

Good afternoon. My name is Bob Keeler. I've been a resident of Stony Brook for 41 years. We moved here in 1980, largely for the educational excellence of the Three Village School District. Both of my daughters were educated in its schools. But now, thanks to the malignant magic of past redistricting, you might say we live in the Two-and-a-Fraction School District. Only the tiniest portion of the district remains in Senate District 1. Most of it was moved to Senate District 2 in a previous redistricting. It's time to correct that.

As a member of the *Newsday* editorial board before I retired, I often wrote about voting issues, and I have come to think of partisan gerrymandering as one of the core inequities plaguing our republic. As you know well, one of the bedrock principles of fair reapportionment is the need to honor communities of interest by not splitting a village or a city or a school district arbitrarily between legislative districts. Too often, the less-than-noble purpose of that splitting is to protect the incumbency of a public official who belongs to the party doing the redistricting—or to disadvantage an official or candidate from the other party. To avoid that sort of inequity, of course, is a key reason that we have an Independent Redistricting Commission.

A past redistricting arbitrarily placed my home in Senate District 2. The most powerful constituency in that district is the staunchly conservative Town of Smithtown. You may not have noticed, but in the past school board elections, a phony furor erupted in Smithtown over critical race theory. The Three Village district, in contrast, is known as a progressive area. The senator who represents Senate District 2 theoretically represents both of those very different communities, but Smithtown is a far more powerful element of that district. So, if it comes to a conflict between the Three Village and Smithtown districts, guess which one that senator will aim to please. You can eliminate that conflict by putting the entire Three Village District into Senate District 1, where it belongs.

Speaking of education, that past redistricting also removed Stony Brook University and its hospital from District 1 and plopped it down in District 2. That separated two of Long Island's powerhouse research facilities, Stony Brook and Brookhaven National Lab, into two different Senate districts. It would make so much more sense for one senator to represent both, so that senator could act as an effective advocate for the deeply interlocked interests of the university and the lab. The university is the largest user of the lab and is also part of the entity that runs the lab. So it's nonsensical to separate the two institutions into two districts.

Bob Keeler

I hope the commission will see the logic of rectifying the damage that a past redistricting did to the school district, the lab, and the university—and put them back where they belong, together in the same Senate district.

Thank you.

In Levittown, we have two school districts; the Levittown School District and the Island Trees School District. Island Trees is located in Levittown. Students from Bethpage attend Island Trees schools. Bethpage is mostly in the Town of Oyster Bay while Levittown is in the Town of Hempstead. Have I confused you yet?

We should keep our communities together so as not to confuse people further with who represents them in the NYS Assembly. Thank you.

Brian M. Kelty
President
Levittown Property Owners Association
July 30, 2021

Testimony Submission

BelmontLake Civic [REDACTED]

Mon 7/19/2021 7:33 PM

To: Submissions <submissions@nyirc.gov>

I would like to submit the attached testimony for the Queens County/Suffolk County meeting on July 22, 2021. This email is being sent from my organization's account because it would not send from the account listed with your website.

Greetings,

My name is Denise Leary. I am the President of the Belmont Lake Civic Association. This testimony is for Suffolk County District 15 and specifically Election Districts 14, 56 and 147. We hope these are also Districts of concern with the work you will be doing. We have been active in our community since 1959. We strive for the environmental, beautification, safety, education and the political representation needs of all of our constituents. Our Districts 14, 56 and 147 use Robert Moses Middle School as our Polling Place for General Elections. We do not want this voting location to change as a result of any drawn line changes. We fought hard to get this school as a Polling Place as it is a school in the school district of North Babylon where our property and school taxes are paid (The Town of Babylon). We feel we have the right to vote at this location. We work well with Congressman Andrew Garbarino, Assemblywoman Kimberly Jean-Pierre, Senator Phil Boyle and Legislator Jason Richberg. We believe we are a model of bi-partisanship that Long Island and this country need to progress. Thank you for your time. Our website is www.belmontlakecivic.org if you would like to learn a little more about us. Thank you for your time.

Sincerely,
Denise Leary, President
Belmont Lake Civic Association
[REDACTED]

IRC account information:

First name: Denise

Last name: Leary

Account email: [REDACTED]

INDEPENDENT REDISTRICTING COMMISSION-NASSAU

The issue with redistricting is that it leaves the door open for each representative to choose their voters instead of voters choosing their representative. This has become a very political process. I understand that the communities change over time but the district lines should be drawn for the benefit of the people. Residents are moving out due to lack of commitment to the community on issues such as schools, bail reform, immigration, skyrocketing home prices and taxes.

District lines can shape the communities ability to elect the representative of their choice.

In our hamlet our district is broken up into two different towns. East Meadow school district is located in East Meadow and Westbury. Because of the location and the political boundaries their representatives are different. There are a number of elected officials including Legislators, Assembly persons, Council persons that have some part of the East Meadow/Salisbury district. For example, if you live on one side of Hempstead Turnpike and your child is attending school on the other side of the Turnpike what representative should you contact when needed? If your representative can not assist you because it is not their district yet it is still in the East Meadow Union Free District. What if you have a problem at the hospital do you contact the representative of your district or the representative that oversees the hospital?

There are times when you contact one office you are told to contact the representative of your district. There are some homeowners who will say "I do not know who that person is." Since lines are drawn breaking East Meadow in three different parts. Some offices have to check the district map in order to help a constituent that may or may not be in their district. This becomes very frustrating for the people. Residents are confused who represents them. Elections should be decided by the people it is very important that they know who represents them before they proceed to the ballot box. Each elected official should have a plan that provides fair and equal representation for all the residents of the community. This should not be so complicated.

Keep the community together.

Dolores V Rome

East Meadow, NY 11554

7/28/2021

Concerning Redistricting

“My main concern is to the point regarding redistricting.... “ Keep communities together and don’t split us with different Assemblymen and Senators assigned to the same town/community. It gets confusing as heck trying the figure out who represents us.... For example at the last election I planned on voting for someone I liked but when I got to the polls their name wasn’t on the ballot!!.... luckily I liked the other guy in the same party also!
Stop playing games with our minds and affiliations!!”

Donald Patane


Levittown NY 11756



THE LEAGUE OF WOMEN VOTERS®

The New York State Independent Redistricting Commission Testimony by Karen Moskowitz on Behalf of The League of Women Voters of Nassau County July 20, 2021

My name is Karen Moskowitz and I'm testifying on behalf of The League of Women Voters of Nassau County. The League is a non-partisan political organization that encourages informed and active participation in government, works to increase understanding of major public policy issues and influences public policy through education and advocacy.

As the redistricting process begins in earnest, we ask the Commission to have the following principles and priorities inform your mapping.

First, Congressional and legislative redistricting should advance the fundamental purposes of representative democracy and a republican form of government by affording the people a meaningful choice in electing their representatives and by holding the government accountable to the people. To that end, districts should not be drawn to protect incumbents or for partisan political advantage.

Legislative gerrymandering disenfranchises New York's voters and places incumbency and party above citizen representation. Voters are discouraged from participating in the political process and their voices stymied when electoral districts are manipulated. Gerrymandered districts undermine the ability of communities to be heard, dilutes their voting power, encourages parties to cater to the extremes of their base and produces legislative gridlock. These scourges of democracy must be eradicated.

For example, many of Nassau's State Assembly Districts are drawn in ways that in no way represent communities or even their geographic barriers. The strange shapes of the districts are a clue to the machinations of the last redistricting process, which didn't serve voters. New York Assembly District 13 skirts the Long Island Sound and resembles an empty fist, with areas carved out for a different district. Freeport is divided among Assembly Districts 18 and 21. Districts 15 and 19 have two lobes connected by a thin corridor of land. Senate Districts 5 and 8 cover both Nassau and Suffolk, which sometimes have different legislative needs. Elected representatives are the most vital link between citizens and their government. This cycle's redistricting process must not divide communities and the process must be driven by the interests of communities, not of elected politicians or parties.

Second, Nassau residents face many pressing issues: affordable housing, the impact of climate change, the disparate impact of COVID on communities of color, infrastructure needs, a high tax burden, inequities in public education and a spike in opiate overdose deaths, to name just a few.

K Moskowitz League of Women Voters Nassau

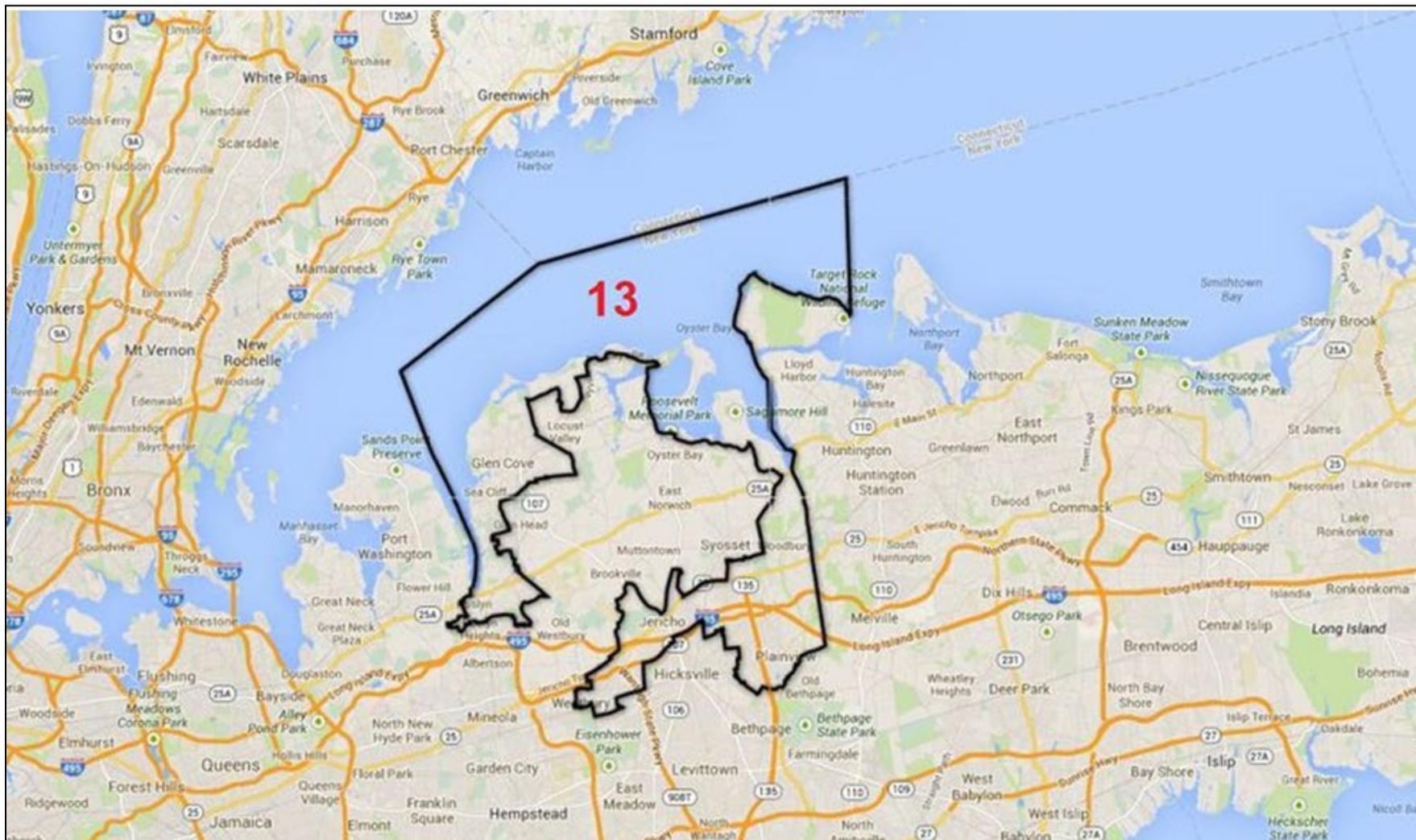
Given that redistricting impacts every issue our communities face, the Commission must create fair, nonpartisan Congressional and State electoral districts and it must ensure that the redistricting process is fair, transparent and accessible.

Thank you for the opportunity to testify and we look forward to the inaugural redistricting process under the Commission.

Attachments: Maps of the New York State Assembly and Senate Districts referenced above.



New York State Assembly District 13

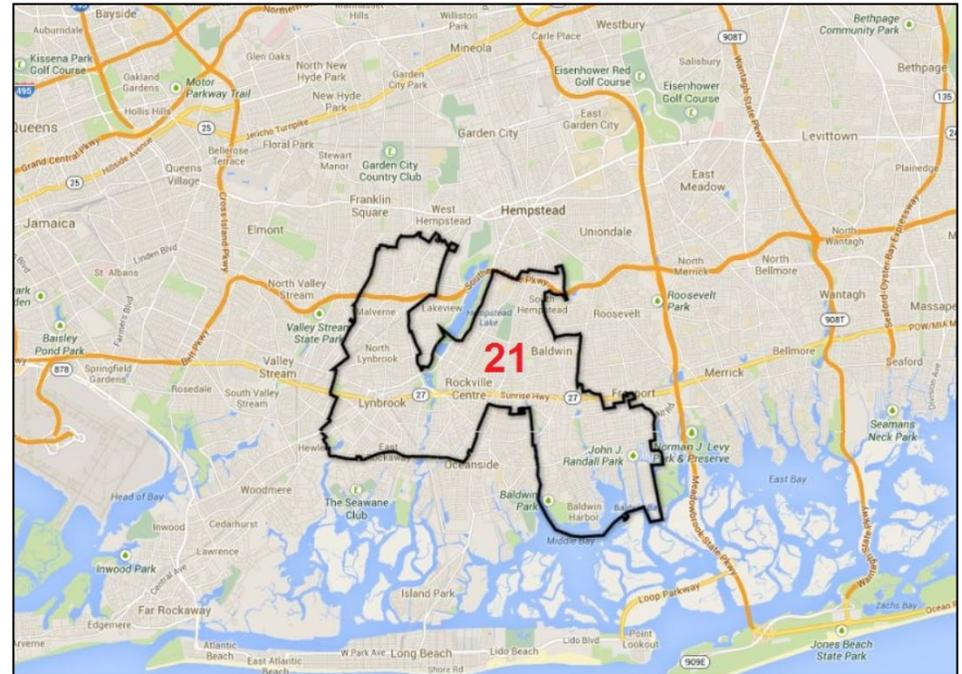
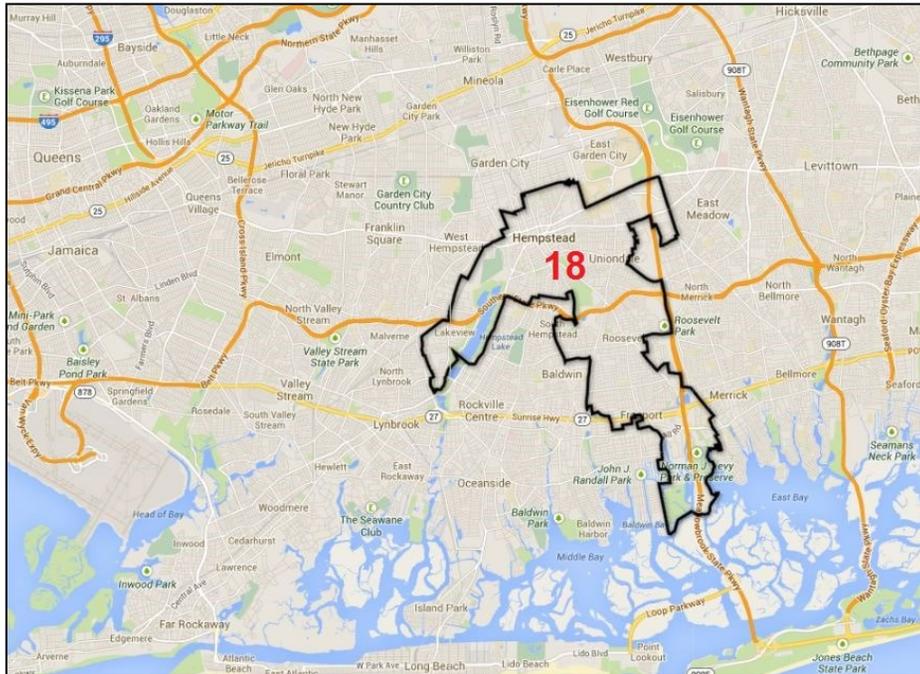


Source: Ballotpedia.org



K Moskowitz League of Women Voters of Nassau

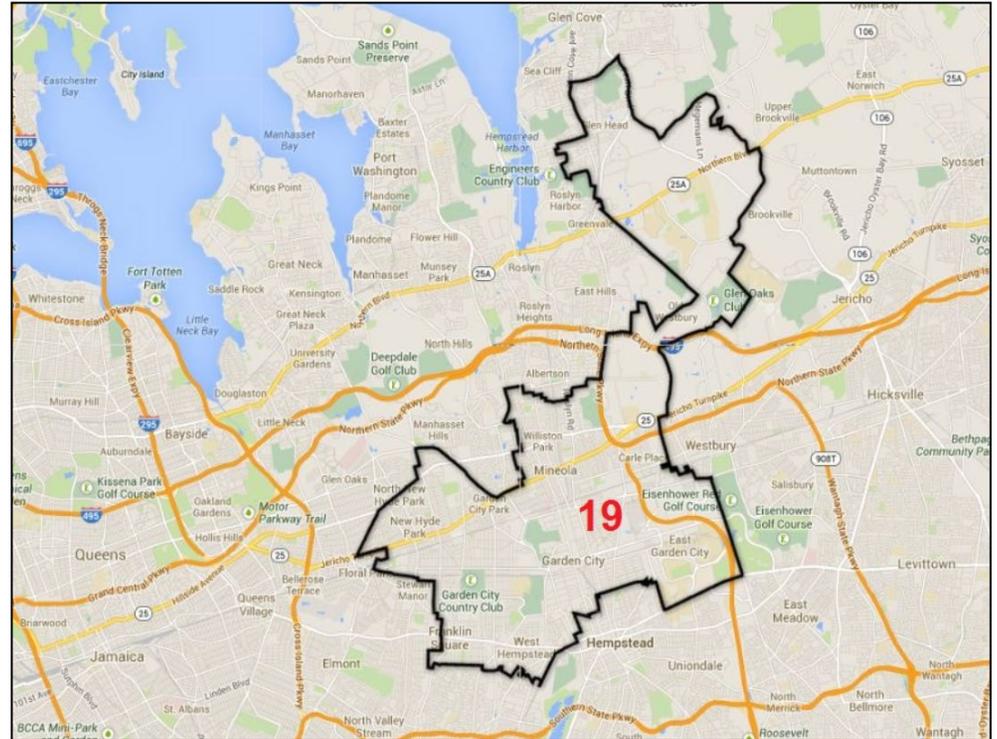
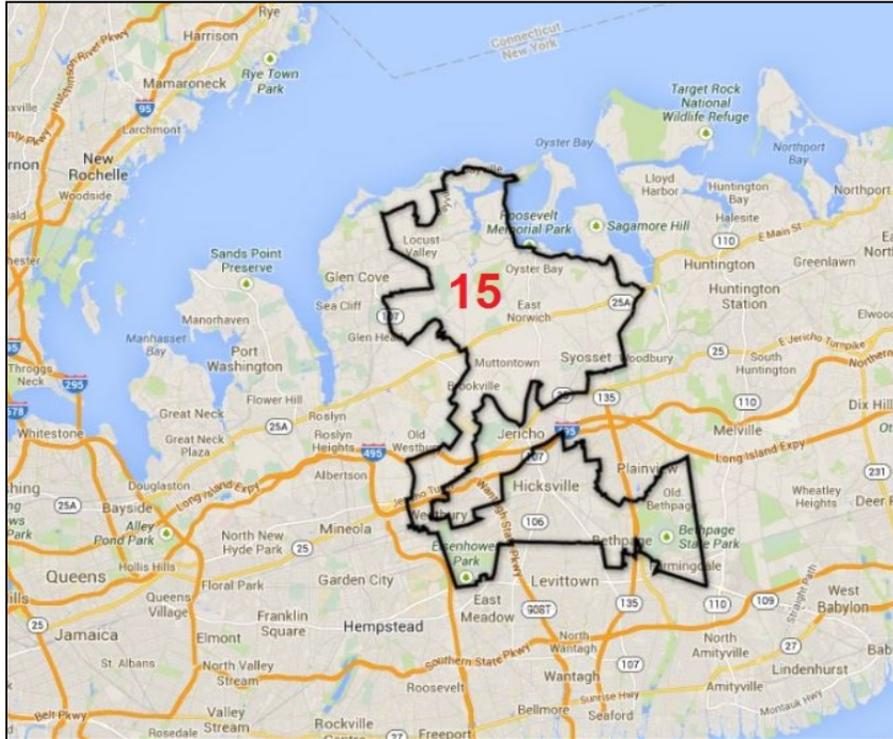
New York State Assembly Districts 18 and 21



Source: Ballotpedia.org



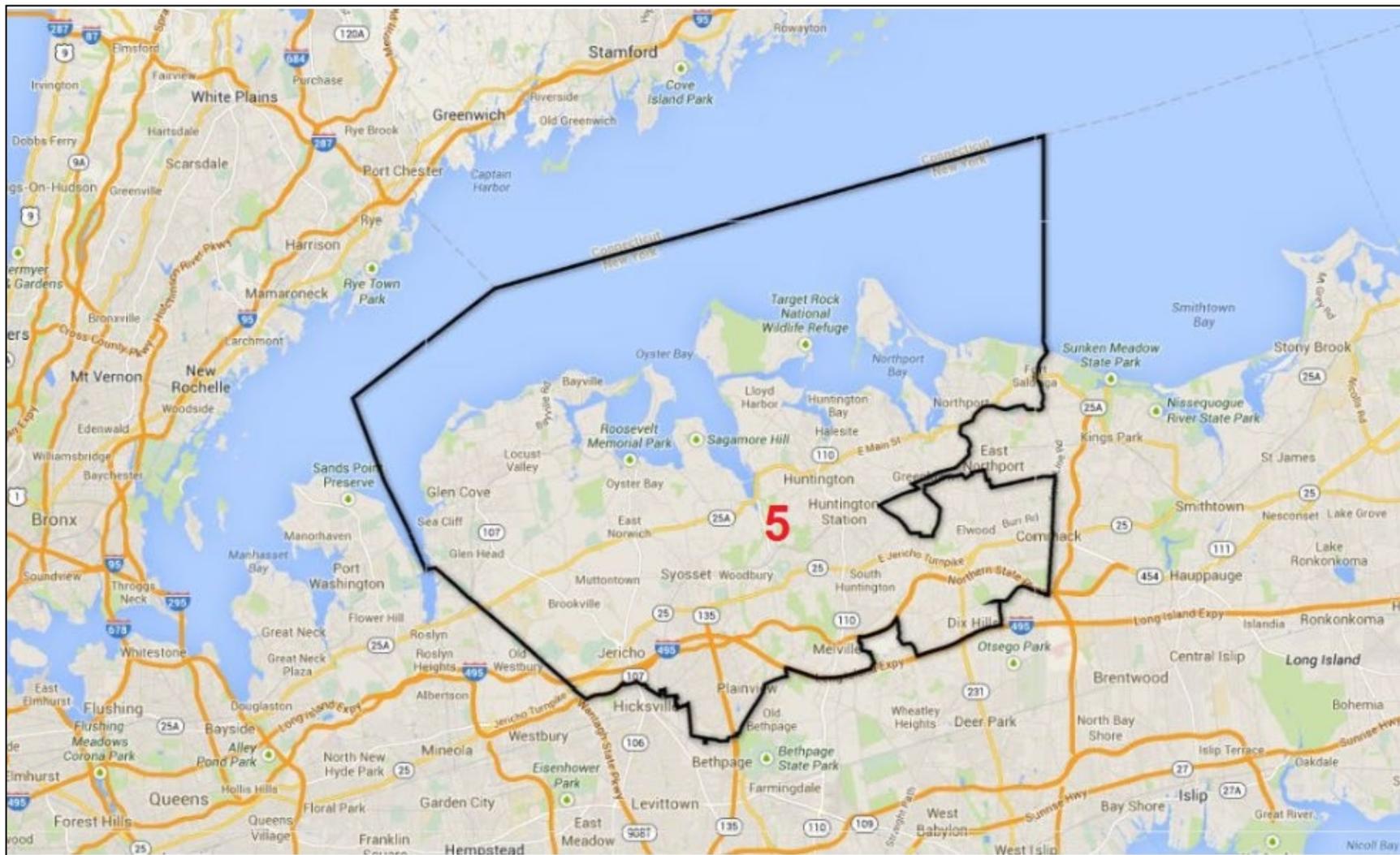
New York State Assembly Districts 15 and 19



Source: Ballotpedia.org



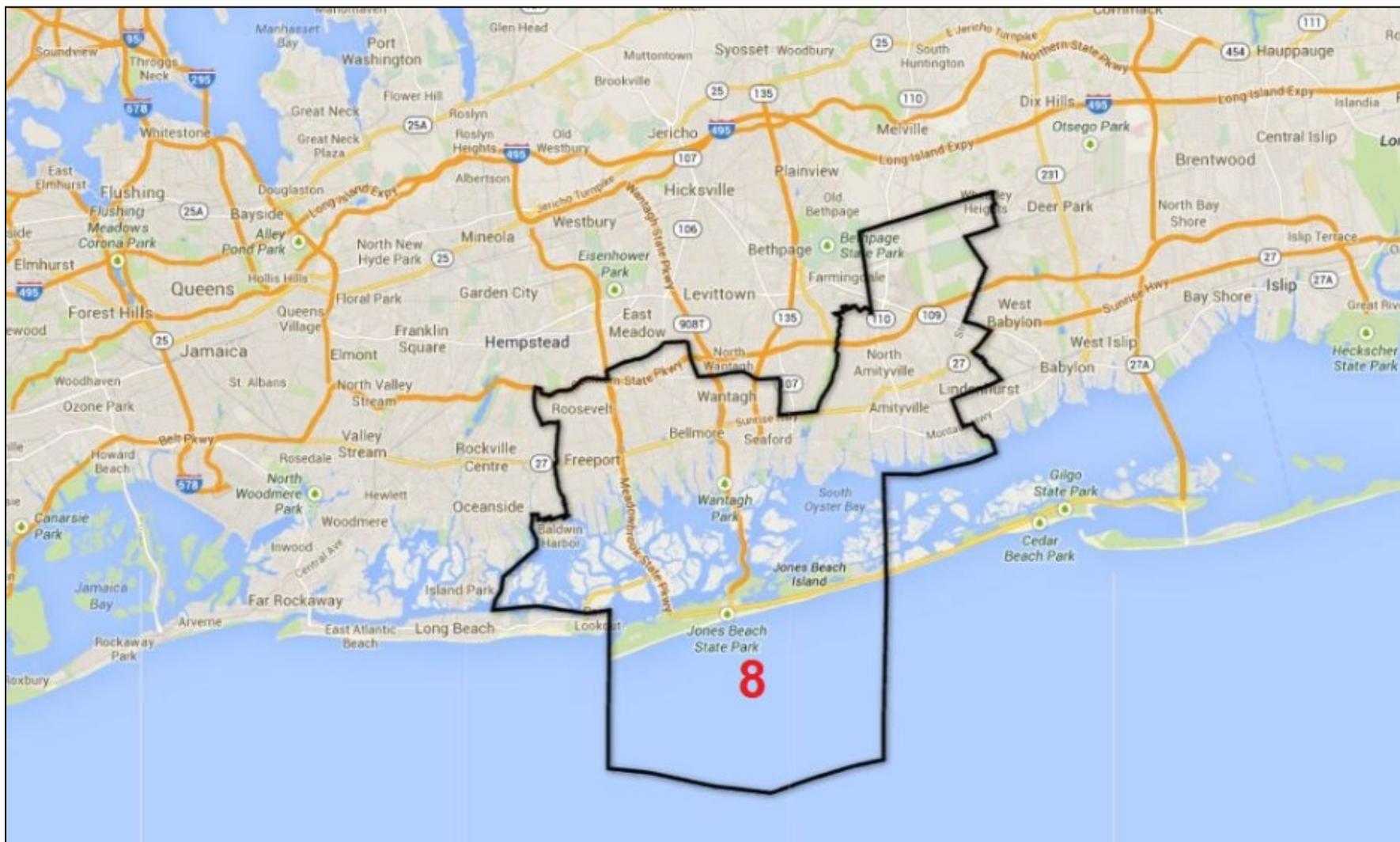
New York State Senate District 5



Source: Ballotpedia.org



New York State Senate District 8



Source: Ballotpedia.org

6-30-2021

My name is Lisa Dellipizzi.
I am the Broker/Owner of
LISA DP REAL ESTATE INC.
I am also the President of the
Franklin Square Chamber of Commerce.
My primary concern in Western
Nassau County is that our
districts remain "Nassau Only"
districts and not be drawn to
cross the Nassau/Queens
border. Our area is currently
split amongst multiple Assembly,
Senate and Congressional Districts,
and it is important that
communities with similar
interests be grouped together.

*THE COMMUNITY LEAGUE
OF
GARDEN CITY SOUTH, INC.*

GARDEN CITY, NEW YORK, 11530

August 1, 2021

Dear Commission Members,

As the President of a Nassau County Civic and a Community/Civic Activist, I am writing to urge the New York State Independent Redistricting Commission to not cross County District lines into City District Lines.

Nassau County residents already feel divided and unclear as to the district lines as well as the elected officials that serve them. The district lines, as they stand now, divide towns and school districts. We would love for the elected Officials to hold solid ground in completed towns/district by zip code, so as to keep the unity within each town of service.

Residents and merchants should be able to look at a district map and see by their town/postal code who their representatives are. As of know, they must not only look at their town, but their street address as well, to decipher who represents them or who they need to reach out to in the event that Elected Official's intervention is required.

As an Activist, I am the liaison between my community and local, Town and County, as well as State Officials. This brings me to deciphering between 2 Senators, 2 Assembly Representative, 2 County Legislators, 2 Town Council Members, all with in one, relatively small district of Franklin Square, New York to determine who is best contacted for the issues at hand. As a seasoned activist, I often find it difficult which, as you can imagine, would leave general population of constituents completely at a loss as to which direction to take.

The already established lines cause a divide in communities and to further that divide by crossing Nassau County (Long Island) into Queens County (City Lines) would be an erroneous decision.

Thank you in advance for your assistance and consideration in this very important matter. If you should require any additional information, please feel free to contact me.

Best regards,

*Margaret Kelly - President
Community League of Garden City South, Inc.*

Garden City, NY 11530

*A Civic Association Serving the Community Interests since 1929
NEIGHBORS SUPPORTING NEIGHBORS*



June 19, 2021

Sent via email

Re: LDF Testimony to the New York State Independent Redistricting Commission’s Long Island Hearing

Dear Chair Imamura, Vice Chair Martins, and members of the New York State Independent Redistricting Commission (the “Commission”):

The NAACP Legal Defense and Educational Fund, Inc. (“LDF”) writes to impress upon the Commission its affirmative obligation to ensure compliance with Section 2 of the Voting Rights Act and to urge the Commission to be especially vigilant in combatting racial vote dilution on Long Island.

I. The Commission Has an Affirmative Obligation to Ensure Compliance with Section 2 of the Voting Rights Act and Other Federal Redistricting Requirements

The Commission has an affirmative obligation to ensure that all district maps comply with Section 2 of the Voting Rights Act (“Section 2”) as well as other requirements under the U.S. Constitution, including the “one person, one vote” requirement of the Constitution’s Equal Protection Clause.¹ Section 2 of the Voting Rights Act requires the Redistricting Commission to ensure that voters of color have an equal opportunity “to participate in the political process and elect candidates of their choice,” taking into consideration the state or locality’s demographics, voting patterns, and other circumstances. *See Thornburg v. Gingles*, 478 U.S. 30, 34 (1986).

The U.S. Supreme Court has explained that the body charged with responsibility for redistricting may violate Section 2 if it adopts a district map that unnecessarily dilutes the voting power of voters of color. A district map is

¹ The U.S. Supreme Court has held that the population of districts (except for U.S. Congress) must have deviations within plus or minus five percent to be consistent with the one-person, one-vote doctrine under the Equal Protection clause and that district maps for U.S. Congress must have equal population “as nearly as practicable.” *See Brown v. Thomson*, 462 U.S. 835, 842 (1983) (holding that apportionment plans with a maximum population deviation under 10% are generally permissible, whereas disparities in excess of 10% most likely violate the “one person, one vote” principle); *Karcher v. Daggett*, 462 U.S. 725 (1983) (holding that congressional districts must be mathematically equal in population, unless a deviation from that standard is necessary to achieve a legitimate state objective).

dilutive in violation of Section 2 when the following preconditions are satisfied: (1) an alternative map can be drawn that includes a district in which the minority community is sufficiently large and geographically compact to constitute a majority in a single-member illustrative district (i.e., a majority-minority district could be created); (2) the minority group is cohesive in its support for its preferred candidates; and (3) in the absence of majority-minority districts, candidates preferred by the minority group would usually be defeated due to the political cohesion of non-minority voters for candidates not preferred by minority voters.² See *Gingles*, 478 U.S. at 47-52 (these three preconditions are referred to as the “*Gingles* preconditions”). After a plaintiff establishes the three *Gingles* preconditions, a “totality of circumstances” analysis is required to determine whether minority voters “have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice.” 52 U.S.C. § 10301(b); see also *LULAC v. Perry*, 548 U.S. 399, 425 (2006); *Gingles*, 478 U.S. 30.³ The Second Circuit has recognized that “it will be only the very unusual case in which the plaintiffs can establish the . . . *Gingles* factors but still have failed to establish a violation of § 2 under the totality of the circumstances.” See *N.A.A.C.P. v. City of Niagara Falls*, 65 F.3d 1002, 1020 (2d Cir. 1995).

II. The Commission Must Be Especially Vigilant in Combatting Racial Vote Dilution on Long Island

The Commission must be especially vigilant when drawing maps on Long Island in light of current and historical conditions that enhance the risk of racial vote dilution.

² The second and third conditions are commonly referred to as racial bloc or racially polarized voting.

³ Cf. *Pope v. Cty. of Albany*, 94 F. Supp. 3d 302, 317 n.13 (N.D.N.Y. 2015) (“‘Packing’ and ‘cracking’ refer to two ways in which minority votes can be diluted in the context of single-member districts. [D]ilution of racial minority group voting strength may be caused’ either ‘by the dispersal of blacks into districts in which they constitute an ineffective minority of voters or from the concentration of blacks into districts where they constitute an excessive majority.’ . . . The former constitutes ‘cracking’ and the latter, ‘packing.’”).

First, Long Island has a significant minority population that is at risk of being consistently outvoted by the majority white population: Nassau County's population is 155,145 Black, 229,280 Latino, 133,950 Asian and 817,865 white, and Suffolk County's population is 109,645 Black, 286,575 Latino, 59,335 Asian, and 1,007,170 white.⁴ Although both counties include significant communities of color, voters of color are still significantly outnumbered by white voters and are at risk of being shut out of the political process unless districts are drawn in which voters of color have an equal opportunity to elect candidates of their choice.⁵

Second, Long Island's voters of color are severely segregated. It has been widely reported that "segregation of [B]lacks and whites has been embedded on Long Island" and Long Island is "one of the most segregated suburbs in America" due to its history of redlining and racial steering.⁶ According to one analysis, Nassau and Suffolk Counties together exhibit the 11th highest level of Black/white residential segregation nationwide (out of 318 geographic areas measured).⁷ High levels of segregation are known to contribute to racial vote dilution. *See, e.g., N.A.A.C.P. Spring Valley Branch v. E. Ramapo Cent. Sch. Dist.*, 462 F. Supp. 3d 368, 408 (S.D.N.Y. 2020), *aff'd* 984 F.3d 213 (2d Cir. 2021); *United States v. City of Euclid*, 580 F. Supp. 2d 584, 606 (N.D. Ohio 2008).

Third, Long Island has been home to a number of lawsuits alleging racial vote dilution, several of which have resulted in court orders requiring local jurisdictions to alter election structures to address discrimination in elections. These cases have affirmed the existence of racially polarized voting throughout Long Island. For example:

⁴ *See* 2019 American Community Survey 5-Year Estimates, United States Census.

⁵ To prove a violation of Section 2, plaintiffs must prove, among other things, that "a bloc voting majority must usually be able to defeat candidates supported by a politically cohesive, geographically insular minority group," *Thornburg v. Gingles*, 478 U.S. 30, 31 (1986), a factor that is likely present in both Nassau and Suffolk Counties. *See, e.g., Flores v. Town of Islip*, No. 18-CV-3549, 2020 WL 6060982 (E.D.N.Y. Oct. 14, 2020); *Goosby v. Town of Hempstead*, 956 F. Supp. 326 (E.D.N.Y. 1997), *aff'd*, 180 F.3d 476 (2d Cir. 1999).

⁶ *See, e.g.,* Olivia Winslow, *Dividing Lines, Visible and Invisible*, *Newsday* (Nov. 17, 2019), <https://bit.ly/2Tch5ML>.

⁷ *See* CensusScope, Segregation: Dissimilarity Indices, <https://bit.ly/3ki46V4>.

NAACP Legal Defense and Education Fund

- In the Town of Islip in Suffolk County, a federal court recently approved a landmark consent decree replacing Islip’s at-large election structure for the Town Board with district-based elections in order to resolve alleged violations of Section 2 of the Voting Rights Act. *See Flores v. Town of Islip*, No. 18-CV-3549, 2020 WL 6060982 (E.D.N.Y. Oct. 14, 2020). The District Court found that all three *Gingles* preconditions were satisfied in that case.
- In the Town of Hempstead in Nassau County, a federal court found that the at-large structure of for Town Board elections violated Section 2 of the Voting Rights Act and ordered the implementation of district-based elections as a remedy for the unlawful election structure. *Goosby v. Town of Hempstead*, 956 F. Supp. 326 (E.D.N.Y. 1997), *aff’d*, 180 F.3d 476 (2d Cir. 1999).
- In 2003, a federal court determined that the Suffolk County Legislature violated the Voting Rights Act of 1965 by failing to redraw the county legislature map in a timely fashion, prompting ongoing judicial oversight of the redistricting process. *See Montano v. Suffolk Cty. Legislature*, 263 F. Supp. 2d 644, 646 (E.D.N.Y. 2003).

In light of these current and historical conditions, there is an enhanced risk of racial vote dilution on Long Island and it is critical that the Commission takes great care to ensure that Long Island’s voters of color are afforded an equal opportunity to elect candidates of their choice.

* * *

Please feel free to contact Michael Pernick at (917) 790-3597 or by email at mpernick@naacpldf.org with any questions or to discuss these issues in more detail. We also commend you to read ***Power on the Line(s): Making Redistricting Work for Us***,⁸ a guide for community partners and policy makers who intend to engage in the redistricting process at all levels of

⁸ See NAACP Legal Defense and Educational Fund, Inc., Mexican American Legal Defense and Educational Fund, and Asian Americans Advancing Justice | AAJC, *Power on the Line(s): Making Redistricting Work for Us*, (2021), <https://bit.ly/3ogg6pS>.

NAACP Legal Defense and Education Fund

government. The guide provides essential information about the redistricting process, such as examples of recent efforts to dilute the voting power of communities of color and considerations for avoiding such dilution. The guide includes clear, specific, and actionable steps that community members and policy makers can take to ensure that the voices of voters of color are heard in the redistricting process including by promoting community participation in public redistricting hearings, holding legislators accountable in the redistricting process, and notifying civil rights organizations like LDF, MALDEF, and Advancing Justice | AAJC if there becomes a need to challenge discriminatory redistricting in court.

Sincerely,

/s/ Michael Pernick

Michael Pernick, Redistricting Counsel
Stuart Nafieh, Manager of the Redistricting
Project
NAACP Legal Defense & Educational Fund,
Inc.
40 Rector Street, 5th Fl.
New York, NY 10006

NAACP Legal Defense and Educational Fund, Inc. (“LDF”)

Since its founding in 1940, LDF has used litigation, policy advocacy, public education, and community organizing strategies to achieve racial justice and equity in education, economic justice, political participation, and criminal justice. Throughout its history, LDF has worked to enforce and promote laws and policies that increase access to the electoral process and prohibit voter discrimination, intimidation, and suppression. LDF has been fully separate from the National Association for the Advancement of Colored People (“NAACP”) since 1957, though LDF was originally founded by the NAACP and shares its commitment to equal rights.

July 20, 2021

New York State Independent Redistricting Commission
Re: Gerrymandering

Dear David Imamura, Chair and Jack Martins, Vice Chair

In 2011, Senator Michael F. Nozzolio (R, Seneca County), Co-Chair of The New York State Legislative Task Force on Demographic Research and Reapportionment (LATFOR) stated that “The Constitution is an inconvenient truth.” As a voter, and person of color, I found Sen. Nozzolio’s epigraph unsettling. Especially coming from an elected representative, who was co-chairing a committee, which determined how every citizen and community will be represented at the state and federal levels of government.

On March 26, 2011, I rallied on Long Island to fight for independent fair redistricting. Today, New York follows Iowa (1998), Arizona (2000), California (2008), and Florida (2021) to live out the true meaning of “One person, One vote”. Let us continue to make progress in our elections. Let us put an end to partisan gerrymandering.

Sincerely yours,

Tammie S. Williams-Pittman, LMSW

[REDACTED]
Huntington, NY 11743

[REDACTED]

"Use your eyes to see the needs and use your talents to meet them."

**FW: Independent Redistricting Commission of New York State Statewide Public Hearing
8.15.21 3pm**Ahsia Badi <badia@nyirc.gov>

Tue 8/10/2021 7:32 AM

To: Submissions <submissions@nyirc.gov>

From: Tammie Williams [REDACTED]
Sent: Monday, August 9, 2021 9:52 PM
To: Ahsia Badi <badia@nyirc.gov>
Subject: Re: Independent Redistricting Commission of New York State Statewide Public Hearing 8.15.21 3pm

Elmont, NY(majority minority community) has 2 congressional members, 3 state Senators, 2 local county legislators, and 2 town council members for less than 10k homes. Gerrymandering.

Fair independent redistricting (mapping)...is needed.

Sincerely yours,

Tammie S. Williams-Pittman, LMSW

Phone: [REDACTED]

Email: [REDACTED]

"Use your eyes to see the needs and use your talents to meet them."

On Mon, Aug 9, 2021, 5:40 PM Ahsia Badi <badia@nyirc.gov> wrote:

The Independent Redistricting Commission of New York State will hold a virtual public hearing on August 15, 2021, at 3pm to seek comments from all New Yorkers. The Commission would appreciate your help in publicizing the meeting for your residents. They can sign up to participate in and stay updated about the process at our website: www.nyirc.gov

The Commission is eagerly seeking input from your community's residents as it embarks on this process. This includes, but is not limited to information such as:

- * How do residents feel about the current lines outlining their district?
- * What would residents like the IRC to know about their community of interest?

Participants will have up to three (3) minutes of speaking time, with no question or answer period. Residents are also invited to create their own maps using resources available on our website. The Commission invites residents to submit written comment as well through our website. All meetings will be recorded for future public record and will be livestreamed as they occur.

We urge your constituents to stay updated on this process by signing up at www.nyirc.gov and connecting with us on Twitter, Facebook, and YouTube.