

NEW YORK STATE LEGISLATIVE TASK FORCE ON DEMOGRAPHIC
RESEARCH AND REAPPORTIONMENT

PUBLIC HEARING
CONGRESSIONAL AND STATE LEGISLATIVE REDISTRICTING

Queens Borough Hall
Meeting Room 213 - 1 & 2, 120-55 Queens Boulevard
Kew Gardens, New York
Wednesday, September 7, 2011
10:00 a.m. to 3:15 p.m.

Task Force on Demographic Research, 9/7/11

TASK FORCE MEMBERS:

SENATOR MICHAEL F. NOZZOLIO, Co-Chair

ASSEMBLY MEMBER JOHN J. MCENENY, Co-Chair

SENATOR MARTIN M. DILAN

ASSEMBLY MEMBER ROBERT OAKS

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WELQUIS LOPEZ

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2 (The public hearing commenced at 10:00
3 a.m.)

4 SENATOR MICHAEL F. NOZZOLIO, CO-CHAIR,
5 NYS LEGISLATIVE TASK FORCE ON DEMOGRAPHIC
6 RESEARCH AND REAPPORTIONMENT: Ladies and
7 gentlemen, we apologize for the delay. It took
8 some time to set up the equipment, and that's the
9 reason for this delay. I'm New York State
10 Senator Mike Nozzolio. I'm welcoming you all
11 here today, and we are pleased to be in Queens.
12 We are the task force designed by statute to
13 review the redistricting process, to take public
14 opinion. This is our hearing in Queens. It's
15 the seventh in a series of a dozen hearings that
16 we have conducted and will be conducting across
17 the state. These proceedings are being recorded,
18 and we ask the young lady who is New York One
19 that you are very close to being in front of the
20 camera that is recording these proceedings. For
21 the first time ever the redistricting hearings
22 are being recorded and are available for review
23 on the LATFOR's website. I'm here, very pleased
24 to be here with co-chairman, Assemblyman Jack

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2 McEneny. Let me before Assemblyman McEneny
3 indicates his comments, I want to thank those
4 members of the task force who are here today:
5 Welquis Ray Lopez, who is a citizen-member of the
6 task force; Senator Martin Dilan, who is
7 representing the Senate; Assemblyman Jack
8 McEneny; and our other citizen representative
9 Roman Hedges; Assemblyman Robert Oaks is a member
10 of the task force and is on his way. That there
11 are over 30 who have asked to testify and present
12 their comments today, that is wonderful. The
13 public input is something we welcome. Those who
14 could not testify but are watching these
15 proceedings via the internet, please feel free to
16 submit your written thoughts to the LATFOR Task
17 Force. We have fought hard to make this the most
18 open and transparent process possible in
19 establishing redistricting. There are some who
20 are going to indicate today that they wish to see
21 another type of redistricting process
22 established. That's not for the decision to
23 establish that different process. It's not up to
24 the members of this task force. We have to

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2 comply with existing law. Existing law present a
3 fiduciary relationship to us and responsibility
4 to us as appointed members of this task force to
5 conduct these hearings and begin the process, the
6 process that began in earnest in mid-July. With
7 that we welcome the testifiers today.

8 Assemblyman McEneny, do you have any opening
9 remarks?

10 ASSEMBLY MEMBER JOHN J. MCENENY, CO-
11 CHAIR NYS LEGISLATIVE TASK FORCE ON DEMOGRAPHIC
12 RESEARCH AND REAPPORTIONMENT: Only to say that
13 I'm glad we have such a complete turnout, and
14 understand that as we go through this process,
15 which is required by our state Constitution, as
16 well as by the federal government, that we are
17 limited by certain constraints. When we get into
18 cities, particularly within counties, we have a
19 rule in the New York State Constitution called
20 Block on Border, so I know there will be people
21 here advocating that their neighborhood be kept
22 together or joined, perhaps, with a similar
23 neighborhood. When you're done with the process,
24 if by moving one block to the wrong side of the

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2 street in your opinion the math comes out better,
3 it must be done by constitutional law. Also we
4 are governed by the Voting Rights Act of 1965,
5 which pays special attention to minorities, which
6 says that we do not diminish the participation of
7 minorities, and when possible, we add to that
8 participation. And I know there will be concerns
9 about that here, as well. If your organization
10 like Re-Shape New York or some of the others have
11 already testified and you have the same points to
12 make, we'd appreciate it if you'd consolidate
13 that a bit for the benefit of the people who have
14 not had an opportunity. Some groups have given
15 the same message as three or four public hearings
16 and they're already on television. We don't need
17 the full text. We get the gist of it. And with
18 that, Senator.

19 SENATOR NOZZOLIO: Thank you,
20 Assemblyman. Senator Dilan.

21 SENATOR MARTIN M. DILAN, NYS LEGISLATIVE
22 TASK FORCE ON DEMOGRAPHIC RESEARCH AND
23 REAPPORTIONMENT: Yes, good morning to all.
24 First of all I'd like to thank the co-chairs for

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2 having this hearing in the City of New York and
3 especially in the County of Queens, and we still
4 do have some growing pains as a task force, but I
5 think that we are trying to work out those kinks,
6 and I feel very positive about that. I just look
7 forward this morning to hearing from the
8 constituents in Queens as to what they believe
9 their Assembly and Senate districts should look
10 like and also their Congressional districts. So,
11 with that in mind, I look forward to listening to
12 your comments this morning. Thank you.

13 SENATOR NOZZOLIO: Any other member of
14 the task force wish to speak at this time? Thank
15 you. We have over 40 speakers to testify today,
16 and our first presenter is colleague, I also will
17 admit a friend, but not too openly. It's too
18 late. Senator Mike Gianaris.

19 STATE SENATOR MICHAEL GIANARIS: Thank
20 you, Senator. Good morning. Let me welcome to
21 Queens my colleagues, my former colleagues,
22 especially from my own conference Senator Dilan,
23 who has done a terrific job representing our side
24 of the aisle on this task force, friends like

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2 Roman who I work with and Jim Lazanno. Good to
3 see you all here at Queens Borough Hall. I
4 grappled with whether to come and testify today,
5 mostly because I don't think it's a secret to any
6 of you that I've advocated for a different
7 process. For several years, back when I was in
8 the Assembly with Assemblyman McEneny and
9 Assemblyman Oaks, I introduced a bill to
10 establish an independent commission that has
11 since been embraced by many, including, most
12 notably, Governor Cuomo, and I clearly think that
13 is the best way to proceed. LATFOR is now moving
14 forward with this process and I thought it
15 important to at least come and state as part of
16 the public record my views on the redistricting
17 process upon which you are embarking. As such I
18 guess my first recommendation will go unheeded,
19 that is that you disband yourselves and establish
20 an independent commission or at minimum, farm out
21 the responsibility to a task force, which, is
22 that better, farm out the responsibility to a
23 more independent group that I think would
24 certainly be within your rights under the law to

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2 ask for a draft from a more independent
3 commission, such as that envisioned by Governor
4 Cuomo. Short of that, which I expect will not be
5 embraced by the chairs of this task force, I
6 would suggest that, given whatever draft LATFOR
7 produces, I certainly expect will be vetoed as
8 per the Governor's very clear and unambiguous
9 position that he will veto any plan that is
10 produced by this body, I at least suggest that as
11 you're producing a draft, you produce a plan,
12 just at least for the purposes of advancing a
13 dialogue, that embraces the criteria of
14 compactness, contiguity, and minimal deviation in
15 population, either zero or one percent, which is
16 certainly doable.

17 I know there are constitutional
18 requirements, but there are a lot of people who
19 can sit with a computer program and an afternoon
20 and produce a plan that would be perfectly
21 constitutional with a much smaller deviation. It
22 is something that many believe has been abused in
23 the past to produce districts that are over-
24 populated in one region of the state, under-

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2 populated in another to advance the interests of
3 the majority parties in either house, and I think
4 we would go a long way to improving things if we
5 can move in that direction. So I wanted to
6 encourage you, in the absence of the ideal, which
7 is an independent commission, to at least if
8 you're going to produce a plan that I don't
9 expect will be enacted into law, but at least
10 produce a plan that has some of the criteria that
11 many of the reform advocates are encouraging and
12 therefore at least we would move the dialogue in
13 the direction of a fairer and more bi-partisan
14 process in the future.

15 So I wanted to state that for the record
16 and, again, thank you for coming to Queens to
17 solicit and put as part of a process that I view
18 as a flawed one.

19 ASSEMBLYMAN MCENENY: Senator, the law
20 is the law, and I'm sorry that the governor was
21 unable to convince the leadership that his bill,
22 which I am a sponsor of, couldn't be tweaked in
23 such a way to address some concerns, perhaps with
24 some of the suggestions that you made. But are

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2 you advocating that a chief executive should veto
3 a bill before he's read it?

4 SENATOR GIANARIS: I am not advocating
5 anything. I was merely restating what the
6 governor's public position has been, that he
7 doesn't view this process as a fair one, that he
8 doesn't view this process as one which would
9 likely lead to the kind of independent and fair
10 result that we all would like to see.

11 ASSEMBLYMAN MCENENY: Well as a member
12 of the Assembly, I may not be pleased that my
13 colleague, Senator Nozzolio, gets to advise and
14 consent on the appointment of commissioners,
15 vacancies, and certain elected officials, and so
16 on, however, that's the breaks. That's what the
17 Constitution says. That's what the law says. We
18 have to live with that Constitution. It is our
19 hope that following the law and following the
20 Constitution and observing the Voting Rights Act
21 of 1965 and remembering also that three of the
22 boroughs of the City of New York are special
23 Civil Rights counties, subject to a Justice
24 Department review, that we will do the best that

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2 we can, and I would hate to think that anyone in
3 public, elected office would veto a bill before
4 they read it and assessed whether the results of
5 the bill were fair and just or not.

6 SENATOR GIANARIS: Well, it's hard to
7 fault somebody looking at past history of this
8 body in assuming that the resulting plan will be
9 biased in favor of the majority parties in either
10 house. I think that's been the experience,
11 that's where the votes lie in the group of people
12 sitting at this table, and to suggest that we
13 want something that's more fair rather than more
14 partisan I think is not unreasonable. Now if
15 this body produces a plan that's more fair than
16 has been in the past, that's more contiguous,
17 that's surprisingly more balanced in its
18 approach, obviously I'm going to speak for
19 myself, I can't speak for anybody else, but that
20 would be something in your favor, but that's not,
21 I think, anything anyone expects to happen.

22 ASSEMBLYMAN MCENENY: As a Senator, I
23 assume you would recommend to the governor that
24 he not veto it and that you would vote for it if

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2 it was fair?

3 SENATOR GIANARIS: It's very unlikely
4 for me to imagine that the group before me will
5 produce a fair plan.

6 ASSEMBLYMAN MCENENY: Well, thank you
7 for your open mind, Senator.

8 SENATOR NOZZOLIO: Two things that
9 concern me with the proposal that you put
10 forward. First and foremost is respect for the
11 state Constitution, and although it's not really
12 an issue for the City of New York, it's a huge
13 issue for upstate, where the Constitution of the
14 State of New York says that we should not divide
15 towns for the apportionment of state legislative
16 districts. That issue bothers me, to get the
17 mathematical precision that is required by the
18 statutes that you referenced, Senator, you have
19 to, you say you don't have to split towns, I
20 think the danger, because of the congressional
21 redistricting and that mathematical precision
22 required, towns are split in upstate New York and
23 we had testimony in Rochester, in particular,
24 which focused on the dangers of doing that and

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2 the representation that hurts upstate. The more
3 overriding governmental concern, and it's a
4 political concern when you talk about bi-partisan
5 or non-partisan redistricting, when there's eight
6 members who choose the panel and six of them are
7 democrats and two are republicans, that seems
8 overly weighted. I think that even you might
9 have trouble saying this with a straight face,
10 Senator, is that six to two, in fact, a bi-
11 partisan approach to the task, and I think that's
12 the major objections that those who have objected
13 to this have put forward.

14 SENATOR GIANARIS: Allow me to answer
15 your question with a question. Would you support
16 my proposal that did not involve gubernatorial
17 appointments but an equal number of appointments
18 from both parties, because right now it's stacked
19 in a very different direction?

20 SENATOR NOZZOLIO: Well, I think I can
21 answer your question to my question by simply
22 saying, Senator, I'll have to read that in
23 further detail.

24 SENATOR GIANARIS: You've had five years

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2 to do it, Senator.

3 SENATOR NOZZOLIO: Any other questions
4 of Senator Gianaris? - - we thank you very much
5 for your hospitality and for you being here
6 today.

7 SENATOR GIANARIS: Thanks very much.

8 ASSEMBLYMAN MCENENY: Joined by
9 Assemblyman Bob Oaks, who came in all the way
10 from Wayne County, and if you know anything about
11 upstate these days, it took an extra on the train
12 because of the flooding and we have far more
13 water than we'd like to see right now.

14 SENATOR NOZZOLIO: The Honorable Karen
15 Koslowitz. Good morning, Counselor; thank you
16 for being here today.

17 MS. KAREN KOSLOWITZ, CITY COUNCIL
18 MEMBER: My pleasure. Good morning and thank you
19 for your time today. My name is Karen Koslowitz,
20 and I represent the people of the 29th Council
21 District and part of the 28th Assembly District,
22 which includes Forest Hills and Regal Park. I
23 have lived in this district for 50 years and for
24 30 of those years we were represented by one

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2 State Senator. This was consistent with other
3 elected offices such as State Assembly, Congress,
4 and Council, which all incorporate Forest Hills
5 and Regal Park in one district. Forest Hills and
6 Regal Park make up the entirety of Community
7 Board Six here in Queens. After 2000 the lines
8 were redrawn due to political disagreements, and
9 the residents and taxpayers of Community Board
10 Six were disenfranchised in their State Senate
11 representation. The area now falls under four
12 different State Senate districts, completely
13 unacceptable and inconsistent with all other
14 elected offices. The diversity of the people and
15 the thriving shopping and business areas have
16 allowed Forest Hills and Regal Park to remain a
17 bastion of the middle class in New York City. I
18 strongly urge this committee to unite the area in
19 the upcoming redistricting procedures and give
20 the residents of Forest Hills and Regal Park the
21 strong representation they deserve in the State
22 Senate. And I kind of want to go along with what
23 my colleague in the State Senate said, that the
24 district was redrawn due to political opposition

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2 to the person that was in office, and as a result
3 we are at the tail end of everybody's district,
4 and I feel that Forest Hills and Regal Park and
5 the 29th Council District are big taxpayers to the
6 City, to the State, and they deserve a
7 representation of one State Senator, two at the
8 most, not four. Thank you.

9 SENATOR NOZZOLIO: Thank you. Any
10 questions to the Councilwoman? Thank you very
11 much, Councilwoman. We wish to extend,
12 Assemblyman McEneny and all the members of the
13 task force, wish to extend our thanks to borough
14 president, former Assemblywoman Helen Marshall.
15 I had the honor of serving with the borough
16 president when she was an Assemblywoman and that
17 she is here represented today because, it's my
18 understanding, scheduling conflicts preclude her.
19 Please, for the record sir, would you state your
20 name?

21 MR. MARK MCMILLAN, DEPUTY COUNSEL,
22 OFFICE OF THE PRESIDENT, BOROUGH OF QUEENS: Yes,
23 good morning, my name is Mark McMillan. I am the
24 Deputy Counsel for the Queens Borough President,

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2 and I have a statement on behalf of the Borough
3 President I'd like to read. Good morning, and
4 welcome to Queens Borough Hall. We are delighted
5 to play host today to the task force and its
6 important mission. Senator Nozzolio, Assemblyman
7 McEneny, Assemblyman Oaks, and Senator Dilan, I'm
8 testifying on her behalf as, unfortunately, she
9 was unable to be here this morning. The 2010
10 Census figures are in and while we here in Queens
11 believe those figures severely undercount our
12 Borough, we nevertheless remain the most diverse
13 and second largest county in New York, numbering
14 over 2.2 million people. For the record we
15 estimate the Census Bureau undercounted the
16 population of Queens by at least 100,000 people.
17 The 2.2 million individuals of Queens live in
18 dozens of communities as we are a Borough of
19 neighborhoods. We not only identify ourselves by
20 Borough, but also by the individual cultures and
21 traditions that come from our neighborhoods. We
22 are the only borough that uses the names of its
23 communities when we use any sort of written
24 correspondence. In fact, anywhere else in New

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2 York City, if you address an envelope you write
3 Bronx, New York, Brooklyn, or Staten Island. In
4 Queens we write Glendale, Bayside, Little Neck,
5 Forest Hills, Jamaica, or one of the dozens of
6 other communities. We clearly identify with our
7 neighborhoods, and in this way we have a very
8 strong sense of pride. However, this causes
9 great problems when an elected official does not
10 represent neighborhoods as a whole. Queens is
11 also distinctive because we have the most
12 overcrowded schools in the City of New York.
13 Thousands of our students are forced to attend
14 classes in converted locker rooms, bathrooms, and
15 hallways. Although we are on track of building
16 schools and have added thousands of additional
17 seats over the last decade, we need to rely on
18 our elected officials to fight on our behalf.
19 Building new infrastructure and quality medical
20 care are also major issues for our population,
21 and while we embrace the arrival of a new
22 generation of immigrants, federal support must be
23 provided to help meet their needs. In addition
24 we are the only borough with two major airports

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2 that serve the rest of the city and the whole
3 tri-state area. Protecting our neighborhoods and
4 fighting for our needs require cohesive
5 representation. That is why I mentioned those
6 substantive issues. For all of these reasons the
7 importance of wholly-contained districts inside
8 of each borough is of the utmost importance.
9 While this has been most highly respected over
10 past redistricting on a state level, with regard
11 to our members of the House of Representatives,
12 our county looks like a bad jigsaw puzzle,
13 without apparent thought given to keeping
14 together many of our neighborhoods. The federal
15 issue of having congressional members
16 representing more than our borough of Queens is
17 particularly troublesome. Queens now has six
18 congressional members representing the borough,
19 all of whom have been responsive to the needs of
20 Queens. Yet only one of these members of
21 Congress represents a district that is one
22 hundred percent in Queens. In fact, it is often
23 the case where one neighborhood is divided by two
24 or more congressional districts. We here in

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2 Queens believe we would be better served by
3 members of Congress who represent Queens in its
4 entirety. Our diverse population requires
5 special attention when it comes to schools,
6 aviation, transportation, and a host of other
7 issues. And while we generally see eye to eye
8 with the other boroughs of the city and Nassau
9 County, this is not always the case. For
10 example, two of the three large airports in the
11 metropolitan area are here in Queens and
12 therefore our residents bear the brunt of the
13 impacts from these airports and should garner the
14 lion's share of benefits, as well.
15 Unfortunately, we have often had to fight to
16 retain these special benefits the airports can
17 convey, and we need our federal representatives
18 to fight for us in these matters. With regard to
19 education we have tried for years to get the
20 federal government to provide additional
21 assistance for new school construction, as the
22 majority of our newest students are immigrants.
23 While we have not been as successful as we'd hope
24 for, we do need members of Congress who

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2 understand these issues as our current members
3 do. I could go on and on with regard to these
4 separate issues, but I know you have a long day
5 ahead of you. According to the Census, Queens
6 should have 3.14 Congressional seats, and while
7 we understand that based on this math we will
8 need to have at least one of our members cross
9 county lines, we ask that you take our compelling
10 and unique situation into account as you go about
11 the business of drafting new lines for our
12 elected representatives. I thank you, again, for
13 coming here to Queens Borough Hall, the seat of
14 government in Queens, and to listen to our
15 residents and to take heed of their issues.
16 Thank you very much.

17 SENATOR NOZZOLIO: Thank you very much,
18 and please convey our thanks to Borough President
19 Marshall for your hospitality.

20 MR. MCMILLAN: Thank you, Senator.

21 SENATOR NOZZOLIO: Jerry Vattamala.
22 Good morning, could you please state for the
23 record who you are and where you're from?

24 MR. JERRY VATTAMALA, STAFF ATTORNEY,

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2 ASIAN AMERICAN LEGAL DEFENSE AND EDUCATION FUND:
3 Good morning, my name is Jerry Vattamala. I'm
4 with the Asian-American Legal Defense and
5 Education Fund. I'm a staff attorney with the
6 Asian-American Legal Defense and Education Fund.
7 ALDEF, as it's called, is a 37 year-old, non-
8 partisan organization based in New York City that
9 protects and promotes the voting rights of Asian-
10 Americans through litigation, advocacy, and
11 community education. ALDEF submitted proposed
12 redistricting plans in 2001 for State Assembly,
13 State Senate, and Congressional districts. ALDEF
14 advocated for current State Assembly District 22,
15 the only Asian-American majority Assembly
16 District, which elected the first Asian-American
17 State Assembly representative and is home to the
18 only current Asian-American Assembly
19 representative. In the area of voting rights,
20 ALDEF has challenged previous redistricting plans
21 that diluted minority voting strength. In 1982
22 we filed objections with the Justice Department
23 under Section 5 of the Voting Rights Act because
24 Manhattan's China Town had been divided between

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2 two State Assembly districts. ALDEF also
3 commented in the last two rounds of New York City
4 Council and New York State redistricting plans
5 regarding their impacts on the Asian-American
6 community. Asian-American are the fastest
7 growing racial group in New York City. In New
8 York City Asian-Americans have increased 32
9 percent over the past decade and now we're almost
10 13 percent of the city's population, numbering
11 1,028,119. Seven out of ten Asian New Yorkers
12 reside in three New York City boroughs: Queens,
13 Manhattan, and Brooklyn. Asian-American
14 populations have increased faster than the
15 overall growth rate of the boroughs in which they
16 reside. In Queens Asian-Americans have grown 17
17 times faster than the overall rate of the
18 borough, and in Manhattan and Brooklyn, 7.5 and
19 25.75 times faster, respectively. Of all the
20 municipalities in the nation, New York has the
21 largest Asian-American population. However, no
22 Asian-American has ever been elected to the State
23 Senate or Congress, even though Asian-Americans
24 comprise 13 percent of the city's population.

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2 Despite having the fastest growth rate of any
3 racial group in New York City over the past
4 decade, Asian-Americans continue to be woefully
5 underrepresented in New York State. Currently
6 there is only one Asian-American representative
7 in the State Assembly and no Asian-American
8 representative in the State Senate. One need
9 only look at the State Assembly and Senate
10 district boundaries of Flushing, Queens to
11 understand why. When candidates of their choice,
12 such as in State Assembly District 22, sorry,
13 when communities of common interest are kept
14 together, Asian-Americans can elect a candidate
15 of their choice, such as in State Assembly
16 District 22. State Senate Districts 11 and 16
17 run straight down the middle of Flushing and
18 divide the community in half, diluting Asian-
19 American voting strength. This task force should
20 eliminate all legislative district configurations
21 that divide communities with common interests and
22 ensure that these communities are kept together
23 in the new districts. As detailed below and in
24 the attached Asian-American neighborhood maps,

1 Task Force on Demographic Research, 9/7/11
2 pages 20-22, which have been handed out to you,
3 Asian-American communities of interest and
4 neighborhoods are currently unfairly divided
5 among numerous legislative districts on all
6 levels. Since Asian-Americans are a protected
7 minority group under the Federal Voting Rights
8 Act, districts must be drawn so that Asian-
9 Americans can elect candidates of their choice.
10 While the United States Supreme Court has held
11 that the consideration of race may not
12 predominate in the redistricting process, the
13 Court has also held that a paramount districting
14 criterion is to include communities of interest
15 in districts. While the Court has defined this
16 concept as groupings of people with actual shared
17 interests, social scientists have found
18 communities of interest to exist when individuals
19 share significant cultural, economic, political,
20 and social ties. Here in New York the Federal
21 Court is Diaz v. Silver, an Eastern District of
22 New York case in 1997, recognized that Asian-
23 Americans in Manhattan's China Town and
24 Brooklyn's Sunset Park were a community of

1 Task Force on Demographic Research, 9/7/11
2 interest that should be kept together within the
3 12th Congressional District. The Court
4 specifically recognized the following factors and
5 shared community concerns: cultural background,
6 economic status, common media markets, shared
7 community services and organizations, including
8 health clinics, stores, public transportation and
9 workplaces, voting patterns, common languages and
10 dialects, and common country of origin. Several
11 Asian-American communities throughout New York
12 City share common concerns and socio-economic
13 characteristics, but they have been divided
14 between two or more districts. We urge this task
15 force to take a closer look at these
16 neighborhoods and ensure that Asian-American
17 communities are kept together and not splintered
18 among newly drawn districts. ALDEF met with
19 community groups all over New York City,
20 specifically where Asian-Americans have clustered
21 in many of the neighborhoods experienced the
22 fastest growth. ALDEF asked the community groups
23 to draw their neighborhood boundaries on a map as
24 defined by their community. After meeting with

1 Task Force on Demographic Research, 9/7/11
2 multiple groups from a neighborhood, we conducted
3 follow-up meetings with the groups to come to an
4 agreement on final neighborhood boundaries that
5 all of the groups agreed upon. We also asked the
6 groups about the most common concerns and issues
7 in their neighborhoods. Many of the communities
8 we met with had concerns regarding immigration,
9 language-assistance, social services, health
10 care, and workers' rights. These institutions
11 that provide opportunities, these shared concerns
12 center on daily neighborhood quality issues as
13 well as neighborhood institutions that provide
14 opportunities for education, employment, social
15 services, immigration rights, and economic
16 justice. Lastly, groups were asked to identify
17 the surrounding neighborhoods that were most
18 similar and the most different to their
19 neighborhoods. ALDEF interviewed numerous
20 community groups listed in the attached addendum
21 that's at the end of the printout in the
22 following Asian-American communities of interest
23 that should not be divided. In Queens, Flushing,
24 which is on the attachment, page 3. This

1 Task Force on Demographic Research, 9/7/11
2 community defined in our area is currently
3 divided among Assembly District 22 and 25, Senate
4 District 16 and 11, and Congressional District 5.
5 Flushing is home to New York City's China Town in
6 Queens. The Chinese-American population in
7 Flushing is mostly from Taiwan. Many of the
8 immigrant population are limited English-
9 proficient here and there is a need for language
10 assistance. Flushing is a Chinese-American
11 cultural and financial center in New York City.
12 The neighborhoods of Flushing and Bayside share
13 many common interests, such as the need for
14 language assistance, immigration issues, and
15 reliance on public transportation, and they
16 should be grouped together into the same
17 legislative district when possible. Now I've
18 gone through the rest of these neighborhoods
19 that's included in the attachment for all of
20 Queens and Brooklyn, and as you can see, I'll try
21 to go through this real quick here, in Bayside
22 you can see, it's currently divided between
23 Assembly District 24 and 26, Senate District 16
24 and 11, Congressional Districts 9 and 5.

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2 SENATOR NOZZOLIO: Mr. Vattamala, we
3 don't want you to hurry through, but the fact is
4 that this will be submitted for the record, your
5 written testimony, which we appreciate its
6 detail. I'll ask you, will you be submitting on
7 behalf of the Legal Defense and Education Fund
8 any types of maps or proposed legislative
9 district lines for congressional and state
10 legislation?

11 MR. VATTAMALA: Yes, we will be.

12 SENATOR NOZZOLIO: And do you have a
13 timeframe as to when you would do that?

14 MR. VATTAMALA: Our hope is to have it
15 before the hearings are concluded. If not,
16 shortly thereafter. We're working with a number
17 of other community groups. ALDEF is also a
18 member of ACCORD, Asian-American Community on
19 Redistricting and Democracy, it's a coalition of
20 numerous Asian-American community groups. We're
21 working with them as well as Latino and African
22 American groups.

23 SENATOR NOZZOLIO: We encourage that
24 interaction. We also encourage establishing and

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2 forwarding to the task force specific plans.

3 MR. VATTAMALA: Yes, and if I may, these
4 maps that I just submitted to the task force on
5 behalf of ALDEF, this is based on community input
6 and these are the building blocks to construct
7 legislative districts, because these are the
8 neighborhoods that at the granular level, that
9 they believe should not be divided. We have the
10 population figures on those maps, as well, so you
11 can see that if community boundaries encompass a
12 number of people that are not enough for an
13 Assembly District, that community will definitely
14 need to be combined with another community to
15 construct an Assembly District.

16 SENATOR NOZZOLIO: We encourage you to
17 submit those plans but to do it relatively
18 quickly because we, Senator McEneny and I have
19 shared this information across the state. We
20 want to emphasis it wherever we go that the
21 process is fully compacted this year. It's
22 unlike any other redistricting year, let alone
23 any other normal election year where, because of
24 the primary having to be moved in all likelihood

1 Task Force on Demographic Research, 9/7/11
2 into the late Spring time period, that makes the
3 entire legislative process compacted and that
4 petitioning would have to begin much earlier than
5 ever before. If that's the case then districts
6 have to be established sooner than ever before,
7 so we are under a very tight time frame and that
8 we encourage your participation and encourage you
9 to submit your suggestions sooner than later.

10 MR. VATTAMALA: I appreciate that, and I
11 encourage the task force to please review these
12 maps and this testimony, especially because some
13 neighborhoods, look at Richmond Hill, look at
14 Elmhurst, look at how many legislative districts
15 it's divided into. It's really not fair and we
16 hope, we expect, that that's not going to happen
17 again this round.

18 SENATOR NOZZOLIO: Any questions of Mr.
19 Vattamala? Senator Dilan.

20 SENATOR DILAN: I haven't had the
21 opportunity to review your maps, but you're
22 suggesting that there would be a Congressional
23 district for the Asian community or State Senate
24 or State Assembly. Can you be more specific in

1 Task Force on Demographic Research, 9/7/11

2 terms of your verbal testimony and how would that
3 impact other protected groups or like Latino
4 groups or African Americans or blacks or
5 Carribeans?

6 MR. VATTAMALA: Sure, absolutely. The
7 first step is when you look at the maps you can
8 see the population numbers, and as I eluded to
9 before, you see the ideal State Assembly district
10 is 129,000. So according to those numbers some
11 of those neighborhood boundaries by themselves
12 will constitute a legislative district, Assembly
13 district. Now for a Congressional district,
14 you'd have to combine numerous of those
15 communities. We're working closely with PRLDEF-
16 Latino Justice and other African American groups
17 to not step on their toes, and we would like them
18 not to step on our toes. So, it's a
19 collaborative effort. We are producing draft
20 legislative district maps for State Assembly,
21 State Senate, and Congressional, and we will
22 submit that to you, LATFOR, in cooperation with
23 the other groups that we're working with.

24 SENATOR NOZZOLIO: Let me emphasize,

1 Task Force on Demographic Research, 9/7/11
2 too, for the record and for anyone who is
3 watching these proceedings, that we encourage all
4 suggestions, particularly in the form of specific
5 legislative map drawing to be submitted to the
6 task force and the contact information is on the
7 LATFOR's website. Mr. Vattamala, any other
8 questions?

9 ASSEMBLYMAN MCENENY: Just to go over
10 the calendar one more time, the Justice
11 Department is concerned that 20 percent of
12 service men and women do not have their absentee
13 ballots counted because they get out there too
14 late, Iraq, Afghanistan, wherever we are in the
15 world, and they come back too late, and so the
16 Justice Department is basically ordering us to
17 change the calendar to add a 45-day period just
18 to mail out the absentees. Those of you that are
19 familiar with the political process know that
20 prior to that, a Board of Elections has to print
21 these up. Prior to that they have to know who is
22 on the ballot and often there are challenges to
23 candidates because of their petitions or one
24 thing or another. Then there's a petition

1 Task Force on Demographic Research, 9/7/11
2 period. There's a period to decline or accept a
3 nomination. You go back through the petition
4 period, say, five or six weeks, I think, and you
5 realize that the state legislature is going to
6 have to vote on this in late February or very
7 early March. Now our plan is at the moment to
8 have two sets of hearings. This is the first set
9 when we talk more or less academically and
10 theoretically and we talk about keeping
11 neighborhoods together, though there's always
12 going to be a neighborhood that's too big and is
13 going to lose somebody, another that's too small
14 and going to have it, in order to survive,
15 encroach on somebody else's. This is generally a
16 thankless task and nobody's going to be happy
17 with the final result, they never are. Somebody
18 always has to give up, somebody has to gain. But
19 we would like to start drawing, other than just
20 experimenting here and there, and there are no
21 finished products out there or even near
22 finished. We would like to do this during the
23 month of October. So this is very, very useful
24 and certainly it's something we're going to look

1 Task Force on Demographic Research, 9/7/11
2 at, but getting good specific information during
3 October would be very helpful to us as we develop
4 a product for the next round of hearings, which
5 should begin at some point after the election in
6 late November through December and as little of
7 January as we need to. Now if the governor
8 vetoes it, that's another whole issue. The local
9 county legislative plan in Erie County, for
10 example, was thrown into the courts and the
11 courts canceled the primary, which I find rather
12 shocking. But, you know, we don't want any of
13 that type thing. We want to get a good product
14 before the people to really judge during that
15 latter stage. We want to incorporate as many of
16 your ideas as we possibly can.

17 MR. VATTAMALA: Yes, and I appreciate
18 that, and, again, I hope the task force will use
19 these maps as a guide when drawing legislative
20 districts. We will submit our draft, Assembly,
21 Senate, and Congressional, along with other
22 groups. But for the moment this is a guide based
23 completely on community input. If you look at
24 the addendum, you can see how many community

1 Task Force on Demographic Research, 9/7/11
2 groups we met with throughout all these
3 neighborhoods. So, I appreciate it.

4 SENATOR NOZZOLIO: Any other questions?
5 Mr. Vattamala, carrying on, thank you very much.

6 MR. VATTAMALA: Thank you.

7 SENATOR NOZZOLIO: Robert Beltrani.
8 Good morning.

9 MR. ROBERT BELTRANI: Good morning. My
10 name is Robert Beltrani of Jackson Heights,
11 Queens, New York. First I'd like to thank you
12 for coming to Queens for this public hearing.
13 I'm much appreciative to see that this task force
14 is in fact bi-partisan, being represented equally
15 by both parties, and we also have citizen
16 involvement, as well.

17 SENATOR NOZZOLIO: Mr. Beltrani, would
18 you do us a favor? We can hear you, but in the
19 back of the room they can't, so if you bring that
20 microphone as close to you as possible.

21 MR. BELTRANI: This one, right? Not
22 that one. We don't really care about that one.
23 One reason that I'm here today is because I've
24 read in the media recently, and actually it was

1 Task Force on Demographic Research, 9/7/11
2 mentioned by an earlier speaker about the State
3 Legislators on this task force coming under
4 criticism for not passing Governor Cuomo's so-
5 called independent commission for redistricting.
6 Clearly the media coverage has not fully reported
7 the real issues involved in the debate in an
8 objective manner, which probably come to no
9 surprise. I'm getting used to that. One thing
10 I'd also like to point out is I was shocked to
11 see that you were surprised that legislation
12 might be vetoed before it was read, since we
13 recently saw in the federal government some very
14 significant legislation was passed without being
15 read. So, we have a veto without being read, but
16 we're going to get a passing.

17 ASSEMBLYMAN MCENENY: This is a little
18 shorter than that.

19 MR. BELTRANI: We got to pass it before
20 we can find out what's in it. Anyway, the
21 nominating committee that was proposing Governor
22 Cuomo's legislation, that panel picks possible
23 members of the commission, has eight appointees,
24 four of them chosen by the governor, one by the

1 Task Force on Demographic Research, 9/7/11
2 Senate majority, one by the Senate minority, one
3 by the Assembly speaker, and one by the Assembly
4 minority leader. Therefore as currently
5 constructed that would be six members would be
6 appointed by a Democratic official and only two
7 would be appointed by a Republican official.
8 Clearly, that's not a very fair process. In fact
9 it's very political and not an independent
10 process at all, and if it were reversed and the
11 Republican was the governor, it would be equally
12 unfair to the Democratic party. I can't imagine
13 why either house of the State Legislature would
14 relinquish to the governor so much power in the
15 redistricting process. This has never been the
16 case under New York State law, which clearly
17 provides that the State Legislature is
18 responsible for redistricting. I much prefer the
19 equal and bi-partisan approach of this task
20 force. I also support the legislation that was
21 passed in the State Senate this past March that
22 was much more evenly balanced than the governor's
23 plan, with four members being selected by the
24 legislature, a Democrat and Republican from the

1 Task Force on Demographic Research, 9/7/11
2 Senate, a Democrat and Republican from the
3 Assembly, who would then get together and try to
4 pick out a citizen member. This is exactly the
5 kind of bi-partisan process that is needed in the
6 State of New York. Further I believe that the
7 Cuomo independent commission raises some serious
8 constitutional concerns. I know it's in vogue to
9 just put the Constitution aside and do what we
10 want, but that's problematic, and I agree with
11 the approach of the bill passed in the State
12 Senate, which includes an amendment to the state
13 Constitution prior to implementing an independent
14 commission to prepare for redistricting plan. It
15 is important to note that if a redistricting is
16 done pursuant to the passage of the Cuomo
17 commission, clearly that legislation will be
18 challenged in court. That's something that we do
19 not need, given the time table and everything
20 else. It would create a tremendous mess and we
21 don't need an additional cause of action to be
22 created. Now while there has been a public
23 demand for a permanent non-partisan redistricting
24 commission, which I'm open to that discussion,

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2 that demand cannot be constitutionally provided
3 by a mere legislative enactment. The State
4 Legislature may not by statute bind itself
5 regarding future legislation. The State
6 Legislature cannot merely forego its
7 constitutionally-assigned powers. Not only is it
8 questionable whether any independent
9 redistricting commission can be created without a
10 constitutional amendment, but also an independent
11 commission cannot be created for a period beyond
12 the existing session. How state legislation
13 cannot change provisions in the state
14 Constitution merely by passing a law and it
15 should especially not be attempted just to
16 satisfy political pressure from special interest
17 groups. It appears to me that the only means of
18 achieving a proper independent redistricting
19 commission would be to do it by an amendment to
20 the state Constitution. As you aware Article 3,
21 Sections 3 and 4 of the state Constitution would
22 have to be amended since it is the section of the
23 Constitution which governs the redistricting in
24 our state. In my opinion to change that method

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2 and to remove any part of the redistricting from
3 the powers of the Senate and the Assembly under
4 Article 3, the Constitution must be amended with
5 such changes such as adding a redistricting
6 commission and to provide for that commission's
7 powers, its authorization, and its funding.
8 Further, for a redistricting commission to be
9 truly independent, which I'd love to hear how
10 that is actually done other than what I'm looking
11 at, it has to be separately set up and
12 independent of an existing branch of government,
13 and that's the trick that you'd have in drafting
14 that legislation and the amendment to the
15 Constitution. The Constitution should also
16 provide what role any commission may play in the
17 evitable annual litigation over redistricting.
18 Lastly, an independent commission must maintain
19 complete fairness of the two major political
20 parties, which is not the case in the governor's
21 current proposal. Therefore I believe that this
22 task force holding the hearing today should
23 conduct redistricting for this cycle, as clearly
24 required by New York State law. Thank you for

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2 your time, and I wish you well and good luck.

3 You have a hard task before you, particularly
4 here in Queens.

5 SENATOR NOZZOLIO: Thank you, Mr.
6 Beltrani. One of the things that we brought up
7 in other hearings is that independence is in the
8 eye of the beholder and that you have to have a
9 number of strictures to establish independence.
10 Under the current proposals, none of those
11 proposals have listing elimination of campaign
12 contributors, of heads of political action
13 committees, of union or business officials who
14 are part of the representation process through
15 associations and other types of associations, and
16 those, by not excluding those individuals, you in
17 fact say that they can be independent and it's
18 very difficult to expect that to happen.

19 MR. BELTRANI: Yes.

20 SENATOR NOZZOLIO: Thank you for your
21 testimony. Any other questions of the panel.

22 ASSEMBLYMAN MCENENY: We were thinking
23 maybe Canadians might be neutral.

24 MR. BELTRANI: That's probably in vogue,

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2 too.

3 ASSEMBLYMAN MCENENY: But given the
4 biased English-speaking press, only French
5 Canadians, then they wouldn't have any bias.

6 SENATOR NOZZOLIO: Thank you very much.

7 MR. BELTRANI: Thank you very much.

8 Good luck.

9 SENATOR NOZZOLIO: Kenneth Cohen. Good
10 morning, Mr. Cohen.

11 MR. KENNETH COHEN, PRESIDENT, NORTHEAST
12 QUEENS NAACP: My name is Ken Cohen. I'm the
13 president of the Northeast Queens branch of the
14 NAACP and regional director for the New York
15 State Conference Metropolitan Council. That's
16 all the branches of New York City. Today I'm
17 here to make a blanket testimony on the
18 redistricting process in the State of New York.
19 The NAACP has a 102-year history of voter
20 development, education, mobilization,
21 encouragement, and protection. The mere right to
22 vote for women and people of color has always
23 been a priority. The New York State Conference,
24 its regions and branches are making testimony

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2 across the great State of New York to bring
3 everyone's attention to the importance of
4 diversity, inclusion, and transparency in this
5 redistricting and redrawing of lines. As many of
6 my colleagues in Buffalo, Rochester, Albany, to
7 the tip of Long Island have made it so eloquently
8 clear that this panel does not reflect the
9 diversity of New York State by the number of
10 women and persons of color that are represented
11 on your panel. Across this state branches are
12 meeting the challenges in court to protect the
13 issues of the past so they do not continue into
14 the future. The hard-fought battles for voter-
15 rights and empowerment by those whose shoulders
16 we stand will never be forgotten, because if not
17 for those NAACP volunteers, there would be no
18 districts of color in many counties. The
19 reflective number of incarcerated men and women
20 who live in New York City are in the thousands
21 and are imprisoned in facilities upstate, but
22 those individuals should be counted at their
23 place of residence and not their place of
24 incarceration. The NAACP is a non-partisan

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2 organization that stands for good government and
3 practices. We must be respectful and mindful of
4 district lines, the Civil Rights' battles to get
5 them, and the battles now to keep them, which is
6 why we are here and why we should always be,
7 there should always be a process of inclusion and
8 in transparency. The NAACP and New York State
9 Conference and its branches will continue to
10 stand for those who cannot stand or speak out for
11 their self and to be on the side of right.

12 SENATOR NOZZOLIO: Thank you. Mr.
13 Cohen, before you leave, do you believe that all
14 prisoners in this state, regardless of who they
15 are, should be counted?

16 MR. COHEN: Yes, at the place where they
17 reside, not in the, in their residence, in their
18 homes, the address that was given to the court
19 system, not in the prison where they are
20 currently incarcerated and where their numbers
21 count for their families and children.

22 SENATOR NOZZOLIO: You believe, and let
23 me just restate this, that you believe that every
24 prisoner in this state should be counted.

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2 MR. COHEN: Yes.

3 SENATOR NOZZOLIO: Thank you very much.

4 Mary Lou Urban.

5 MS. MARY LOU URBAN, SECRETARY, LEAGUE OF
6 WOMEN VOTERS: My name is Mary Lou Urban, and I'm
7 secretary of the League of Women Voters of the
8 City of New York. The League is a non-partisan
9 organization which encourages informed and active
10 involvement in government and influences public
11 policy through education and advocacy. We are
12 also members of a statewide coalition dedicated
13 to reforming New York's redistricting process,
14 Re-Shape New York, which consists of 35
15 organizations. While we appreciate this
16 opportunity to share our thoughts on the
17 redistricting process, we feel compelled to
18 preface our remarks with our belief that the
19 public has spoken loud and clear in favor of
20 independent redistricting and no longer supports
21 a system controlled by a legislative body whose
22 lines it is redrawing. An independent commission
23 drawing impartial district lines would maintain
24 the legislature's ability to give import on the

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2 plan and ultimately pass legislation in
3 accordance with the state Constitution. As we
4 approach redistricting our state we are mindful
5 of the fact that while our population has grown,
6 other states have even larger population gains.
7 As a result New York State will lose two
8 Congressional seats. Our concern is that in
9 redrawing the lines for the remaining 27
10 Congressional seats and all of the State
11 Legislative districts, population be fairly and
12 equitably distributed. In addition we believe
13 that counting prisoners in their home districts
14 and not in locations where they are temporarily
15 incarcerated is now state law and should be
16 followed in this redistricting process. We are
17 also concerned about how the 2010 Census
18 undercount estimated at 200,000 people in New
19 York City will affect downstate representation
20 and funding. A key element of reforming the
21 redistricting process is limiting the allowable
22 population differential between legislative
23 districts. In the past this practice has
24 resulted in districts of widely varying

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2 population with sparsely populated upstate
3 districts and densely populated downstate
4 districts. After the 2000 Census, the New York
5 Legislature approved a redistricting plan which
6 allowed a plus or minus five percent population
7 differential in Assembly and State districts.
8 While this may seem like a very small disparity,
9 it resulted in some districts being ten percent
10 larger or smaller than others. Historically the
11 redistricting process has protected incumbents,
12 including carving insurgents' homes out of
13 districts and has discouraged competition in our
14 electoral system. In the 2010 election New York
15 State had one of the lowest rates of voter
16 participation in the nation, coming in at 47th
17 among 50 states. The League has been in the
18 forefront of promoting informed voter
19 participation for over 90 years, and we strongly
20 believe, and in 2010, the voters should elect the
21 candidates of their choice and not have
22 incumbents or a political party draw the lines in
23 such a way as to protect their interests and
24 power base. Over the past year local League

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2 organized community forums, educating the public
3 on the issues surrounding redistricts in over 35
4 localities. Partly as a result of this effort,
5 leagues around the state became active and
6 influential players in local redistricting
7 efforts. In New York City the League co-
8 sponsored a redistricting forum with the Brennan
9 Center and the Women's City Club. The New York
10 City League has developed a legislative
11 redistricting question and answer brochure in
12 response to requests for information on how the
13 process works. Time is of the essence in drawing
14 new district lines, as there is a possibility
15 that 2010 primary date may be moved from
16 September to June. Fortunately the technical
17 tools available to draw lines, taking in account
18 natural boundaries and the 2010 Census, have made
19 it easier to form representative districts. The
20 state legislature should return to Albany for a
21 special legislative session to end partisan
22 gerrymandering and enact redistricting reform by
23 endorsing an independent commission to draw truly
24 representative, impartial legislative and

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2 Congressional lines. Continuing with the current
3 LATFOR proceeding will result in Governor Cuomo
4 vetoing the very lines it draws. New York cannot
5 wait until 2021 for meaningful redistricting. We
6 do have copies of this brochure if you would like
7 it. Thank you.

8 ASSEMBLYMAN MCENENY: Thank you. Are
9 you advocating that the governor should veto the
10 plan before he looks at it because it wasn't
11 drawn up by a group of his choosing?

12 MS. URBAN: No, he should read it first.

13 ASSEMBLYMAN MCENENY: He should read it
14 first. Thank you.

15 SENATOR NOZZOLIO: Before you leave,
16 thank you very much for being here. The League
17 of Women's Voters has testified at now every
18 hearing. You made it a hundred percent so far.

19 MS. URBAN: We will finish the rest of
20 them, too.

21 SENATOR NOZZOLIO: I hope so. We have
22 five more, so, and then after those five we'll
23 have an additional, as many as a dozen following
24 any plans that are put forward, so we welcome

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2 your further participation. Will the New York
3 City League of Women Voters be submitting any
4 plans to the task force?

5 MS. URBAN: I don't believe so. It
6 would have to come from our New York State,
7 because this is a state issue.

8 SENATOR NOZZOLIO: You mentioned the
9 counting of prisoners. Do you believe that all
10 prisoners should be counted in New York State for
11 purposes of redistricting?

12 MS. URBAN: Yes.

13 SENATOR NOZZOLIO: Thank you very much.

14 MS. URBAN: You're welcome.

15 SENATOR NOZZOLIO: Joan Gray.

16 MS. JOAN GRAY: Good morning.

17 SENATOR NOZZOLIO: Good morning.

18 MS. GRAY: My name is Joan Gray. I am a
19 concerned citizen speaking for myself, and I
20 reside in Littleneck, New York, and I thank you
21 for holding this hearing in Queens today.

22 SENATOR NOZZOLIO: Just feel free to
23 bring that very close to you.

24 MS. GRAY: I am impressed with this task

1 Task Force on Demographic Research, 9/7/11
2 force's commitment to hold public hearings across
3 the state to ensure that many voices from
4 different regions are heard during this
5 redistricting process. We all realize the tight
6 frame you are under, especially since we hear the
7 primaries are being moved to June in 2012.
8 Therefore, under this tight timeframe, this task
9 force must first conclude the round of hearings,
10 two, draft district lines for the entire state
11 legislature, three, hold another round of
12 hearings, and four, then make changes to the
13 district lines all before necessary votes by the
14 Assembly and the Senate on the proposed
15 redistricting plan in February. So I thank you
16 for starting the process early because it is
17 clear that you have a lot of important work to
18 accomplish in a short amount of time. My most
19 important request to the task force is to do your
20 best to assure that we have competitive districts
21 for the state legislative and Congressional seats
22 after redistricting. We can all agree that our
23 state is better served by allowing as many
24 contested seats as possible so voters will have a

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2 real choice on election day. I noticed online
3 that at previous hearings the question was asked
4 about the size of the State Senate. I doubt
5 there are many people in New York that believe it
6 should remain at 62. Obviously the Senate would
7 be better served having an odd number of Senators
8 so that we will not run into problems again with
9 ties on future votes for leadership. Since New
10 York's population has increased over the past ten
11 years based on the Census, I recommend that the
12 Senate be increased to 63 Senators, while I
13 recognize there is a formula under state law to
14 determine the number of Senators. However, if
15 you reduce it to 61, it will cause political
16 problems because one district will have to be
17 terminated. I wish to strongly state that I
18 prefer that the current state law be followed and
19 that this task force perform the drafting of the
20 district lines this election cycle. I strongly
21 support a bi-partisan redistricting and it is
22 clear that this task force is premised upon a bi-
23 partisan redistricting, as there is equal
24 representation from the two major parties sitting

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2 before me. I oppose changing the process in the
3 middle of the game to the independent
4 redistricting commission, as proposed by Governor
5 Cuomo. While I'm not opposed to the concept of
6 independent redistricting, the Cuomo bill,
7 however, is deeply flawed. I believe that the
8 independent commission can only be implemented by
9 a constitutional amendment since the procedures
10 for redistricting are clearly spelled out in the
11 state Constitution, and the procedures mandated
12 by the state Constitution can only be changed by
13 an amendment voted on twice by the Senate, by the
14 State Legislature, and then by the people in New
15 York in a referendum. I also believe that the
16 proposed Cuomo independent commission is flawed
17 in that the composition of the nominating
18 committee, and thus the commission itself, is
19 very favorable to the Democratic party and
20 unfavorable to the Republican party, especially
21 when compared to this task force, which, from
22 what I can see, is truly fair and bi-partisan. I
23 do not agree with the governor's usurping the
24 constitutional of the state legislature by giving

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2 himself a large role in the redistricting
3 process, which raises serious legal questions
4 about the constitutionality of the Cuomo bill.
5 Once again the state government is under tight
6 time constraints to complete redistricting over
7 the next six months, and we certainly don't have
8 time to reinvent the process right now with an
9 independent commission, especially one as
10 politically-biased and legally-questionable as
11 the Cuomo proposal. Finally I wish to note that
12 only a few months ago, Erie County rushed through
13 an independent commission to redistrict the
14 county legislature and it was a total failure.
15 The redistricting plan that was put together by
16 the independent commission never passed the
17 legislature and a federal judge, or possibly his
18 law secretary, or possibly a group of legal
19 interns, ended up drafting the district lines.
20 New York State does not need the same kind of
21 chaos when we are already under tight time
22 constraints. I thank you for your time, and I
23 wish you much success with this project.

24 SENATOR NOZZOLIO: Thank you very much

1 Task Force on Demographic Research, 9/7/11
2 for your testimony. Any questions of the panel?
3 Senator Dilan.

4 SENATOR DILAN: Yes, good morning.
5 First of all, I see that your name is listed
6 here. Who do you represent?

7 MS. GRAY: I represent myself.

8 SENATOR DILAN: Are you affiliated with
9 any organization?

10 MS. GRAY: No, I'm not.

11 SENATOR DILAN: Or any political party?
12 No one? You're just representing yourself?

13 MS. GRAY: Right.

14 SENATOR DILAN: Okay, so then, I have a
15 question with respect to the size of the Senate,
16 because you brought that up in your testimony.
17 What basis do you feel that the Senate should
18 increase?

19 MS. GRAY: My understanding is that
20 there has been an overall increase in the
21 population of New York State. I worked the
22 Census last year. I was in charge of 14
23 enumerators, all of whom were highly-educated,
24 extremely-dedicated, and ferreted out every

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2 single person that could possibly be counted.

3 So, I have every assurance and confidence that

4 the Census data is correct. And in the event

5 that the number of Senators has to change, I

6 recommend that it change to a non-even number in

7 order to avoid the stalemates—

8 SENATOR DILAN: [Interposing] That
9 uneven number could be 61, is that correct?

10 MS. GRAY: My understanding is that this
11 will cause problems because a district will have
12 to be eliminated.

13 SENATOR DILAN: Already, maybe, I just
14 have two more comments. You know, in view of the
15 fiscal straits that the state sees itself in, the
16 possibility of adding another State Senate
17 district could possibly cost the citizens of the
18 State of New York well over a million dollars,
19 considering that a person coming in would need to
20 hire a staff, pay that member, equipment,
21 supplies, insurance, benefits, etc., etc., but I
22 guess I want to go towards, in the Constitution
23 of the State of New York, there is a formula that
24 dictates the size of the Senate. Utilizing that

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2 formula, it would dictate that the Senate be left
3 at 62 or go to 61 you would agree with that, that
4 we follow the Constitution?

5 MS. GRAY: I would definitely agree that
6 you follow the Constitution, however, if the
7 Census changes require an increase in the number
8 of Senators, then I would agree that it should go
9 up instead of down. The cost of hiring staff is,
10 I can't even accept that as a legitimate excuse
11 for, or a legitimate reason for not increasing
12 the size of the Senate. If it costs so much for
13 each Senator to run his office, then why don't we
14 have fewer Senators, or if money is the issue,
15 then, frankly, I don't believe that money is the
16 issue.

17 SENATOR DILAN: Okay, well the fact is
18 that there is an economic situation and the State
19 of New York had to reduce services to citizens to
20 the tune of ten billion dollars in the current
21 budget, but let's put that aside.

22 MS. GRAY: Ten million is-

23 SENATOR DILAN: [Interposing] Ten
24 billion.

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2 MS. GRAY: That's a little more
3 significant.

4 SENATOR DILAN: Putting that aside—

5 MS. GRAY: [Interposing] That doesn't
6 upset me.

7 SENATOR DILAN: Okay, putting that
8 aside, you agree that whatever the Constitution
9 of the State of New York dictates should be the
10 rule?

11 MS. GRAY: I think we should absolutely
12 follow the Constitution.

13 SENATOR DILAN: All right, thank you.

14 SENATOR NOZZOLIO: Thank you very much.
15 A request that the co-chair and I are honoring,
16 someone that will be called now, Loula Loi
17 Alofoyiannis.

18 MS. LOULA LOI ALOFOYIANNIS, PRESIDENT,
19 EURO-AMERICAN WOMEN'S COUNCIL: Good morning.

20 SENATOR NOZZOLIO: Good morning, and
21 please for the record, help us by appropriately
22 saying your name and your title, as well.

23 MS. ALOFOYIANNIS: Yes, my name is Loula
24 Loi Alofoyiannis, and I'm the president and CEO

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2 of the Euro-American Women's Council and very
3 active member in the Hellenic American Community
4 since 1974. In my view there is a natural
5 connection between Western Queens and Eastside
6 Manhattan. They should be drawn together.

7 SENATOR NOZZOLIO: I'm sorry, please, if
8 you would, because of the recording, if you would
9 please move the microphone closer to you.

10 MS. ALOFOYIANNIS: Thank you so much. I
11 thought they have - - as a feature. In my view
12 there is a natural connection between Western
13 Queens and the Eastside of Manhattan and they
14 should be drawn together. Western Queens is at
15 the heart of the Hellenic community in the United
16 States but our archdiocese is headquartered also
17 on the Eastside and many of our organizations are
18 located there and many members of our community
19 live there. As a Greek-American woman I can tell
20 you that no matter, no member of Congress was
21 paying attention to Greek issues until the two
22 areas were united. Recognizing the importance
23 of our community in the district, Congresswoman
24 Carolyn Maloney created a Hellenic Caucus in the

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2 Congress. Since then there has not been not a
3 single - - Greek vote in the Congress and our
4 issues have received the attention and the
5 concerns that they deserve. Our organizations
6 have been celebrated. Our events have been
7 honored, and our desire to have a Greek
8 participate in the - - program has been fulfilled
9 through the years Congresswoman Carolyn Maloney,
10 through her bill. If the two areas are separated
11 our community's interests actually will be
12 deleted. We are not numerous enough to be a
13 majority of any district, but when these areas
14 are joined, our voting strength is sizeable
15 enough to hold attention. Unifying Western
16 Queens and the Eastside of Manhattan magnifies
17 our voices, gives our community clout, and
18 ensures that we are a large enough group to
19 receive attention. Please, I beg you, do not
20 divide Western Queens from Manhattan. Give us a
21 chance. The Greek Americans, they are very
22 productive citizens in this United States of
23 America and especially in New York State that I
24 live. I thank you so very much.

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2 SENATOR NOZZOLIO: Are you referring to
3 Congress, the Senate, and the Assembly, or
4 concentrating on Congress?

5 MS. ALOFOYIANNIS: Congress, yes. I
6 thank you so very much.

7 SENATOR NOZZOLIO: The majority leader
8 of the New York State Senate is Senator Dean
9 Skelos.

10 MS. ALOFOYIANNIS: I know, he's Greek
11 and my friend.

12 SENATOR NOZZOLIO: And he, you're right
13 about both of those counts, so thank you very
14 much.

15 MS. ALOFOYIANNIS: And thank you so very
16 much. I appreciate it. Good day.

17 SENATOR NOZZOLIO: L. C. Harris.
18 Natasha Korgaonkar. Thank you, good morning.
19 Would you please be so kind as to state your full
20 name for the record?

21 MS. NATASHA KORGAONKAR, NAACP LEGAL
22 DEFENSE AND EDUCATION FUND: Absolutely. My name
23 is Natasha Korgaonkar, and I serve as assistant
24 counsel with the NAACP Legal Defense and

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2 Educational Fund. Founded under the direction of
3 Thurgood Marshall, LDF is the nation's premier
4 Civil Rights law firm. LDF's mission is to use
5 legal, legislative, public education, and
6 advocacy strategies to promote the full, equal,
7 and active participation of African Americans in
8 our democracy. On behalf of LDF I'm pleased to
9 present testimony at today's hearing before the
10 LATFOR. My testimony will address the importance
11 of adhering to traditional principles of
12 redistricting, including compliance with Section
13 2 of the Federal Voting Rights Act.

14 SENATOR NOZZOLIO: Ms. Korgaonkar, your
15 entire testimony will be submitted for the
16 record. It looks like it's very thorough and we
17 appreciate that thoroughness. Feel free to
18 summarize it as you go forward.

19 MS. KORGAONKAR: Sure. In particular,
20 my testimony will briefly address three points
21 that focus on the importance of those bodies
22 charged with redistricting. One, remaining
23 mindful of their obligations under the Voting
24 Rights Act, two, keeping communities of interest

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2 together, and three, maintaining existing
3 effective minority opportunity districts and
4 seeking additional opportunities to create new
5 ones. First, compliance with the Voting Rights
6 Act is an essential requirement of any
7 redistricting proposal. In particular Section 2
8 of the VRA prohibits voting practices that were
9 either enacted with racially discriminatory
10 intent or that have racially discriminatory
11 effects. As the Supreme Court held in *Thornburg*
12 *v. Jingles*, Section 2 prohibits minority vote
13 dilution. Vote dilution occurs where minority
14 voters are unable to participate equally in the
15 political process and to elect their preferred
16 candidates of choice in a given district because
17 the majority in that district votes as a block to
18 minimize or to cancel the effectiveness of the
19 minority vote. In the redistricting context
20 examples of unlawful vote dilution include
21 cracking, packing, and stacking. Cracking refers
22 to the act of spreading a cohesive group of
23 minority voters across a large number of
24 districts, thus depriving members of that

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2 community of the concentrated voting strength
3 necessary to elect candidates of their choice.
4 The term packing, by contrast, refers to the act
5 of compressing minority communities into a small
6 number of districts, which results in district
7 with unnecessarily high minority populations,
8 essentially bleaching adjacent districts of
9 minority influence. Finally, stacking is the
10 process by which districts that are artificially
11 majority minority are constructed such that the
12 districts contain a large low-income minority
13 population, along with a smaller, more affluent
14 white population. While stacked districts do
15 appear to be majority minority, they still dilute
16 the minority vote by capitalizing on the fact
17 that lower-income populations are less likely to
18 turn out to vote for a variety of reasons, many
19 of which stem from those communities socio-
20 economic realities. Each of these means of
21 diluting minority vote strength could be
22 actionable under Section 2 of the Voting Rights
23 Act. Redistricting bodies and communities alike
24 should all be aware of whether proposed

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2 redistricting plans employ any of these tactics
3 and should steer clear of plans that do. Second,
4 drawing compact districts that keep communities
5 of interest together should be an essential
6 priority of any fair redistricting plan. In a
7 state as diverse as New York, and particularly in
8 a borough as diverse as Queens, communities of
9 interest can mean many things to many different
10 people. However, the core concern of this idea
11 is straightforward. Communities of interest are
12 population groups whose needs, concerns,
13 objectives, and conditions are shared. The
14 shared experiences and goals can be found among
15 people in a number of different ways, including
16 groups that share immigration histories, income
17 levels, language identities, educational
18 backgrounds, housing patterns, or environmental
19 conditions. Where possible communities of
20 interest should be kept intact because they're
21 naturally-allied stakeholders in the issues that
22 connect them. Third, in light of the many
23 tactics that can and have been used to suppress
24 the minority vote, it's important to know what it

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2 means for minority voters to have an equal
3 opportunity to elect a candidate of our choice.
4 There are essentially three main types of
5 effective minority opportunity districts, which
6 my written testimony will explain in greater
7 detail. However, another fourth type of district
8 to remember is an influence district. In an
9 influence district minority can't elect a
10 candidate of their choice, but they do have a
11 sufficiently large enough presence to have
12 influence on the political process. In an
13 influence district a minority group may not be
14 able to elect their candidate of choice outright,
15 but the group would be large enough such that the
16 winning candidate in that district would need the
17 communities vote in order to win and would
18 thereby have to be responsive to the group's
19 needs. Although some commentators have used the
20 terms "coalition", "crossover", and "influence
21 districts" interchangeably, there are crucial
22 differences among the three. Most importantly,
23 while coalition and crossover districts give
24 minority voters an opportunity to elect a

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2 candidate of their choice, influence districts
3 don't. Therefore influence districts are in no
4 way a substitute for effective minority
5 opportunity districts. Nevertheless where only
6 an influence district can be drawn, they should
7 be strongly considered as a way to support
8 minority groups' effective participation in the
9 political process. In conclusion, I'd like to
10 offer three observations. First, given the
11 Supreme Court's recognition of the persistence of
12 racial discrimination in voting, legislatures
13 must remain mindful of their obligations under
14 the Voting Rights Act. The VRA remains an
15 essential tool for minority community empowerment
16 and engagement. Second, redistricting plans
17 should maintain effective minority opportunity
18 districts. The dismantling of any such districts
19 could also invite liability under Section 2 of
20 the VRA. Third, those charged with redistricting
21 must be mindful of opportunities to both maintain
22 effective minority opportunity districts and to
23 seek additional opportunities to create new ones.
24 This is important even if a particular minority

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2 community does not yet reach a 50 percent
3 threshold in a proposed district. Keeping
4 communities of interest can serve as seeds for
5 what will later become effective minority
6 opportunity districts. Helping to foster growth
7 of political participation among minorities by
8 seeking new opportunities for their engagement is
9 especially important in a part of the state as
10 diverse as New York City and in a borough as
11 dynamic as Queens. Thank you, and I'd also like
12 just to answer preemptively a question that you
13 were asking some of the other testifiers
14 regarding the counting of prisoners. It's our
15 position that prisoners should only be counted if
16 we're able to locate their home addresses, and if
17 we're not, they should be removed from the data
18 set and not counted. They should only be counted
19 if we have their actual home addresses.

20 SENATOR NOZZOLIO: So you're suggesting,
21 not suggesting, you're recommending, that a
22 number of prisoners not be counted at all.

23 MS. KORGAONKAR: I'm recommending that
24 prisoners whose home addresses are available be

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2 counted in the districts that are their home
3 districts, where they came from pre-
4 incarceration. When prisoners' home addresses
5 aren't available I do believe that they should be
6 counted as part of the state population for
7 purposes of Congressional reapportionment, but
8 should not otherwise be counted.

9 SENATOR NOZZOLIO: Well that, so for
10 Congressional legislative districts they be
11 counted, but not state legislative districts?

12 MS. KORGAONKAR: They be counted as part
13 of the New York State population, yes, for
14 Congressional purposes.

15 SENATOR NOZZOLIO: But in terms of the
16 dichotomy between counting individuals for state
17 legislative districts versus Congressional
18 districts, you're not concerned that literally
19 thousands of people might not be counted in this
20 process?

21 MS. KORGAONKAR: My concern is that they
22 be counted where they're from, and if we don't
23 have a home address for a given incarcerated
24 person, I don't think—

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2 SENATOR NOZZOLIO: [Interposing] They
3 should be counted at all, is what you're saying.

4 MS. KORGAONKAR: No, that's not correct.
5 They should be counted as part of the New York
6 State population, because they are. They should
7 not, however, be counted as part of the
8 population of the district in which they're
9 incarcerated, because that is not their home
10 district.

11 SENATOR NOZZOLIO: Any other questions
12 of the panel? Assemblyman Oaks.

13 ASSEMBLY MEMBER ROBERT OAKS, New York
14 State LEGISLATIVE TASK FORCE ON DEMOGRAPHIC
15 RESEARCH AND REAPPORTIONMENT: Thank you very
16 much. A couple of things, I appreciate the
17 descriptions of cracking and packing and stacking
18 and getting perspectives on that and the
19 influence districts. I think those are helpful
20 as we look forward. I did hear you say that we
21 ought to look at history as we go forward and use
22 that some. One of the challenges, I think, of
23 the issue, the Senator just noted, on counting
24 prisoners. I think one of the challenges is

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2 since 1790, when the Census started, it's always
3 historically been wherever anyone is incarcerated
4 and through all the Census up to this point,
5 people have been counted where they are
6 incarcerated. The implication that today,
7 obviously, it has an impact I think as we look at
8 prison population, both where people are from,
9 perhaps racial and ethnic makeup, that it has
10 impact of shifting numbers in the state, but from
11 1790 until this time it's been a consistent
12 thing, and it was not determined in 1790 for any
13 purpose other than counting, and we've always
14 followed that. So I guess my sense is without,
15 we are changing the intent of the Census by
16 making that change, and apparently now we may
17 have up to, even with this law, up to 14,000 or
18 15,000 prisoners that may not be counted at all
19 if it's to be implemented that way.

20 SENATOR NOZZOLIO: Before you leave, I'm
21 surprised, really, at the approach that you're
22 denying in this advocacy, that you'd be denying
23 the humanity, literally, of thousands of people.

24 MS. KORGAONKAR: I'm sorry?

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2 SENATOR NOZZOLIO: Denying the humanity
3 of, literally, thousands of people by not
4 counting them at all. If they are part of, if
5 for some reason or another the last known address
6 is not established, then they, for state
7 legislative purposes, do not exist, and that, to
8 me, it's a confusing denial of humanity, and I
9 think that that is certainly your opinion and
10 it's on the record, but it's a confusing one to
11 me. I should emphasize that your recommendations
12 regarding the Voting Rights Act will be taken by
13 this task force very seriously, that each person
14 on the task force is fully committed to complete
15 compliance with the Federal Voting Rights Act,
16 that the Justice Department and/or the courts are
17 going to have to review whatever plans are put
18 forward and that we are very mindful of the need
19 to comply with the letter and spirit of the
20 Voting Rights Act. So your comments regarding
21 that are certainly helpful, and we have full
22 agreement on those objectives.

23 MS. KORGAONKAR: Thank you, sir, and I'd
24 just like to politely disagree that my position

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2 denies the humanity of any person, whether

3 incarcerated or not. We do advocate that every

4 prisoner be counted for Congressional purposes

5 and simply not that prisoners are counted as

6 living in places where they're simply

7 incarcerated. Thank you.

8 SENATOR NOZZOLIO: Thank you very much.

9 Assemblyman McEneny.

10 ASSEMBLYMAN MCENENY: I'm very familiar

11 with the cracking and packing, which to me means

12 the artificially putting people into a

13 neighborhood beyond what would make sense or

14 deliberating dividing a constituency. I'm not as

15 familiar with stacking. My background is as an

16 historian. I also took the Census for the

17 federal government for four counties in the

18 1980's. I believe in redistricting by

19 neighborhood. Very often, and I am more familiar

20 with local redistricting, very often an historic

21 neighborhood will have some restored brownstones

22 in it, and it will be surrounded by buildings

23 that have deteriorated or are more blue collar

24 and that that area is often the heart of a

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2 neighborhood and has been, in some cases, for
3 over a century. Within the minority community
4 which will dominate in the poorer housing, there
5 will be certain educated leaders from that group
6 who are themselves minorities who for reasons for
7 finding better housing for their families will
8 get an opportunity to finally buy into one of
9 these restored brownstones. Are you advocating
10 that that area, because that block, let's say, is
11 overwhelmingly white, should be cut out of the
12 poorer neighborhood, even though for a century
13 they've been together and that, in fact,
14 leadership is therefore eliminated. Those who
15 have progressed well in society on a socio-
16 economic and educational level who live on the
17 wrong side of the street, so to speak, but a
18 street that has always been one neighborhood,
19 when you describe stacking, does that mean that
20 you should deliberately carve it out for a
21 numerical goal and leave those undereducated,
22 more impoverished people, without potentially
23 perhaps a great leader?

24 MS. KORGAONKAR: No, I don't think that,

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2 that parts of a community that should naturally
3 be kept together, or even parts of a block, as
4 you described, should be unnaturally cut out of a
5 district in order to avoid any kind of
6 configuration that has any kind of name, simply
7 that the traditional principles of redistricting
8 be respected and that among those principles be
9 an inquiry to the intent of any line drawing.

10 ASSEMBLYMAN MCENENY: I don't think
11 stacking was one of those principles in 1965. To
12 me that's a new term, and I'd be very interested,
13 and I know you've submitted written testimony as
14 to what court order that was. Thank you.

15 MS. KORGAONKAR: Thank you.

16 SENATOR NOZZOLIO: Thank you very much.
17 We are joined by first and foremost the borough
18 president, Helen Marshall. Thank you very much
19 for the courtesies you've extended to the task
20 force. It's wonderful to see you again, a former
21 colleague in the Assembly, that your testimony
22 was submitted by your deputy counsel McMillan,
23 and that we appreciate the fact that we're here
24 today.

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2 MS. HELEN MARSHALL, PRESIDENT, BOROUGH
3 OF QUEENS: First of all we welcome you here, and
4 I am a child of reapportionment. We were very
5 fortunate in our area in Queens, way back. I was
6 able to go to the Assembly because we asked them
7 to please do a fair count, and we did in our
8 area, and we always encourage people to do the
9 Census. We went in one community, we went from
10 having only two elected officials, one was in the
11 City Council, and the other was in the New York
12 State Assembly. Well, when we walked out of that
13 court, we had four Assembly seats, one State
14 Senate seat, and a Congressional seat, because it
15 was the fair thing to do, right here in Queens.
16 So I respect redistricting, not only for
17 political reasons, but for human reasons. The
18 young lady who is suggesting that you should not
19 count those who do not have an address that they
20 can give you, okay, so you can trace where they
21 really lived, the reason she's doing that is
22 because many of the small towns up where the
23 prisons are, they all want the prisons to be
24 there, but on the other hand, these people who

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2 are in prison are being counted as residing
3 there, and actually they are, at that moment they
4 are living there. But on the other hand, it
5 swells their vote. I don't mind people having
6 power. How could I say I don't, right? Well,
7 that's what I believe she's getting at, all
8 right. I have Riker's Island, right there in
9 Queens, and it's supposed to be between Queens
10 and Brooklyn, and the Bronx rather, but and I go
11 into those prisons, okay, and I talk to them,
12 mostly the women and the young, what they call
13 adolescents are 16 to 19 year-olds, so that I
14 know what it looks like there. And I know in
15 many instances this is the Rose M. Singer Women's
16 division at Riker's Island. They do a lot to
17 help these girls get back on their feet, etc.
18 Now some of the girls are incorrigible, but I
19 don't think anybody is totally incorrigible. But
20 as far as Queens is concerned, we have a real
21 handicap this time, because the Census, even
22 though we put people into the Census we pushed it
23 and pushed it and pushed it in all languages,
24 what happened is that we're undercounted. Now

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2 Queens is a very large borough and has a large
3 population, and I don't know how it happened that
4 we are in the position that we are. Also all of
5 our Congressmen and one woman, okay, all of them
6 share districts with other counties. When I went
7 down to the Foley Square Court, I looked at the
8 map and I said, you know, in an area that we have
9 so many strong voters, the people there really
10 can't vote somebody from their own community, and
11 that was not good. So we stayed there and we
12 stayed there and in that instance, the fact that
13 the three panel judge court ruled that since
14 Queens, and we're not under the Voting Rights
15 Act, because we always have 50 percent of our
16 people registered to vote, but in two instances,
17 on the southern end, we have a State Senate seat
18 which goes into Brooklyn, which is covered by the
19 Voting Rights Act, and on the northern end we
20 have a district that goes into the Bronx. It's a
21 Congressional District. And so that's what did
22 the job for us. So people have to really look
23 when it comes to reapportionment. It's not
24 something to just pass by. You've got to look at

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2 your area and, me, I have to look at the whole
3 borough and make sure that we're getting our bang
4 for our buck, okay. But I appreciate the fact
5 that you're coming, you're going to go to each of
6 the boroughs, is that what you're going to do?
7 Good, okay. Thank you very much and I've been
8 following it for a long time.

9 SENATOR NOZZOLIO: Thank you, Borough
10 President. Assemblywoman Barbara Clark.

11 ASSEMBLYMAN MCENENY: As my colleague,
12 Ms. Clark, comes up here, I want to recognize
13 Barry Gradientia (phonetic), a former member of
14 the New York State Assembly and your deputy.

15 ASSEMBLY MEMBER BARBARA CLARK, 33RD
16 DISTRICT: Is it afternoon yet. No, not quite.
17 Good morning. Thank you for calling me. I like
18 to listen, so I'll still be here for a while. I
19 wanted to be here today and thank you for coming
20 out here and doing this hearing, because I think
21 nothing right now is more important to our state
22 than hearing from the people about the issue.
23 This comes about every ten years, and I just have
24 about four major issues that is important to me.

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2 The first is that the process remain open to the
3 public scrutiny and public input and that you're
4 doing. So, I appreciate that happening. The
5 other is that minority communities maintain the
6 ability to elect people of their choice. The
7 other is the lines adhere to the principles of
8 contiguousness and compactness, and I'm really,
9 really worried about this discussion. My
10 district borders Nassau County. I'm really
11 worried about discussions that I'm hearing, not
12 broadly, but to some degree about moving city
13 districts outside of New York City. I think that
14 would be the worst thing in the world for the
15 people, and it would also be difficult for the
16 elected representative that represents those
17 areas. I can imagine myself finding out about
18 all the different kinds of government that I read
19 about in Nassau County. It would be a task, not
20 trying to make it easier for the elected person,
21 I just think it would be better, the communities
22 would be better served if they all stayed within
23 the New York City jurisdiction. The communities
24 would share an interest, not be fractured purely

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2 for political reasons, and that has happened, and
3 it has happened in my Assembly District. It
4 becomes devastating to the community. When I was
5 first elected, just as a quick example, South
6 Jamaica houses, at that time they called them 40
7 houses, huge apartment complex, 1005 apartments
8 there, those buildings were split in half. Why?
9 They were active politically and the perception
10 was that these many people together can make or
11 break an election. It was bad for them, so I was
12 fortunate to have an Assembly person who also
13 represented Howard Leach at the time, who didn't
14 mind me representing the whole place, so the
15 people still came to me with their issues and I
16 went to the whole housing development when there
17 was issues I wanted to address, but it was not
18 the right thing to do. So an issue like that
19 really has to be given consideration, and I'm
20 sure you're going to do that. The other is the
21 integrity of the existing communities are very,
22 very important. I'll give you one quick example.
23 My house is located on the edge of my Assembly
24 District. The homes across the street are not in

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2 my district, but what's behind those homes is a
3 cemetery. Now the dividing lines, I know,
4 generally go along a highway, but the cemetery
5 behind that row of houses would not create a
6 problem. One young woman who left home, went
7 away to college, stayed away from home forever,
8 she came back and moved back in with her mother
9 after her father passed, and she came to me last
10 year. She says, "I just learned I can't vote for
11 you, you know, I'm right across the street, I
12 can't vote for you." I said, "Well, listen, when
13 the lines were drawn that side of the street was
14 not in the Assembly District." It wasn't in it
15 when I got there, the Assembly District. So
16 those are little small issues, and it's not a
17 huge lot of people there, but they feel
18 disenfranchised, because they know me because
19 they see me every day. They see me getting in my
20 car and leaving home, but they can't vote for me.
21 So if there were anything else besides the
22 cemetery back there, I could see, you know, that
23 you've got to do it where you've got to do it,
24 that somebody's going to get hurt, but in this

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2 case, that's not the case, and I would like for
3 that to be considered. The people's voice, I
4 think, is very important in this whole process,
5 and of course you're here, being sure that you
6 hear the people's voice, so I will just end with
7 that and suggest to you, and based on everybody
8 that I see sitting up there, I know you're very
9 concerned about what people think. But there's
10 one other thing that I want to add to that. The
11 discussions about the independent drawing of the
12 districts by different organizations who decide
13 that that's how it should be. That's a very,
14 very touchy issue, because if anyone believes
15 that people, John Q. Citizen, not elected
16 representatives don't have some organized
17 organizations that are in communication with
18 elected officials, I mean, I think they're
19 fooling themselves or a prior elected official,
20 if I should say that. So it sounds good, but I
21 want to depend on people who are elected to try
22 to get this done in the most expeditious manner
23 that we can get it done, because I think it's
24 important for people to know ahead of time where

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2 we're going and how we're going there. So thank
3 you so much for having me.

4 SENATOR NOZZOLIO: Thank you,
5 Assemblywoman.

6 ASSEMBLY MEMBER CLARK: Nobody has to
7 ask me any questions, right?

8 ASSEMBLYMAN MCENENY: I'll ask you a
9 question, because you were the one who told me
10 what stop on the subway, and I doubt I would have
11 made it on time if you didn't throw in the union.
12 While I've got you here, if I may, one of the
13 things that sounds great is the governor's one
14 percent variance from district to district, and
15 we have heard a succession of speakers, primarily
16 neighborhood advocates across the state, who have
17 said, "Keep my neighborhood together. I don't
18 care whether it's a little larger or a little
19 smaller, as long as we're together. Don't draw
20 artificial boundaries that separate people." But
21 calling for a one percent variance would take
22 away the power to, for example, use the Queens-
23 Nassau County line as a boundary if you went to a
24 strict one percent, it would be cases where a few

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2 odd blocks on the suburban side of the street
3 would be added to the city and so on. And right
4 now it's unconstitutional, because there are a
5 couple of enormous towns in upstate New York that
6 you're obviously going to put them together.
7 They're going to right on the money, but they're
8 probably going to be two percent or two and a
9 half percent or whatever it is, and the type of
10 thing that you mentioned, like, for heaven sake,
11 there's nothing behind those houses but a
12 cemetery, some of these things we're forced to do
13 for mathematical reasons, but we will have our
14 hands totally tied if we're locked into an
15 inflexible one percent. And that particularly
16 gets important when you're looking at county
17 lines and neighborhoods and physical boundaries
18 of super highways where people don't know each
19 other on the other side and you want to make the
20 line straight. Unfortunately there's talk now of
21 a constitutional amendment. If that's to happen,
22 block on border and town on border have to be
23 revisited. You're all urban people, but up in
24 upstate New York, we have tiny little villages

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2 that are built on a stream. The stream is the
3 town line. So we wind up separating a little
4 village that has a mayor and trustees, has been
5 there for a century and a half, because we can't
6 split the town by cutting the other half out. So
7 there's a lot of things that we don't like to see
8 that we have to live with at the time, and the
9 one percent just exacerbates that problem.
10 There's times when there's, you make it as close
11 as you can, bearing in mind cynically that it's
12 already a year out of date, but there are times
13 when one percent doesn't serve the people.

14 ASSEMBLY MEMBER CLARK: I hear you, and
15 that's why I say that I respect those of you who
16 know the full details of how this has to work
17 and, you know, we'll live within that, but the
18 whole goal is, and I believe that you will do
19 that, is that as much fairness as possible go
20 into this process. You've heard me say that
21 before. You've heard me through Roman, right?

22 SENATOR NOZZOLIO: Thank you so much.
23 And we have another member of the New York State
24 Assembly from Queens, the Honorable Marge Markey.

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2 Good afternoon, Assemblywoman.

3 ASSEMBLY MEMBER MARGARET MARKEY, 30TH

4 DISTRICT: Good afternoon, Senator. I think what
5 I'm about to say is remarks very similar to my
6 colleague Barbara Clark, and I think other
7 representatives from the State Legislature have
8 also said the same thing about keeping
9 communities whole, and that's very important to
10 me and my district. I do have prepared remarks
11 that I will read to you and then be open for
12 questions afterwards. I am Assemblywoman Marge
13 Markey, and I want to thank my colleagues in
14 state government for the opportunity for the
15 public to express its views on your demographic
16 and reapportionment work. As you deal with such
17 fundamental issues as the one man, one vote
18 requirement in formulating district lines, I want
19 to urge you to also give the greatest
20 consideration to the subject of neighborhood
21 integrity. And that's what we have in Queens
22 County. We have neighborhoods. I don't think we
23 have what we refer to upstate as neighborhoods,
24 but in Queens and Brooklyn, that's how we

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2 identify ourselves. Dividing large communities
3 into different legislative districts is unfair to
4 both residents and those who represent them. For
5 residents there is confusion on which
6 representative to look for help and assistance.
7 As my colleague just mentioned a woman across the
8 street from her wasn't able to vote for her, and
9 I think that's ridiculous. For legislators there
10 is a need to address basic issues in multiple
11 neighborhoods in accompanying reduction in the
12 impact that an elected official can have on
13 behalf of their constituents. Every community
14 has its own distinctive civic, institutional, and
15 social structure. To do our job most
16 effectively, a public official must also be
17 informed about the unique basic issues for that
18 community, no matter how small a portion it
19 represents. Our work on behalf of constituents
20 is already implicated by overlapping
21 jurisdictions of local government districts
22 dealing with such services as police, fire,
23 health, education, and planning. The more pieces
24 of communities we represent, the more difficult

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2 it is to be effective on their behalf. Now I
3 represent - - with Woodside, Dutch Kills, Middle
4 Village, Astoria, and that's difficult. They're
5 all wonderful people. They all have their
6 individual issues, but it is difficult to get the
7 whole picture of a community if you're not
8 representing it. Since I entered the Assembly in
9 1999 my district has been centered upon the
10 community of Maspeth where I have strong personal
11 and family roots. I have worked hard to be a
12 responsive and conscientious representative for
13 Maspeth, as well as other communities that are
14 included in the 30th Assembly District. I
15 understand your mandate to draw district lines,
16 to meet a specific population target figure,
17 however I urge you to do so by respecting the
18 integrity of recognized community boundaries in
19 order to minimize the number of different
20 communities that are included. In particular I
21 ask that you please redraw the district in a way
22 that keeps Maspeth unified in the new 30th
23 Assembly District, and I say that not only for
24 Maspeth, but also for Woodside and Astoria. I

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2 really think they should be kept whole and I
3 would appreciate it if you would be able to do
4 that.

5 SENATOR NOZZOLIO: Thank you,
6 Assemblywoman. Betty Braton.

7 MS. BETTY BRATON, CHAIRPERSON, COMMUNITY
8 BOARD 10, QUEENS: Thank you very much for the
9 opportunity to offer some comment here today. My
10 name is Betty Braton. I'm the Chairperson of
11 Queens Community Board 10. I'll try to keep my
12 remarks brief. We will be sending you some
13 written comments as this process moves forward.
14 Earlier you heard from the representative of our
15 Borough President and from one of our City
16 Council members talking about Queens and
17 communities. We identify by our communities.
18 Our people are sometimes not effectively
19 represented because of the nature of the lines
20 that were drawn. For example, Queens Community
21 Board 10 in the 2000 Census had roughly 127,000
22 people within it. The 2010 Census, although I
23 don't agree with it, it is what it is and we'll
24 have to live with the numbers, says we have about

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2 125,000 people, 123,000 people. After the 2000
3 Census that segment of our population, which is
4 in some clearly defined neighborhoods, I have
5 within the community board three and a half zip
6 codes, three full zip codes and a half of
7 another. Within those zip codes there are
8 individual communities, but I'll keep it to the
9 zip code level, because I think that is something
10 that really needs to be done, certainly within
11 the City of New York. Within Community Board 10
12 and those three and a half zip codes, I have five
13 Assembly Districts that criss-cross. I have two
14 Senate Districts that criss-cross, and I have two
15 Congressional Districts criss-crossing, and three
16 City Council Districts. In order to effectively
17 represent on the larger level of the entire
18 Community Board, there's an awful lot of
19 interaction that has to take place between our
20 elected officials and us. For example, last
21 week, you know, it's a relatively minor thing,
22 but last week we had to conduct a public hearing
23 in regard to a bus route change. You know, I know
24 that you all understand the difficulties of

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2 scheduling meetings, to have to deal with that
3 many elected officials, because this bus route in
4 question, it was like a ten-block change in a bus
5 route involved. I had to involve the offices of
6 a number of different elected officials to set up
7 a meeting just to discuss it. It's a difficult
8 thing when representing people. I'll use as an
9 example my own community where I personally live.
10 It has some very clear geographic boundaries.
11 It's bounded on the south by a large body of
12 water. It's bounded on the west by the Brooklyn
13 County line. It's bounded on the east by an
14 airport, and it's bounded on the north by a major
15 highway. However, the 30,000 people in 2000 and
16 the 25,000 people in 2010 are in two different
17 Senate Districts, two different Congressional
18 Districts, and even within there, the same parts,
19 if you went to a segment of the community, little
20 A and little B might be in the same Senate
21 District—

22 ASSEMBLYMAN MCENENY: [Interposing]

23 What's the name of the community?

24 MS. BRATON: Howard Beach. For example,

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2 one area is in one Senate District, another
3 portion is another Senate District, and then when
4 you go to the Congressional District, even the
5 two pieces that are in two different parts are
6 not together in the next district. It just makes
7 effective representation difficult. People don't
8 know where they are. For example, last night
9 there was a hot and heavy Congressional race
10 going on in that area now. There was a debate
11 last night. Part of the community is involved in
12 that Congressional race, part of the community is
13 not. The church where the debate was held was
14 not even in the district where the Congressional
15 race is taking part, but it's a main church in
16 the community. It's just the difficulties that
17 we face in day to day dealings in government. It
18 makes it harder. So I would urge you as you move
19 this difficult process forward, I understand all
20 the mathematics that you have to deal with, that
21 you look upon communities within the City of New
22 York, most especially in Queens, because many of
23 our community boundaries are from the old town
24 boundaries from many, many years ago. We have a

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2 lot of geographical distinctions. We are the
3 most diverse county in the state, Community Board
4 10 that I represent is the most racially diverse
5 community district in the City of New York,
6 according to the Furman Center for Urban Research
7 and Real Estate. We can create districts that
8 are ethnically represented and racially
9 represented, but we also need to geographically
10 keep them compact and keep people in the same
11 communities in districts together. Thank you.

12 ASSEMBLYMAN MCENENY: Who drew up
13 Community Board 10?

14 MS. BRATON: Those lines are drawn by
15 the Department of City Planning, for example,
16 following the Census. They will review the lines
17 and draw them. The last changes that were made in
18 terms of Community Board 10 was back after the
19 1980 Census.

20 ASSEMBLYMAN MCENENY: Right, we have
21 them in Albany, too. I drew them.

22 MS. BRATON: After each Census they will
23 divide up again the lines. I would think there
24 won't be too many changes in the boundaries,

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2 because the Community Board boundaries tend to
3 follow, to a large extent, at least in Queens,
4 the geographic boundaries.

5 ASSEMBLYMAN MCENENY: I found at least
6 in my upstate experience that they did a good job
7 following the 1980. They'd give you a printout
8 of education, income, ethnicity, everything, and
9 then they never came back again and said do it
10 yourself.

11 MS. BRATON: Well we have, you know,
12 within the wards in Queens, the 14 Boards, the 80
13 changes, which I think were excellent changes,
14 they made the boundaries co-terminus with the
15 city's service agents. For example, a police
16 precinct, the fire district, the sanitation. We
17 have the same boundaries, which makes governing a
18 little easier.

19 SENATOR NOZZOLIO: A few observations,
20 Community Board Chair, the first is that the
21 Congressional issues that you talk about, in
22 large part, because of the mathematical precision
23 that they have to be precisely identical with no
24 variation, leads to the chaos and confusion that

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2 you described just with a debate. The second
3 question gets to the independent, so-called
4 independent redistricting that would be blind by
5 law to those kinds of concerns that you
6 reference, which I think are extremely legitimate
7 concerns, concerns that I share with you, me
8 being an upstater from the Finger Lakes region,
9 the same types of dynamics in terms of severing
10 communities, severing jurisdictions, communities
11 of interest in particular. The third is the
12 split between Queens and Nassau, and having that
13 now become, because of state legislative
14 precision that is being proposed, those lines
15 would have to be crossing those borders. Would
16 you reiterate or elaborate, at least, on your
17 concerns with that process?

18 MS. BRATON: I realize it's a difficult
19 process, and I'm really not expert enough to
20 offer that opinion, I would just urge that
21 wherever possible, we try to keep zip codes
22 together, because that at least gives a
23 geographical definition where there may have to
24 be some variance at some point, but at least that

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2 keeps full communities together, what people
3 regard as full communities.

4 SENATOR NOZZOLIO: Any other questions,
5 members of the panel? Thank you very much.
6 James Hong.

7 MR. JAMES HONG, SPOKESPERSON, ASIAN-
8 AMERICAN COMMUNITY COALITION OF REDISTRICTING AND
9 DEMOCRACY: Good morning or is it good afternoon?
10 My name is James Hong, and I'm speaking on behalf
11 of the Asian-American Community Coalition on
12 Redistricting and Democracy, ACCORD for short.
13 ACCORD is a non-partisan coalition of
14 organizations and individuals committed to
15 advancing the opportunity of Asian-Pacific
16 American and Minority Communities to meaningfully
17 participate in the political process. ACCORD
18 recognizes that redistricting plays a pivotal and
19 fundamental role in these opportunities, and we
20 support redistricting plans that keep together
21 communities of interest that exist in and around
22 ethnic neighborhoods across New York. ACCORD's
23 members include the Asian-American Bar
24 Association of New York, Asian-American Legal

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2 Defense and Education Fund, Asian-Americans for
3 Equality, Asian-Pacific Americans for Progress
4 New York, Chinese Progressive Association,
5 Korean-Americans for Political Advancement,
6 Korean Community Services Metropolitan New York,
7 Minkwon Center for Community Action, OCA New
8 York, Queens Borough Hill Neighborhood
9 Association, SEVA, Taking Our Seat, United
10 Chinese Association of Brooklyn, and Dr. Carol
11 Huang of Queens, New York. I'd just like to ask
12 some of our members are here today. I'd like you
13 all to stand up, maybe come out into the aisles
14 and show the task force things that they need to
15 hear and see. We are here giving public
16 testimony because Asian Pacific Americans have
17 been, like most minorities, negatively impacted
18 by the practice of gerrymandering that is the
19 norm in our redistricting cycles. The Asian
20 population of New York has grown 36 percent since
21 2000, and the population is now over 1.4 million
22 or 7.3 of the entire state. But only 1 out of
23 212 legislators are Asian-American, and she
24 represents a district of less than 130,000. We

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2 note that the district is also the only one at
3 any level of government in the state that was
4 drawn as an Asian majority minority district.
5 But we want to state for the record that there is
6 now enough APA population in compact and
7 contiguous areas to support not one, but four,
8 majority minority Assembly Districts, at least
9 one majority minority Senate District, and a
10 Congressional District of much greater Asian
11 voter influence than any current Congressional
12 District. Now ACCORD is not advocating nor
13 recommending such districts at this time, but the
14 potential for these districts reveals, again, an
15 extreme incongruity of population to
16 representation. Indeed the current
17 Congressional, State Senate, and State Assembly
18 lines are reasons for grave concern from the
19 standpoint of the Voting Rights Act. There is a
20 clear and prevailing cracking of multiple APA
21 communities that can be seen on maps that overlay
22 district boundaries with the Asian population in
23 New York, and you can see the graphics 1, 2, and
24 3 attached to my testimony. This situation has

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2 given ACCORD, our coalition, reason to appear
3 today and affirm the following statements before
4 this task force and the public. New York State's
5 redistricting processes have historically not
6 resulted in elections where communities of color,
7 including those of APAs have the opportunity to
8 meaningfully participate in the political process
9 and to elect representatives of their choice.
10 Current district lines often fail to reflect the
11 compact neighborhoods and communities of interest
12 where APAs reside. In fact many current district
13 lines divide such neighborhoods and communities
14 of interest into multiple districts and result in
15 vote dilution for minorities in those areas. And
16 by their nature ethnic communities are likely to
17 be communities of interest and district plans
18 should reflect this dynamic. These
19 neighborhoods, or portions of these
20 neighborhoods, contain residents sharing
21 economic, social, political, cultural,
22 linguistic, and educational concerns that deserve
23 to be reflected in the results of the
24 redistricting process. We expect our elected

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2 officials, and by this we mean all of our elected
3 officials, to uphold the Voting Rights Act of
4 1965 and consequently, in light of that act,
5 support district maps that keep together the
6 communities of interest that exist either wholly
7 or partly in, but are not limited to the
8 following neighborhoods. In Queens, Elmhurst,
9 Jackson Heights, and Woodside, Flushing, Murray
10 Hill, East Flushing Queens Borough, Bayside
11 Hills, Richmond Hill, and South Ocean Park,
12 Floral Park, Bell Rose and Queens Village,
13 Briarwood, and Jamaica Hills. There are others
14 in Brooklyn and Manhattan, but we'll get to that
15 later in other public hearings. So whenever
16 possible, the communities of interest in these
17 areas should be kept together and placed in a
18 single district, be it a Congressional and/or
19 State Assembly District. In cases where the
20 district size is too small for the entire
21 community of interest, care should be taken to
22 examine the dynamics in that area and accordingly
23 place the community in as few districts as
24 possible. Thank you.

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2 ASSEMBLYMAN MCENENY: Thank you. You
3 said 24 percent growth?

4 MR. HONG: Thirty-six percent across New
5 York State.

6 ASSEMBLYMAN MCENENY: Across the state.

7 MR. HONG: Yes.

8 ASSEMBLYMAN MCENENY: Okay, thank you.

9 MR. OAKS: In your description, an
10 earlier presenter had talked about influence
11 districts and then the issue of cracking
12 districts. Are you suggesting in your maps that
13 these are majority Asian districts or districts
14 of influence? In other words, where it would be
15 a sufficient number, an opportunity where you
16 create 20, 30 percent where your views are more
17 heard or actually in a majority of Asian
18 residents that would perhaps have more
19 opportunity to elect their individuals.

20 MR. HONG: ACCORD is for creating
21 districts that respect communities of interest
22 that can elect their representatives of their
23 choice. The maps that I presented, those are for
24 seeing racially where people are in Queens and to

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2 see evidence of cracking. We are not advocating
3 for any specific districts at this time. We're
4 not saying let's create a majority minority
5 district here or there. The reason I brought
6 that up was to highlight the great disparity in
7 population to representation. I'm saying there's
8 a potential to all of these district, but right
9 now there is only one at the Assembly level.

10 MR. OAKS: Thank you.

11 MR. HONG: Thank you. Yes, all of our
12 coalition members are working on maps and we are
13 working together to come to an agreement to have
14 maps to present to the task force.

15 MR. OAKS: Okay great, thank you.

16 ASSEMBLYMAN MCENENY: Thank you. Joyce
17 Moyer. Jerry Cheng.

18 MR. JERRY CHENG, FORMER PRESIDENT AND
19 CURRENT BOARD MEMBER, OCA-NY: Good afternoon, my
20 name is Jerry Cheng. I'm testifying on behalf of
21 OCA New York as a Board Member and the former
22 President. Founded in 1976 OCA New York,
23 formerly known as the Organization of Chinese
24 Americans, is a non-profit and a non-partisan

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2 organization dedicated to protecting and
3 advancing the political, economic, social, and
4 cultural rights of Asian-Americans. The 2010
5 Census revealed Asian-Americans now comprise 13
6 percent of New York City's population. The
7 number of Asian-Americans has soared to a million
8 with 500,000 in Queens alone. Over the past ten
9 years, scores of Asian-Americans have registered
10 to vote and become more active in politics. We
11 urge LATFOR to keep communities of interest that
12 contain a high concentration of Asian-Americans
13 together. My testimony primarily focuses on
14 Flushing and Bayside. I have lived with my
15 family in - - Hill and in Jamaica Estates, south
16 of Flushing for 38 years. I eat and shop in
17 Flushing at least once a week and go to Casino
18 Park regularly to exercise. My family and I also
19 belong to - - Parish in Flushing. I'm recently
20 retired. For 37 years I worked as a city planner
21 with the Tri-State division at the Department of
22 City Planning. I review zoning applications for
23 transportation agency for New York City including
24 Flushing and other parts of Queens. As a member

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2 of various professional organizations I have
3 organized events at the civil location in
4 Flushing. OCA New York covers the five boroughs
5 of New York City including Queens. This year OCA
6 New York - - naturalization training in downtown
7 Flushing that attracted over 100 people. We
8 participate in the Flushing - - New Year parade,
9 conduct voter registration, and organize
10 community education forums, including meeting
11 with the Queens District Attorney involving crime
12 again Asian-Americans. We co-sponsored - - for
13 City Council District 20, State Assembly District
14 22, and the State Senate District 11 and 16 at
15 the Flushing Public Library. We participate in
16 the international drag boat races in - - . OCA
17 New York also works with Flushing-based groups
18 like - - Center for Community Actions, the
19 Chinese Planning Council, Queens Division, Korean
20 Community Service, and the Flushing Chinese
21 Business Association. Our joint projects include
22 language access, voter empowerment, and
23 immigration reform. As a non-profit organization
24 run by volunteers, OCA New York lacks the

1 Task Force on Demographic Research, 9/7/11
2 resources to draw redistricting maps, but we feel
3 community groups should participate in
4 redistricting. This process will define the
5 boundaries of political empowerment for the next
6 decade. That's why OCA New York has joined
7 ACCORD, Asian-American Community Coalition on
8 Redistricting and Democracy. OCA New York's
9 position on redistricting is based on its
10 community involvement, input from its Queens
11 members, including myself, and the 2010 Census,
12 and the 2005-2009 American Community Survey for
13 State Assembly District, OCA New York supports
14 State Assembly District 22 remaining intact.
15 This district includes the heart of downtown
16 Flushing, which is heavily commercial with
17 Flushing Library, Flushing shopping mall, many -
18 - restaurants, grocery stores, and schools. More
19 than 60 percent of the residents in Flushing are
20 Asian. Bayside currently is divided in two
21 Assembly Districts, District 24 and District 26.
22 OCA New York supports the creation of a new
23 Assembly District that puts at a minimum Bayside
24 - - together with - - and Murray Hill because of

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2 their approximation to one another and share
3 socio-economic data. All three neighborhoods
4 share bus routes and - - railroad, have a
5 sizeable population, thirty to forty percent of
6 the residents who speak English less than well,
7 an Asian population between 40 to 50 percent of
8 which majority are Chinese and Korean with a
9 median age of approximately 42. For State Senate
10 lines, Flushing is currently divided in two State
11 Senate Districts, District 11 and 16. OCA New
12 York supports the creation of a new State Senate
13 district that keeps Flushing at the minimum. In
14 the Senate District with Murray Hill, Avondale,
15 and Bayside, there exists a community of interest
16 between these neighborhoods. There is a
17 transaction of law of residents traveling between
18 Flushing and Bayside, passing through Murray Hill
19 and Avondale for shopping, restaurant, and
20 business. The - - buses connect all four
21 neighborhoods. Chinese or Korean churches are
22 almost every two or three blocks along these bus
23 routes. These bus routes also run through - -
24 and Murray Hill playgrounds. Residents in

1 Task Force on Demographic Research, 9/7/11
2 Bayside and Murray Hill take the bus to Flushing
3 to connect to the number seven subway. The Long
4 Island railroad also connects these four
5 neighborhoods. Twenty to thirty percent of
6 Murray Hill, Avondale, and the Bayside residents
7 commute to work via public transportation. Over
8 the years many Asian-Americans who originally
9 lived in Flushing moved to these neighborhoods as
10 their households grew. They still commute to
11 Flushing frequently to work, shop, attend church,
12 and to visit family and friends. For instance,
13 one of our members lived with her brother in
14 Flushing, but they both travel to Bayside almost
15 daily to teach at the Queens Borough Community
16 College. Another Flushing member not only
17 travels to Bayside one to three times a month,
18 but also stops to visit friends and family in the
19 middle neighborhoods of Murray Hill and Avondale.
20 Our members who travel in the opposite direction,
21 for example, a member who lives in Bayside
22 travels one to three times a week to visit her
23 mother who lives in Flushing. We hope LATFOR
24 will incorporate our suggestions into drawing of

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2 new State Assembly and Senate District lines.

3 Thank you.

4 SENATOR NOZZOLIO: Thank you very much.

5 Bright Limm.

6 MR. BRIGHT LIMM, CO-CHAIR, STEERING

7 COMMITTEE, KOREAN AMERICANS FOR POLITICAL

8 ADVANCEMENT: Good afternoon, my name is Bright

9 Limm, and I am a co-chair of Korean Americans for

10 Political Advancement, also known as KAPA, for

11 short. My remarks today are presented on behalf

12 of this organization. KAPA is a non-profit,

13 membership organization based in New York City.

14 We promote a broad policy platform encompassing

15 political and civil rights, the rights of

16 immigrants, and economic and social justice. We

17 are not affiliated with any political party, but

18 we do promote policies that are generally

19 considered to be progressive. Our dues-paying

20 membership includes residents of Queens,

21 Manhattan, and Brooklyn, and our email list

22 includes residents from all five boroughs. What

23 distinguishes KAPA from other progressive

24 advocacy organizations is not so much what we

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2 advocate, but with whom. That is to say, our
3 mission is to engage our fellow Korean-Americans
4 politically and to help Korean-American
5 communities in New York City to realize our
6 political potential towards progressive ends. As
7 you can imagine then, redistricting is an issue
8 that relates directly to the mission and work of
9 KAPA, and it has been a top priority of ours this
10 year. In addition to educating our members over
11 the past several months on both the principles
12 and the process of redistricting in New York, we
13 have entered into two coalitions to further our
14 advocacy work. The first of these, as you heard,
15 is ACCORD, the Asian-American Community Coalition
16 on Redistricting and Democracy, which is
17 concerned primarily with protecting Asian-
18 American communities of interest. KAPA is also a
19 member of the Re-Shape New York Coalition, which,
20 as you know, advocates an independent
21 redistricting process. My original plan was to
22 speak on both of those coalitions, and the
23 organizations - - them, but out of respect for
24 the wishes as stated in the opening remarks of

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2 Co-Chairs McEneny and Nozzolio, I will keep the
3 latter remarks regarding the independent process
4 to a minimum. Now regarding what the ACCORD
5 coalition is about and KAPA's role in it, we
6 recognize first of all that the task of drafting
7 district maps is very complex, particularly in
8 areas as diverse as Queens and the different
9 experts may reasonably disagree on precise
10 boundaries. Accordingly, we will wait until
11 after the task force has released its recommended
12 maps to the public to comment on any of the
13 specific details.

14 SENATOR NOZZOLIO: Excuse me, Mr. Limm,
15 will you be submitting any maps yourself, or any
16 suggested plans?

17 MR. LIMM: No, KAPA as an organization
18 will not, but it will participate in the
19 decision-making process in the ACCORD coalition.

20 SENATOR NOZZOLIO: Thank you.

21 MR. LIMM: Thank you. However, we do
22 wish to emphasize here today the main message
23 that any maps that are drawn must protect
24 communities of interest. As you know, many of

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2 these communities of interest are comprised of
3 geographically contiguous and compact
4 neighborhoods that are socio-economically similar
5 and politically-cohesive and in Queens many of
6 these either have substantial Asian-American
7 populations or are comprised primarily of them.
8 In considering what communities of interest exist
9 in Queens, we strongly recommend that the task
10 force utilize and indeed rely upon the excellent
11 field work and analysis performed by ALDEF, whose
12 testimony you heard earlier today. As a member
13 of the ACCORD coalition, KAPA has had an
14 opportunity to review in advance the findings and
15 analysis presented by ALDEF in today's hearing
16 and without a doubt, we have found ALDEF's
17 methodology to be rigorous and its conclusions to
18 be fully in accord with KAPA's own demographic
19 research and field operations experience. In
20 addition and on a similar note, we strongly
21 support the data mounts and analysis provided by
22 Common Cause, particularly in its analysis of
23 Queens and as you probably know a sample of their
24 work regarding Queens can be found on the Citizen

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2 Redistrict New York website. By the end of this
3 hearing you will have no doubt heard from
4 numerous organizations and individuals, the
5 troubling and rather conspicuous statistics
6 regarding political representation of Asian-
7 Americans in New York. In particular you will
8 have heard, probably several times, that while
9 the Asian-American population has increased over
10 30 percent in Queens over the last decade, and
11 almost 36 percent statewide, there is only one
12 Asian-American legislator in all of the Assembly
13 and State and none in Congress. You may also
14 hear from several groups that the Asian-American
15 population grew four times as fast as that of the
16 second fastest group and that with a figure
17 surpassing one million, the Asian-American
18 population in New York City is greater than that
19 of Los Angeles and San Francisco combined. In
20 light of this divergence between demographic
21 realities and political realities, it is
22 difficult to deny that Asian-Americans have been
23 extremely under-represented in our state and
24 federal legislative offices. While the rapid

1 Task Force on Demographic Research, 9/7/11
2 growth in the Asian-American population over the
3 past decade accounts for some degree of under-
4 representation, no doubt, still the current
5 district lines account for at least a significant
6 portion of this phenomenon. KAPA hopes that the
7 task force will study closely the information
8 provided by ALDEF and Common Cause, that they
9 will concur with the view of KAPA and numerous
10 other organizations and activists who believe
11 that at least several Asian-American communities,
12 if not certainly cracked or packed, suggest there
13 is serious evidence of cracking and packing, and
14 particularly I would refer to those maps provided
15 by ALDEF. And finally we would hope that the
16 task force would ensure that these communities
17 are protected from vote dilution in the new
18 district lines. Now I just want to make maybe
19 three or four lines regarding the independent
20 redistricting process, and thank you for
21 indulging me. As I noted earlier KAPA is also a
22 member of Re-Shape New York, which is a statewide
23 coalition consisting of 35 organizations, as you
24 know. The member of this coalition are united in

1 Task Force on Demographic Research, 9/7/11
2 the objective of reforming our state's
3 redistricting process. While KAPA very much
4 appreciates this opportunity provided by LATFOR
5 to comment at this preliminary hearing, I would
6 be remiss and perhaps even a bit disingenuous not
7 to be very clear that KAPA has serious
8 reservations with the current process. It is
9 KAPA's position that a legislatively controlled
10 entity, no matter how knowledgeable and no matter
11 how well-intentioned its individual members may
12 be, is subject to a conflict of interest to which
13 no legislators should be subject. Indeed if the
14 promises of the 184 of the legislators 212
15 members is to be taken seriously, it would seem
16 that the legislators themselves agree with this
17 view. I won't rehearse all the arguments in
18 favor of an independent redistricting commission
19 or recount counterarguments to the question of
20 its constitutionality, you've heard these all
21 before. Rather, I will simply add one point
22 about the process and why KAPA feels it is
23 essential to discuss the process at this hearing.
24 The current redistricting process has

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2 consistently protected incumbents and discouraged
3 electoral competition. There is plenty of
4 evidence for that. Besides reducing voter
5 turnout this lack of competition has also made it
6 more difficult historically for Asian-American
7 and other communities to achieve more adequate
8 representation of their interests in the
9 legislature and that person need not be an Asian-
10 American. It just makes it harder for
11 politically-cohesive communities to have their
12 interests represented. This phenomenon, in turn,
13 creates a vicious cycle in which the individuals
14 with the means to redraw districts have the
15 incentive not to recognize communities of
16 interest that are not already protected in the
17 current district maps. Accordingly, KAPA
18 believes that providing public input on the
19 proposed district maps is necessary but
20 insufficient condition for producing voting
21 rights equality in New York. The other necessary
22 condition is the creation of an independent
23 redistricting process with the commission that is
24 protected from political calculations.

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2 Legislators should return to Albany during
3 special legislative session to end politicized
4 redistricting practices and enact reform that
5 hands the redistricting power to an independent
6 commission. Thank you very much for your time
7 and for your consideration.

8 SENATOR NOZZOLIO: Thank you very much,
9 Mr. Limm. Any questions? Assemblyman McEneny.

10 ASSEMBLYMAN MCENENY: I'll just make an
11 observation that when you discuss the
12 representation as it is in 2011 and will be in
13 the election of 2012, that the dynamics and the
14 history and the numbers of Asian-Americans back
15 ten years ago were dramatically different and to
16 assume that there was some deliberate effort to
17 curtail the legitimate ambitions of Asian-
18 Americans back then, those lines reflected what
19 went on at that time and who lived in the City of
20 New York and elsewhere. So, the reason we do our
21 redistricting every ten years and have since the
22 earliest days of our republic, as a
23 constitutional republic, is to stay with the
24 present and look to the future. So it's easy to

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2 condemn the past if you have today's numbers, but
3 you have to use the numbers of the past, as well.

4 MR. LIMM: I completely agree. Thank
5 you for bringing that up. I appreciate the
6 opportunity to clarify myself. I didn't mean to
7 infer what you were concerned that I was
8 inferring. What I meant was not to infer intent
9 or motivation, of an intent to crack or pack, but
10 that to keep the districts in the new district
11 maps substantially similar to the way they are
12 now in this round would amount to cracking or
13 packing. Does that make sense?

14 ASSEMBLYMAN MCENENY: Yes, thank you
15 very much.

16 SENATOR NOZZOLIO: Gurpal Singh.

17 MR. GURPAL SINGH, SEVA COMMUNITY
18 ORGANIZATION: Good afternoon, my name is Gurpal
19 Singh. I am the co-founder of a community
20 organization called SEVA, which means community
21 service in the language of Punjabi, which is in
22 India. SEVA's a non-profit community
23 organization based in Richmond Hill, Queens. Our
24 mission is to empower immigrant community members

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2 to address and meet the challenges that arise in
3 their neighborhoods. We've done voter
4 registration drives, we've registered thousands
5 of voters in southwest Queens. We've done
6 citizenship fairs. We've done, we have a very
7 large youth component. We're working on senior
8 issues. So we're just a grassroots community
9 organization. We work with the United States
10 Census Bureau for over a year in this past
11 Census. We managed about \$100,000 budget with
12 the Federal Census Bureau. We were able to
13 increase the Census participation of immigrants
14 in south Queens, southwest Queens, by three
15 percent, which was the goal of the Census. Our
16 volunteers personally filled out 1700 Census
17 forms directly, and we reached about 68,000
18 people through our Census efforts. We had a
19 number of committees and we've made tens of
20 thousands of posters and fliers and tee shirts,
21 and the outreach worked, and we created a very
22 large coalition. We have about 60 community
23 organizations that are members of our Census
24 coalition. Many elected officials and others

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2 were also with us. Now, the next step,
3 obviously, in the Census issue is redistricting.
4 I'm here representing SEVA and the people in the
5 organizations that we work with. I kind of want
6 to, you know, the communities that we work with
7 want to kind of shift away a little bit from the
8 ethnic/racial paradigm, and we want to talk about
9 sort of a larger constituency, which are
10 immigrants. So we have in Queens, 47 percent of
11 the people are foreign born, are immigrants.
12 That's the latest Census data. 36 percent of New
13 York City is foreign born. I'm an immigrant
14 myself. 21 percent of the state is comprised of
15 foreign born people, immigrants. So in Queens
16 the largest constituency there is are immigrants,
17 47 percent. If you compare that, there's 27
18 percent of the white population in Queens, and 19
19 percent of Queens is African American black. So,
20 to put that in perspective, at how large this
21 constituency is, 47 percent. We've heard the
22 economic data over and over. Immigrants are the
23 driving force in the economics of the city, the
24 state. 215 billion in economic activity in the

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2 five boroughs alone in 2008. We're talking about
3 68 percent of all new homeowners in the city are
4 foreign born. So we can go on and on about, you
5 know, this being a community of interest,
6 immigrants themselves. So, that's why I've
7 submitted some maps. I didn't have, my printer
8 broke down, I wasn't able to print all of them,
9 but we'll be submitting a full report with what
10 we think should be the redrawing of the lines. I
11 don't see the maps in front of you that I
12 submitted out front, but we are talking about a
13 community we're calling the southwest Queens
14 community of interest, or if you-

15 SENATOR NOZZOLIO: [Interposing] Excuse
16 me. Those maps, I want to make sure they're
17 cataloged. Do you have, did you submit copies
18 for the-

19 MR. SINGH: [Interposing] I had five
20 copies, I didn't have all ten, but I will be
21 submitting a report following this.

22 SENATOR NOZZOLIO: I think it's very
23 important, I don't know if you heard us discuss
24 this with other members that testified today, but

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2 we welcome the opportunity for submissions. Feel
3 free to submit whatever plans you have for the
4 Borough or the city or the state.

5 MR. SINGH: Yes, we're just focused on
6 southwest Queens. So, that's the only map, it's
7 in front of you there what our idea of a
8 community of interest is, so the southwest Queens
9 community of interest includes neighborhoods of
10 Richmond Hill, South Richmond Hill, Ozone Park,
11 South Ozone Park, and Woodhaven. It's bordered
12 by a park in the north, it's bordered by a
13 highway, the - - Expressway on the east, it's
14 bordered by the Brooklyn and Queens border on the
15 west, and the south is another highway. So it's
16 a very sort of naturally occurring community.
17 There's natural borders there. Now that
18 neighborhood consists of, and I'm going to call
19 it SWQCI, if you will, Southwest Queens Community
20 of Interest, SWQCI. This neighborhood consists
21 of 78 Census tracts, houses about 200,000 people,
22 and 22 percent of that neighborhood is Asian, 38
23 percent is Latino, 15 percent is white, 13
24 percent is other, and 12 percent is black. So

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2 it's not a homogenously one ethnicity. It's a
3 very mixed neighborhood and the largest, I think,
4 over 60 percent of that neighborhood is
5 immigrants, whether they be Latino, whether they
6 be south Asians or Guyanese or Trinidadians, it's
7 immigrants. And it's very different from the
8 neighborhoods to the north, Glendale and Maspeth
9 and to the south, Howard Beach and to the east
10 Jamaica and St. Albans. So it's very unique in
11 that sense, it's a very diverse immigrant
12 population, and so we've stated earlier that it's
13 the largest constituency in Queens, but there are
14 no districts created to empower immigrants as a
15 whole. So if we do not create a district,
16 whether it be an Assembly or a Senate, to empower
17 the immigrants as a whole, then we're not going
18 to be able to elect people who will advocate for
19 immigrants' rights at the city level, at the
20 state level, at the federal level, and so we're
21 never going to be able to create advocates for
22 immigrants as a whole and not just one ethnic
23 group. So the other thing about the SWQCI
24 neighborhood besides its diverse immigrant

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2 population, they have the same struggles, whether
3 you're a Latino or a South Asian, if you live in
4 that neighborhood, you are riding on dilapidated
5 trains. The transportation system in that
6 neighborhood, in those neighborhoods is extremely
7 dilapidated. No escalator anywhere. It's all
8 the L-line, the J and the A. And there is a
9 failing school system. The public school system
10 is literally failing. Schools are closing down
11 in those neighborhoods. It's very different.
12 There's a large South Asian community in Bell
13 Rose and eastern Queens. Now that South Asian
14 community is dealing with a very different set of
15 issues as compared to the South Asians in
16 Richmond Hill. Bell Rose Queens has one of the
17 best education districts in the city, and the
18 South Asians who live in Richmond Hill are
19 dealing with one of the worst in the city. So,
20 we kind of try to want to move on beyond the
21 ethnic paradigm and talk about what communities
22 are facing, issues as a whole. I can go on, but
23 I do want to mention two things. LATFOR divided
24 that community into two Senate Districts directly

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2 in half. I actually live on the block that's the
3 border, and it's the center of the community, and
4 LATFOR divided that part of our community in half
5 in the Senate. So to the west it's Senator Adabo
6 in 15 and to the east is Senator Huntley, and I'm
7 sad to say that both of those representatives
8 essentially ignore that part of their district.
9 There's no representation, really. Those
10 neighborhoods, the SWQCI neighborhood is divided
11 into seven Assembly Districts, seven Assembly
12 Districts. I also live on the block that's the
13 dividing line, which is in the center of the
14 community. So, we're not, all we're saying is
15 unite. There's no need to have a neighborhood
16 divided into seven Assembly Districts, and I can
17 list them, just for the record. Assembly Miller
18 is in Assembly District 38. Cook in Assembly
19 District 32, Lancman in Assembly District 25,
20 Mayersohn in Assembly District 27, Titus in
21 Assembly District 31, Assembly District 23 is
22 vacant. It was Pheffer. Assembly District 28,
23 well 27 is also vacant and so those are, the
24 Swqci neighborhood, this community of interest

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2 becomes a very insignificant part of all these
3 Assembly Districts and therefore historically,
4 currently, we have no representation. None of
5 these elected officials, I'm sorry to say, have
6 done anything or have proposed any legislation or
7 opened up a district office, you know, or
8 anything in these neighborhoods. And why would
9 they? It's five percent of this person's
10 district, ten percent of the other's, three
11 percent of this guy's, and so really common
12 sensically it doesn't jive with anyone out there.
13 No one knows who their Assembly Member is. So, I
14 will kind of end with that and take any questions
15 you may have.

16 ASSEMBLYMAN MCENENY: Where's the
17 community board drawn?

18 MR. SINGH: It's two boards. Ten-

19 ASSEMBLYMAN MCENENY: [Interposing] Just
20 two?

21 MR. SINGH: Two. Ten, as Betty
22 testified earlier, Betty Braton, and nine is the
23 northern part of those communities. Yeah.

24 SENATOR NOZZOLIO: Your maps that you're

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2 submitting, please make sure that you do so as
3 quickly as possible, because we have a tight
4 deadline and we would welcome the opportunity to
5 reflect those concerns you raised in new mapping.

6 MR. SINGH: Yeah, we're just waiting on
7 some final data analysis. We should have them
8 out by Monday at the latest.

9 SENATOR NOZZOLIO: That would be very
10 helpful.

11 MR. SINGH: Okay. All right, thank you.

12 SENATOR NOZZOLIO: Before our next
13 speaker, we've been informed we need to take a
14 one minute break to change the batteries in which
15 microphones? Let's do this. Let's change this
16 microphone first so we can do it quickly. Next
17 speaker will be Rachel Fauss. Rachel Fauss.
18 Good afternoon, Ms. Fauss. It's good to see you
19 again. I know you testified before this task
20 force in the past. Welcome again, and since your
21 microphone is fixed first, you have the mike.

22 MS. RACHEL FAUSS, POLICY AND RESEARCH
23 MANAGER, CITIZENS UNION: Sure, I appreciate
24 that.

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2 SENATOR NOZZOLIO: Would you be so kind
3 as to pull that as close as you can to yourself
4 so we can all hear you?

5 MS. FAUSS: Yes. Okay, is that better?

6 SENATOR NOZZOLIO: Yes, thank you.

7 MS. FAUSS: My name is Rachel Fauss, and
8 I'm the policy and research manager of Citizens
9 Union of the City of New York, an independent,
10 non-partisan, civic organization of New Yorkers
11 who promote good government and advanced
12 political reform in our city and state. Having
13 previously testified to you in Albany, I'd like
14 to present mostly some research that Citizens
15 Union has prepared regarding the demographic
16 makeup of Queens. Citizens Union, however,
17 continues to believe that our demographic
18 analysis supports our position that an
19 independent redistricting commission should be
20 established this Fall to draw impartial district
21 lines, and we have asked the legislature to
22 return in a special session to enact this
23 important reform. Before continuing with my
24 testimony, I'd like to address a couple of points

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2 that were raised earlier in this hearing
3 regarding Governor Cuomo's independent
4 redistricting commission. Regarding the
5 constitutionality of this proposal, Citizens
6 Union had a pro bono analysis by Weil Gotshal
7 that looked into in depth the constitutionality
8 of the Cuomo bill and found that it was
9 constitutional. Specific to the point about the
10 delegation of the legislature's authority, this
11 commission itself, LATFOR, is actually a
12 delegation of the legislature's authority by
13 enacting, it was enacted by law. So the
14 independent commission established in the Cuomo
15 bill similarly is a delegation of authority, but
16 it's the legislature enacting it itself. Also
17 the nominating committee in the governor's bill,
18 yes the governor does appoint four members of the
19 committee, but two of them are required by the
20 statute, the bill, excuse me, to be Democrats and
21 two Republicans, and he stated that he would
22 actually give those two appointments, the
23 Republican appointments, to the Senate majority
24 leader, Dean Skelos. It was discussed that

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2 LATFOR, as it is currently construed, is bi-
3 partisan, and while that is true, it does give
4 greater deference to the majorities in each
5 house, and there could be a change, as there has
6 been in the past and it's not a guarantee that
7 the legislature will have a majority, Republican
8 majority in the Senate and Democratic majority in
9 the Assembly to have that bi-partisan balance.
10 So we truly believe that there has to be not just
11 the bi-partisan balance between the majorities,
12 excuse me, I'll explain this a little better.
13 There should be appointments from all of the
14 leaders, the legislative leaders, equal
15 representation of all the legislative leaders,
16 and the Cuomo bill would do that. I'd also like
17 to address the point that was raised about the
18 counting of prisoners. Something that I'd like
19 to mention is that several counties in New York
20 State do not count prisoners for their local
21 races for the county legislature. So, Citizens
22 Union supported the enactment, the change of the
23 law last year, to count prisoners at their home
24 residence, and we support that reform, and we

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2 continue to support that reform knowing that
3 while many of the prisoners are going to be
4 counted at their home residence, those that are
5 not counted, there's no connection that they have
6 to the community in the districts where the
7 prisons are located. So getting on to my
8 testimony, Citizens Union examined the 2000 and
9 2010 Census data and we believe that the current
10 system of redistricting prioritizes incumbent re-
11 election, maximizes the seats of the party in
12 power, and holds at the expense the
13 representation of growing minority groups. To
14 the extent that partisan gerrymandering benefits
15 those currently in power, who have historically
16 been white males, the redistricting process has
17 been slow to reflect the changing demographics of
18 the state. The tables below in my testimony
19 summarize our findings in Queens. We are
20 concerned by the disparity between the Queens
21 population of Asian-American and Latinos and the
22 proportion of State Legislators who are Asian or
23 Latino. We recognize that there are a number of
24 factors that contribute to the election of

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2 candidates to office, the ability to raise
3 campaign funds and the group's participation in
4 the political process, for example, but we
5 believe that a major contributor to the lack of
6 equitable representation in Albany is the current
7 redistricting process. The lack of fair and
8 objective criteria in the drawing of district
9 lines has allowed the protection of incumbent
10 legislators, while not requiring the protection
11 of communities of interest. And I think this has
12 been discussed by a number of speakers today. In
13 Queens 22.9 percent of the population is Asian.
14 This is up from 17.6 percent in 2000, yet only
15 one seat of 18, or 5.6 percent, representing the
16 Queens Assembly delegation in the State
17 Legislature is held by an Asian, who is
18 Assemblywoman Grace Meng in District 22. This
19 disparity exists despite the fact that ten
20 Assembly Districts clustered together have an
21 Asian population of 20 percent or larger,
22 suggesting that if lines were drawn differently,
23 Asian representation might be increased. Our
24 detailed analysis of legislative districts is

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2 attached with my testimony. In the State Senate
3 there are no Asian Senators from Queens despite
4 Asian-Americans being, again, 22.9 percent of the
5 population, and this disparity exists despite the
6 fact that three Senate Districts clustered
7 together have Asian populations of 22 percent or
8 larger with two Districts 37 percent or larger,
9 suggesting if the lines were drawn differently,
10 Asian representation may be increased. Likewise
11 the Latino or Hispanic community is 27.5 percent,
12 up from 25 percent in 2000, yet only one seat of
13 eighteen, or 5.6 percent, representing the Queens
14 Assembly delegation in the legislature is held by
15 a Latino, Francisco Moya of Assembly District 39
16 in Jackson Heights, one State Senator Jose
17 Peralta, Senate District 13 out of seven State
18 Senators serving Queens, or 14.3 percent, is
19 Latino despite a population of 27.5 percent. We
20 recognize that there are many competing interests
21 in establishing fair districts for communities
22 and that is why Citizens Union supports the
23 enactment of fair and sensible redistricting
24 criteria that would ensure more equal-sized

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2 districts, protection of communities of interest,
3 and the drawing of districts that would not
4 discourage competition. Criteria such as these,
5 as well as the formation of an independent
6 redistricting commission, if enacted this Fall in
7 a special session, would go a long way to
8 ensuring that the state legislature better
9 reflects the diverse population it serves.
10 Thanks for the opportunity to present testimony,
11 and I'm available for any questions.

12 ASSEMBLYMAN MCENENY: Do you remember
13 what the percentage of Asians was when those
14 districts were drawn up ten years ago?

15 MS. FAUSS: Yes, that's actually
16 included in the testimony, and even considering
17 the 2000 populations, it's a disproportionate
18 amount of—

19 ASSEMBLYMAN MCENENY: [Interposing] Was
20 it a lot less?

21 MS. FAUSS: Well, the Hispanic
22 population was 25 percent—

23 ASSEMBLYMAN MCENENY: [Interposing] No,
24 the Asian.

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2 MS. FAUSS: It was 17.6 percent in 2000,
3 and only 4 percent, and that's of the borough of
4 Queens, and only 4 percent of the State
5 Legislators from Queens are Asian-Americans, so
6 there was a disparity in 2000, as well.

7 SENATOR NOZZOLIO: Is the opinion that
8 you cite from your counsel part of your
9 testimony?

10 MS. FAUSS: It's not, but I'd be happy
11 to send it to you.

12 SENATOR NOZZOLIO: Yes, I'd like a copy
13 of that.

14 MS. FAUSS: Yes, it was mostly, I'm
15 raising that in response to earlier comments, so
16 I apologize for not bringing it with me, but I'll
17 be happy to submit that to the committee.

18 SENATOR NOZZOLIO: Any other questions?

19 ASSEMBLYMAN MCENENY: Will Citizens
20 Union be offering their suggestion of how these
21 maps should be drawn?

22 MS. FAUSS: It's not something that we
23 have currently decided to do, mostly because
24 we've been very focused, as you know, on

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2 enactment of changes this year to the process,
3 but, you know, our coalition partner, Common
4 Cause, is drawing lines and we may participate
5 with them in that process, but it's something
6 that we are considering, and I appreciate you've
7 got a tight timeframe, and it's something we
8 would need to do very soon.

9 ASSEMBLYMAN MCENENY: It's a lot easier
10 to criticize than when you actually try and put
11 the numbers together with the various
12 constraints, so I would like to see just what
13 Common Cause does come up with when they have to
14 actually walk the walk.

15 MS. FAUSS: Yes, I mean, we understand
16 that there are, it's a complex web of different
17 interests, and that's why we support the
18 enactment of more specific and straightforward
19 criteria about what the rules should be.

20 SENATOR NOZZOLIO: One thing I, back to
21 your advocacy on behalf of an independent
22 commission, as you call it. I don't want to go
23 through the ratios, I mean the 6-2 is disturbing,
24 certainly, to me in terms of those that are

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2 chosen to select, but I don't see any
3 restrictions on those who have contributed to
4 campaigns, have been involved in political action
5 committees, or head of unions or business
6 organizations that advocate particular plans.
7 None of those are restricted from being on the
8 so-called independent commissions. How do you
9 rationalize your support for those so-called
10 independent commissions without those
11 restrictions?

12 MS. FAUSS: Well, let me first say that
13 lobbyists, so many that would be representative
14 of the organizations as you mentioned, heads of
15 unions, and other interests, would be precluded-

16 SENATOR NOZZOLIO: [Interposing] Only if
17 they are hired to be a lobbyist, but if they're
18 the head of the political action committee of the
19 union, or the head of a political action
20 committee of a business association, they are not
21 precluded. If they're major contributors to the
22 Governor or the Speaker or any Senator, they're
23 not precluded under this plan. How can you say
24 that it even has the chance of being independent

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2 without those exclusions?

3 MS. FAUSS: Well, let me also say that
4 Citizens Union doesn't disagree with you. We're
5 very interested in having the discussion about
6 what an independent commission should look like--

7 SENATOR NOZZOLIO: [Interposing] But how
8 could you support it without having that as a
9 threshold predicate for, how can you support it
10 without having those assurances, if you're really
11 supporting a truly independent process?

12 MS. FAUSS: Well, let me say, we would
13 support that, and, you know, I think it's
14 important to get back to the table and talk about
15 what an independent commission would look like,
16 and this is the first time I've heard of that as
17 a piece that could be put into the independent
18 commission, and I don't think we would, we don't
19 disagree with that.

20 ASSEMBLYMAN MCENENY: It's come up at
21 several public hearings.

22 MS. FAUSS: Okay. This is the first
23 hearing that I've been present at that I've heard
24 it. So, but we don't disagree with you. I think

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2 that's a good addition that could be made to the
3 bill.

4 SENATOR NOZZOLIO: We will probably have
5 17 more hearings, and we welcome your
6 participation in those hearings in the future.
7 Thank you.

8 MS. FAUSS: Thank you.

9 SENATOR NOZZOLIO: Seema Angani. Thank
10 you very much, and please, would you correct me
11 in the pronunciation of your last name.

12 FEMALE VOICE: Oh, you got it right.

13 SENATOR NOZZOLIO: I got it right?

14 That's three times. Thank you very much.

15 Please, for the record indicate who you are and
16 where you're from.

17 MS. SEEMA AGNANI, CHHAYA CDC: Good
18 morning, my name is Seema Agnani, I'm with Chhaya
19 CDC, we're a community based organization in
20 Queens and Jackson Heights. We work with South
21 Asian immigrants throughout the borough and
22 throughout the city, actually, and you know a lot
23 of what I wanted to say has been said, so I don't
24 want to take up too much time, but the South

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2 Asian community is spread out throughout the
3 borough. Our organization works primarily on
4 tenant rights and foreclosure prevention, so I've
5 tried to also include some of the information
6 that we have in terms of where foreclosures are
7 occurring and add that to the conversation of
8 what we think about when we think about these
9 districts, because a lot of the borough is really
10 going to continue to face a crisis in terms of
11 housing and owners that will need to have elected
12 officials represent them. So I have included
13 some maps of where the foreclosures have occurred
14 in the borough, particularly the areas of concern
15 are in the Richmond Hill, Ozone Park area,
16 Jamaica and Jackson Heights. I think that we
17 should think about those economic issues, as
18 well, moving forward, particularly in light of
19 the current housing crisis, and, you know, the
20 foreclosure crisis is by no means over, and so
21 those homeowners are going to need strong
22 representation in the years ahead. Also I sort
23 of want to reaffirm what my colleagues have
24 talked about. We're working with the Asian-

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2 American Legal Defense and Education Fund and
3 some of the other community based organizations
4 representing our community before us. So the
5 neighborhoods we are specifically looking at, you
6 know, we did an on-the-ground survey in 2010, we
7 surveyed more than 400 South Asian residents,
8 those from India, Pakistan, Bangladesh, as well
9 as the Caribbean, and, you know, I sort of
10 included a list of the top neighborhoods that we
11 found where the communities residing, including
12 Woodside, Jackson Heights, Jamaica, Briarwood,
13 Flushing, Ocean Park, Richmond Hill. We also
14 wanted to highlight the Kensington, Brooklyn area
15 as Parkchester in the Bronx, where there are
16 parts of those communities where there are high
17 concentrations of South Asians that were not
18 necessary documented by the Census that we need
19 to think about. So we're going to work with our
20 partners on giving our input on those maps. So
21 finally, the four communities of interest that
22 we're really urging the task force to think about
23 keeping together, Woodside and Sunnyside right
24 now, you know, a lot of South Asian immigrants

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2 and other immigrants more broadly live in those
3 communities and, you know, function between,
4 right now those communities are split between
5 four different Assembly Districts and three
6 Senate Districts. So I've included a list there.
7 Jackson Heights and Elmhurst, again, we support
8 what ALDA put forward in terms of keeping those
9 communities together. You know there's also a
10 concern that we have in the area of housing that
11 there's the historic part of Jackson Heights, and
12 then there's the not-historic component, and we
13 wouldn't want to racially segregate those
14 communities too much, either. So I think we have
15 to find a balance of keeping those communities
16 together. Briarwood and Jamaica, again, there's
17 a very large Bangladeshi, Nepali, and Indo-
18 Caribbean community there. Right now that's
19 split up between two different Assembly Districts
20 and three Senate Districts. And finally
21 Richmond Hill-Ozone Park area, you've heard
22 before, there are at least four districts in the
23 Assembly in that area, as well as two Senate
24 Districts. This is one of the largest

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2 communities in Queens where a community is
3 concentrated, and they have no representation
4 whatsoever on the city, state, or federal level,
5 and so really it's time. These communities have
6 grown substantially. The Bangladeshi community
7 has one of the fastest growing population rates
8 in our city today, and so we really need to make
9 sure that those communities have adequate
10 representation. Thank you.

11 SENATOR NOZZOLIO: Thank you very, very
12 much.

13 ASSEMBLYMAN MCENENY: Hold it. I've
14 been here through all of this, and I think you
15 have, as well, and I've seen people from the
16 subcontinent and people who are Chinese and
17 Taiwanese and Koreans come forward and I'm
18 impressed with what I think I see is a unity
19 among all Asian peoples using a generic
20 definition of Asian, which I assume would include
21 Indians, Pakistanis, and so on. Is that my
22 correct assumption, that there's a unity of
23 purpose here?

24 MS. ANGNANI: Absolutely. I mean, we're

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2 working together, you know, and again, you know,
3 obviously we have some differences as always,
4 but—

5 ASSEMBLYMAN MCENENY: [Interposing] But
6 on this issue and the issue of representation, is
7 it your observation that the general generic
8 Asian community is on the same page?

9 MS. ANGNANI: Yes, it's not necessary
10 generic, but yes, absolutely. I think that we
11 are working together to ensure that our
12 communities are represented, absolutely,
13 absolutely. Indo-Caribbean community is very
14 challenging to document in terms of the Census,
15 and so even though it's one of the largest
16 immigrant groups in the area, there's really no
17 way to count it, so we really need to look at
18 other factors, I think. But yes, we are aligned,
19 and I'm very happy to see so many of my
20 colleagues here today, because I do think this is
21 very important.

22 SENATOR NOZZOLIO: Thank you very much.

23 MS. AGNANI: Thank you.

24 SENATOR NOZZOLIO: Rosemarie Daraio.

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2 ASSEMBLYMAN MCENENY: I'll take this
3 opportunity to introduce Assembly Member
4 Francisco Moya who I apologize for not
5 recognizing earlier, he has been here with us for
6 quite a while now.

7 SENATOR NOZZOLIO: Thank you,
8 Assemblyman.

9 MS. ROSEMARIE DARAIIO, PRESIDENT, COMET:
10 Hi, good afternoon, everybody.

11 SENATOR NOZZOLIO: Good afternoon. If
12 you would suffer just a brief interruption. It's
13 been, we're now in our third hour. I wish there
14 would be no, if you have any conversation, please
15 take it out of the room. I respect the speaker.
16 We're here to listen to the speaker. We're here
17 to stop the conversations of others and let's, if
18 you have to speak, please leave the room to do
19 so. Thank you.

20 MS. DARAIIO: My name is Rosemarie
21 Daraio, and I'm the president of COMET. It's a
22 community organization that covers Maspeth, South
23 Elmhurst, and the Winfield section of Woodside.
24 Our border is generally bounded by the south of

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2 Queens Boulevard from 65th Place to Woodhaven
3 Boulevard and extends throughout the community of
4 Maspeth. For years we have been suffering as a
5 result of the gerrymandering of our communities.
6 Not only has our voting power been diluted, but
7 our efforts to maintain, and in some cases,
8 improve the quality of life for our residents who
9 live here has become a daunting task. Nearly
10 everything we try to accomplish necessitates us
11 to reach out to a plethora of electeds who cover
12 our neighborhoods. Residents in our communities,
13 no matter what their ethnicity, go to the same
14 schools, shop in the same stores, and are
15 affected by the same crime and quality of life
16 issues as their neighbors. To chop us our
17 neighborhoods for political or ethnic
18 representation diminishes the strength of our
19 neighborhood as a whole, and we have been feeling
20 the brunt of these actions for years. Many
21 residents no longer vote because they believe
22 their input will have no effect on the ultimate
23 outcome. You only have to look at the population
24 in our communities, registered voters, and the

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2 number of votes cast in prior elections, and it
3 will prove my point. I certainly hope this isn't
4 the goal of the New York State Legislative task
5 force for this redistricting. We urge you to do
6 whatever possible to keep our communities and
7 people who live there as a whole, rather than a
8 victim of carve-outs similar to what was done in
9 the past. We want to see district lines follow
10 community lines and natural borders. Thank you.

11 SENATOR NOZZOLIO: Thank you very much.

12 Carol Huang. Carol Huang. Steven Choi.

13 MR. STEVEN CHOI, EXECUTIVE DIRECTOR,

14 MINKWON CENTER FOR COMMUNITY ACTION: Good
15 morning.

16 SENATOR NOZZOLIO: Mr. Choi, for the
17 record, please, would you state who you are and
18 where you're from?

19 MR. CHOI: Sure, absolutely. My name is
20 Steven Choi, and I'm the executive director of
21 the MinKwon Center for Community Action, and I
22 thank you for giving me this time and opportunity
23 to speak today. On behalf of the Minkwon Center
24 and the communities that we work with, I'm here

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2 to discuss our interest in the redrawing of
3 election districts for the State Assembly, State
4 Senate, and Congress that is taking place. The
5 MinKwon Center was established in 1984 to meet
6 the needs of the Korean-American community.
7 Since our founding we have made a profound
8 presence in the Korean-American community through
9 various grassroots organizing, education, and
10 advocacy initiatives that address important
11 community issues including immigration policies
12 at the national, state, and city levels, voter
13 rights, and cultural awareness. In the interest
14 of time I'll try to shorten my testimony to make
15 it more concise. The MinKwon Center is active on
16 this election redistricting issue, because we
17 believe that fair and equitable redistricting is
18 absolutely critical to our goal of increasing
19 civic engagement of the Korean-American, Asian-
20 American, and immigrant communities we work with.
21 We have engaged in civic participation efforts
22 since the early 1990's. Many Korean-American
23 voters were disempowered and disenfranchised by
24 barriers that have prevented them from fully

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2 participating in the electoral process. Our
3 community's voters are confused by complicated
4 procedures, improperly denied in language
5 materials, and unlawfully harassed at the polls.
6 To combat this the MinKwon Center has sought to
7 empower voters from the start of the electoral
8 process to the finish, registering new immigrant
9 voters, educating them with bi-lingual materials
10 and candidate forms, mobilizing them to vote, and
11 them protecting them at the polls. We also
12 engage deeply in the 2010 Census through a
13 grassroots approach to community participation.
14 We used a comprehensive effort to educate the
15 community, provide Korean language resources, and
16 go door to door engaging community members to
17 actively participate, and through our efforts we
18 were able to help increase Census participation
19 in our home track of Flushing by nearly 15
20 percent. Our goal through these civic engagement
21 efforts is completely non-partisan. We do not
22 support or endorse any politicians or parties.
23 Our goal, instead, is to help these new immigrant
24 communities build power, to develop a strong

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2 voice on important community issues, and then
3 hold elected officials accountable on these
4 issues. So we believe that election
5 redistricting is perhaps the most crucial civic
6 engagement issue for these next ten years and
7 beyond. The drawing of election districts is in
8 many ways the drawing of democracy's foundation.
9 If districts are drawn properly, in ways that
10 take into account natural communities of
11 interest, that respect the Voting Rights Act, and
12 that adhere to the principles of one person, one
13 vote, then we are rewarded with competitive
14 elections, politicians who are accountable to
15 their communities, and the protection of
16 historically disenfranchised minorities.
17 Unfortunately, that has too often not been the
18 case in New York State. Districts have often
19 been drawn in ways that reflect the interests of
20 incumbents, not communities. Minorities,
21 including Korean-Americans and Asian-Americans
22 have historically seen tactics that have diluted
23 their votes and rendered them politically
24 powerless. Districts have not been drawn to

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2 follow natural community boundaries. Instead
3 they have tied together parts of different
4 communities that have little in common other than
5 the fact that they may be politically
6 advantageous to a particular incumbent. This is
7 especially true for the Asian-American community.
8 Our numbers have grown tremendously since 2000.
9 We are the fastest growing racial group in both
10 New York City and New York State and we make up
11 either a majority or a significant minority in
12 many legislative districts, and yet there is only
13 one Asian-American in the entire state
14 legislature. The redistricting process is also
15 critical. The body charged with drawing these
16 districts, in this case LATFOR, should engage the
17 community in a robust, public debate, and this
18 public debate should happen through hearings and
19 forums that are open and easily accessible for
20 our entire community. They should be publicized
21 well in advance through many different channels
22 and should be held in a variety of locations and
23 times to best encourage participation. They
24 should reach out to the wide range of New York's

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2 vibrant immigrant communities with translated
3 hearing notices, materials, and interpreters at
4 our hearings, and unfortunately LATFOR's current
5 process has fallen far short of this. There have
6 been no efforts to actively publicize these
7 hearings, particularly for minority communities,
8 such as Korean and Asian-Americans. They have
9 been held during mornings on weekdays, seriously
10 inconvenient for most community members who are
11 either at work or at school. There has been no
12 effort whatsoever to provide language access
13 measures for our community, access that is
14 legally required by the Civil Rights Act. These
15 problems in the redistricting process give us
16 serious concerns as to whether our groups and
17 communities are being heard. Now the MinKwon
18 Center for Community Action is committed to
19 working closely with our allies and communities
20 so that the redistricting process helps bolster
21 democracy, not undermine it. We will continue to
22 educate our community about redistricting, to
23 engage them to actively participate in the
24 process, and to advocate strongly for our

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2 communities' interests in the final district
3 lines. We will do this through ACCORD, the
4 Asian-American Community Coalition on
5 Redistricting and Democracy, and we will also
6 work closely in concert with other historically
7 disenfranchised communities. Our recommendations
8 today will relate specifically to the communities
9 of Flushing and Bayside where most of our
10 communities reside. We refer to the maps of both
11 Flushing and Bayside included with this
12 testimony, developed by our ACCORD Coalition
13 partner, the Asian-American Legal Defense and
14 Education Fund. For Flushing we recognize that
15 this community, bordered on the west by the Van
16 Wick Expressway, the north by 32nd Avenue and 27th
17 Avenue, the east by Utopia Parkway and 189th
18 Street, and the south by the Long Island
19 Expressway, represents a true community of
20 interest. Flushing community members share many
21 common characteristics. A recent survey of
22 Flushing showed that more than 65 percent of the
23 total population, almost two thirds, are
24 immigrants, and of those groups 70 percent are

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2 from Asia, primarily from China, Korea, and
3 India. As recent immigrants language access is a
4 key issue. A majority of households who speak
5 Asian are linguistically isolated, as are a third
6 of all Spanish-speaking households. This
7 community has become one of the largest immigrant
8 gateways in New York City as immigrants have
9 flocked to one of the city's largest public
10 transit hubs. In Bayside as we define it, as
11 bordered on the west by the Clearview Expressway,
12 the north by 33rd Avenue and 33rd Road, the east by
13 the Cross Island Parkway, and the south by 73rd
14 Avenue, is also another true community of
15 interest. Bayside is home to a large Korean and
16 Asian-American community, many of whom have moved
17 from Flushing to own a home in Bayside's
18 residential neighborhoods, but who still retain
19 close familial, cultural, and economic ties to
20 Flushing. Asian-American communities in both of
21 these neighborhoods are linked by historically
22 similar voting patterns, and candidates from
23 these communities have often run for similar
24 offices at the same time to take advantage of

1 Task Force on Demographic Research, 9/7/11
2 these similar voting patterns. It is the MinKwon
3 Center's belief and recommendation that not only
4 are Flushing and Bayside communities of interest
5 in their own right, but they also should be
6 grouped together in the same legislative district
7 when possible. Together with our ACCORD
8 coalition partners, we will continue to advocate
9 for these principles throughout the entire
10 redistricting process. We will also join our
11 ACCORD partners in calling for a meeting with
12 LATFOR, about LATFOR's failure to respond to a
13 July 20th letter that outlined our concerns with
14 the process and asking for more information
15 regarding the timeline, process for public input,
16 and timing of hearings, a letter that received no
17 response. Now the principles and process of how
18 New York State's election districts are drawn
19 will determine this state's political future for
20 the next decade. We will continue to be involved
21 to ensure that our communities are heard and that
22 our political rights are protected. Thank you.

23 SENATOR NOZZOLIO: Thank you, Mr. Choi.
24 Before you leave I hope you have a copy of that

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2 letter with you.

3 MR. CHOI: I believe we do have a copy
4 of that letter.

5 SENATOR NOZZOLIO: Before you leave
6 would you make sure that I, and whatever copies
7 you have, that members of the task force receive
8 that letter. I was looking at the staff of the
9 task force. They indicate that they did not
10 have, seen, that letter. That does not mean that
11 it wasn't received. I don't, members of the task
12 force, have not seen that letter, and I would
13 very much like to see it prior to you leaving.
14 I'd also appreciate your comments on behalf of
15 the Asian community, and particularly the Korean
16 community, and that we have been given a list of
17 those publications. I'm glad you're here today
18 to testify on behalf of others and hope that in
19 the future as we are going to have at least 17
20 more hearings across the state that we will have
21 your input at those hearings. If you have any
22 plans that you would like to submit, we would
23 welcome those specific plans for Congress and the
24 State Legislative lines. There were papers such

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2 as the Korean Times, the Sing Tao Chinese, also
3 the India Abroad, we spent to publicize the
4 hearings literally thousands of dollars in those
5 publications. If you're saying that those
6 payments were inadequate to advertise these
7 hearings, I certainly, members of the task force
8 would welcome additional suggestions that you may
9 have. So for the record I wanted to state that
10 we have submitted advertising for these hearings
11 in those publications, would be glad to look at
12 expanding the network of publications where we
13 could get the word out. I'm glad the word was
14 out enough to have you here today, and we will
15 look to your letter to see if there are specific
16 issues that additionally we could address
17 directly between now and the time we meet again.

18 MR. CHOI: I appreciate your comments,
19 and the letter, I believe was hand-delivered on
20 July 20th, by OCA-New York, and we do have a copy
21 here, and I'm sure that we'd be happy, more than
22 happy to both present this letter and also to
23 think of meetings so that we can talk about some
24 of the issues that were raised in this letter.

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2 Just a quick note about maps, as several of our
3 partners have mentioned earlier today, we are
4 working in coalition with ACCORD to come up with
5 specific district maps that will be done in
6 concert we hope together with other communities
7 of, historically disenfranchised communities, and
8 we hope to have that very soon, hopefully before
9 LATFOR produces your own maps. Then finally I
10 know that ACCORD as a coalition is more than
11 happy to think about ways in which to engage our
12 community members. I think that several of the
13 community members, a lot of the community members
14 who appeared today at our hearing were actually
15 either members or community members of our groups
16 and interested individuals that came through our
17 organizations, but I think that more can be done
18 to engage other community members and to make
19 sure we get as wide community participation as
20 possible. I believe our other ACCORD partner,
21 OCA, has something to state very quickly about
22 the letter. Is that right?

23 ELIZABETH OUYANG, OCA-NY: LATFOR
24 members, with due respect, I hand-delivered a

1 Task Force on Demographic Research, 9/7/11

2 copy of the letter on July 20th to 250 Broadway.

3 Here is a copy.

4 SENATOR NOZZOLIO: Please, we don't
5 doubt that at all. We fully believe that you
6 presented the letter. Obviously the letter was
7 not shared with members of the task force, and
8 that if you have another copy we will make copies
9 today so that we can ensure that the letter is
10 shared with members of the task force. Again, we
11 don't doubt for a second that you didn't deliver
12 this. It was a miscommunication, and we as
13 members of the task force didn't have the benefit
14 of the copy of the letter.

15 MS. OUYANG: With all due respect,
16 members of the task force, it was delivered
17 twice. It was delivered on July 20th with six
18 signatures to the letter and again on July 28th
19 when an additional five organizations joined
20 ACCORD. So, you know, that's really
21 disconcerting to us to here who, we can't get
22 answers by phone, oftentimes, and our only access
23 is by mail or maybe at these public hearings and
24 that you're not getting our letters, and this is

1 Task Force on Demographic Research, 9/7/11
2 from the community, this is from the public, that
3 is really, really disconcerting. I delivered one
4 letter to the task force and an additional letter
5 to the each of you, you know, and this is the
6 proof that I was there, and that's really
7 disconcerting and I had a member, I had the
8 receptionist sign that she received it.

9 SENATOR NOZZOLIO: And we don't doubt
10 that for a second.

11 MS. OUYANG: Very disconcerting.

12 SENATOR NOZZOLIO: Well, and we don't
13 doubt that for a second, we share your concerns.
14 We have not seen, members of the task force have
15 not seen that letter, pure and simple, and it's
16 not your fault, it's the fault of the staff of
17 the task force, and we will make sure that that
18 does not happen again, and that's why before you
19 leave here today, we want to see that letter.
20 Thank you very much. Eileen Reilly.

21 MS. EILEEN REILLY, EXECUTIVE DIRECTOR,
22 MASPETH TOWN HALL: Good afternoon, everyone.
23 Although I was here when I should have said good
24 morning, I'm going to strongly suggest that we

1 Task Force on Demographic Research, 9/7/11
2 get a timer for your next 17 meetings. My name
3 is Eileen Reilly, I'm the director of Maspeth
4 Town Hall, which is a 501-3C non-profit community
5 center. Our center offers educational,
6 recreational, cultural programs serving the
7 families of Maspeth and the surrounding
8 communities. We provide programs for the two
9 year-old to the eight-two year-old. We have over
10 a thousand members and we service over 800
11 children daily in our afterschool programs, which
12 I have to add that each school has serving
13 children that speak almost 15 different
14 languages. Maspeth is a long-established
15 community and is served by other non-profit
16 organizations such as ours who gives us a strong
17 sense of identity and purpose. I am urging you
18 to keep Maspeth community undivided in the same
19 Assembly District. It is important to us that in
20 creating the new lines for legislative and Senate
21 district, that Maspeth as a whole remains
22 together, unified in a single district. The
23 support of our elected officials, particularly
24 Assemblywoman Marge Markey, has been essential to

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2 our success as an organization. Their advice and
3 assistance is invaluable in dealing with problems
4 we encounter with the city, state, and state
5 agencies, and funders. Their support for Town
6 Hall and its programs is an important signal to
7 the entire community about the high-quality
8 importance of our work. To be most effective for
9 Maspeth residents and the important
10 constituencies that are served by Town Hall, it
11 is absolutely essential that the entire community
12 remain part of a single Assembly District. Thank
13 you for your time.

14 SENATOR NOZZOLIO: Thank you.

15 ASSEMBLYMAN MCENENY: Yang Chen. I did
16 skip somebody. I'll get them next. That's all
17 right. Please have a seat.

18 MR. YANG CHEN, EXECUTIVE DIRECTOR,
19 ASIAN-AMERICAN BAR ASSOCIATION OF NEW YORK: Good
20 afternoon, my name is Yang Chen—

21 ASSEMBLYMAN MCENENY: [Interposing]
22 Linda Lee will be next. I apologize to her.

23 MR. CHEN: Well, my apologies to Linda.
24 My name is Yang Chen. I am the executive direct

1 Task Force on Demographic Research, 9/7/11
2 of the Asian-American Bar Association of New
3 York. We call it AABANY, for short, which sounds
4 suspiciously like Albany, but I'm saying AABANY.
5 AABANY is a professional membership organization
6 of attorneys concerned with issues affecting the
7 Asian-Pacific-American, or APA community.
8 Incorporated in 1989, AABANY seeks not only to
9 encourage the professional growth of its members,
10 but also to advocate for the APA community as a
11 whole. AABANY is the New York affiliate of the
12 National Asian-Pacific-American Bar Association,
13 also known as NAPABA. We come before you today
14 to urge the establishment of districts that
15 reflect and do not divide contiguous communities
16 in Queens that encompass large swaths of APA
17 voters. We also stress that LATFOR should draw
18 lines consistent not only with existing
19 communities of APA voters, but also consider
20 emerging APA communities. Almost 50 percent of
21 all of New York City Asian-American population
22 exists in Queens. While the extensive Chinese
23 and Korean communities in Queens are well-known,
24 Queens has the largest concentration of South

1 Task Force on Demographic Research, 9/7/11
2 Asian Americans in the country while also having
3 a significant population that includes
4 Bangladeshi and Pakastani communities. Taken
5 together it's no surprise that Queens is the most
6 populous APA county on the east coast. The total
7 population of just the APA community in Queens is
8 larger than the entire population of Staten
9 Island. The APAs are a significant contributor
10 to American society in all facets, including the
11 economy, the city's cultural diversity, and even
12 the military. APAs make up approximately nine to
13 ten percent of the classes of 2014 at West Point,
14 the Naval Academy, and the Air Force Academy,
15 while representing only four point eight percent
16 of the nation's total population. Queens is
17 experiencing an explosion of growth in the
18 population of APAs. According to the 2010 Census
19 data, 22.8 percent of Queens is Asian-American,
20 up from 17.5 percent in 2000. The concentration
21 of Asians in the Flushing area of Queens grew by
22 about 119,000 people in the last ten years, while
23 the borough itself did not experience growth over
24 all. In Flushing itself the Asian population

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2 grew by 37 percent, a net growth of 13,469
3 people. The growth is not limited to Flushing,
4 however, as other neighborhoods have experienced
5 similar surges such as Murray Hill, where the
6 Asian population grew by 32 percent, a net
7 increase of 6,597, East Flushing where the Asian
8 population grew by 44.5 percent, a net gain of
9 4,889 Asians, and Queens Borough Hill, where the
10 Asian population grew by 45 percent, a net
11 increase of 4,196. APAs are not just growing in
12 numbers, but they are also increasingly
13 concentrated into contiguous communities. An
14 analysis performed by the Center for Urban
15 Research at the City University of New York,
16 using 2000 and 2010 Census data, shows that while
17 many of the 29,486 Census blocks changed their
18 ethnic composition, APA populations became the
19 predominant ethnic subgroup of the area's overall
20 population in 1,168 of these blocks. That's a
21 net growth of about 250 percent. The statistics
22 show significant trends in community growth that
23 should be reflected in the way that district
24 lines are drawn. As the last ten years have

1 Task Force on Demographic Research, 9/7/11
2 shown, APA communities are emerging at a rapid
3 pace and we urge this committee to consider what
4 has happened, what recommendations it received in
5 the past, and the realities represented by the
6 data. When taken together this committee should
7 recognize current trends and demonstrate a level
8 of foresight that is justified by the recent
9 Census data. The drawing of district lines to
10 accurately reflect the reality of Queens
11 communities is not just good policy and good
12 government, but good law. The Voting Rights Act
13 of 1965 mandates that district lines be created
14 that protect minority voting rights and political
15 representation. To that end they must fairly
16 reflect minority voting strength. As this
17 commission is well aware, the Supreme Court has
18 sought to define the ways by which this should be
19 accomplished. While race cannot be the only
20 factor under the Equal Protection clause of the
21 Constitution, it is clear that race can and
22 should be one of the many factors considered. We
23 are asking this commission to recognize that
24 there are communities of interest that share

1 Task Force on Demographic Research, 9/7/11
2 common interests in Queens County that are not
3 reflected in the existing district divisions.
4 Under the law socio-economic background
5 similarities, shared common goals, contiguous
6 geography, and common lifestyles are factors that
7 define such communities. We ask this commission
8 to address two pitfalls of redistricting, packing
9 and cracking. A packed district is where members
10 of a community that could otherwise be
11 represented in a number of districts are
12 concentrated to the extent that they hold a
13 strong majority in one district while diluted the
14 outliers of this concentration. A cracked
15 district is where a contiguous community is
16 fractured in a way that dilutes an otherwise
17 contiguous community that could exercise their
18 voting rights meaningfully. We recognize the
19 forward thinking this commission has exhibited in
20 the past in drawing the borders of Assembly
21 District 22. We would ask this commission to
22 exhibit the same forward thinking to consider
23 that even that district has experienced
24 significant growth of Asian-American communities

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2 of interest in the last ten years and that other
3 areas of Queens have shown a similar growth and
4 are projected to grow in the next ten years.
5 AABANY is part of ACCORD, the Asian-American
6 Community Coalition for Redistricting and
7 Democracy, a coalition of community groups and
8 non-profit organizations seeking to effect
9 positive change in the legislative process as it
10 relates to the APA community. This is consistent
11 with AABANY's goals of representing the legal
12 interests of our members and advocating on behalf
13 of the APA community of New York. This public
14 hearing is the primary mechanism by which the
15 community can provide input to the committee
16 members of LATFOR. AABANY urges the committee
17 members to enfranchise thousands of APA citizens
18 to be active participants in the political
19 process. APAs have recently taken up this call
20 to press for representation in government and
21 have survived such oppressive federal legislation
22 as a Chinese Exclusionary Act of 1880, which was
23 only repealed in 1943 after more than half a
24 century of discriminatory immigration policy

1 Task Force on Demographic Research, 9/7/11
2 directed at Chinese and other Asian immigrants.
3 APAs make up a growing community that is
4 politically maturing and this is a tremendous
5 opportunity for LATFOR to reflect the reality of
6 the demographics of this borough and to give
7 voice to a community that enhances, enriches, and
8 encompass the Borough of Queens. We thank you
9 for this opportunity and we anticipate that this
10 committee will heed the mandates of federal law
11 bolstered by the realities of the demographic
12 data and provide the communities of Queens a
13 representative voice that reflects the true
14 composition of its diverse population. Thank
15 you.

16 ASSEMBLYMAN MCENENY: Thank you very
17 much and you reminded me of something earlier, an
18 individual was commenting on it would be nice to
19 have this in the evening. As it is we've got 24
20 of these things across the state and the people
21 up here travel many hours just to get here, but
22 that's the reason why we have organizations like
23 yours that can come and speak for those people
24 who are working during the day and would find it

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2 very inconvenient. Also the website is something
3 that has access, provides access for everyone to
4 listen to your very valuable testimony, and we
5 appreciate it.

6 MR. CHEN: Well, thank you for your time
7 today.

8 MR. OAKS: Just a quick comment and
9 question. One, I truly appreciate your
10 perspectives and help as we move forward in this
11 process. One thing that you mentioned, though,
12 you did mention both the changes from over the
13 last ten years and what our work will do in
14 taking that into account. You also mentioned
15 something about anticipated growth and changes,
16 and I just want to make sure that our
17 deliberations can only do what the Census gives
18 us and not take into account what the changes
19 into 2011 and beyond as we put these together.
20 Obviously that perspective may be helpful
21 somewhat, but basically we can only deal with
22 what we have, so I just wanted to make sure that
23 was—

24 MR. CHEN: Right, and I believe that the

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2 participation of ourselves, as well as the
3 members of ACCORD is to bring to light, to shed a
4 light, on these factors that perhaps may not be
5 as sensitive to as we are, and certainly the data
6 is out there and we hope that you make full use
7 of it so that the Asian-Pacific-American voice
8 can be, in fact, heard at the electoral level.
9 Thank you.

10 SENATOR NOZZOLIO: Ms. Linda Lee. Linda
11 Lee. Good afternoon.

12 MS. LINDA LEE, ASSOCIATE EXECUTIVE
13 DIRECTOR, KOREAN COMMUNITY SERVICES OF
14 METROPOLITAN NEW YORK: Good afternoon. So my
15 name is Linda Lee, and I'm actually here
16 representing KCS, Korean Community Services of
17 Metropolitan New York, which is a mouthful, so
18 you can just say KCS, and I'm the associate
19 executive director there and our organization is
20 also a part of ACCORD, as well. You have copies
21 of the written testimony, so as opposed to just
22 reading from it, I figured I would just speak
23 from a personal as well as community perspective.
24 I was actually born in Elmira, which most people

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2 downstate don't know where it is.

3 SENATOR NOZZOLIO: First of all we're
4 very happy to hear that. Second of all, it's
5 something that is very, my wife graduated from
6 Elmira College, and we're very pleased that you
7 have that upstate connection.

8 MS. LEE: Yes, and I actually lived
9 there for about ten years and then moved to Long
10 Island and was there for about twenty years and
11 now live in Queens. So I guess you could say I'm
12 kind of doing the opposite move that most Asian
13 populations are sort of moving east, and I'm sort
14 of going the opposite direction. But just from
15 my experience in working in mainstream, I guess
16 you could say, for a lack of a better term,
17 society, as opposed to working in the Asian
18 community, I have to say there's a lot of things
19 that we're fighting against. One of them, in
20 particular, being the mono-minority myth, and I
21 have to say after working in the community only
22 just for about a couple of years, there is a lot
23 going on underneath the surface. There is a
24 tremendous amount of need in our community. As

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2 people have mentioned before, there is a
3 tremendous growth, which also means that the
4 needs are growing in terms of our population
5 size, and also statistically I would say one in
6 four Asian seniors, our organization actually
7 focuses a lot on senior services and Helen
8 Marshall, who's not here right now, has been a
9 big supporter, actually, of our services that we
10 offer. So one in four seniors actually live in
11 poverty and there's a high linguistic isolation
12 rate, especially among Korean-Americans, it's
13 over 60 percent, actually. Also the highest
14 rates of depression and suicide in terms of
15 mental health are the highest rates, are growing
16 in Asian seniors as well as women. So the reason
17 why I bring this up is just to reiterate the fact
18 that our community has very specific needs, just
19 like a lot of the other Asian and South Asian
20 communities, and that's why we're here today,
21 sort of uniting and asking that this all be
22 considered when you guys are drawing the district
23 lines and keeping these communities of interest
24 together, especially because their needs are sort

1 Task Force on Demographic Research, 9/7/11
2 of particular, even just in terms of language
3 alone. So I think it would be great to sort of
4 have a more competitive election process and be
5 able to elect someone that we feel would
6 represent our communities, and I certainly, and I
7 say this with respect, I certainly don't envy
8 your position, because I know that it's
9 definitely a great task that you have ahead of
10 you, but definitely to consider all these
11 testimonies that you've heard today in your
12 process. So thank you very much.

13 SENATOR NOZZOLIO: Ms. Lee, thank you,
14 and your testimony as written will be submitted,
15 as well, for the record.

16 MS. LEE: Great, thank you.

17 SENATOR NOZZOLIO: Thank you for being
18 here. Rachana Shah. Good afternoon.

19 MS. RACHANA SHAH, REDISTRICTING CAMPAIGN
20 DIRECTOR, TAKING OUR SEAT: Good afternoon. My
21 name is Rachana Shah, and I'm with Taking Our
22 Seat, which is a Queens-based, non-partisan, not-
23 for-profit organization. Taking Our Seat was
24 founded to empower South Asian-Americans in the

1 Task Force on Demographic Research, 9/7/11
2 electoral process by eliminating South Asian
3 voter dilution through the redistricting process.
4 We're also here as part of ACCORD and so we fully
5 support all the other members who have spoken
6 today. Thank you for giving me the opportunity
7 to speak. Attached to the written testimony is
8 our latest report on how to stop South Asian
9 voter dilution through the drawing of multi-
10 ethnic districts, which we call mosaic districts.
11 Just to take a note, as you asked earlier, Taking
12 Our Seat defines South Asian-Americans as anyone
13 who can trace their ancestry back to the
14 countries of South Asia or to a South Asian
15 diaspora. This includes Bhutan, Bangladesh,
16 India, Nepal, Pakistan, Sri Lanka, The Maldives,
17 Trinidad and Tobago, Guyana and Suriname, and
18 there's many others. Taking Our Seat was formed
19 because of South Asian communities' growth in
20 population and economic power over the past
21 decade has not translated to electoral influence.
22 South Asian-American voters do not have viable
23 choices at the polls and for South Asian-American
24 candidates seeking elected office, the door has

1 Task Force on Demographic Research, 9/7/11
2 been closed. Taking Our Seat seeks to level the
3 playing field for South Asian-American voters by
4 analyzing data from the 2010 Census to help
5 inform the redistricting process. We focused
6 heavily on data collection, research and
7 analysis, and used this as a basis for our
8 community organizing and our legislative and
9 legal advocacy efforts. There is not a single
10 South Asian-American representing New York in
11 Congress, in either house of the State
12 Legislature, or in the New York City Council.
13 These facts don't reflect the strength of the
14 number of South Asian-Americans from the 2010
15 Census. According to the 2010 Census there are
16 351,000 South Asian-American in New York City.
17 This represents an increase of 61 percent over
18 the last decade. Of these nearly 60 percent
19 reside in Queens County. The largest communities
20 of South Asian-Americans are founded in the
21 following cluster of neighborhoods: First is
22 Richmond Hill and South Ozone Park, Second is
23 Briarwood and Jamaica Hills, Third is Jackson
24 Heights and Elmhurst, Fourth is Bell Rose and

1 Task Force on Demographic Research, 9/7/11
2 Floral Park. These neighborhoods and the South
3 Asian-Americans living in them are victims of
4 cracking. For example, Richmond Hill and South
5 Ozone Park are broken into six different State
6 Assembly Districts. Briarwood and Jamaica Hills
7 are broken into five State Assembly Districts.
8 On page 2 of the attached report you'll see a
9 detailed outline of more examples and the exact
10 district numbers at every level of government.
11 The case law gives somewhat of a meandering brute
12 when we try to look at ways to stop South Asian
13 voter dilution. So Taking Our Seat proposes
14 diverse multi-ethnic districts. This would stop
15 South Asian voter dilution while taking into
16 account the close proximity in which South Asian-
17 Americans live to other races. In Queens
18 County's top 100 concentrated South Asian-
19 American Census tracts, South Asian-Americans
20 tend to live in proximity to other minorities in
21 the following - - . 56 percent Latinos, 28
22 percent black, 16 percent non-South Asian Asians.
23 Only seven percent of the top 100 South Asian-
24 American concentrated Census tracts have a white

1 Task Force on Demographic Research, 9/7/11
2 majority. We conclude that South Asian-Americans
3 live in multi-cultural Census tracts and
4 neighborhoods where a community of interest
5 actually includes multiple races. Using 2010
6 Census data Taking Our Seat identified what we
7 call melting pots Census tracts, which have at
8 least 15 percent South Asians where no other
9 racial group exceeds 40 percent of the total
10 population of that Census tract. The melting pot
11 Census tracts anchor clusters of neighborhoods
12 based on the existing neighborhood boundaries and
13 that is the basis of these districts. You'll
14 find actually color-coded maps of this on pages
15 16 and 17 of the report. Keeping these clusters
16 of neighborhoods whole in the redistricting
17 process will stop the dilution of South Asian-
18 American votes, as well as respect neighboring
19 communities and preserve existing neighborhood
20 lines. When drawing legislative district lines,
21 Taking Our Seat requests that the following
22 cluster of neighborhoods be kept whole. First is
23 Richmond Hill, South Ozone Park and Ozone Park.
24 Second is Briarwood and Jamaica Hills. Third is

1 Task Force on Demographic Research, 9/7/11
2 Jackson Heights and Elmhurst. Fourth is Bell
3 Rose, Queens Village, Floral Park, and Glen Oaks.
4 Again, going back to the report you'll see our
5 detailed analysis of the common community
6 characteristics in transportation, schools, etc.,
7 and information on the communities of interest.
8 By keeping all of these neighborhoods together in
9 larger districts or by combining them in whole to
10 form complete districts, South Asian-American
11 voter dilution could be eliminated while
12 maintaining the multi-cultural aspect of these
13 vibrant neighborhoods. I just want to take one
14 moment to mention the list of emerging
15 neighborhoods we have on pages 6 and 7 of the
16 report. Now I know that you mentioned just a few
17 minutes ago how you can't fully take it into
18 account, but we feel strongly enough that these
19 neighborhoods are small, but they are there. So
20 if you could take a look at that. Thank you for
21 the opportunity to speak and I welcome any
22 questions that you have.

23 SENATOR NOZZOLIO: Ms. Shah, thank you.
24 I reviewed your testimony, it's very helpful, the

1 Task Force on Demographic Research, 9/7/11
2 entire testimony you submitted for the record.
3 Do you expect your organization to be submitting
4 any specific lines for Congressional and Senate,
5 Assembly Districts?

6 MS. SHAH: For the actual legislative
7 district lines, we've been working with ALDA and
8 the other members of ACCORD, so we've really been
9 working with them and so those maps that are
10 submitted will have our input.

11 SENATOR NOZZOLIO: Do you know what the
12 timeframe is for that submission?

13 MS. SHAH: I believe, as Jerry
14 mentioned, they hope to have it in before the end
15 of the hearings.

16 SENATOR NOZZOLIO: End of the hearings?

17 MS. SHAH: I believe.

18 SENATOR NOZZOLIO: Which means the—

19 MS. SHAH: [Interposing] That, you'd
20 have to ask ALDA.

21 SENATOR NOZZOLIO: With your office, and
22 for the record, we need to have, we would welcome
23 that input, we need to have it prior to the
24 beginning of October, or in or around the

1 Task Force on Demographic Research, 9/7/11

2 beginning of October. The hearings, the first
3 round of hearings will end the first week of
4 October and so thank you, and if you could be
5 aware of that timeline it would be helpful to us.

6 MS. SHAH: Certainly. I just do want to
7 mention that the neighborhood maps that we did
8 provide in the report, we feel very strongly
9 about keeping those together within different
10 district lines. Thank you very much.

11 SENATOR NOZZOLIO: Thank you very much.
12 Chejin Park.

13 MR. CHEJIN PARK, ESQ., STAFF ATTORNEY,
14 KOREAN AMERICAN VOTERS COUNCIL: Hi, good
15 afternoon. My name is Chejin Park, staff
16 attorney for the Korean-American Voters' Council.
17 The Korean-Americans Voters' Council is a non-
18 profit organization, non-partisan community
19 education and advocacy organization with the - -
20 to empowering Korean-American and Asian-American
21 communities in the New York City. The Asian-
22 American community is one of the fastest growing
23 groups in New York from 2000 to 2010. Asian-
24 Americans now comprise 1,420,000 people or 7.3

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2 percent of the total state population. Despite
3 the rapid growth in population Asian-Americans
4 are vastly under-represented in the New York
5 State Legislature. There is only one Asian-
6 American, the Honorable Grace Meng, Assembly
7 District 22 in the State Assembly, and there is
8 no Asian-American member in the State Senate.
9 We would like to recommend that the legislative
10 districts are redrawn to reflect the fair
11 proportion of Asian-Americans in the state, to
12 reflect the growing electoral viability of Asian-
13 American state legislators, to eliminate the
14 potential for disenfranchisement of Asian-
15 American population, and to keep communities of
16 interest together. As you already know the
17 Federal Voting Rights Act requires that new
18 boundaries be drawn in a manner which provides
19 minority communities with the opportunities to
20 elect representatives of their choice if they
21 can. However, in 2001 the state legislative
22 districts, other than Assembly District 22, were
23 disparately drawn to disenfranchise Asian-
24 American communities in north Queens. For

1 Task Force on Demographic Research, 9/7/11
2 example, Senate District 11 and 16 were not only
3 tailored to split the Asian-American population
4 in - - and along the Long Island Expressway
5 neither - - was considered. Please refer to the
6 map behind it. The map is a current map, not the
7 recommended map. According to Census 2010 Asian-
8 American population in Senate District 11 and 16
9 are 36.6 percent and 44.3 percent of total
10 population, respectively. We would like to
11 recommend that maps of Senate District 11 and 16
12 be drawn to keep Asian-American population in one
13 district so that Asian-Americans' vote is not
14 diluted. We would also like to recommend that
15 drawing 80, 24, 25, 26 respecting that Asian-
16 American community is a community of interest and
17 keeping them in one district. In the districts
18 there are significant number of Asian-Americans.
19 Asians comprise 40 percent, 38.9 percent, and
20 38.7 percent, respectively, in the district. In
21 2001 Asian-American community was divided into
22 many districts in different levels. Asian-
23 American votes have been diluted. It is time to
24 finish this unfair practice. On behalf of the

1 Task Force on Demographic Research, 9/7/11
2 Korean-American community and Asian-American
3 community we would like to urge LATFOR members to
4 keep these communities of interest undivided and
5 allow Asian-Americans to have their share or
6 voice in Albany. And also as part of Re-Shape
7 New York Coalition member would like KAVC is a
8 strong supporter of the independent redistricting
9 commission and - - . Thank you.

10 SENATOR NOZZOLIO: Mr. Park, thank you
11 very much for your testimony and suggestions.
12 Your testimony will part of the official record
13 as your recommendations, as well. Are you going
14 to further refine those and submit any maps in
15 the future?

16 MR. PARK: No, currently we are working
17 with ALDEF, so they will submit that. ALDEF's
18 map is kind of a map of Asian-American
19 communities. We will give our comments on them.

20 SENATOR NOZZOLIO: Thank you very much.
21 Any other questions? Thank you, Mr. Park.
22 Eileen Reilly.

23 MS. EILEEN REILLY ON BEHALF OF MICHELLE
24 MASONE: I'm actually speaking on behalf of

1 Task Force on Demographic Research, 9/7/11
2 Michelle Masone who had a funeral today. Maspeth
3 is one of the smaller neighborhoods in Queens. I
4 have encountered many lifelong Queens residents
5 who did not know where Maspeth was located.
6 Maspeth is home to people of many different
7 ethnic backgrounds. People may know that Maspeth
8 has one of, if not the largest, Polish
9 populations in Queens. However, they may not be
10 aware that this also contains a large population
11 of Chinese, Hispanic, Irish, Italian, Greek,
12 Korean, and Middle Eastern people. You can drive
13 down one block in Maspeth and find all these
14 people living side by side. Maspeth may not have
15 the highest concentration of any individual
16 minority group, but its strength is the diversity
17 of its population. If Maspeth were to be
18 divided, the balance would be lost. Some of
19 these groups would lose their identity when
20 included in a district with a much larger
21 population of some other ethnic group. Other
22 groups may join the district where they are
23 already a part of a heavy majority thereby
24 diluting their vote. As I have already stated,

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2 Maspeth is a small neighborhood, it is not well-
3 known compared to the other areas of Queens, such
4 as Flushing or Astoria. Perhaps because of this
5 that it seems Maspeth draws the short end of the
6 stick an awful lot. For instance, the MTA
7 already has two bus depots in Maspeth with plans
8 to add a third. A waste transfer station is
9 located in our town, and there are still talks of
10 the cross-harbor tunnel, which would allow trains
11 from New Jersey to take a tunnel directly to
12 Maspeth where trucks would be waiting to continue
13 the shipment to Brooklyn, Queens, and Long
14 Island. All of these facilities cause congestion
15 and pollution in Maspeth. If Maspeth were to be
16 divided, the elected officials would be less
17 likely to be concerned with the issues that
18 Maspeth faces since they would represent just a
19 fraction of the population. Maspeth is a small
20 town. Everyone knows each other and greets each
21 other in the street, but it's also like a small
22 town in that everyone will unite to fight against
23 problems in the community. If it were broken
24 into different districts, it would be impossible

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2 for us to hold any elected official accountable
3 for their actions or lack thereof in Maspeth. I
4 urge you to please keep us as one district.

5 Thank you for your time.

6 SENATOR NOZZOLIO: Thank you very much.
7 David Crum.

8 MR. DAVE CRUM, COMMANDER, CATHOLIC WAR
9 VETERANS POST #1: Thank you for letting me
10 speak. My name is David Crum. I'm the Queens
11 Commander of the Catholic War Veterans and
12 Commander of Post #1 of the Catholic War
13 Veterans. I don't know if the distinguished
14 party knows, but the Catholic War Veterans of the
15 United States was founded in Astoria, Queens in
16 1935. It's the only Catholic organization that
17 holds a Congressional charter. It was signed by
18 President Reagan in 1984. Again, my name is Dave
19 Crum. I have lived in the community of Long
20 Island City for 38 years. Long Island City was
21 once an independent city. It was created in 1870
22 from the merger of the Village of Astoria, the
23 Hamlets of Ravenswood, Hodges Point, Blissville,
24 Sunnyside, Dutch Kills, Steinway, Bowery Bay, and

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2 Middleton in the New Town Township. Thus
3 historically all the communities of western
4 Queens were united with each other and separate
5 from the other parts of Queens. An 1896 map of
6 Long Island City shows that Long Island City
7 consisted of the area west of Bowery Bay Road,
8 accordingly to the map of the greater Astoria - -
9 which no longer exists in its current form, ran
10 straight across from Flushing Bay through the
11 area now covered by LaGuardia Airport south to
12 the eastern side of Calvary Cemetery. It is an
13 area that is compact, contiguous, and virtually
14 entirely located in the 14th Congressional
15 District. The fact that Long Island City is a
16 city is reflected in the way that the
17 neighborhood was developed. Long Island City is
18 quite simply more city-like than other areas of
19 Queens. It is more compact, more urban, indeed,
20 it's more like a mini-Manhattan. Other areas of
21 Queens are more sub-urban in feel and with more
22 single family homes, fewer apartment buildings,
23 less density. We are more akin to the eastside
24 of Manhattan than other areas of the district,

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2 especially as seen by the influx of new residents
3 from Manhattan after 9/11. I believe it makes
4 sense to retain the historic integrity of Long
5 Island City in drawing district lines. As your
6 predecessors so wisely did in 2001, the Queens
7 portion of the 14th Congressional District
8 currently covers virtually all of what was once
9 Long Island City, in my view it makes greater
10 sense to keep these communities, this together.
11 To separate them from the rest of Queens and, in
12 fact, to ensure that all of Long Island City will
13 be a district that includes the Eastside of
14 Manhattan. This will be in keeping with the
15 historical past and reflect our community's
16 natural connections with Manhattan. Thank you.

17 SENATOR NOZZOLIO: Before you leave, I
18 wish to thank you for your direct testimony.
19 More importantly, thank you for your service to
20 our nation as a veteran and we respect immensely
21 the contributions you and the members of the
22 Catholic War Veterans have made to our state and
23 nation. Thank you for your particular input.
24 Does any member of the panel have a question?

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2 MR. CRUM: Senator, if I might also
3 state, you had mentioned earlier this morning
4 about the voting rights of our servicemen
5 overseas. As a veteran those individuals who
6 have their life on the line every day deserve the
7 right to vote. So anything that you can do to
8 make sure that they get their ballots would be
9 greatly appreciated.

10 SENATOR NOZZOLIO: Thank you very, very
11 much. Joe DiPietro. Good afternoon.

12 MR. JOE DIPIETRO, PRESIDENT, FEDERATION
13 OF ITALIAN AMERICAN ORGANIZATION, QUEENS: Good
14 afternoon to your panel. Welcome to Queens.
15 Greetings from Astoria, the heart of Queens, as
16 they say.

17 SENATOR NOZZOLIO: We've saved you for
18 the beginning of the third hour, the person of
19 your great personality, you're enlightening the
20 panel with your presence. Thank you. I'm sorry
21 I stand corrected. It's our fourth hour.

22 MR. DIPIETRO: Thank you. Again my name
23 is Joseph DiPietro. I'm the president of the
24 Federation of Italian American Organization of

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2 Queens. It's a long name, but I learned to live
3 with it. I believe that the people who drew the
4 map for my Congressional District ten years ago
5 got it right. They drew western Queens together
6 and they joined us with Manhattan. That's
7 consistent with the nature of the people who live
8 here, and we are an extremely diverse group with
9 people who trace their ancestry to more than 100
10 countries across the globe, many of whom have
11 arrived here relatively recently. The United
12 Nations, also located in the 14th Congressional
13 District, will feel - - . The East River is a
14 body of water that unites the eastside of
15 Manhattan with western Queens. It doesn't divide
16 us. If you look at the map of the 14th
17 Congressional District as it is currently drawn,
18 you'll see that it follows a number of natural
19 borders that unite western Queens and separate
20 this area from all the other parts of Queens.
21 The district is bordered by New Town Creek and
22 picks up Long Island City's central business
23 district near LaGuardia Community College. There
24 are the Sunnyside rail yards, which forms the

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2 border of much of the districts in the middle and
3 then LaGuardia Airport and Grand Central Parkway
4 from the border of the north. If I were to draw
5 the district, I'll expand it around LaGuardia
6 College to bring in more of Long Island City,
7 Sunnyside, Woodside Communities. Thank you, and
8 God bless you for all this patience that you
9 have.

10 SENATOR NOZZOLIO: Thank you very much,
11 Mr. DiPietro. Next witness is George
12 Malandrakis. George if you, for the record,
13 would be so kind as to state your full name and
14 where you're from.

15 MR. GEORGE MALANDRAKIS: I sure will.
16 My name is George Malandrakis. I reside in the
17 beautiful Borough of Queens, in Astoria born and
18 raised. I plan on staying here the rest of my
19 life. More people of Hellenic ancestry live in
20 Astoria than in any urban area outside of Greece.
21 While so many of us live in Queens, many of our
22 organizations are headquartered on the eastside
23 of Manhattan, including our cathedral, the
24 headquarters of the Greek Orthodox Church.

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2 Despite the presence of so many Hellenes in
3 western Queens, our issues were largely ignored
4 until our community was united with the eastside
5 of Manhattan. By joining these communities of
6 interest together, Hellenes finally received the
7 attention we deserve. Congresswoman Carolyn
8 Maloney listened to our concerns and formed the
9 Hellenic Caucus. Until the caucus existed,
10 Hellenes across the United States could contact
11 their individual members to express our concerns,
12 but the caucus provided a structure and a focus
13 so that there was a way of the members to work
14 together. It has made it easier for our issues
15 to receive proper attention in the House of
16 Representatives. Thanks in part to the efforts
17 of the members of the caucus, Greece recently
18 became a visa-waiver country, making it easier
19 for us to have family members and friends come
20 from Greece and visit us. For years Greece was
21 one of the few countries in Europe that was not
22 included in the visa-waiver program. That meant
23 while we could visit Greece at any time, our
24 family and friends had to go through an expensive

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2 and cumbersome visa application process and many
3 were denied entry or delayed, so they missed
4 weddings, births, and other family celebrations.
5 I believe that splitting western Queens from the
6 eastside of Manhattan would dilute the strength
7 of our community and would make it much less
8 likely that our representative would care about
9 our issues. After all no one paid attention
10 until these two areas were joined. Thank you for
11 allowing me to present my testimony. Thank you
12 very much.

13 SENATOR NOZZOLIO: Mary O'Hara.

14 MS. MARY O'HARA, CHAIR, HOUSING
15 COMMITTEE, COMMUNITY BOARD 1: Good afternoon,
16 and welcome to Queens. My name is Mary O'Hara,
17 and I'm a lifelong resident of western Queens. I
18 believe that western Queens is best-served as a
19 district united with the eastside of Manhattan.
20 We are only a few minutes by subway from
21 Manhattan and linked by numerous bridges and
22 tunnels. Our area is one of the most diverse in
23 the world, with dozens of different languages
24 spoken by local residents. There are a few

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2 things that really unite us, and one of them is
3 transportation. Many of our residents work in
4 Manhattan and how they get to work really
5 matters. There is a large construction project
6 in our community known as Eastside Access, which
7 will bring commuters from Long Island to Grand
8 Central Terminal, helping to expand capacity on
9 the Long Island Railroad. When completed there
10 will be a new Long Island Railroad stop in
11 Sunnyside, Queens, giving us an additional option
12 for travel to Manhattan. It will also bring
13 commuters to businesses in our area. Worthy of
14 note in strained economic times is the fact that
15 the project is generating 22,000 jobs and
16 billions in economic activity. It is important
17 to note that construction for the Eastside Access
18 is largely in the 14th Congressional District,
19 which includes both western Queens and the
20 eastside of Manhattan and is ably represented by
21 Congresswoman Carolyn B. Maloney. Because the
22 Congressional Representative for Grand Central
23 Terminal also represents the Sunnyside Rail
24 Yards, we have one member of Congress who is

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2 really paying attention to both parts of the
3 project. She has worked to secure funding for
4 the project and recently helped redirect three
5 hundred million dollars of high-speed rail
6 funding to herald interlocking at Sunnyside Rail
7 Yards to resolve the competition among Amtrak,
8 New Jersey Transit, and the Long Island Railroad
9 by giving each system dedicated tracks. That
10 will help save time for commuters on all three
11 systems. Congresswoman Maloney has been a
12 staunch advocate for the Sunnyside stop and the
13 creation of it and the completion of that stop in
14 Queens. Her knowledge and experience
15 representing the interests of both sides of the
16 project have helped move the project forward and
17 ensure that residents of western Queens will
18 benefit, not just Long Islanders, from this
19 project. Someone representing only Manhattan
20 would not have the same interest in western
21 Queens, and someone representing only western
22 Queens would not have the same knowledge or
23 experience with all aspects of the project. That
24 is why it is in our best interest as residents of

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2 western Queens to have one representative who
3 cares about both the Manhattan and Queens aspects
4 of this Eastside Access project. Thank you, good
5 afternoon.

6 SENATOR NOZZOLIO: Thank you, Ms.
7 O'Hara. Brian Paul. Good afternoon, Mr. Paul.

8 MR. BRIAN PAUL, RESEARCH AND POLICY
9 COORDINATOR, COMMON CAUSE NEW YORK: Thank you
10 for allowing me to testify. Good afternoon. Is
11 that loud enough? My name is Brian Paul, and I'm
12 the research and policy coordinator for Common
13 Cause New York. As we previously testified
14 Common Cause New York strongly supports
15 redistricting reform and independent
16 redistricting, but we also believe it is
17 important to take advantage of these hearings to
18 offer independent analysis to help inform how New
19 York's district lines should be redrawn. For
20 today's hearing in Queens I'd like to focus on a
21 few points regarding the major demographic
22 changes that have taken place here during the
23 last decade and how these changes should inform
24 the redrawing of new district lines. A more

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2 complete analysis is available online at our map
3 and democracy blog found at
4 www.citizensredistrictny.org. For now I've
5 provided copies of all the maps, which I'll be
6 referring to so you can follow along as I speak.
7 I see you have them. So around on the front of
8 that the first map is just a listing of Queens'
9 neighborhoods, which may have been useful at the
10 start of the hearing to understand all these
11 different places people are referring to. It's
12 quite a complicated tapestry of neighborhoods.

13 ASSEMBLYMAN MCENENY: Could you wait
14 until we have your testimony in front of us?

15 MR. PAUL: You don't have it.

16 SENATOR NOZZOLIO: We've got a lot of
17 them, we're trying to figure out which one it is.

18 MR. PAUL: Should have the big, full-
19 page sized maps in a paper clip. Got it? All
20 right. So with over 2.2 million residents in
21 neighborhoods as different as downtown Flushing
22 and Rockway Beach, it's important for whoever
23 draws the lines to spend extra time studying the
24 varying demographics of Queens. Queens is known

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2 as the Borough of Immigrants and for good reason.
3 Increasing numbers of neighborhoods in Queens, as
4 others have testified, are over 50 percent
5 foreign-born with residents hailing from dozens
6 of countries from throughout the globe. Map
7 number 2 on there just shows the differences in
8 population density throughout the borough. You
9 have neighborhoods that have dense downtowns and
10 you have neighborhoods that are essentially
11 suburbs, so it's important to be aware of that
12 kind of geography when drawing districts. Map
13 number 4 shows immigrant concentrations of
14 foreign-born residents and then after that,
15 looking at the changes that have happened since
16 2000, Queens shares one major trend in common
17 with many areas of upstate that we've looked at,
18 a rather steep decline in the white population
19 that was offset by a rapid rise in the minority
20 populations. In the case of Queens, the
21 borough's demographics are shifting with a steady
22 decline of long-established white and black
23 communities being offset by the rapid rise of
24 newer immigrant populations. Overall the non-

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2 Hispanic white population in Queens declined by
3 over 116,000 individuals, or almost 16 percent in
4 the ten years since 2000. The non-Hispanic black
5 population declined by almost 27,000 individuals
6 or over 6 percent. In contrast the Hispanic and
7 Asian populations grew by 10 percent and almost
8 31 percent, respectively. The Hispanic
9 population has increased most significantly in
10 neighborhoods like Corona, Woodhaven, and
11 Ridgewood where it strengthened existing Hispanic
12 majorities in those neighborhoods. Asians now
13 make up the majority of voting age residents in
14 many parts of Queens, including Elmhurst, Jackson
15 Heights, and Flushing, as well as suburban areas
16 like Bayside, Bell Rose, and Jamaica Estates, as
17 others have testified already. Flushing is now
18 New York's largest China Town, and it's also home
19 to a large Korean population and these growing
20 populations have increasingly spread to the east,
21 again as you've heard before, to the more
22 suburban areas like Bayside. Richmond Hill,
23 Jamaica Estates, and Bell Rose in South Queens
24 and Central Queens are heavily South Asian and

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2 Elmhurst-Jackson Heights is an incredibly diverse
3 mixture. With such dramatic changes in Queens'
4 demographics, dramatic changes in the district
5 lines should follow. If you look at Map 13 it's
6 just a quick overview of the current
7 Congressional Districts. The current District 5
8 stretches deep into Queens from Nassau County
9 joining a huge area to the suburbs of Long
10 Island. While it may make sense to join some of
11 the suburban communities in far eastern Queens
12 with Nassau County, we do not believe it makes
13 sense to include Flushing, Corona, and Elmhurst,
14 the borough's most densely urban and immigrant
15 neighborhoods inside the district. With New York
16 State losing two Congressional seats in this
17 cycle, one of the seats lost will almost
18 certainly be within New York City. As many in
19 the media have discussed, the most likely
20 candidate for elimination is District 9. Not
21 only in our opinion because of the resignation of
22 the long-time incumbent, but also due to the
23 shifting demographics within that district to
24 Asian and Hispanic majorities. If District 9

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2 were eliminated, a new district could potentially
3 be drawn from Jackson Heights across Flushing
4 Meadows Park through Flushing to Bayside that is
5 over 35 percent Asian voting age population,
6 allowing the Queens Asian community a greater
7 opportunity for representation in Congress. The
8 current District 5 could still take the eastern-
9 most heavily suburban areas of northeast Queens
10 and join it with Nassau County. The current
11 State Senate districts in Queens are also highly
12 problematic, as you'll see on Map 14. Districts
13 11 and 16 currently, as others have expressed,
14 crack the Asian community in Flushing almost
15 right down the middle. A majority-Asian State
16 Senate District could easily be drawn in Flushing
17 consisting of downtown Flushing and areas to the
18 south and east. Such a district would also make
19 far more sense based on basic neighborhood
20 geography than the current District 16's shape.
21 The current geography of Elmhurst and Jackson
22 Height's districts also crack the Asian
23 community, perhaps even more egregiously than in
24 Flushing, cracking it into four different State

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2 Senate Districts, Districts 16, 13, 15, and 12.
3 While it's not possible to draw a majority Asian
4 district based in Jackson Heights, the current
5 lines in this area also stand for much
6 improvement. Beyond concerns of ethnic
7 representation, we believe that neighborhoods
8 should never be cracked into arbitrary pieces in
9 this manner. Many of Queens' Assembly Districts
10 are also drawn in ways that divide neighborhoods,
11 as many of the others have testified here today
12 and in ways that no longer make sense with the
13 current demographics. In the Flushing area, for
14 example, only one Asian majority seat is
15 currently drawn in downtown Flushing and the rest
16 of the Asian community in northeast Queens is
17 cracked into three different districts. Two
18 majority-Asian voting age population districts
19 can be easily created in northeast Queens to
20 reflect the explosive growth of the Asian
21 community there. The current Corona and Jackson
22 Heights Assembly Districts are equally
23 problematic, dicing the neighborhoods into
24 arbitrary pieces and cracking both the Asian and

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2 Hispanic communities. Asian-majority areas in
3 Jackson Heights and Elmhurst are sliced into five
4 different Assembly Districts, 34, 39, 35, 28, and
5 30. An Asian-majority Assembly seat can be drawn
6 based in Jackson Heights, while also drawing the
7 two Hispanic majority districts in Elmhurst-
8 Corona into more compact neighborhood-based
9 shapes. Richmond Hill is another significant
10 Asian neighborhood that is sliced into multiple
11 pieces, in this case, five Assembly Districts,
12 depriving the South Asian community there from
13 the opportunity to have a voice. In closing, I'd
14 like to thank you once again for the opportunity
15 to testify and express my hope that you will
16 seriously consider the information presented in
17 this testimony, as well as the many insightful
18 testimonies of local Queens' residents offered
19 here today.

20 SENATOR NOZZOLIO: Thank you very much,
21 Mr. Paul. Any questions?

22 ASSEMBLYMAN MCENENY: Just a comment.
23 We certainly appreciate the work that you and
24 Common Cause have done in making these maps

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2 available to people. They will go on the, I
3 think we'll have them on the website or the
4 equivalent, and it really lets people understand
5 exactly what's going on. Your comment that we
6 don't believe that these neighborhoods should
7 ever be cracked, I wish the State Constitution
8 agreed. Some of the numerical goals that are put
9 on, we often have to slice off a piece of a
10 neighborhood, and we feel very bad when that
11 happens. But as much as possible we try and keep
12 them together. Thank you.

13 MR. PAUL: That's certainly true, but
14 the lines could definitely be improved in that
15 way.

16 SENATOR NOZZOLIO: Gus Lambropoulos.
17 Gus, be so kind for the record to appropriately
18 pronounce your last name for us.

19 MR. GUS LAMBROPOULOS: My name is Gus
20 Lambropoulos. It begins with a "Lamb", Lamb-bro-
21 poulos.

22 SENATOR NOZZOLIO: Lambropoulos, very
23 nice to see you, sir. Welcome.

24 MR. LAMBROPOULOS: Thank you. Thank you

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2 very much for having me here and listening to my
3 testimony. My name is Gus Lambropoulos. I'm a
4 proud member of the Hellenic-American community
5 in Astoria, Queens. I want to impress on the
6 members of the committee just how important it
7 has been to me and my friends and neighbors that
8 Congressional District includes both western
9 Queens and Manhattan. Western Queens is the
10 heart of the Hellenic community in America, but
11 in many ways the organizing structure is located
12 in Manhattan. The church has always been an
13 important part of the Hellenic life, and the
14 Greek Orthodox Diocese of America are located on
15 East 79th Street. Archbishop oversees eight
16 metropolis, more than 500 parishes, and more than
17 800 priests. Additionally, the Holy Trinity
18 Greek Orthodox Cathedral is located on East 74th
19 Street. Thus the spiritual center of the
20 Hellenic life is located across the river on the
21 east side of Manhattan. Many of our businesses
22 and professional organizations are also located
23 on the east side of Manhattan. For example, the
24 Hellenic Medical Society of New York is located

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2 on 34th Street. The Hellenic Chamber of Commerce
3 is located off 3rd Avenue, and the Hellenic-
4 American Bankers' Association is also located on
5 the Eastside. Several organizations dedicated to
6 preservations and presentations of the Hellenic
7 culture are also located on the 14th Congressional
8 District, including the Onassis Public Benefit
9 Foundation and the Onassis Cultural Center housed
10 at the Olympic Tower on 5th Avenue and the
11 Foundation for the Hellenic Culture on 57th
12 Street. Although there are tens of thousands of
13 Hellenic-Americans in New York, no one
14 represented our interest until Astoria was united
15 on the east side of Manhattan. When the two
16 communities were united it must have created a
17 critical mass because issues of importance to the
18 Greek community received focus and Congressional
19 attention for the first time with the founding of
20 the Hellenic Caucus by Representative Maloney.
21 We had been living in large numbers in Astoria
22 for decades, but none of the members of Congress
23 who represented us ever devoted such attention to
24 our issues until Astoria and the Eastside were

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2 united. If you split us up from the Eastside, I
3 would be worried that our concerns would no
4 longer receive the same degree of attention. I
5 grew up in Astoria and it's never been the same
6 since Maloney came into power, and it's been
7 very, very beneficial, because, you know, ever
8 since we're united, we've gotten a lot of
9 attention. As you can see Astoria is always
10 growing, received a lot of attention.

11 SENATOR NOZZOLIO: As to the Senate
12 Majority Leader, Senator Skelos, I'm sure he will
13 chastise me for the mispronunciation of your
14 names, but with a name like Nozzolio you get used
15 to it. Thank you very much for your testimony,
16 any questions? Thank you very much.

17 MR. LAMBROPOULOS: Thank you very much.
18 Thank you.

19 SENATOR NOZZOLIO: Shena Goud.

20 MS. SHENA GOUD, SOUTH ASIAN YOUTH
21 ACTION: Hello, my name is Shena Goud, I'm
22 representing SAYA, South Asian Youth Action. I'm
23 speaking on behalf of Uday Tambar, the Executive
24 Director of SAYA, and I would like to thank you

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2 for giving me the opportunity to speak today.

3 SENATOR NOZZOLIO: Your written
4 testimony will be submitted for the record.

5 MS. GOUD: Thank you. As background
6 SAYA was founded in 1996 with the mission to
7 create social change and opportunities for South
8 Asian youth to realize their fullest potential.
9 It is the only organization of its kind in New
10 York City, dedicated to providing non-sectarian,
11 comprehensive youth development services to low-
12 income South Asian youth. Although many of our
13 youth represent South Asian countries such as
14 Afghanistan, Bangladesh, Guyana, India, Nepal,
15 Pakistan, Sri Lanka, and Trinidad, we also serve
16 youth from African-American, Asian, Latino, and
17 other racial and ethnic backgrounds. In regards
18 to the earlier discussion, a significant number
19 of our youth identify as Indo-Caribbean, or West-
20 Indian and for our purposes we classify them as
21 South Asian, as well. As you have heard from
22 other speakers, the South Asian community is a
23 Queens phenomenon. As Table 1 shows, in Queens,
24 one in eight youth is South Asian. The South

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2 Asian community is one in need. Based on the
3 U.S. Census American Community Survey from 2008,
4 21.7 percent of South Asian youth in Queens live
5 below the federal poverty level, compared to 16.7
6 percent of all youth in the borough. To meet the
7 demands of this growing community, SAYA currently
8 offers programs at our center in Elmhurst and at
9 four public schools in Queens in Flushing, Ozone
10 Park, South Ozone Park, and Richmond Hill. We
11 served 650 youth this past academic year and have
12 served over 7000 since our inception. In the
13 clusters of the South Asian population where we
14 provide services, we see a tremendous need for
15 resources to support the culturally and
16 linguistically competent delivery of services.
17 Ideally, to ease our burdens on serving this
18 population and to get better incomes for our
19 youth, keeping these communities whole within the
20 redistricting process will help turn legislative
21 attention to the needs of South Asian youth.

22 Thank you.

23 SENATOR NOZZOLIO: Any questions of the
24 members of the task force? Thank you, Ms. Goud.

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2 Edwin Cadiz. Foster Mayer. Jamilla Uddin. Good
3 afternoon.

4 JAMILLA UDDIN, CHAIR, YOUTH COMMITTEE OF
5 THE ALLIANCE OF SOUTH ASIAN LABOR: Good
6 afternoon. My name is Jamilla Uddin. Can you
7 hear me back there?

8 SENATOR NOZZOLIO: Yes. Pull the, the
9 whole base, just bring the whole base closer to
10 you.

11 MS. UDDIN: My name is Jamilla Uddin, I
12 am a member and the chair of the Youth Committee
13 of the Alliance of South Asian-American Labor,
14 also known as ASAAL. ASAAL is an organization
15 comprised of South Asian-Americans that are
16 members of labor unions and committed to sharing
17 our political experience from the trade unions
18 with the larger South Asian community. We seek
19 to build a more dynamic culture of civic
20 participation. Currently we have chapters in the
21 Boroughs of Queens, Brooklyn, and the Bronx.
22 Redistricting in past years has led to the
23 gerrymandering of South Asian enclaves. Richmond
24 Hill is divided into five districts, diluting the

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2 strength of the community. In Bell Rose and
3 Queens Village the community is split directly in
4 half between the 24th and the 33rd Assembly
5 Districts. This is unacceptable. The time has
6 come for this body to recognize that the South
7 Asian community, particularly in the Borough of
8 Queens, deserves better. The increase in
9 political participation in this community is
10 well-noted, with candidates from this community
11 succeeding as district leaders, county committee
12 members, judicial delegates, and strong showings
13 in City Council races. ASAAL recommends that
14 this task force make a recommendation that the
15 South Asian community be united, that it be
16 recognized as a community of interest and kept
17 together in all legislative districts. ASAAL
18 also calls on Governor Cuomo to veto any
19 redistricting proposal which continues to
20 gerrymander the South Asian-American community,
21 especially in the areas of Richmond Hill and Bell
22 Rose and Queens Village. Thank you.

23 SENATOR NOZZOLIO: Thank you very much.
24 Any questions, members of the task force? Thank

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2 you for your testimony. Thomas Cong. Robert
3 Friedrich. Good afternoon, Mr. Friedrich. Would
4 you be so kind as to state who you are and where
5 you're from for the record?

6 MR. ROBERT FRIEDRICH, PRESIDENT, GLEN
7 OAKS VILLAGE: My name is Bob Friedrich, and I'm
8 President of Glen Oaks Village, a cooperative
9 housing development in eastern Queens. I gave
10 you all a copy of our newsletter to show that we
11 are a community of diverse people. We are the
12 largest garden apartment co-op in New York State,
13 with a population of 10,000 residents who live in
14 our co-op of Glen Oaks Village. Glen Oaks
15 Village is located along Little Neck Parkway
16 between the Grand Central Parkway and Union
17 Turnpike. Our property covers more than 125
18 acres in two non-contiguous sections, which are
19 very close to each other and is made up of 134
20 buildings. As a former member of Community Board
21 13, a member of the Queens Civic Congress, a
22 founder of the President's Co-op and Condo
23 Council, and an active member of the civic
24 community at large, I understand the importance

1 Task Force on Demographic Research, 9/7/11
2 of community involvement in the political process
3 and the even greater importance of maintaining
4 the political integrity of a co-op within the
5 political boundaries of a single district. Our
6 10,000 residents rely on the co-op Board of
7 Directors to watch out for their interests in the
8 most important possession they own, their home.
9 In the past our co-op has been balkanized and
10 split into separate legislative districts. This
11 has hurt our ability to speak out as one voice to
12 legislative representatives and has lessened our
13 political potency. In years past our two non-
14 contiguous sections of Glen Oaks, which are very
15 close to each other, had separate New York City
16 Council Districts. Currently we are divided
17 between two Assembly Districts. We work closely
18 with both our Assembly Members, David Weprin in
19 the 24th A.D. and Ed Bronstein in the 26th A.D.,
20 but we maximize our political strength and voice
21 by being in a single district. Currently 80
22 percent of Glen Oaks resides in A.D. 24 and about
23 20 percent resides in A.D. 26. It's important
24 for communities as diverse as ours to have

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2 political lines drawn that protect that diversity
3 and maintain the integrity of our community
4 borders and its residents. I therefore urge you
5 to consider this and pay particular attention to
6 the community in which a legislative district
7 line is being drawn. These are not merely
8 streets, but real live communities of individuals
9 that expect legislative district lines to respect
10 the boundaries of their co-op and home. I urge
11 you to maintain the legislative integrity of Glen
12 Oaks Village by ensuring that it falls fully
13 within the district lines drawn by your
14 commission. And for the record, the borders of
15 Glen Oaks Village fall within the following
16 boundaries: very simple to look at a map, on the
17 north it's the Grand Central Parkway, and by the
18 way, this is in the testimony, so I really ask
19 that you take a look at this and when you do your
20 maps, just think about that. The north is Grand
21 Central Parkway. The south is Union Turnpike.
22 The east is Northshore Towers Golf Course and the
23 LIJ Medical Center, and the west is Commonwealth
24 Boulevard. It's very simple, look at a map, you

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2 see the box, you put that box within a single
3 district and then you've covered Glen Oaks. By
4 placing this area within a single legislative
5 district, you will be maintaining the political
6 integrity of our co-op and its 10,000 residents
7 and will have achieved the noble goal of keeping
8 our neighborhood together. I urge you to please
9 do so. I'm not sure if you guys draw the lines
10 or you have staff, but please show this to them
11 so when they draw the lines it's really very
12 simple. Get us all in one district. It's really
13 very important for us. Thank you so much.

14 SENATOR NOZZOLIO: Thank you, Mr.

15 Friedrich and thank you for your patience and for
16 returning. I know your schedule. We're in a
17 long hearing day. Where is Glen Oaks situated in
18 a Senatorial District? Which Senatorial District
19 is Glen Oaks in?

20 MR. FRIEDRICH: We were in 12, I think
21 Frank Padovin's District, it's now Tony Avella's
22 Senatorial District, and it was all within that.
23 In the past, currently the Assembly Districts are
24 cut in half, but the City Council and the Senate

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2 District were all in that. But in the past it's
3 always been different. They've always chopped us
4 up and it really is important, and it's very
5 simple, because when people are drawing lines,
6 they don't really know that, so they'll draw a
7 line there without really thinking about the
8 community. Those boundaries are very easy to
9 follow. You follow those, and we're all in one
10 district. It doesn't matter to me whether we're
11 in A.D. 24 or A.D. 26, we work well with both,
12 but it's important that we really be within one
13 single legislative district. I thank you guys
14 very much. I know it's been a long day for you
15 also.

16 SENATOR NOZZOLIO: Mr. Friedrich, thank
17 you very much. Harpreet Toor. Good afternoon,
18 Mr. Toor.

19 MR. HARPREET TOOR: Good afternoon,
20 thank you. Thank you very much. Thanks for
21 giving time and spending time here. I'm going to
22 make it real quick. Lot of things which I was
23 going to talk, it has already been talked about
24 like Richmond Hill, Ozone Park, South Ozone Park,

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2 so I'm not going to repeat that information. My
3 name is Harpreet Toor and I was President of - -
4 Culture Society and Chairman, which is the oldest
5 and biggest on the East Coast - - and of course,
6 I'm South Asian from India, Punjabi, of course.
7 Why there are no South Asian-Americans in the New
8 York State Legislature or the New York City
9 Council and what are the consequences for a
10 growing community that has no such
11 representation, especially if you look like me,
12 then there is a big issue about certain things.
13 Queens has the largest concentration of South
14 Asians, which you have heard, and between 2000
15 and 2010 there was more than 32 percent increase
16 in the population of the Asians overall, and as
17 far as the South Asians are concerned, South
18 Asian actually increased by about 36 percent and
19 these are all Census datas. When I ran for the
20 City Council, which I ran for City Council
21 District 48 last year, which was a special
22 election, that campaign, my campaign, even though
23 it was a short campaign, I ran my campaign for
24 about four weeks, the number of people who came

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2 out to vote, it increased manifold because there
3 was interest of the community to have someone who
4 can understand them, represent them, and talk
5 about the issues which affect the community. It
6 is basically what we call the empowerment of the
7 community - - so what we are looking for is
8 empowering the community from your committee and
9 start off dividing the community which is right
10 now Richmond Hill, like was already mentioned,
11 divided into six Assembly Districts, four City
12 Council Districts, two Congressional, and two
13 State Senatorial Districts. It's a small town.
14 South Asian-Americans, we want to fulfill our
15 dreams. When we came to America we dreamed all
16 about it, and we know what it means to be an
17 American, and that dream cannot be fulfilled
18 until and unless the playing field is level for
19 everybody. That's basically the American dream
20 which I would call. Naturally, South Asian we
21 have per capita, highest per capita income,
22 highest family income, highest level of formal
23 education, and they also happen to be
24 contributing into political as well as non-profit

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2 activities as one of the highest per capita
3 contribution for that also, from the South Asian
4 community. The community, however, we do
5 recognize what it will take us to be where we
6 want to be, and we cannot be there unless and
7 until, like I said before, the playing field is
8 level for us. For example, I will just quote
9 something which I was told during my campaign
10 during one of the debates. When the question was
11 asked to another candidate, if you are not a
12 candidate would you work for him. He told me on
13 that debate right there he said no I will not.
14 The following question was why not. The answer
15 was because he's not one of us. That's what we
16 are looking for that we are one, yeah, we may
17 look different, it doesn't matter where we come
18 from, but our needs are basically the same and to
19 meet those needs and to meet the people
20 understand, we have to have that kind of district
21 where we can compete and we can win and let the
22 best candidate come out as a winner and start off
23 with somebody like me being told just because
24 being minority and the district being

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2 gerrymandered in a way where we cannot have our
3 voice, so that's why I was told what I was told,
4 and I'm definite that had it not been like that,
5 nobody would really have dared to say something
6 like that, and that, too, on a public forum. The
7 responsibility for drawing new district lines of
8 Queens must be recognized growing South Asian
9 community. The number of South Asian
10 communities, like I mentioned, we are—the last
11 budget that was passed by New York City, the
12 South Asians got only 2.4 percent of
13 discretionary funding whereas they constitute 13
14 percent of the population. That is, again, by
15 the community we look at it as because we are not
16 getting proper representation because of the
17 redistricting we are expecting that
18 gerrymandering which took place, it will at least
19 help us. The testimonies where you heard that
20 the high schools in Richmond Hill - - which are
21 really bad, one of the reasons is because when
22 you vote one elected official, he is like, "It is
23 not my area. You go to the other one, it's not
24 my area." When you are divided into four or six

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2 different elected officials, who do you really go
3 to? Who you really complain to? We really
4 can't. I really would appreciate, you know, if
5 some of you can spend a day either in Richmond
6 Hill, or forget about going to Richmond Hill,
7 just go to Kennedy Airport. Just spend about an
8 hour there and you will see that people coming
9 out, those are the new immigrants into this
10 country, and they will really, that's where you
11 will have the answer to a lot of your questions,
12 that where we are heading, and you will see the
13 Punjabis, you will see the Bengalis, Pakastanis,
14 I mean, basically, you name it, from South Asia,
15 you will see it. That's what we call - - . You
16 probably heard that name before right now, I
17 don't know, but we call it - - which means,
18 basically, home-grown. Elective bodies should
19 effectively show the mix of the people living in
20 Queens, not in Queens, but everywhere else also.
21 Once we are visible, that will make a difference.
22 We understand the issues of the community, the
23 needs of the community, issues such as that of
24 the issue I just mentioned about division of the

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2 funding, issues such as being part of New York
3 City NYPD. We can't be, because there is no law,
4 we are told point blank that you cannot be
5 because it's not allowed. The - - can protect
6 the Queen, they can be part of the Indian Air
7 Force, Indian Army, they can be part of the
8 Canadian RCMP, Royal Canadian Mounted Police, why
9 they can't be part of the NYPD? Why? Because
10 nobody is really taking up our issue and talking
11 about it, and that's another reason that why you
12 should really look at that, that why our
13 communities should be put together in a way where
14 we will have our voice heard. The question is
15 not having just a majority district, but the
16 question is where we have enough - - where that
17 elected person whosoever he or she may be, will
18 have to listen to the needs of the community - -
19 . I'm looking for all the support which the
20 community can get from this redistricting
21 committee. You can make that happen if the
22 redrawing of the district lines happens in bolder
23 spirit and the letter of the law intended when
24 the Census count was designated as the basis of

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2 redistricting. - - I really appreciate and it's
3 a glorious and wonderful opportunity and
4 responsibility, we really look forward that you
5 cherish it while you have it, value it, and
6 deliver the right thing, and I personally believe
7 that if nobody's happy with your job, that means
8 you have done your job right.

9 SENATOR NOZZOLIO: With that, we fully
10 agree, and thank you for your insights, very
11 helpful. Karen Dennis. Good afternoon, Ms.
12 Dennis.

13 MS. KAREN DENNIS, NYCHA, RAVENSWOOD:
14 Good afternoon.

15 SENATOR NOZZOLIO: Please, for the
16 record state who you are, where you're from, and
17 if so, who you represent, if anyone.

18 MS. DENNIS: My name is Karen Dennis.
19 I live in Queens. I am representing public
20 housing. My name is Karen Dennis, and I'm a
21 resident of New York City Housing Authority. I
22 live in Woodside Houses and I do volunteer work
23 mostly at Ravenswood Houses, but also around the
24 district and throughout the community. As a

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2 community activist and advocate, I can tell you
3 that there are many issues that unite the
4 residents of NYCHA and western Queens, from our
5 needs for fresh foods and the fact that we join
6 together to bring fresh vegetables and fruits to
7 our neighbors, to our efforts in community
8 policing initiatives with the PSA 9 Police
9 Community Council, and other local precincts in
10 the police-service area. This includes our
11 Annual National Night Out Against Crime events.
12 Western Queens is a unique blend of
13 neighborhoods. Many people who live in one
14 development have relatives who live in another
15 one of the other four developments in western
16 Queens. As a former chairperson of the
17 neighborhood advisory board of Queens 1 for DYCD,
18 I understand a lot about how the Census works in
19 low-income neighborhoods and rezoning, as well as
20 redistricting and how it will hurt this community
21 I am representing here today. I have watched
22 these efforts in other areas of Queens and my
23 Congressional Representative has listened and
24 addressed our concerns when legislating for us to

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2 keep the residents of New York City Housing
3 Authority informed and heard when it comes to
4 major changes in our communities. Along 21st
5 Street, which is a major transportation corridor
6 for our area, NYCHA residents have four different
7 developments: Astoria, Queens Bridge, North and
8 South Ravenswood Houses. That makes it easy to
9 get from one housing development to another, and
10 Woodside, which is slightly northeast of the
11 other developments and in between a multitude of
12 religious and educational institutions also
13 allows many to have access to various shopping
14 and services throughout western Queens. With
15 NYCHA being vast in its resident base, our
16 demographics touch the lives of many youth, young
17 adults, and senior citizens from every ethnic
18 background. We have the Boys and Girl Scout
19 Troops and the events that we do with the young
20 people together, we try to encourage them by
21 utilizing the ideals of the Scouts to help
22 others, to represent others, to encourage them to
23 succeed, as well as to support their communities.
24 We have unique cultural, economic, and natural

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2 assets and a very diverse community that shows
3 support for its park, especially Astoria Park, as
4 well as the surrounding infrastructure of bridges
5 and the needs to repair the seawall. This also
6 includes the enhancement of our greenways.
7 Lastly, we are separate and distinct from other
8 Queens communities. We should continue to be
9 represented by our member of Congress, Carolyn
10 Maloney, and we believe we benefit from being
11 united with a district that includes the east
12 side of Manhattan, since we share concerns about
13 the East River and its shorelines, and the
14 hospitals and partner medical facilities and let
15 us not forget the hub access for transportation
16 from the various means and methods our shared
17 communities utilize from both boroughs and the
18 preservation for safety of the bridges that
19 surround New York City Housing Authority
20 developments and the residents that live with
21 them. Keep our Congressional District 14 as it
22 is supporting our community and its very diverse
23 constituency. I would like to thank you for
24 allowing me to speak here today and voice my

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2 views regarding the upcoming possible
3 Congressional redistricting. Thank you.

4 SENATOR NOZZOLIO: Ms. Dennis, thank you
5 very much. Carol Wilkins. Elizabeth and Thomas
6 Mooney. Archie Spigner. Leroy Gadsen. Good
7 afternoon, Mr. Gadsen.

8 MR. LEROY GADSEN, PRESIDENT, NAACP-
9 JAMAICA BRANCH: Good afternoon. I'm Leroy
10 Gadsen, President of the Jamaica Branch of the
11 NAACP. I sit before you today with mixed
12 emotions as I look at you and your willingness to
13 serve in such a worthy and civic cause. I am
14 offended as an American that this body with such
15 an awesome legislative task or duties of the
16 highest standard is devoid of any African-
17 Americans, Asians, and we have a young lady, just
18 one young lady from this entire state. Truly we
19 have evolved beyond the 1950's. If we were to
20 turn back the hands of time 100 years in 1911,
21 this is exactly how this panel would look. This
22 is a terrible indictment upon the leadership of
23 the state. I don't fault you for answering the
24 call to serve in this capacity, however I

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2 question the manner of composing a segregated
3 panel with the purpose of creating and making
4 redistricting decisions in a just and fair
5 interest of all the citizens of New York State.
6 This is a terrible indictment upon the great
7 State of New York. However, this makes your job
8 and responsibilities even more so important. It
9 is our hope that as you carry out your duties and
10 responsibilities that you will rise above it all
11 and update the hands of time in the government
12 and structure of New York State. I thank you and
13 give you my upmost respect for agreeing to serve
14 in such a capacity as you have agreed to serve
15 in. As we look at this state, the most sacred or
16 cherished part of a democracy is the right to
17 vote or the right of the people to pick who's
18 going to govern them. There is no greater right
19 than the right to vote in a democracy. Here in
20 the NAACP we view and cherish this concept of
21 good government. Since our inception some 102
22 years ago until the present minute, we've always
23 recognized and valued the right to vote. America
24 has always had its choice of good government. In

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2 fact this nation was founded on the principle of
3 no taxation without representation. For those
4 who know the history of the Boston Tea Party,
5 although they were viewed as criminals and
6 thieves by the British, they were viewed as
7 heroes in the colonies. However, when it comes
8 to African-Americans, we - - black folks, America
9 has always had a double standard of what is good
10 and beneficial to the rest of the country as
11 opposed to what is good and beneficial for
12 African-Americans. So while the colonies and
13 eventually America was enjoying the fruits of a
14 representative government, people of color, we
15 were still living in a so-called democracy with
16 no right to vote. Although not restricted,
17 however, such existence was usually found on the
18 plantation. Prior to the Civil War the South
19 wanted to count black slaves for representation
20 in Congress but deny them representation or any
21 right to participate in government. We have to
22 be very careful that here in New York State we
23 don't duplicate the attitude of the South. When
24 we look at our contribution to America, we built

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2 this country for free, we did a good job, because
3 she's still standing. We fought in every war - -
4 . Truly we are some of America's most loyal
5 citizens. If anyone has a right to participate
6 in this democracy, it is the African-American
7 citizen. We are the only race of people where
8 laws were created for the specific purpose of
9 denying us the right to vote. No other race of
10 people has been killed or destroyed or maimed in
11 the manner which we have in the pursuit of just a
12 simple, basic democracy of the right to vote.
13 For black folks, African-Americans, voting was
14 always a dangerous and tricky business. Lives
15 and property have been lost and blood has been
16 shed in this pursuit. First we couldn't vote and
17 then it was legal to vote, but we were denied the
18 opportunity to vote. There were many rivers and
19 hurdles to cross, killings and beatings, and a
20 few of our white brothers, Mr. Andrew Goodwin, 20
21 years old, from Queens, and New York's 25 year-
22 old Michael - - , both conscientious young men
23 who were killed in the right to vote for all man.
24 I can present you with volumes of names of

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2 persons of different races who were killed in
3 just trying to make America great and do what
4 she's supposed to do when it comes to this thing
5 called this vote. But I chose these two because
6 they were sons of New York. In fact one, Mr.
7 Goodwin, went to college just a few miles from
8 here at Queens College. Their conscience level
9 rose above their surroundings. They gave their
10 life in pursuit of the right thing. You have the
11 chance to make sure these - - both black and
12 white didn't die in vain. When you draw district
13 lines to dilute and weaken minority voters, you
14 allow them to die in vain, because the right to
15 vote is only half of the answer. Full
16 participation means the availability to cast a
17 deciding - - vote or influence who would
18 represent you. We're not asking you to lay down
19 your life. We're asking you to do the right
20 thing. In addition to the killings, there were
21 numerous other obstacles conspired and created in
22 back room politics to prevent and deny African-
23 Americans the right to vote. Such obstacles
24 included literacy tests, grandfather clause,

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2 landowner test, laws of livelihood, denial of
3 loans, police arrests, loss of jobs, state and
4 government Constitution interpretation tests.
5 1965 we know the United States passed Voting
6 Rights Act. A key word in that prohibitive
7 attempts to dilute African American voting
8 strength. Just to think, we were two years from
9 the assassination of - - and one year from the
10 assassination of Mr. Goodwin and Mr. - - . Here
11 we were, 200 years later basically after the
12 Boston Tea Party and eventually signing the
13 Constitution of the United States of America, and
14 America finally decided to include us, at least
15 in principle, if not in deed. You can inquire of
16 any of us of African descent here in America, and
17 we all have a story to tell of what our parents
18 told us and what we witnessed and experienced in
19 our pursuit of the right to vote and participate
20 in this democracy. It might not be as tragic as
21 killing and it might be as tragic as killing, but
22 we each have our own story as to how America has
23 treated us as a people when it comes to the right
24 to vote and participation in this democracy. Our

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2 ballot, unlike any other ballot, is covered with
3 the blood of those of all races of a greater
4 conscience who laid down their life just to
5 ensure that we would not only have access to the
6 ballot box, but a meaningful access and
7 involvement in deciding on who is going to
8 represent us in government. Although we hold a
9 monopoly on suffering, we do not hold a monopoly
10 on disenfranchisement. We also note that our
11 Hispanic and Asian brothers and sisters are also
12 disenfranchised by the redistricting process.
13 Every election day we see attempts to dilute our
14 voting strength. We see broken down machines,
15 lost keys, understaffed polling sites, improperly
16 equipped polling sites, and now we are mandating
17 picture and government identification in order to
18 vote. We see redistricting in this state where
19 you cut out election districts so that you weaken
20 a heavily populated upstate minority voting
21 strength and strengthen the less-populated
22 predominately upstate voting districts. It is a
23 land of make believe to think that we have
24 arrived to full citizenship and participation

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2 with the right to vote in this democracy. We ask
3 and we challenge you to remain true to the intent
4 of the Equal Protection Clause of the 14th
5 Amendment and the right to vote definition of the
6 15th Amendment of the United States Constitution
7 and do the following: one, we ask that you draw
8 legislative districts that will not dilute the
9 ability of minority group voters to elect the
10 representatives of their choice or to influence
11 electoral outcomes; two, we ask that you make all
12 redistricting decisions based on the New York
13 State Constitution Article 3 and Section 4 which
14 requires Senate districting on the basis of the
15 growth of the counted population; three, we ask
16 you to count and design every district with the
17 same population ratio; four, in redistricting a
18 legislative district we ask you to refrain from
19 racial gerrymandering where as you - - the less-
20 populated upstate, predominantly white districts
21 in upper New York State, while undercounting the
22 heavily populated minority districts in downstate
23 New York. Currently the 29 downstate districts
24 contain 75 percent of the black population, 80 of

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2 the Asian population, 81 of the Hispanic
3 population of New York. - - like Westchester,
4 Bronx, Manhattan, Brooklyn, Staten Island, etc.
5 These - - contain 47.88 percent of the state
6 population, yet they constitute 46.77 percent of
7 the - - Senate Districts. The 24 upstate
8 district contain 17 percent of the black
9 population, 11 percent of the Asian population,
10 and 9 percent of the Hispanic population. Such
11 counties as northern Westchester, Putnam,
12 Dutchess, Columbia, Albany, etc. The
13 predominantly white upstate districts contain
14 37.6 percent of the state population, but they
15 constitute 38.71 of the 62 Senate districts.
16 This has to change if we are going to honor the
17 Equal Protection Clause in the 14th Amendment,
18 because the predominantly upstate has a greater
19 representation than the predominantly minority
20 downstate. There goes the one man, one vote
21 concept of American democracy. If you are to be
22 fair, the lines drawn, which gave in 2002, which
23 gave predominantly white upstate over-
24 representation, included the prison population in

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2 the upstate counties. Truly you cannot remove
3 more than 50,000 persons from upstate population
4 calculations without redistricting to reflect
5 that change in population. The line drawn for
6 Senate configuration is going to wave a red flag.
7 In addition we remind you that any plan you put
8 forth that dilutes minority voting strength is -
9 - under Section 5 of the Voters' Rights Act, and
10 there's another challenge of the Equal Protection
11 Clause of the 14th Amendment. We thank you. We
12 salute you for the great job you've undertaken.
13 We ask that you respect the right of minority
14 participation in this democracy.

15 SENATOR NOZZOLIO: Thank you, very much,
16 any questions? With that we thank you very much
17 for your testimony.

18 MR. GADSEN: Thank you, sir.

19 SENATOR NOZZOLIO: Before concluding we
20 will call those that were called before that did
21 not respond. Elsie Harris, Joyce Moye, Carol
22 Huang. Good afternoon.

23 MS. CAROL HUANG, PHD, RESEARCH
24 COORDINATOR, ASIAN-AMERICAN AND ASIAN RESEARCH

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2 INSTITUTE: Good afternoon.

3 SENATOR NOZZOLIO: As we are beginning
4 the sixth hour, and please for the record, will
5 you state your name?

6 MS. HUANG: Good afternoon. My name is
7 Carol Huang and I serve as the research
8 coordinator—

9 SENATOR NOZZOLIO: [Interposing] I'm
10 sorry, Ms. Huang, would you, thank you.

11 MS. HUANG: Good afternoon. My name is
12 Carol Huang and I serve as the research
13 coordinator for the Asian-American and Asian
14 Research Institute of CUNY. One of our recent
15 issues is to conduct scholarly and unbiased
16 studies on policy impacting Asian-American
17 communities. Redistricting is one of our major
18 research agenda of the year. In our 2011 annual
19 conference on the theme of Asian-American civic
20 engagement toward social change this past May, we
21 devoted two panels of redistricting, just on
22 redistricting. But I am here today as a
23 concerned individual and as part of ACCORD. CUNY
24 and - - only serve as identifier of where I work.

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2 I'm also a member of the program committee of
3 American Educational Research Association, an
4 educational research organization with more than
5 20,000 members globally. Next section I'm going
6 to talk about Asian-American population in New
7 York. Asian-American - - have grown rapidly in
8 every decade since the Family Reunion Act of
9 1965. The Chinese Student Protection Act of 1992
10 granted almost 70,000 amnesty to Chinese students
11 and their family members. Most of them were
12 eligible for citizenship in 1997, thus in 2000
13 Census we witnessed a surge of Asian-American
14 population. In 2010 Census the growth of Asians
15 was even more striking. New York City, the
16 largest city of United States, more than twice
17 the size of the second largest one, Los Angeles,
18 the number of Asians in New York City rose about
19 two percent from 2000 to 2010, a 32 percent
20 increase, making it the city's fastest growing
21 racial group. In Queens alone the South and
22 Southeast Asian population grew nearly 31 percent
23 during this period, the largest increase of any
24 immigrant group in Queens. Queens had 2.2

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2 million people and Asians now account for 23
3 percent of the overall population, while whites
4 and Hispanics each made up 28 percent. A
5 majority of the Asians in Queens are coming from
6 China and India, but other groups including
7 Bangladeshis, Pakastanis, Nepalese immigrants are
8 increasing in numbers, as well. Asian-American
9 population in redistricting, APA communities,
10 like other ethnic minorities, have a history of
11 seeing their neighborhoods gerrymandered and thus
12 having their voters split into multiple
13 districts. The ethnic enclaves are routinely
14 divided into several adjacent districts so that
15 they constitute only a minority of those
16 districts when they easily be the majority
17 population of a single district. Therefore,
18 hundreds of thousands of APA voters often cannot
19 exert their power of their numbers and thus have
20 severe consequences on decision making affecting
21 them in our community as a whole. I'm going to
22 present a case study based on my expertise on
23 education policy. A case study, Schooling an
24 Asian-American in New York City, out of 32 New

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2 York City school districts, the Asian population
3 is concentrated in six school districts, which
4 corresponded with Asian residential clusters in
5 the city. In these six districts they are
6 further concentrated in predominantly Asian
7 majority schools with different intensities. For
8 instance in District 2, which includes part of
9 Manhattan's China Town, the first China Town in
10 New York City, the financial district, - - , 22
11 percent of the students are Asian and a heavy
12 concentration of Chinese population. In three
13 schools P.S. 43, 93 percent, P.S. 2, 84 percent,
14 P.S. 124, 91 percent, out of a possible 26
15 elementary schools. In the middle school I.S.
16 130 has a Chinese enrollment of 90 percent.
17 Meanwhile in Queens school districts the
18 concentration of Asian students is not as
19 intense. For example, in District 26, the
20 Bayside area, where 47 percent of all the student
21 population is Asian, most of these elementary
22 schools are only about 50 percent, or less than
23 50 Asian, and only one school has an Asian
24 population higher than 70 percent. District 24,

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2 Flushing area, had 19 percent Asian students with
3 four Asian majority elementary schools. In
4 Brooklyn District 20, including Sunset Park, the
5 third China Town, with a 35 percent Asian
6 population has a pattern of distribution similar
7 to that of the District 2. Five elementary
8 schools and three junior high schools in Sunset
9 Park have high percentage of Asian population,
10 P.S. 69, 76 percent; P.S. 160, 72 percent; P.S.
11 105, 89 percent; P.S. 48, 53 percent; P.S. 112,
12 51 percent; P.S. 176, 54 percent; Junior High
13 School 227, 57 percent; I.S. 187, 66 percent. I
14 am going to, based on the statistics that I
15 present, I'm going to have a conclusion. The
16 difference in school population in Manhattan
17 China Town, Flushing, Bayside, and Queens and
18 Sunset Park in Brooklyn is likely related to the
19 fact of Asian political engagement in these
20 areas. Where Manhattan's China Town has - -
21 divided Asian-American political community.
22 Flushing's political community is highly
23 mobilized and Sunset Park as a newly emerging
24 Asian cluster does not have political

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2 representation at this point. Based on our
3 initial study, we find that this play a role in
4 the public school in those communities. Noting
5 that political power has always been tied to the
6 well-being of the school, it becomes clear that a
7 - - pattern in levels of political engagement in
8 these areas result in different placement
9 patterns. In Flushing where there is more
10 political representation of Asians made possible
11 by redistricting, Asian students tend to go to
12 school with lesser Asian concentration.
13 Educational attainment and student test scores
14 are strongly correlated to the parents' economic
15 status. Race plays an important factor in a
16 school placement. Unfortunately in a city of
17 great diversity, ethnic minority students are
18 placed in highly minority-concentrated school if
19 their parents lack political and economic power.
20 Reassurance of fair redistricting to respect the
21 voting power of the community of interests will
22 benefit us all. Thank you very much for
23 listening to me.

24 SENATOR NOZZOLIO: Thank you very much.

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2 Thank you. Edwin Cadiz. Foster Mayer. Carol
3 Wilkins. Elizabeth and Thomas Mooney. Archie
4 Spigner. With that, anyone else that had signed
5 up wishing to testify, please submit that
6 testimony to the LATFOR website. The hour is now
7 after beginning our sixth hour of hearings and we
8 appreciate all those who have attended who have
9 provided testimony, that this is the seventh
10 hearing, excuse me, it's the seventh hearing we
11 have five more to go and we appreciate the
12 hospitality of the Queens Borough in allowing
13 this to happen. With this I take a motion to
14 adjourn?

15 ASSEMBLYMAN MCENENY: I move that we
16 adjourn.

17 SENATOR NOZZOLIO: All those in favor?
18 Thank you very much. The hearing is concluded.

19 (The public hearing concluded at 3:15 p.m.)

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C E R T I F I C A T E

I, Trisha Ruckart, do hereby certify that the foregoing typewritten transcription, consisting of pages number 1 to 251, inclusive, is a true record prepared by me and completed from materials provided to me.



Trisha Ruckart, Transcriptionist

September 20, 2011