the middle is not fair. Making a district more like the one

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2 that Common Cause has created that keeps
3 Brentwood whole and keeps Brentwood, Bay Shore,
4 and Central Islip together would certainly be
5 more fair. Thank you.

6 MR. LOPEZ: Just one question. Excuse
7 me. Excuse me Rosa. Rosa, one question: who is
8 your Senator right now?

9 FEMALE VOICE ASSEMBLY MEMBER McENENY:
10 Go back to the podium.

11 MR. LOPEZ: Who is your Senator right
12 now?

13 MS. QUILES: [Off mic answer] Senator
14 Zeldin [phonetic]

15 MR. LOPEZ: Thank you.

16 ASSEMBLY MEMBER McENENY: Okay. Thank
17 you. Assembly Member Joseph Saladino.

18 ASSEMBLY MEMBER JOSEPH SALADINO, 12th
19 ASSEMBLY DISTRICT: I'd like to thank the members
20 of this most important Task Force for all the
21 tremendous work you've been doing here on Long
22 Island and across the State. It's a very
23 difficult job that you have and we appreciate it.

24 The Constitution says it has to be done

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2 and you've all been working hard. Our--our
3 Senators Nozzolio and Senator Dilan, our Assembly
4 Members, Assemblyman Oakes and Assemblyman
5 McEneny and the non-legislative members Mr.
6 Hedges, Mr. Lopez and MS. Levine, your work is
7 important and very, very difficult.

8 Most are coming up to tell you what
9 you're doing wrong in their perception or what
10 they don't want. Few have provided alternatives
11 to help along in the process. So I stand before
12 you, not on my own behalf and not with my own
13 interests in mind, but representing the people of
14 the 12th Assembly District who I am so privileged
15 to represent and to continue in that
16 representation of them.

17 We have a community with a very strong
18 identity within the 12th Assembly District and
19 that is the community of the Massapequas. It's
20 the southern half of--third of the Town of Oyster
21 Bay. It has distinct municipal borders. On the
22 west the Town of Oyster Bay, Town of Hempstead
23 line, on the east is the Town of Oyster Bay, Town
24 of Babylon line, as well as the Nassau-Suffolk

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line.

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It wholly contains the Massapequa School District. It wholly contains such entities as the Massapequa water district, the fire department; the list goes on and on. They're very distinct, holistic borders which help define this community. This community has some exceptional heritage and quite a bit of historical significance.

It was the Hamptons before there was a Hamptons for the people of New York City. The Fox Movie Company set up there. It was the summer home of people like W. C. Fields, Annie Oakley, Fred Stone, and that list goes on and on. We had a famous zoo there that brought people in from all over New York City and the nation. It was owned by a man named Frank Buck who made films, shorts they called them, of the time during pre--prior to talkies. There was a-- hotels that presidents like Harrison--President Harrison stayed at.

As a matter of fact the first European settlers to Long Island, the Jones family, made

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the Massapequas their home. So I stand before you to tell you that as the new 12th AD is proposed, if the--if we took a look at those lines of the Jones family, half of them would be in one Assembly District and the other half would be in another Assembly District.

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So there's great precedence to keeping the Massapequa, Greater Massapequa community as part of one continuous Assembly District, to respect their identify and their needs. I understand that. I also understand why News Day came out with their article highlighting the new proposed 9th Assembly District and suggesting that it shouldn't go from shore to shore and that it shouldn't cut so many communities up. And by doing so diminishes the representation in their community and dilutes their effectiveness in terms of their voice in State government.

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So I ask you to consider the proposal of keeping all of the Massapequas continuous in one Assembly District, the new 9th Assembly District. It's very easy to point the finger and suggest what you shouldn't be doing.

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2 It's much tougher to suggest a proposal
3 that's workable and reasonable. So I stand
4 before you to propose a new Assembly District
5 which includes all of the Massapeguas in Nassau
6 County, goes south to the Great South Bay,
7 captures Tobay Beach, captures Ocean Parkway,
8 Gilgo Beach, goes around the Assembly District
9 that has been represented very well by my
10 colleague Assemblyman Sweeney and comes back up
11 north, capturing the villages of the entire and
12 holistic Village of Babylon, the section of West
13 Babylon and the section of West Islip, all south
14 of Sunrise Highway.

15 By doing this we could capture the
16 appropriate and exact number of voters that are
17 needed to be contained in every single Assembly
18 District across our State. It is both homogenous
19 and continuous. It represents communities with
20 very similar interests and needs. Our needs are
21 great in our communities when it comes to
22 protecting our school districts, protecting our--
23 our life, our quality of life.

24 But there's another looming issue that

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2 is growing in the attention of the residents of
3 these communities. Underground, mixing with our
4 drinking water, is a plume of carcinogens
5 emanating from the Grumman plant where so many
6 vehicles and planes were built that helped us
7 out, helped out America win a World War II and
8 has helped our--our military and our might as a
9 nation. Unfortunately in that process,
10 carcinogens were released into our water stream.

11 To keep this community whole means it
12 will be represented by one member who has taken
13 much time to study and advocate for this issue.
14 And in conclusion I want to thank you for your
15 time, thank you for your efforts, and please
16 consider the possibility of a continuous
17 Massapequa, all to be included in one Assembly
18 District and the suggestion that I have made to--
19 to draw a map along the south shore of Long
20 Island that is both workable, both legal, and
21 meets all the criteria set forth by the courts
22 and the nation.

23 I thank you for your efforts. I thank
24 you for your hard work. And I do want to mention

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1
2 that there were numerous other people waiting to
3 speak who weren't able to stay but they had the
4 same message in terms of keeping a continuous and
5 one Assembly District containing all the
6 Massapeguas. Thank you for your time and thank
7 you for your hard work.

8 ASSEMBLY MEMBER McENENY: Assemblyman,
9 thank you very much. Elzie Ross. Elzie Ross.

10 MR. ELZIE ROSS: Good afternoon
11 everyone. My name is Elzie Ross and I am a
12 resident of Valley Stream, New York in the Senate
13 District of Majority Leader Dean Skelos. I'm
14 here to testify before the Legislative Task Force
15 on Demographic Research and Reapportionment in
16 support of the proposed State Senate Districts.

17 Now I've read in the papers that some
18 are opposing the plan because they say that
19 LATFOR should draw Senate Districts on Long
20 Island that link together communities in which
21 African Americans constitute a large share of the
22 population and also from what I've read they say
23 that this should be done to give African
24 Americans better representation and because they

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1
2 assert that African Americans are a cohesive
3 voting block.

4 And I'm here to testify that the
5 individuals making these claims are wrong on both
6 counts. First off I am currently represented by
7 Senate Majority Leader Dean Skelos. And without
8 a question I can state that he is very responsive
9 to the needs of all his constituents regardless
10 of race and that African Americans on Long Island
11 are Long Islanders first.

12 Now we all share the same concerns
13 regardless of age. High property taxes, good
14 schools, quality jobs, and our quality of life.
15 These are not racial issues. These are Long
16 Island issues. And Senator Dean Skelos has done
17 an excellent job fighting for these important
18 issues and also being responsive to the minority
19 communities in his district.

20 Now the second false proposition is that
21 African Americans vote as a cohesive block. We
22 need to look no further than the Democratic
23 presidential primary in 2008 when Hispanics
24 heavily voted for former Senator Clinton while

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1
2 African Americans predominantly supported then
3 Senator Obama.

4 On Long Island I can tell you that
5 African Americans are largely split in many
6 elections including those for County Legislator,
7 State Senate, and State Assembly. Now I know
8 that the organization Common Cause has submitted
9 proposed State Senate lines that they saw will
10 empower African Americans.

11 As an extension of my previous
12 testimony, I think it's important to note that
13 the Common Cause maps do not create a majority
14 African American district, instead they rely on
15 the false assumption that I noted before. Again.
16 Thank you for giving me the opportunity to
17 testify in support of LATFOR's proposed State
18 Senate Districts for Long Island. Thank you.

19 ASSEMBLY MEMBER McENENY: Thank you.

20 SENATOR NOZZOLIO: Thank you very much.

21 ASSEMBLY MEMBER McENENY: Judith Nunez.

22 Judith Nunez. Dr. Daniel Altschuler.

23 DR. DANIEL ALTSCHULER, COORDINATOR, LONG
24 ISLAND CIVIC ENGAGEMENT TABLE: I fear I may be

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1
2 too tall for this microphone. I want to begin by
3 thanking the members of LATFOR for holding this
4 hearing today and giving me the opportunity to
5 address you and share my concerns about the maps
6 you have proposed.

7 My name is Daniel Altschuler. And I'm
8 the Coordinator of the Long Island Civic
9 Engagement Table, LICET, a coalition working to
10 increase civic engagement in low income
11 communities of color in Long Island. LICET is
12 led by Make the Road New York, New York
13 Communities for Change, The Long Island Immigrant
14 Alliance, and the Central American Refugee
15 Center.

16 In the fall we conducted a coordinated
17 canvass that reached approximately 20,000 voters
18 in the Town of Islip, in addition to hosting
19 Suffolk County's first-ever bilingual candidate
20 debate in the race for County Executive. On
21 Monday night LICET joined Long Island Wins, the
22 Regions Immigration News Source and Noticia, Long
23 Island's largest Spanish language newspaper to
24 host a bilingual community forum in Brentwood to

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1
2 educate local residents about the redistricting
3 process and the implications for communities of
4 color.

5 The response was overwhelming. 100
6 people packed our office with representatives of
7 over 25 community organizations, from the African
8 American, Latino, Haitian and Muslim communities
9 as well as from organized labor. Despite their
10 diverse origins the message from everyone in
11 attendance was clear.

12 The maps proposed by LATFOR for Long
13 Island are unacceptable because they divide
14 communities of color and reduce these
15 communities' ability to elect representatives who
16 serve their interests. By testifying today I
17 hope to convey the message of unity that was
18 expressed at our forum as many of those present
19 on Monday could not miss a day of work to come to
20 a hearing at 11:00 a.m. on a weekday.

21 I would like to call attention to
22 several specific points related to Suffolk
23 County. The LATFOR maps reflect incumbents
24 trying to protect their interests, their own

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1
2 districts, forgive me, to protect their own
3 districts rather than reflecting the burgeoning
4 and cohesive low and moderate income communities
5 of color in southwest Suffolk County which
6 constitute a clear "community of interest".

7 The insufficient weight given by
8 LATFOR's maps to communities of color in Suffolk
9 County is shocking given that in Suffolk all of
10 the population growth has been among those
11 communities in the last ten years. The
12 comparison between census data from the years
13 2010 and 2000 reveals that were it not for the
14 significant increase in the Latino population and
15 the modest increase in the African American
16 community, Suffolk County's population would have
17 actually declined.

18 The problem of insufficient weight to
19 minority communities throughout the state is
20 evident in both the Senate and the Assembly maps
21 as both create fewer districts in which racial
22 and ethnic minorities would either be the
23 majority or exert strong influence than we
24 believe is merited.

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For instance Common Cause's maps proposed more minority-majority--sorry, majority-minority and minority-influenced districts than LATFOR's maps for both chambers. The most egregious example in Long Island which you've heard much about today is the splitting of Central Islip, Brentwood where our office is located, and North Bay Shore, into two different State Senate Districts, SD's 3 and 4, effectively cracking this community of interest.

The Greater Brentwood area is a cohesive community of specialty businesses, houses of worship, and community organizations that serve all three areas. These large population centers possess an overwhelming majority of African American and Latino residents.

In the proposed districts meanwhile the combined adult African American and Latino population would be 32% in SD 3 and 28% in SD 4. Moreover the nearby majority-minority community of Wyandanch is also split in two.

A better alternative is possible. Whereas your proposal splits these areas into

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three separate Senate Districts, Common Cause's map presented a majority-minority Senate District for Suffolk County that included Central Islip, Brentwood, North Bay Shore and Wyandanch.

Given the problems we see in SD 3 and SD 4 in particular, as well as the similar objections we have heard regarding the cracking of Hempstead in the Senate map, we believe that the LATFOR Commission should undertake a sweeping revision for Long Island that keeps these communities of interest intact by creating a majority-minority district.

Barring such a revision we will again bring together members of dozens of community organizations to advocate that Governor Cuomo veto LATFOR's maps and force a completely new set of maps to be drawn. This year's redistricting process has generated unprecedented interest from communities of color in Suffolk County. On Monday night representative from a panoply of community organizations demonstrated their willingness, indeed their eagerness, to educate themselves about and speak out against proposals

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2 that would diminish their ability to elect
3 representatives that give primary consideration
4 to their interests.

5 If these voices are not heard by LATFOR
6 and by the Governor, we have every intention of
7 continuing to use the various means at our
8 disposal to ensure that the legislative maps
9 respect this community of interest. Thank you
10 very much for your time.

11 ASSEMBLY MEMBER McENENY: Thank you.
12 Todd Breitbart.

13 MR. TODD BREITBART: My name is Todd
14 Breitbart. For many years until 2005 I worked,
15 thank you, for many years until 2005 I worked on
16 redistricting for the Senate minority, as Senator
17 Nozzolio has been very careful to point out. I'm
18 now participating in this process as an
19 independent citizen and the opinions I am
20 expressing are only my own.

21 I am presenting to you today a proposed--
22 --a statewide proposal of Senate Districts which I
23 have called the--the Senate Alternative Plan, as
24 a way of demonstrating the numerous and--and

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2 extensive defects in the proposal that has been
3 put forward by LATFOR. I'd like to make it very
4 clear that all of you including Senator Dilan and
5 the staff are seeing this for the first time
6 today. Besides the documentation that I have--
7 extensive documentation that I've provided to
8 you, I will also email to LATFOR this evening a--
9 a block site list so that you can analyze the
10 plan using your redistributing software.

11 The Senate Alternative Plan demonstrates
12 that statewide it is possible to draw State
13 Senate Districts which in contrast to the LATFOR
14 proposal involve--involve much smaller population
15 deviations and greater quality of population
16 among districts throughout the State; divide at
17 the same time a much smaller number of counties;
18 achieve at the same time a far higher degree of
19 district compactness; avoid a malapportionment of
20 districts among regions of the state;
21 apportioning the regions--the districts among
22 regions of the state in proportion to population;
23 and also at the same time provide better
24 representation for members of minority groups.

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2 The plan will demonstrate, for example,
3 that the failure to create more districts that
4 have a clear Latino majority of the citizen
5 voting age population in Northern Manhattan and
6 the Bronx results directly from your departure
7 from state constitutional principles of
8 compactness and the preservation of counties
9 insofar as that can be done within a reasonable
10 population deviation.

11 And also from your failure to apportion
12 to New York City the number of Senate Districts
13 to which the City is entitled as--in--in
14 proportion to its share of the State's
15 population. I've also updated the series of maps
16 that I presented to you in the fall in which I
17 have shown in a color theme the census data from
18 the last five censuses and the--and the district
19 lines that have been drawn during the last five
20 decades including the prospective district
21 boundaries that--that--that you have proposed for
22 2012 showing how the Black and Hispanic
23 communities in Nassau and Suffolk Counties have
24 been systematically split by Senate District

1 Demographic Research and Reapportionment, 2-9-2012

2 lines for what would now be a full half century.

3 The--although the Senate District lines
4 that are now proposed would only marginally
5 change those that were enacted ten years ago,
6 over the last half century those Senate District
7 boundaries have changed quite considerably,
8 except that the boundary lines that divide the
9 minority communities in the Town of Hempstead, in
10 the Town of Babylon, and in the Town of Islip
11 remain as fixed features while the other
12 adjustments are made around those features.

13 You've heard some testimony today
14 suggesting that this may actually be a benefit to
15 the minority communities that are divided this
16 way. If that is the case and if you truly
17 believe that, it is a wonder that the designers
18 of the Senate plans over the last half century
19 have not chosen to extend this benefit to the
20 non-Hispanic White residents of Long Island.

21 It is also a wonder that so many
22 witnesses have come before you today to complain,
23 actually, if you can believe it, to complain that
24 this great benefit might now be extended to their

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own communities in the drawing of the Assembly Districts.

The plan that I have presented to you and which I will document even further during the coming week, the material I did not have time to prepare for today, will show that if you draw districts that keep together communities that have a great deal in common, these--much more than--than race and ethnicity in terms of the socioeconomic factors that would give them a--a-- a common interest in--in legislations, public policy, and if you follow the other objective redistricting principles that the plan illustrates for the entire State and which the current Senate--Senate majority proposal departs from extensively throughout the State, then you can and will create districts in which this pattern of systematically splitting the minority communities in Nassau and Suffolk will not be continued through a full half century.

ASSEMBLY MEMBER McENENY: Thank you.

Kevin Nelson.

MR. KEVIN NELSON, MEMBER, NEW YORK

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COMMUNITIES FOR CHANGE: Good afternoon. Thank you, the Board, for holding this hearing to hear the voice of We the People. Dear Board: My name is Kevin Michael Nelson. I am a natural-born citizen of the United States. And I am of Haitian descent. I have been a resident of Central Islip for over ten years.

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I am also a member of the grassroots organization New York Communities for Change which has focused on the issues of the foreclosure crisis on Long Island, demanding effective translation equipment for individuals attending the 3rd Precinct community meetings, and increasing civic participation by making phone calls, knocking on doors, flyering churches, supermarkets and neighbors to increase voter participation this past November in communities of color.

In the January 26th editorial, gerrymandered districts live on in New York State. News Day notes that "on Long Island the Senate lines are virtually unchanged failing to reflect or represent the huge growth in minority

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2 populations in places like Babylon, Islip and
3 Hempstead".

4 Thus I am requesting that an
5 independent, nonpartisan body conduct the
6 redistricting maps of New York and it is my hope
7 that the new maps reflect the demographical
8 changes on Long Island. These maps should
9 reflect commonalities that communities in New
10 York share such as ethnic, cultural background,
11 language, economic status, et cetera.

12 For example towns like Brentwood,
13 Central Islip and North Bay Shore areas where
14 large numbers of people of color reside as well
15 as share cultural, religious and economic
16 characteristic. It would be great if the
17 aforementioned towns were grouped together in a
18 district so that these areas could receive their
19 due representation which should be afforded to us
20 as taxpayers. Until then no taxation without
21 representation. Thank you.

22 ASSEMBLY MEMBER McENENY: Thank you.
23 Elizabeth Granados. Elizabeth Granados. Lucius
24 Ware. Lucius Ware.

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MR. LUCIUS WARE, PRESIDENT, EASTERN LONG

3

ISLAND NAACP: Good day everyone. My name is

4

Lucius Ware. I reside in the Town of South

5

Hampton. I am President of the Eastern Long

6

Island NAACP, consisting of the five most eastern

7

towns of Suffolk County in New York State: the

8

towns of East Hampton, South Hampton, Riverhead,

9

South Hole, and Shelter Island.

10

I take the podium at this particular

11

time to give you an opportunity to shift gears

12

and if you would kindly listen with both your

13

hearts and your minds.

14

Let America be America again. Let it be

15

the dream it used to be. Let it be the pioneer

16

on the plain seeking a home where he himself is

17

free. America never was America to me. Let

18

America be the dream the dreamers dreamed. Let

19

it be that great, strong land of love where never

20

kings connive nor tyrants scheme. That any may

21

be crushed by one above. It never was America to

22

me.

23

Oh let my land be a land where liberty

24

is crowned with no false patriotic grief. But

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opportunity is real and life is free. Equality

3

is in the air we breathe. There's never been

4

quality for me. Nor freedom in this homeland of

5

the free.

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Say, who are you that mumbles in the

7

dark? And who are you that draws your veil

8

across the stars? I am the poor White, pulled

9

and pushed apart. I am the Negro bearing slavery

10

scars. I am the Red man, driven from the land.

11

I am the immigrant, clutching the hope I see and

12

finding only the same old stupid plan of dog eat

13

dog, of mighty crush the weak. I am the young

14

man full of strength and hope tangled in that

15

ancient, endless chain of profit, power, gain, of

16

grab the land, of grab the gold, of grab the ways

17

of satisfying need, of work the men or take--of

18

take the pay, of owning everything for one 's own

19

good.

20

I am the farmer, bondsman to the soil.

21

I am the worker, sold to the machine. I am the

22

Negro, servant to you all. I am the people,

23

humble, hungry, mean, hungry yet today, despite

24

the dream. Beaten yet today, oh pioneers, I am

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2

the man who never got ahead, the poorest worker,
bartered through the years.

3

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Yet I am the one who dreamt our basic
dream in the old world while still a serf of
kings. Who dreamt a dream so strong, so brave,
so true, that even yet its mighty daring sings in
every brick and stone, in every furrow turned.
That's made America the land it has become.

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Oh, I am the man who sailed those early
seas in search of what I meant to be my home.

11

12

For I am the one who left dark Ireland's shore
and Poland's plain, and England's grassy lea, and
torn from Black African's strand I came to build
a homeland of the free. The free? Who said the
free? Not me. Surely not me.

13

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17

The millions on relief today, the
millions shot down when we strike, the millions
who have nothing for our pay. For all the dreams
we've dreamed and all the songs we've sung, and
all the hopes we've held and all the flags we've
hung. The millions who have nothing for our pay
except the dream that's almost dead today.

18

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Oh, let America be America again. The

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1
2 land that never had been yet. And yet must be
3 the land where every man is free. The land
4 that's mine. The poor man's, Indian's, Negro,
5 me, who made America, whose sweat and blood,
6 whose faith and pain, whose hand at the foundry,
7 whose plow in the rain, must bring back our
8 mighty dream again.

9 Sure, call me any ugly name you choose,
10 the steel of freedom does not stain. From those
11 who live like leeches on people's lives, we must
12 take back our land again. America. Oh, yes, I
13 said plain. America never was America to me.
14 And yet I swear this oath, America will be. Out
15 of the rack and ruin of gangster death, the rape,
16 and rot of graft, and stealth and lies, we the
17 people must redeem the land, the minds, the
18 plants, the rivers, the mountains--mountains and
19 the endless plain. All, all but stretched of
20 these great states and make America again.

21 Just as relevant today as this poem
22 appeared in Esquire Magazine in 1936, written by
23 Langston Hughes. Thank you very much.

24 ASSEMBLY MEMBER McENENY: Thank you.

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Martha MaFahey [phonetic]. Martha MaFahey.

3

Henry Tayha [phonetic]. Henry Tayha. Tony

4

Musofitti [phonetic]. Tony Musofitti. I think

5

we had... JoAnn, JoAnna Fink or JoAnn Fink.

6

MS. JOANN FINK: Good afternoon. My

7

name is JoAnn Fink. And I am merely a district

8

resident of Huntington. And I come to you, I

9

don't have illustrations and maps and quotes from

10

the Bible but as a real life resident. Just a

11

quick background. I consider myself a city girl,

12

girl from Queens. Grew up there and worked

13

mostly in Manhattan for 17 years. Started a

14

family, wanted to move to Long Island.

15

Started having children, suddenly decide

16

let's get involved with the community. I want to

17

make sure this is the place I want to raise my

18

children. Getting involved with Huntington is

19

the only place I've been for the past 13 years.

20

And I'd like to think of the communities are

21

similar to ours.

22

I've gotten involved with endless PTA

23

meetings, Board of Ed. I'm on the Board of

24

Trustees for other different PTAs within the

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2

community. And you start to meet people. You

3

start to learn about the communities. You start

4

to see how people get involved.

5

You start to see how when certain topics

6

come about the--the passion people have in their

7

neighborhoods. And this is something that I look

8

around; I want to be a part of. This is

9

something great. This is something where people

10

pull together. People listen. Sometimes it

11

doesn't go your way which we have to live with

12

and--and take into--advantage of the times it

13

does. And this is something that I don't want to

14

lose.

15

I don't want to see it separated. You

16

know, I work with a huge group of different types

17

of people: moms, working moms, educators. Got

18

involved with a lot of the teachers,

19

superintendents, all walks. And it's a great

20

sense of community. And Huntington which I love,

21

look I love Manhattan, I'm a city girl, nothing

22

beats New York. But since I can't afford to live

23

there, raising my kids on Long Island and in

24

Huntington, what they have to offer, historically

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and just everything with they have to offer.

I want to keep it short and sweet.

Anything we can do to preserve that and to see--
if anyone wants to come down and see what we do
at these PTA meetings, especially now come March
with the Board of Ed with these budget meetings,
it gets wild. But you know what?

This is what we want to see. We want to
see everyone pull together. And to have that
kind of separated and moved, it's just--it's--
it's--really would be a disservice to the
community. And that's all I wanted to say. And--
-and portray our, on behalf of the PTA,
community, and working mom, I hope that I--I do
speak for the good--

ASSEMBLY MEMBER McENENY: [Interposing]

Is there a Senate District or Assembly District
that you want split or kept together or whatever?

MS. FINK: Well I'm in--I know the South
Huntington School District and we--coupled with
School District 3 and I guess Harbor Fields also,
too, but--and even down to Commack, I mean
there's just a certain real, huge sense of

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1

2 community that we pretty much buddy up together.

3 So that's--that's the only towns I know.

4 ASSEMBLY MEMBER McENENY: Okay. Thank
5 you very much.

6 MS. FINK: Thank you.

7 ASSEMBLY MEMBER McENENY: Deputy Mayor
8 Allen Beach. Allen Beach. Kent L. Ortiz. It
9 is Renee; the R was not closed on top.

10 MS. RENEE ORTIZ, CHIEF DEPUTY CLERK,
11 SUFFOLK COUNTY LEGISLATURE; VICE PRESIDENT, ISLIP
12 NAACP; CO-FOUNDER, LEADERSHIP TOWARDS EMPOWERMENT
13 THROUGH EDUCATION AND EMPOWERMENT: I had revised
14 the testimony I had initially submitted so I'll
15 just leave this here for you. My name is Renee
16 Ortiz. I'm actually the Chief Deputy Clerk of
17 the Suffolk County Legislature. So we're very
18 excited and happy to host you here today, so
19 thank you so much.

20 I'm also the Vice President of the Islip
21 Branch of the NAACP and Co-founder of an
22 organization called LEEP, which stands for
23 Leadership Towards Empowerment Through Education
24 and Participation.

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I am also a life-long Central Islip resident. And therefore a constituent of the 9th Suffolk County Legislative District, the 6th State Assembly District, the 3rd State Senate District and the 2nd Congressional District. Dear Task Force Members: How and where districts are drawn in our State will often determine if our community can elect representatives of choice to sit on our local county and state legislatures as well as US Congress.

It can also influence whether or not our elected officials respond to our needs such as ensuring equal educational opportunities or health care for everyone. Unfortunately minority voters have frequently faced discrimination in voting during the redistricting process. Those charged with the responsibility of drawing district lines generally rely upon census data to determine the demographics of communities. This data can also be used to show the racial and ethnic composition of an area. Although the Supreme Court's decision in Shaw v. Reno, 509 U.S. 630 (1993) prohibits certain uses of race in

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1
2 redistricting, the Voting Rights Act still
3 requires the creation of districts that provide
4 an opportunity for minorities to elect a
5 candidate of choice when certain conditions are
6 met. Race remains a permissible consideration if
7 and when necessary to satisfy a compelling state
8 interest, such as compliance with the
9 requirements of the Voting Rights Act.

10 In addition, states may also voluntarily
11 choose to provide minority voters opportunities
12 to elect a candidate of choice, even when the
13 Voting Rights Act does not require them to do so.
14 In fact, race is always a part of the
15 redistricting process, which I'm sure you all
16 know. It's not, by itself, illegal. Of course,
17 state and local officials must give some
18 consideration to race to help ensure that the
19 redistricting plans they create do not dilute
20 minority voting strength and comply with the
21 requirements of the Voting Rights Act. The
22 Supreme Court has clearly stated that a
23 redistricting plan will not be held invalid
24 simply because the redistricting is performed

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1
2 with consciousness of race, or because a
3 jurisdiction intentionally creates a majority
4 minority district.

5 Of particular concern to me is LATFOR's
6 proposed map, which splits the Central Islip
7 Brentwood and North Bay Shore communities into
8 two separate senate districts, Senate District 3
9 and 4. This is a blatant quote-unquote
10 "cracking" of our community, and a clear dilution
11 of our vote and our voice. Comparative maps
12 developed by the public interest group Common
13 Cause present a more inclusive senate district,
14 which keeps our diverse communities whole and
15 allows us proper representation. We hope this
16 task force will consider this proposal as a
17 better alternative.

18 On the contrary, I was very surprised to
19 see the proposed congressional maps by Common
20 Cause, where my own community and most of the
21 minority communities on the South Shore of
22 Western Suffolk are drawn into the Congressman
23 Peter King's district, unlike the current lines
24 where Peter King represents a mostly Caucasian

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2 population on the South Shore, very similar to
3 the demographics of the Nassau County portion of
4 this district. The Common Cause maps bring
5 Representative King's district into areas like
6 North Amityville, Wyandanch, Brentwood, and my
7 home of Central Islip, all of which are very
8 different than the rest of his district.

9 Huntington Station, which has a large
10 African American and Latino population remains in
11 Congressman Israel's district. I fear that by
12 splitting the minority population between these
13 two districts we will lose influence. To dilute
14 that population and lump us into Peter King's
15 district will diminish our influence, and would
16 leave us without adequate representation. While
17 I'm aware that LATFOR has not released a proposed
18 congressional maps, I hope you will not consider
19 these as a guide when finalizing and releasing
20 your proposed congressional maps.

21 Redistricting is one of the most
22 important events in our democracy, as it
23 determines the allocation of political power. As
24 the census shows the increasing numbers in

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2 minority communities, especially our growing
3 Latino population, it is imperative that we
4 ensure our voices are heard, and we see maps that
5 reflect our demographics and do not divide these
6 communities or diminish our representation or
7 dilute the strength in our voice. Thank you very
8 much.

9 ASSEMBLY MEMBER JOHN MCENENY: Thank
10 you. Mimi Pierre-Johnson.

11 MS. MIMI PIERRE-JOHNSON: Good
12 afternoon. My name is Mimi Pierre-Johnson. I am
13 the Long Island Political Organizer for New York
14 Community for Change, and I am a resident of
15 Elmont in Nassau County. I would first like to
16 thank you for the opportunity to speak to the
17 task force today. I am here today because New
18 York Community for Change is worried about the
19 district lines, especially for the Senate, and
20 about the process used to devise these lines.
21 The new lines will split the African American and
22 Latino communities on Long Island into many
23 Senate districts, weakening our voice and our
24 vote, as you've heard so many times today.

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Our already marginalized power will be further diminished if these lines are put into effect. In my community of Elmont, we will be divided into two senate districts. Some of us will be represented by Senator Martins, and the other by Senator Skelos, but the issue we are confronted with remain the same. Our schools are underfunded. The banks are taking our homes, and crimes continue to creep into our community. This is just like what is happening in Suffolk County in the communities of Brentwood and in other areas throughout the state.

It is our right in a democracy to have someone who represents us and will tackle these very real problems in Albany. Instead, we are split, so a political party can maintain its power. This is hurtful to our members in low and moderate-income communities of color, who continue to have their voice silenced in the name of partisan gain. The task force should go back to the drawing board and create districts in the model and spirit that led Common Cause to keep communities of mutual interest together and not

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weakly separate.

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And if I still have a few minutes on my five minutes, may I say this as a resident of Elmont. I know many people have said they don't understand how this could possibly be minority, and others don't understand how, you know, it has been said that this will empower the minority communities. I just want you to think as you go back to the drawing board—because I really do believe you have to do that—in Elmont in particular, where I live. In the 7th Senatorial and the 21st Assembly District, and also the 3rd Legislative District, we have a young man who was raised in Elmont, who now has won his seat from the incumbent of 16 years. He sits now as our legislator. You also have a freshman Assemblyman who I ran against in 2010. The lines are drawn right now that this freshman, who I have not had a conversation with since our last debate, that was over two years ago, and now his lines are drawn in a way for the next ten years, he will have that seat.

And as you heard today, Lynbrook doesn't

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want us. Other areas in Assemblyman Curran does

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not want us. They don't refer to us as a place

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where humans live, they say that other new area.

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So when you're sitting as a resident in Elmont,

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you say to yourself nobody wants us, why is that?

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Is it because we finally said to ourselves, you

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know, we need representation, there are issues

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that are not being addressed? So people like

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myself, a housewife, people like Carrie Solages,

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one who came back to his town to open up a

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business, said you know what, we want our issues

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and our voices heard.

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So it almost feel as if the state has

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said to us, listen, you guys are getting a little

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bit too excited about your democracy here. We

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need to just keep you a little quiet. So what

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you have done, you have split what has become a

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very hardworking, loud voice in that area, by

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splitting us up.

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I beg of you, for the future of my

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children, and those in this 21st Assembly

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District, and the 7th Senatorial District, don't

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do this to us. Just when we have a momentum,

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2 just when people are excited about democracy,
3 just when everyone is excited about even politics
4 and elections, don't do this to us. If you say
5 that you're giving us a stronger voice, then
6 leave it alone, because we do have that stronger
7 voice the way it is now. If you split us up,
8 it's going to take us a while before someone else
9 have the nerve to say I am going to run. I did
10 not have any political experience when I ran, but
11 I did it because I love my community just as it
12 is. So please, when you go back to your
13 respected office, think about this. Don't break
14 up a wonderful, wonderful district and community
15 so that a freshman can keep, can keep his seat
16 for years to come. Let us stay the way we are,
17 so we can continue the work of everybody in that
18 district. Thank you.

19 ASSEMBLY MEMBER MCENENY: Thank you.

20 Dennis Terry. Dennis Terry.

21 MR. DENNIS TERRY: Okay. There you go.
22 Good afternoon. When I got here it was good
23 morning, so I'll say good morning to you and good
24 afternoon to you. I'm Dennis Terry. I'm a

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2 resident of New York. I'm here on behalf as a
3 citizen, but to talk to you as a citizen for the
4 State of New York, rather than Suffolk County or
5 Brookhaven or the town that I live in. I'm a
6 retired history teacher, so you're going to get a
7 little bit of history, so bear with me. Some of
8 you may be scratching your head, oh no, another
9 history teacher. I didn't like history then, and
10 I don't like it now.

11 But in any event, we have to know our
12 history. If you don't know your history, your
13 history will come back to bite you in the butt.
14 And if you look at our history as far as voting
15 and rights and disenfranchisement etcetera,
16 you'll notice that going back years ago, many
17 people couldn't vote because of the law, de jure
18 segregation, as a result. And then we had the
19 13th, 14th, 15th Amendment back in, like, 1867 it
20 passed, 1866, so I'm going to say 1865 to show
21 you something here.

22 When you did get the right to vote, then
23 you had all the laws coming through such as the
24 Grandfather Clause, the literacy test, and the

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2 poll tax, so you could not vote even though you
3 had the right legally to vote, so that was a form
4 of de facto segregation, which means that you
5 can, in fact, not vote, even though legally it's
6 wrong to do.

7 The Voting Right Act kind of, like,
8 cleared that up in 1965, so that's 100 years
9 later. I hope it doesn't take another 100 years
10 for us to correct this thing at 2065, okay.
11 There are a few suggestions that I might make to
12 you as an educator. I know this may be a little
13 bit off the line here, but hear me out. Many of
14 our youngsters don't have the same educational
15 equal opportunity. Now in the 14th Amendment,
16 everybody has the equal protection under the
17 laws, and if you give everybody equal
18 opportunity, no matter where they live, they will
19 have the same economic opportunity, and maybe we
20 wouldn't be debating redistricting, etcetera,
21 etcetera, okay? No matter where you live, you
22 would get the same amount of money.

23 So if you had 100 kids to be educated in
24 all of the State of New York, and you had \$100 to

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educate those kids, you divide it out, each kid

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would get \$1 no matter where you live, so you

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have an equal opportunity there. Today we're

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suffering from de facto disenfranchisement,

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meaning that you have people in various different

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groups, and it's not necessarily racial. I've

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heard a lot of racial. It's economic as well,

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probably more so economic, okay. We've talked

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about people where you have divides, and no, it's

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illegal, as we know, to have legal separation, de

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jure segregation is illegal, but it happens by

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fact.

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If you would, please look at those

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districts again, okay. Consider those districts

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and see what you--what impact you're going to have

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not on me, not on you. I have a great

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retirement. You probably have a good salary and

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great retirement as well, but our kids, our

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future. Not so much me. I've made it, okay, but

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our future. So please, when you make your

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decisions, when you go back, I support what

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Governor Cuomo's saying, that we should have a

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non-partisan, because what person who is running

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2 for office, who is in office now, is going to
3 vote him or herself out? No, this is a great
4 idea for me, so I'm going to vote for it, versus
5 what's good for the state, what's good for our
6 people.

7 I appreciate your time. I appreciate
8 your efforts, and I know your job is hard, and I
9 wouldn't want your job, trust me. And please do
10 the right thing for our young people. Thank you.

11 SENATOR NOZZOLIO: Thank you.

12 ASSEMBLY MEMBER MCENENY: Thank you very
13 much. Paul Johnson.

14 MR. PAUL JOHNSON: Good - - . My name
15 is Paul Johnson. I live in Huntington. I'm the
16 fifth generation. I'm a Korean veteran, and I
17 have great-grandchildren. And as I look at, I
18 look at what we're getting ready to do here, and
19 my children tell me what's the use. Divide and
20 conquer, the same old story you tell us. And as
21 I look here, I don't see anybody that looks like
22 me on the panel. You can't be in it, if you
23 don't get my viewpoint. So I assume that's why
24 you have us here today.

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But the thing of it is, we don't want to be divided. I can remember in Huntington in 1939 I knew everybody in Huntington. Now I don't even know the people next door. Things change, and things have to change with the changes, but the idea of it is we like to have things that we can have a say in the change, and with us not being on the board here, we're not really getting our input in, because we're not having the final say. You can hear what I say, but you're going to do what you want.

I want you to tell me, or rather, I'll see—I'm going to tell my children when I get home. They want to know what did you do this afternoon. I'm going to tell them I was there, and I'm going to tell them that I - - and they're going to say, "Well, what are they going to do?" I says, well, you look and see what they're going to do, and they says, "Same old same old?" I says no, we're going to have a change. And I hope you do make the change.

ASSEMBLY MEMBER MCENENY: Thank you.

Kerry Trainor.

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MR. KERRY TRAINOR: Good afternoon. I live in that 9th District that seems to—I'm pushing the button, is it working? Okay. I live in the 9th District that's become notorious today. I've listened for over three hours. A lot of the things that have to be said have been said. I want to give you my point of view, which is this 9th District and some of the other districts are impractical. They're condemning the elected official to a nightmare every time he has to go to an Eagle Scout meeting or something else.

This 9th District is impossible. There is no way that an elected official can maintain community contact and do his job on behalf of these very different communities. I would suggest to the committee that they've made a good decision by not having a map up showing these districts, because I keep looking at it as I've been waiting to speak, and it's difficult to avoid anger. Frustration clearly comes into it, and a cynicism keeps popping into my head, because there's no logic to these districts other than self aggrandizement of some kind that I

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don't quite understand.

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You've heard speaker after speaker hint at or straight up bring up suspicion of something. This is a terrible situation that's been created. You really have to consider alternatives. In our district, this proposed new 9th District, we heard a history of Massapequa from a representative who's proud of his community. I live in the area where Andy Raia comes from, and he's proud of his community. He grew up there too. Our district will have a wasteland in the middle. If you look at the map, the middle portion has no residential communities. It's mixed industrial and mercantile.

If our district were to find a central point to meet, it would be in this wasteland. It would be Costco, 'cause there's no place else in the middle of our district. Now today we heard from people who are here on behalf of their organizations, and some people like myself who have a past with government. I'm retired now, so I can be here. But the people you're not hearing

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2 from are the people who are out there working,
3 driving on the expressway, driving on other state
4 roads, annoyed with the potholes, annoyed with
5 the traffic lights, annoyed 'cause they can't get
6 home to their families quickly enough, and all of
7 their annoyance builds up to a resentment of
8 government's mistakes.

9 We're a democracy. We need the people
10 to respect and be part of the government. We're
11 losing them. There's a disconnect. And these
12 districts will make a bigger disconnect. At this
13 point there are many people who don't belong to
14 any organizations who sit back and say to
15 themselves in front of their children and their
16 families, government stinks. They're all out for
17 themselves. If our democracy's going to last,
18 you have to stop the disconnect.

19 With this proposal you're making it
20 worse. There's nothing good about this. There's
21 nothing to be proud of. Please don't do it.
22 Take care of Long Island. Thank you.

23 ASSEMBLY MEMBER MCENENY: Thank you.

24 Robert Lifson.

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MR. ROBERT LIFSON: I think that does it, right? I'm holding it. Is that it? Good. Members of the committee and-task force, rather, thank you for this opportunity. I commend you on your perseverance and your patience. It's been a long day. I think it's important-I've heard, because I've been here so long, I've heard everyone else speak, and it's a little disconcerting to hear such displays of advancing one interest over the other, and I would just remind you that as elected members of the Assembly and the Senate, they share-you should share, as all public officials share one thing in common. All public officials take an oath to uphold and abide by the terms of the Federal and State Constitutions.

And I haven't heard anyone really mention it in detail, but the New York State Constitution's quite clear on what the responsibilities of the task force and the legislature are. And it says that you are to divide the counties into assembly districts as nearly equal in number of inhabitants, excluding

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2 aliens, as may be convenient and contiguous
3 territory, compact in form as practical, each of
4 which shall be wholly within a Senate district.
5 And those are the criteria. All the other
6 things, they're very nice, but that's what you're
7 responsible for doing.

8 Adhering to the sound principles of the
9 Voting Rights Act doesn't mean you can negate
10 those principles. And in the case of the
11 Assembly district, I'm a resident of Huntington,
12 they've been totally ignored. We have very
13 little in common with people who live in
14 Massapequa, I can tell you that. Long Island
15 traditionally, the community of interest is based
16 on which shore of the island you lived on.
17 People in North Shore share a community of
18 interest with other residents of the North Shore,
19 and have very little in common with people in the
20 South Shore in terms of their nature. And that
21 has to do with the Long Island Sound in the south
22 end of our county. People who live in a sewer
23 district don't have the same interests as people
24 that don't live in sewer districts. It drives

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2 taxes. It drives things to do with school
3 district taxes, and the like. And you've all
4 heard that.

5 And I think a lot of the criticism
6 you're hearing today would be obviated if you
7 returned to the very direction that the New York
8 State Constitution directs you to, and then you
9 will avoid the inevitable consequence that
10 someone's going to bring a lawsuit, and that will
11 serve no one's purpose and add to the great
12 expense of having to do this all over again, or
13 worse, to surrender our rights to have our
14 elected officials reapportion us, and have some
15 unelected federal judge do it. And so I would
16 beg you to reconsider some of the egregious
17 consequences of this, and I might point one other
18 thing, which is particularly disturbing to me as
19 a resident from Huntington. Under New York State
20 law, as you well know, that the requirements for
21 ballot access to some degree are based on
22 assembly districts.

23 And to give you a graphic example, if
24 this plan is approved, in the town of Huntington

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you will diminish the ability for ballot access
3 by 50%. By that I mean currently it's 5%, or the
4 lesser of 5% of the registered voters in a
5 political party or 1,000 voters, meaning 500 per
6 assembly districts, two assembly districts, 500
7 equals 1,000. You'll have increased that margin
8 to 1,500 at a minimum, which really negatively
9 impacts the ability of the average citizen to
10 participate in the elective process, and I don't
11 think that's something that anyone would want to
12 do.

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ASSEMBLY MEMBER MCENENY: Thank you.

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Ann Podina [phonetic]. Ann Podina [phonetic].

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Bessie Villanueva [phonetic]. Bessie Villanueva

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[phonetic]. Terry Scotfield [phonetic].

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MS. TERRY SCOFIELD: Okay, have you guys

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got me on mic? Can you hear me? Okay. Then I'm

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doing this correctly. First, as a Suffolk County

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resident, my name is Terry Scofield. I'm a

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resident of Brookhaven township, and I'd like to

22

welcome you to a building that I co-own with

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other Suffolk County resident.

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ASSEMBLY MEMBER MCENENY: [Interposing]

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2 Excuse me, is it Scotfield [phonetic] or

3 Scofield?

4 MS. SCOFIELD: Scofield, S-C-O-F-I-E-L-

5 D.

6 ASSEMBLY MEMBER MCENENY: Okay. It's

7 wrong on the list here, I'm sorry.

8 MS. SCOFIELD: That's quite all right.

9 ASSEMBLY MEMBER MCENENY: Go ahead, Ms.

10 Scofield.

11 MS. SCOFIELD: Again, welcome you to

12 Suffolk County, and I thank you all for being

13 here today. I want to speak on behalf of the

14 people that you're not hearing from, as Mr.

15 Trainor and several others have spoken. In fact

16 it was clearly an accident that I was here today,

17 because I had just called around, and had wanted

18 to get testimony from some folks who said "I'm

19 not going to come, you think they're going to

20 listen to me? They're owned by the five party

21 boss cabal. The Republicans, Democrats,

22 Independence Party, Conservative Party, and the

23 Working Families Party all go in a room, cut up

24 the districts, decide who's going to get what

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2 seat, and we don't have a choice for who runs."

3 So I thought it was really important to
4 come here today and tell you that the public
5 perception of our elected officials from a
6 village and town level to the county level to the
7 state level to the federal level is now being
8 seriously eroded by the preliminary maps that you
9 guys have published. Now, I'm very lucky. I
10 live in a district that doesn't have a lot of
11 change. However, when I look at around my county
12 and I see what's happening with the assembly
13 districts on the East End, with the North Fork
14 being cut up and half of it handed to the South
15 Fork, when I look to my west and I see Central
16 Islip and Brentwood and other minority and Latino
17 communities cut in half, and by the way I did not
18 know that was - - so I'm glad I came today. I
19 learned a lot. But I think that each of you need
20 to go back to the communities that you represent,
21 and ask yourself, because everybody can look up
22 where your money comes from. Everybody who-knows
23 how you got into power. So each of you need to
24 go back to the communities that you represent,

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2 and ask them how would you like to be cut in
3 half? How would you like us to effectively cut
4 you off? Because as far as I'm concerned,
5 everybody here that testified today, myself
6 included, we're just yanking each other's chains.
7 Unless and until we do away with the five party
8 boss cabal, there will be no choice for the
9 people of Suffolk County, for the people of Long
10 Island, or for the people of New York State,
11 because we don't even get to decide who's on the
12 ballot. So do a good job, but you know what?
13 You're largely irrelevant. Thank you.

14 ASSEMBLY MEMBER MCENENY: Thank you.
15 Raymond Avera [phonetic]. Raymond Avera
16 [phonetic]. John F. Caruso.

17 MR. JOHN F. CARUSO: There was good
18 morning when I wrote my notes. Good afternoon.
19 Very interesting here today listening to everyone
20 give testimony, and one of the themes that has
21 come through loud and clear is the fact that
22 communities want to stay together. My father
23 came to Massapequa in the twenties and sold real
24 estate. He brought in our friends and families.

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2 I've been living in the Massapequas for 40 years.
3 I'm not different than any of my neighbors or any
4 of the people who live there. We are deep in
5 community history, and we are deep in community
6 relations.

7 In fact, if you travel around the state
8 or if you travel on public transportation and you
9 strike up a conversation, even in an airplane,
10 people know Massapequa. They know it's defined,
11 they know its definition. They know to the east
12 we're separated at the county line. They know to
13 the west we're separated by a town line between
14 Hempstead and the town of Oyster Bay. Most
15 importantly, to the south is the Great South Bay,
16 where many of us have come through the years
17 because of the fruits that are there and because
18 of our love for the sea and the ocean. We are
19 sitting here today, and I come to you not only as
20 a citizen of Massapequa and the State of New
21 York, but as an elected official.

22 Now many of you think water
23 commissioners, for whatever reason, are whatever
24 they are. Water commissioners and fire district

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commissioners and people in the school district
3 are at the very most personal level to deal with
4 the citizens of our community. They might not be
5 able to get to a senator from the federal
6 government or a congressman, but when we go and
7 gas up our car, or when we go shopping, or when
8 we come out of church, people want to know what's
9 going on. They want to understand, and they ask
10 us. So we can give you the pulse of the local
11 Massapequa community.

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You heard our Assemblyman Saladino
before discuss the history of the Massapequas.
Our people do not want this carving up the way it
is proposed, simply because it doesn't keep our
community together. That is most important, and
we had our—from our history teacher that was here
before, he said let's look to history. I'll get
back to that in a moment.

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But what Assemblyman Saladino did say is
that we are confronted now with one of the most
toxic plumes in the United States, emanating from
the Navy/Grumman Bethpage site. It has been
allowed to advance unabated for over 25 years

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2 until now the little community known as
3 Massapequa has gotten all of the regulatory
4 agencies to take notice. There is one fact for
5 sure, the DEC, the EPA, the governor, senators
6 know Massapequa. They know they want this plume
7 stopped, and the only reason they know that is
8 that our community got behind this issue, made it
9 public, and made them pay attention.

10 To think we are finished with it is
11 wrong. To break up this water—to break up our
12 community at this time into separate assembly
13 districts will take that strength away from us.
14 If you look to the Great South Bay, that is where
15 this plume is going to end up. So everyone who's
16 a stakeholder in living on the bay or having
17 recreation on the bay or fishing on the bay
18 sooner or later is going to be impacted.

19 Massapequa has stood up, taken its position, and
20 made the regulatory agencies pay attention. That
21 is community involvement. That is what you've
22 been hearing the theme is today.

23 If you look at the proposed district,
24 the 9th District, I don't know how on earth the

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2 people who take their drinking water from our
3 sole source aquifer will be properly represented
4 as they are now. So we say to you this is not
5 what is good for the political arena, but it is
6 very bad for the arena of health. You have to
7 understand that there is commonality for people
8 that live along the Great South Bay as was
9 pointed out before, commonality for people that
10 live along the Long Island Sound.

11 So if history is to repeat itself, as
12 our history teacher told us, I ask you to recall
13 a very famous book called The Power Broker by
14 Robert Cairo, and I ask you to look at the
15 chapter referring to the Cross Bronx Expressway,
16 which split a community in the 1940s, and the
17 Gowanus Expressway, which split a community in
18 the 1930s. Those lessons cannot be repeated. I
19 thank you for your time.

20 ASSEMBLY MEMBER MCENENY: Thank you. Jim
21 Gorran [phonetic]. Jim Gorran [phonetic]. Robert
22 Barret.

23 MR. ROBERT BARRET: Good afternoon. I
24 thank the committee for the opportunity to speak

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2 here today. My name is Robert Barret, and I am a
3 53-year-old resident of Massapequa. I am the
4 immediate past president of the Massapequa
5 Chamber of Commerce, the past vice president of
6 my civic association of my hometown neighborhood,
7 Nassau Shores, and I currently sit on the board
8 of directors of the Massapequa High School Hall
9 of Fame.

10 There are many things disturbing about
11 the proposed reapportionment plan, but the one
12 thing that strikes me as the oddest is the notion
13 that members of the Massapequa Chamber of
14 Commerce and members of the Massapequa Park
15 Merchants Association now lie in different
16 districts with two different representatives.
17 This model, to me, I find ludicrous. Without
18 continuity of district, we diminish our ability
19 to come together as a business community,
20 networking will suffer, and with it the small
21 businessman, the entrepreneur, the mom and pop
22 stores.

23 Small business has long been considered
24 the backbone of our society, and the financial

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2 breadbasket to hundreds of millions of people
3 around America. We are, after all, the Chamber
4 of Commerce of the Massapeguas Incorporated, not
5 the Chamber of Commerce, including part of the 9th
6 District but members of the 17th District need not
7 apply, Incorporated. When we arbitrarily move
8 the lines for political gain, we descend into a
9 soft tyranny, a condition that hinders hope among
10 its members and/or its citizens. When you divide
11 an area like Massapequa into political units to
12 give special advantage to one political party,
13 you weaken the strength of that community.

14 A power play to create these new
15 districts is utopian socialism in disguise. It's
16 a fantasy. It's a hologram. It's the eagle on
17 your credit card that seems to soar. When you
18 fragment an area such as Massapequa and draw a
19 new line in the sand, you break the continuity of
20 a community steeped rich in tradition. I fear
21 the day I have to tell my young son what it was
22 once like to live in a united Massapequa.

23 If this plan goes through, whether the
24 redistricting is veiled under the shroud that

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2

says one person, one vote, or by strict

3

conformity to the Voting Right Act, our destiny

4

will be a fait accompli. In other words, there

5

will be irreversible damage. If we are to truly

6

enjoy civil and political liberty, the citizens

7

of the 12th Assembly District need to stand up.

8

If destruction be our lot, we must ourselves be

9

its author and finisher, otherwise, as Lincoln

10

said, the nation will surely die by suicide.

11

Therefore I implore this committee to

12

look at for the folks for once, and put aside

13

your partisan politics. This is no small matter,

14

ladies and gentlemen. It's time to do what's

15

right. We can no longer skirt the issue or as

16

General David Petraeus told President George Bush

17

on the even of the surge in Iraq, this isn't

18

double-down, Mr. President, it's all-in. Thank

19

you.

20

ASSEMBLY MEMBER MCENENY: Thank you.

21

Patricia Orzano [phonetic]. Patricia Orzano

22

[phonetic]. That includes the 45 people who are

23

on the list, and we will ask anyone—first,

24

anybody in the room that has not testified

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before—if they would like to speak. Hearing

3

none, I see a gentleman—come on up. [Pause] I

4

know. Good afternoon.

5

MR. ROBERT SUMMERVILLE: Good afternoon.

6

My name is Robert Summerville, and I'm sorry for

7

being late, but—

8

ASSEMBLY MEMBER MCENENY: You're not

9

late. As long as we're here it all goes into the

10

same public record, sir.

11

MR. SUMMERVILLE: I develop a habit to

12

some degree of being a little tardy for some of

13

the meetings that I attend, because earlier in my

14

life a young man told me, you know, you always

15

coming in late, one of these days you're going to

16

be late for your own funeral. I thought that was

17

a good idea, so I'm trying to get me a couple of

18

more years. So I'll—I apologize.

19

Again, as I said, my name is Robert

20

Summerville. I'm a member of the Roosevelt Union

21

Free School District, but today I do not address

22

you at that capacity. I'm only drawing some

23

information that we have as a school district,

24

because it is important to me and my community.

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For approximately 30 years I worked hard to get a full complement of books in the hands of the kids in Roosevelt School, and as recently I became a success story by having those kids armed with the tools of the educational trade, books. I am going to make some statements that may sound to some as being against minority participation, but that's farthest from the truth. To show you my commitment to participation, in 1959 I was removed out of the state of Mississippi and placed into the military, because I was involved in with minority participation. I became an activist in 1963 in - - with the NAACP in order to stop the program or the project called Negro removal. So I'm well grounded in the fundamental principles or participation.

But I rise before you today to give you somewhat of what I will call a success story. We currently have somewhere in the neighborhood of five schools that's coming on board in the Roosevelt Union Free School District. We have a mortgage for approximately 30 years, and we have a team that was able to bring all of that to us.

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2 We have the 8th Senatorial District, and we have
3 the 18th Assembly District. Unfortunately, 10
4 years ago this one square mile was divided in the
5 18th Assembly District, and I wouldn't like to see
6 that happen again, because, as I said, we have a
7 team, and it's important to keep that team
8 together.

9 As Billy Carter once said, if it ain't
10 broke, don't fix it. Roosevelt at this time
11 isn't broke, so please don't give us the axe.
12 Thank you.

13 SENATOR NOZZOLIO: Thank you very much.

14 ASSEMBLY MEMBER MCENENY: Thank you.

15 Now I believe you're the—give us your name. I
16 believe you testified at Queens earlier this
17 week, and I would caution you if you're bringing
18 up new issues, since we're creating one
19 continuous transcript here, then you're very
20 welcome, but not a repeat of previous testimony.
21 Thank you. Please.

22 MR. JOHN BUDNICH: My name is John
23 Joseph Budnich, born at Mitchell Field Air Force
24 Base. I'm immensely proud of my Mexican,

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2

Spanish, Polish, Irish, Ukrainian, Scottish

3

heritages. My great-grandfather fought with

4

Kearny part of the United States. My other

5

great-grandfathers fought at Gettysburg to help

6

make freedom for everyone in America the same. I

7

have been sent here by Massapequa Against Drugs,

8

Drug-Free Massapequa, because we have a horrible

9

problem in the Massapequa community. We have

10

unfortunately become an epicenter of drugs

11

destroying young people. We've had huge numbers,

12

unfortunately too huge numbers of young people

13

dying of overdoses, killing themselves, because

14

of the fact that they're not able to deal with

15

the fact that they have uncontrollable drug

16

abuse. We have a situation that pervades the

17

entire Massapequa area. I'm a former head of-

18

when I lived there-Hicksville Against Drugs,

19

while that area was divided between four assembly

20

districts. It didn't help that problem, the drug

21

problem there, having four assembly districts, I

22

can tell you professionally as a former assistant

23

district attorney, and seeing horrible things

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happen.

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The thing that I want to emphasize is that the Massapequas should not end up in a similar situation as to what I saw when I was living in Hicksville, which was divided too many ways, okay. And it took us years in Hicksville to get that put back together, and we have a situation in the Massapequas, it's a life-threatening situation that I don't believe anybody has brought to your attention. We are fighting with the various groups, organizations, activities, school districts, water districts, fire districts, throughout the area. We need them united. We need a united voice in Albany. Thank you very much. God bless you all. You're doing an incredible job.

SENATOR NOZZOLIO: And thank you for sitting through—

[Background voices]

ASSEMBLY MEMBER MCENENY: Did you wish to speak, sir?

SENATOR NOZZOLIO: I was going to say the same thing in Ukrainian, but Ray beat me to it.

1

2

[Background voices]

3

ASSEMBLY MEMBER MCENENY: Is there

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anyone else here in the room who would like to

5

speak? Hearing none, we're going to declare this

6

hearing closed. We thank the 47 people who gave

7

verbal testimony, additional people who sent

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testimony in here in writing, and we'll continue

9

to do so. It is our hope next week Syracuse,

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Rochester, Buffalo, during Presidents Week,

11

wrapping this up, making a number of changes, and

12

hopefully we'll have something here by the end of

13

February. What's that?

14

SENATOR NOZZOLIO: Assemblyman McEneny,

15

thank you for your chairing, your work today,

16

that we are changing the time of the Rochester

17

meeting. It is scheduled for this upcoming

18

Wednesday, February 15th, currently scheduled at

19

10 a.m. in the County Legislative Office

20

Building, that the time is being changed to

21

11:30, 11:30, Wednesday the 15th of February in

22

Rochester. Thank you.

23

[Music]

24

(The public hearing concluded at 2:56

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1

2

p.m.)

C E R T I F I C A T E

I, Debra Bonogofsky, do hereby certify that the foregoing typewritten transcription, consisting of pages number 1 to 54, inclusive, is a true record prepared by me and completed from materials provided to me.

Debra L. Bonogofsky

Debra L. Bonogofsky, Transcriptionist

February 15, 2012 Date

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I, Marsha Branch, do hereby certify that the foregoing typewritten transcription, consisting of pages number 1 to 57, inclusive, is a true record prepared by me and completed from materials provided to me.

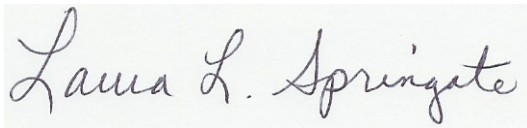


Marsha Branch, Transcriptionist

February 16th, 2012

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I, Laura L. Springate, do hereby certify that the foregoing typewritten transcription, consisting of pages number 1 to 54, inclusive, is a true record prepared by me and completed from materials provided to me.



Laura L. Springate,
Transcriptionist

February 15, 2012

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I, Rachel K. Bevilacqua, do hereby certify that the foregoing typewritten transcription, consisting of pages number 1 to 41, inclusive, is a true record prepared by me and completed from materials provided to me.



Rachel K. Bevilacqua,

Transcriptionist

2/15/2012 Date