

NASSAU COUNTY  
TEMPORARY DISTRICTING  
ADVISORY COMMISSION

\*\*\*\*\*

MEETING X

\*\*\*\*\*

FRANCIS X. MORONEY  
CHAIR

\*\*\*\*\*

Held at  
Nassau County Legislature  
1550 Franklin Avenue  
Mineola, New York

\*\*\*\*\*

Wednesday, November 16, 2022  
6:21 p.m.

TAKEN BY: KAREN LORENZO, OFFICIAL COURT REPORTER

A P P E A R A N C E S:

COMMISSIONERS:

FRANCIS X. MORONEY, CHAIRMAN

PETER BEE

JOHN J. REINHARDT

MAUREEN FITZGERALD

CHRISTOPHER DEVANE (absent)

ERIC MALLETT

\*\*\*

DAVID MEJIAS, VICE CHAIR

JARED KASSCHAU

ANDRENA WYATT (6:25 p.m.)

JAMES MAGIN, JR.

MICHAEL PERNICK

\*\*\*

EXECUTIVE DIRECTORS:

ELISABETTA COSCHIGNANO

RACHEL WHITMORE

\*\*\*

BOARD ATTORNEYS:

VINCENT MESSINA, ESQ.

PETER CLINES, ESQ.

A L S O A P P E A R E D :

DR. MAGLEBY, SUNY BINGHAMTON

PUBLIC COMMENT:

MR. LEWIS

MAYOR CAVALLARO

DEPUTY MAYOR JEFFERSON

MR. BERSE

MR. DOBRIN

MS. WALKER

MS. FLEISCHER

MR. BEHR

MS. BROWN

MS. PROPHET

MS. DAVIS

MR. QUINTANILLA

MS. MANTALBANO

MR. RUIS

MS. EPSTEIN

MS. JOHNSON

MR. BREWINGTON

MR. AMAZON

MS. CHASE

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MS. LAMBERTI  
MS. JACOBS  
MR. HODGES  
MS. RICHARDSON  
MS. BERRY  
REVEREND SALLEY  
MS. GRIFFITH  
MR. EDMENTON  
MS. LAWRENCE  
MS. RUSSEL  
MS. MCNAIR  
MR. BOITEL  
MS. MAYNARD  
MS. HICKS  
MR. VATTAMALA  
MS. BELL  
MS. COADS  
MR. ALEXANDER  
MS. ORTIZ  
MS. PIERRE JOHNSON  
MS. DEMOSTHEINES  
MS. TERRELOUNGUE  
MS. NICKS (TEAMS)

AGENDA

1. Open meeting - Pledge of Allegiance
2. Chairman's Statement
3. Introduction of the Commissioner's
4. Public Statement
5. Other Business

1  
2 CHAIRMAN MORONEY: Ladies and  
3 gentlemen, if I could have your  
4 attention. We are going to start off  
5 with the Pledge of Allegiance.

6 (Whereupon, the Pledge of  
7 Allegiance is recited.)

8 CHAIRMAN MORONEY: Ladies and  
9 gentlemen, we're going to start if you  
10 want to sign up. There's a sign up place  
11 over here (indicating). We now have over  
12 50 people we're looking to hear. We have  
13 the three minute rule, and that means  
14 that in three minutes, you'll see the  
15 clock up front, we're going to tell you  
16 to wrap up what you're saying. We're  
17 going to be firm about it and we're not  
18 going to spend a lot of time with back  
19 talk. There's a lot of people here.  
20 Everybody has an opinion. There's a lot  
21 of new faces here, which is a good thing  
22 to see. A lot of old faces here. And it's  
23 always pleasant to see people that you  
24 know. So please bear with us. We'll get  
25 this going and get it done as fast as we

1  
2 can. But please cooperate with the rule.  
3 All right. Thank you so much.

4 COMMISSIONER MEJIAS: Was that on  
5 the three minute rule?

6 CHAIRMAN MORONEY: Yes.

7 COMMISSIONER MEJIAS: You know, just  
8 I just want to make it clear to the  
9 audience. We did have a discussion  
10 earlier today, myself and Chairman  
11 Moroney. So far, we have over 40 people  
12 that have submitted their names to speak  
13 before the Commission. We want to make  
14 sure that the 37, 38, 39th and 40th  
15 person has their voice heard as well.  
16 We're going to try and stick to the three  
17 minute rule as much as possible today.  
18 If you can think about your comments  
19 while you're sitting there and be as  
20 concise as possible, because there are a  
21 lot of people that are away from their  
22 families tonight that would love to put  
23 their kids to bed. But, you know, they're  
24 going to be the 40th or 45th person  
25 speaking tonight, late in the evening. We

1  
2 want to hear from all of you. And we just  
3 want to be respectful of everybody's  
4 time.

5 So I want to thank the chairman for  
6 calling me today to make sure that we do  
7 move this along and that everybody gets  
8 their chance to speak. So thank you.

9 CHAIRMAN MORONEY: Thank you.

10 Mr. Clerk, would you take the roll?

11 CLERK PULITZER: Thank you,  
12 Chairman.

13 We are going to have the roll call  
14 of the commissioners. Please signify by  
15 saying here or present.

16 Commissioner Peter Bee.

17 COMMISSIONER BEE: Here.

18 CLERK PULITZER: Commissioner John  
19 J. Reinhardt.

20 COMMISSIONER REINHARDT: Here.

21 CLERK PULITZER: Commissioner  
22 Maureen Fitzgerald.

23 COMMISSIONER FITZGERALD: Here.

24 CLERK PULITZER: Commissioner  
25 Christopher Devane.



(Whereupon, no response.)

CLERK PULITZER: Commissioner Eric  
Mallette.

COMMISSIONER MALLETTE: Here.

CLERK PULITZER: Commissioner David  
Mejias.

COMMISSIONER MEJIAS: Present.

CLERK PULITZER: Commissioner Jared  
Kasschau.

COMMISSIONER KASSCHAU: Present.

CLERK PULITZER: Commissioner  
Andrena Wyatt.

(Whereupon, no verbal  
response.)

COMMISSIONER MEJIAS: She'll be here  
in a few minutes.

CLERK PULITZER: Commissioner James  
Magin, Jr.

COMMISSIONER MAGIN: Present.

CLERK PULITZER: Commissioner  
Michael Pernick.

COMMISSIONER PERNICK: Present.

CLERK PULITZER: Chairman Francis X.  
Moroney.

1  
2 CHAIRMAN MORONEY: Present.

3 CLERK PULITZER: We have a quorum,  
4 sir.

5 CHAIRMAN MORONEY: So now I'm going  
6 to start over again. Good evening. First  
7 off, welcome to this hearing. This is the  
8 10th hearing that we've had since we  
9 started this process back on August 31st.  
10 It's good to see a lot of people in here.  
11 It's good to see a lot of people who have  
12 interest in their communities. There are  
13 multiple people who are from different  
14 communities who have great opinions about  
15 what should be done and what shouldn't be  
16 done.

17 You have in front of you some maps,  
18 you are welcome to look at them. This is  
19 a hearing on those maps. And there will  
20 be questions and answers perhaps back and  
21 forth during the course of it. But we  
22 still are going to adhere to the three  
23 minute rule.

24 The Commission consists of 11  
25 members with one non voting chairman

1  
2 being appointed by the County Executive.  
3 There are five members appointed by the  
4 Presiding Officer and five members  
5 appointed by the Minority Leader. The  
6 Commission permits but does not require  
7 public hearings. The prior apportionment  
8 processes established that tradition with  
9 permissive hearings and meetings and they  
10 have been held that way ever since,  
11 including this one.

12 The County Legislature allocated  
13 \$985,000 to the work of this Commission.  
14 The allocation is divided equally between  
15 the commissioners appointed by the  
16 Presiding Officer and the Minority  
17 Leader. However, a portion of that money  
18 is set aside to pay for stenographic  
19 services, American sign language  
20 interpreters, non-English speaking  
21 interpreters and those are shared funds.

22 Each delegation of appointees  
23 divides the balance to the needed mapping  
24 technology, software and hiring experts,  
25 counsel and other staff they deem

1  
2 necessary for developing the map or maps.

3 The Commission must comply with both  
4 Federal and State law. The proceedings  
5 must be fair and transparent to the  
6 public. After tonight, the maps will be  
7 turned over to the to the Legislature.  
8 Likewise, all transcripts and public  
9 comment that have been generated will  
10 also be sent over.

11 In addition to all items that are  
12 not included in the record, they may also  
13 be delivered to the County Legislature to  
14 the Clerk for inclusion and to the  
15 submission to the County Legislature.

16 The County Legislature may reject,  
17 adopt, revise or amend the redistricting  
18 plan or plans recommended by the  
19 Temporary Districting Advisory Commission  
20 or adopt any other redistricting plan  
21 which meets all Constitutional, Federal  
22 and State statutory requirements.

23 In order to achieve transparency,  
24 all meetings and hearings are streamed  
25 publicly and over the Internet, and the

1  
2 Legislative Clerk will be the repository  
3 of the documents.

4 Further, commission will stream the  
5 hearings and keep a record until December  
6 1st, 2022. That means by that date, if  
7 you have a submission, please send it in  
8 to the Clerk's Office and it will be  
9 included in the transmission to the  
10 Legislature. Nonetheless, if you send  
11 something in after the first, it will  
12 likewise be transferred over to the  
13 Legislature, although it wouldn't be part  
14 of the official record.

15 In preparation for this hearing  
16 today, Notice of this meeting and others  
17 was sent to the following:

18 The Office of the County Executive;  
19 All county legislators; members of the  
20 Minority Commission Delegation; Members  
21 of the Majority Commission Delegation;  
22 Nassau County League of Women Voters;  
23 City of Glen Cove; The City of Long  
24 Beach; The Town of Hempstead; The Town of  
25 North Hempstead; The Town of Oyster Bay;

1  
2 22 Villages in the town of Hempstead; 30  
3 villages in the town of North Hempstead;  
4 16 villages in the town of Oyster Bay, 55  
5 Libraries, 57 school districts, 67 civic  
6 associations, 50 chambers of commerce,  
7 and 150 news and media outlets that serve  
8 Nassau County.

9 The public may send any written  
10 requests to this Commission at 1550  
11 Franklin Avenue, Mineola, New York, or  
12 the e-mail of the Commission, which is on  
13 the on the Internet today.

14 Mr. Mejias.

15 COMMISSIONER MEJIAS: Thank you, Mr.  
16 Chairman. We do have a PowerPoint. It  
17 should be uploaded if you could see them  
18 on the screens. Slide one.

19 (Whereupon, a PowerPoint  
20 presentation is displayed and  
21 referred to by Mr. Mejias.)

22 COMMISSIONER MEJIAS: Based on  
23 public comment, the Democratic Delegation  
24 has prepared an additional proposed map,  
25 which is extremely similar to the map we

1  
2 submitted to the public on November 10th.  
3 But with just a few tweaks. We base that  
4 on public comment and I'll let  
5 Commissioner Pernick explain those tweaks  
6 later on this evening.

7 But before we address that, I have  
8 some comments about this process and the  
9 illegal Republican map, and I know my  
10 colleagues have some introductory remarks  
11 as well.

12 We also have Dr. Magleby here with  
13 us today who will speak to the analysis  
14 that he performed. Next slide.

15 Okay. So anyone who has attended any  
16 of the hearings is well aware of the  
17 grave deficiencies in transparency  
18 throughout this process. The lack of  
19 transparency and one sidedness by the  
20 Republican commissioners has been  
21 designed to suppress the public  
22 participation and prevent bipartisan  
23 negotiation. From day one, the Democratic  
24 commissioners have been committed to  
25 transparency and a fair process. That's

1  
2 why we offered a series of resolutions  
3 and motions regarding transparency, and  
4 each one of them were rejected.

5 We offered resolutions on public  
6 hearings, having more public hearings on  
7 transparency, on how staff was retained,  
8 what experts were going to be retained,  
9 who our outside counsel would be and  
10 other consultants so that we would each  
11 disclose them to each other so that we  
12 knew who they were.

13 Our resolution to work  
14 collaboratively on scheduling commission  
15 meetings was voted down. Also, we  
16 submitted a proposal for the prohibition  
17 of partisan data to be used in our  
18 mapmaking, which is the law, by the way,  
19 and that was voted down by the Republican  
20 commissioners.

21 We submitted a resolution regarding  
22 posting of relevant redistricting  
23 materials on the County website, that was  
24 voted down by the Republican  
25 commissioners. We asked for timely



1  
2 publication of maps. Our maps were  
3 introduced to the public November 10th.  
4 For the first time. It has been a mere  
5 six days since that time. Not nearly  
6 enough time for the public to digest the  
7 maps and see exactly how they were drawn  
8 and how it would affect them. As well,  
9 in a vain and desperate attempt to come  
10 to some sort of consensus, we asked for  
11 at least two weeks to review the draft  
12 maps. Commissioner Kasschau requested  
13 that the Republican commissioners agree  
14 to release the maps at least one week in  
15 advance of any commission vote. The best  
16 we can do was six days. Next slide.

17 We have a few final concerns about  
18 the transparency and the refusal by the  
19 Republicans to engage in a bipartisan  
20 manner. There were misleading and  
21 deficient hearing notices. Today's  
22 hearing was supposed to be a hybrid  
23 hearing allowing people to testify in  
24 person or remotely. The notice that was  
25 circulated even says that the hearing

1  
2 will be held in person and remotely. But  
3 the link for the remote participation was  
4 not posted until this afternoon, and no  
5 instructions have been provided to the  
6 public as to how to sign up to testify  
7 remotely.

8 Restrictions on public comment: The  
9 Republican commissioners are refusing to  
10 permit public comment at our final  
11 hearing, where we will be voting on  
12 whether or not to send these maps to the  
13 Legislature. Even though this Commission  
14 may develop new proposals over the next  
15 few days, the public will have zero  
16 opportunity to testify to the Commission  
17 about those proposals, and that's just  
18 wrong.

19 Secrecy of outside consultants and  
20 experts: The Republican commissioners  
21 kept the identity of their demographic  
22 consultant a secret until the absolute  
23 last minute. We asked them over and over  
24 again to disclose who was drawing maps,  
25 and they even agreed to provide that

1  
2 information, but they never did. We found  
3 out that they had hired David Schaefer to  
4 draw their maps only last week. It now  
5 makes sense why they kept this private.  
6 Mr. Schaefer has a long track record of  
7 bias and ties to the Republican Party. He  
8 was hired by the Republican controlled  
9 Town Council. The Republican leadership  
10 in Suffolk County hired him to perform  
11 redistricting work exclusively for the  
12 Republican delegation. The Republican  
13 controlled Town of Brookhaven hired him.  
14 The state Senate Republicans hired him.  
15 The Republican Nassau TDAC Commissioners,  
16 the Republican members of this very body  
17 hired him in 2013. He also helped develop  
18 the legislative map that currently  
19 exists. And we also know that Mr.  
20 Schaefer's work has been criticized for  
21 its partisanship. His work in Sullivan  
22 County was characterized as follows:  
23 John Conway, the historian for Sullivan  
24 County, also shares his disappointment  
25 with the process: "I cannot believe the

1  
2 process used to derive this map, or the  
3 map itself was your best work. I know  
4 you're better than that". Conway went on  
5 to say, "Whatever the motivation was, the  
6 map gives the impression that there was a  
7 clumsy attempt to gerrymander the  
8 districts. It has the appearance of  
9 impropriety".

10 In July 18, 2014 article. The record  
11 online *Times Herald-Record* said, "Redrawn  
12 Sullivan County District lines approve,  
13 but there's a backlash. The people spoke  
14 out".

15 There are gross deficiencies with  
16 the TDAC website. We have been raising  
17 concerns throughout this process of the  
18 gross deficiencies in the TDAC website,  
19 but the latest deficiency is perhaps the  
20 most disturbing. The official TDAC  
21 website fails to give the public the  
22 necessary information about the maps that  
23 are actually being proposed and discussed  
24 today. This is the one opportunity for  
25 members of the public to testify about

1  
2 the maps. But the Republicans have denied  
3 the public any of the information  
4 necessary to actually offer comment. When  
5 we provided our proposed maps to the  
6 Republican delegation, we provided  
7 multiple image files, including the file  
8 showing streets and communities as well a  
9 block equivalent equivalency file  
10 shapefile and data tables. The  
11 Republicans eventually did send that  
12 similar information to us, but none of it  
13 is on the website. Until this afternoon,  
14 none of the information was ever posted  
15 on the official website. All that was  
16 ever posted on the website are image  
17 files with no detail and no ability to  
18 actually understand the configuration of  
19 the districts.

20 Even now, there are huge gaps in the  
21 information posted. There's no backup  
22 data posted for the Republican map, and  
23 the crucial shapefiles are missing for  
24 the Democratic map. We all know that  
25 their proposal is blatantly illegal, so

1  
2 it is unsurprising that they are trying  
3 to shield the map from public view and  
4 have made it impossible for the public to  
5 understand why they are proposing what  
6 they are proposing. You cannot go to the  
7 County website and look up your block and  
8 see what district you live in under  
9 either map. That's just wrong. You're  
10 sitting here today waiting patiently to  
11 speak about a map, not even knowing where  
12 your street lies in it.

13 And what's even worse, before we  
14 vote on the map and after we go through  
15 and explain to you where there's  
16 different streets and blocks, even if we  
17 give you the information, you're not  
18 going to be allowed to speak at our next  
19 meeting. So we could make changes to the  
20 map and you can't say anything about it.  
21 And that's wrong also.

22 The Republicans also refused to  
23 participate in good faith partisan  
24 negotiations in the hopes of reaching a  
25 deal that could achieve consensus on the

1  
2 Commission. Last week, I reached out to  
3 our Chair and Commissioner Bee to invite  
4 them to work together to try to reach a  
5 bipartisan consensus. And I asked them if  
6 they had any specific comments on our  
7 map. They refused. Instead, Chairman  
8 Moroney, respectfully, without any basis,  
9 said that the Republican proposal is  
10 legal and ours is not, but didn't tell us  
11 why anybody on that side thought our map  
12 might not be legal.

13 I'd like to turn it over to my  
14 fellow commissioners to address our  
15 concerns with the Republican proposal,  
16 and Commissioner Pernick will now take  
17 over. But let me just say this. Everybody  
18 here has a stake in what happens here  
19 today. This is about equity, not  
20 necessarily not necessarily equality, but  
21 equity. This is about undoing decades of  
22 systematic institutional racism and  
23 segregation that have occurred here on  
24 Long Island.

25 In Nassau County, America's first

1  
2 suburb, all you need to do is look at the  
3 restrictive covenants that prohibited  
4 black families from owning the first  
5 Levitt houses. Clause 25 of the standard  
6 lease for the first Levitt houses said,  
7 they cannot be used or occupied by any  
8 person other than members of the  
9 Caucasian race.

10 The systematic discrimination and  
11 racism that has occurred in Long Island  
12 has led to Nassau County being the most  
13 segregated county in America. There are  
14 126 school districts on Long Island, 80%  
15 of African Americans go to 11 of. In  
16 those school districts, the population of  
17 white kids is less than 3%; 95% of white  
18 kids in Nassau County and on Long Island  
19 go to school where the population of  
20 African Americans is less than 1%.

21 There are intensely segregated  
22 districts as of the 2020 census and those  
23 11 districts out of 126 deserve fair  
24 representation. We are here to make sure  
25 that people in these communities, people



1  
2 of color, who have been segregated and  
3 discriminated against all these years  
4 have the representation that they deserve  
5 in government so that they can undo some  
6 of the things that have happened over  
7 decades in this county. We cannot ignore  
8 the fact. That the severe segregation and  
9 discrimination in Nassau County is a  
10 result of gerrymandered maps on the  
11 county and town level.

12 When I was a county legislator,  
13 there were two majority/minority  
14 districts. There are now -- in the last  
15 map, there were three. There's one thing  
16 that we know, and the data shows: There  
17 should be five, and there are only three.  
18 You have 3/5 of the representation that  
19 you deserve. Does that sound familiar? Is  
20 it? Right.

21 So we're going to go through a few  
22 reasons why our map is legal and some  
23 issues that we have with the Republican  
24 map. And I'm going to turn it over to  
25 someone who's far smarter than I am. Mr.

1  
2 Pernick.

3 COMMISSIONER PERNICK: Thank you  
4 very much, Commissioner. I think the  
5 framing that you offered to the attendees  
6 is absolutely right. This is an  
7 incredibly high stakes process. For the  
8 next ten years, we will all have to live  
9 with the map that emerges from this  
10 process. And ever since we received the  
11 Republican proposal five days ago, the  
12 commissioners, Democratic commissioners,  
13 we've looked at it closely. We've only  
14 had a few days with it. We've worked with  
15 expert consultants, some of the top  
16 experts, nonpartisan experts in the  
17 country to analyze this proposal and take  
18 a look at whether it complies with the  
19 law. Take a look at whether it comports  
20 with the requirements under Federal,  
21 State and Local Law, and it is clear that  
22 it does not. It fails in many, many ways.  
23 And I'm going to walk through those now  
24 so that everybody, the public, my fellow  
25 commissioners, are on notice and

1  
2 understand the severe defects in this  
3 plan.

4 First and most significantly, this  
5 plan is racially discriminatory. Full  
6 stop. It violates the Federal Voting  
7 Rights Act. It violates the John Lewis  
8 Voting Rights Act of New York because it  
9 unlawfully dilutes black and Latino  
10 voters. It violates the Equal Protection  
11 Clause of the United States Constitution  
12 as an unlawful racial gerrymander because  
13 it packs voters of color into District  
14 one with no justification. Let me say a  
15 little bit more about each of these  
16 points. Next slide, please.

17 So let's take a close look at what  
18 the outcomes are in the Republican  
19 proposal. Four districts where the black  
20 and Latino voting age population exceeds  
21 50%, just four. Zero other districts  
22 where black and Latino voters have any  
23 opportunity to elect a candidate of their  
24 choice. All four of those districts are  
25 bizarrely shaped and pack black and

1  
2 Latino voters with no justification. And  
3 the conclusion when you have a map like  
4 this in a county like Nassau, which we  
5 know is characterized by racially  
6 polarized voting, the conclusion is that  
7 you violate the Federal Voting Rights Act  
8 and you'll definitely violate the new  
9 State Voting Rights Act of New York.

10 In contrast, the Democratic proposal  
11 from November 10th and the second  
12 proposal that we released publicly  
13 yesterday offers five districts where the  
14 black and Latino communities will have an  
15 equal opportunity. That's what this is  
16 about, opportunity to participate and to  
17 elect candidates of their choice. Next  
18 slide, please.

19 We've also become concerned that  
20 this map is a racial gerrymander. A  
21 little bit of constitutional law for a  
22 moment: The equal protection clause of  
23 the United States Constitution prohibits  
24 racial gerrymandering, prohibits using  
25 race for the purpose of drawing district

1  
2 boundaries, if not justified by an  
3 important state interest like the Voting  
4 Rights Act. This was established very  
5 clearly in a 2017 Supreme Court opinion,  
6 Cooper V Harris. Next slide.

7 District one has all the hallmarks  
8 of racial gerrymander. The Republican  
9 proposal jacks up minority population  
10 adds more black voters, more Latino  
11 voters into this district without any  
12 basis. This district was already  
13 performing for candidates preferred by  
14 voters of color, and now it has been  
15 additionally packed even more than it  
16 was. This packing is not justified by any  
17 state interest. It's certainly not  
18 justified by the Voting Rights Act  
19 because the district was performing prior  
20 to this cycle. Next slide.

21 The Republican proposal is an  
22 extreme partisan gerrymander. It violates  
23 new provisions of the Municipal Home Rule  
24 Law that make it illegal for  
25 jurisdictions to engage in a partisan

1  
2 gerrymander, and it will entrench one  
3 party control in Nassau County for the  
4 next decade. We know this because we have  
5 done the analysis. We have done the  
6 analysis as required by the Court of  
7 Appeals in Harkenrider v Hochul and the  
8 political scientist and professor who has  
9 done this analysis for us, Dr. Magleby,  
10 is here with us tonight, and he will walk  
11 through his analysis in a few moments. So  
12 I won't say more about that and steal Dr.  
13 Mableby's thunder. Next slide, please.

14 I just said, I won't say more about  
15 it. So we can go on to the next slide.

16 The Republican proposal is  
17 characterized by bizarre, contorted  
18 districts. I think big poster boards of  
19 the maps are in the back. Take a look at  
20 them. See if they pass the eyeball test.  
21 See if they pass the requirement that  
22 districts should be in compact form as  
23 practicable. That's the law in New York  
24 state, folks. Take a look. Make a  
25 judgment. A judgment for yourself. Let's

1  
2 look at a few of these districts  
3 together. Next slide, please.

4 District 14. So this is a remarkably  
5 bizarre district. It starts in Stewart  
6 Manor and Garden City, it crosses into  
7 Coral Place and Westbury, then it slices  
8 through a sliver of Hicksville and  
9 ultimately connects to Bethpage. It  
10 covers three different towns, all three  
11 towns in Nassau County, in one district,  
12 all three towns. And when I asked the  
13 Republican demographer why he drew the  
14 map this way last week, he said, Well, I  
15 was trying to equalize population and  
16 respect the cores of the district, but he  
17 made no effort to draw a district that is  
18 more compact. Next slide, please.

19 If you zoom in on District 14,  
20 you'll see that District 14 connects the  
21 Westbury portion to the Hicksville sliver  
22 only through a tiny bit of the Northern  
23 State. But there's no entrances or exits  
24 on this part of the Northern State. So  
25 the only way to drive from the Westbury

1  
2 portion of the district to the Hicksville  
3 portion of the district is to, I don't  
4 know, get out of your car and cross the  
5 Northern State. Doesn't seem safe to me.  
6 You can always drive into other districts  
7 and then drive back into 14, but that  
8 defeats the point of contiguity. It  
9 defeats the point of having districts  
10 where you can get from one part of the  
11 district to another without having to  
12 cross into a different district. Next  
13 slide.

14 District 14 only connects Westbury  
15 and Garden City with a narrow strip of  
16 land along old Country Road. Connecting  
17 different communities with the tiniest of  
18 slivers, this is a hallmark of mal intent  
19 and redistricting. Next slide, please.

20 Let's turn to District two. This  
21 district starts in New Castle, crosses  
22 into Uniondale and East Meadow. It  
23 extends into Hempstead. It includes parts  
24 of Garden City South. It includes  
25 appendages that go out into West



1  
2 Hempstead, South Hempstead and Lakeview.  
3 It is a bizarre and highly irregular  
4 shape. And like 14, this district also  
5 crosses into all three towns in Nassau  
6 County. Next slide.

7 The only connection between New  
8 Castle portion of the district and the  
9 Uniondale portion is a tiny three block  
10 intrusion into Salisbury. It's otherwise  
11 splitting a whole community with this  
12 intrusion for no reason other than to  
13 connect these two different communities  
14 into a single district. Next slide.

15 Let's talk about District three.  
16 This district connects South Floral Park  
17 and Elmont, portions of Elmont, portions  
18 of North Valley stream down to Inwood,  
19 fracturing the five towns. Next slide.  
20 This bizarrely shaped district also is  
21 not connected by any road. The only way  
22 to travel from one part of the district  
23 to another is to cross a creek and then  
24 across the golf course. So I don't know  
25 how you would travel from one part of the

1  
2 district to the other. I don't think you  
3 can without going into Queens or going  
4 into other districts.

5 COMMISSIONER MEJIAS: Or having a  
6 caddy.

7 COMMISSIONER PERNICK: Or having and  
8 a canoe. Next slide.

9 District nine is another remarkably  
10 bizarrely shaped district that slices  
11 through Searingtown, Roslyn Heights, to  
12 connect communities like Plandome and  
13 Munsey Park up in the northern part of  
14 the town, down to communities like  
15 Williston Park, East Williston and  
16 Mineola in the southern part of the town.  
17 No justification for these bizarre  
18 districts and no effort to draw a more  
19 compact shape as required by the  
20 municipal home rule law. Next slide.

21 It's not just the eyeball test. The  
22 numbers show this, too. We've looked at  
23 these objective measures of compactness  
24 and confirm that across multiple  
25 measures, if you look at the districts,

1  
2 means the least compact, the most  
3 compact, the data supports this  
4 conclusion that the Republican map is a  
5 severely un-compact map that has no  
6 business being our method of electing  
7 county legislators. Next slide.

8 The Republican map devastates,  
9 devastates communities of interest across  
10 our county, and it totally ignores the  
11 Municipal Home Rule Law's requirement to  
12 consider pre-existing political  
13 subdivisions, including cities, villages,  
14 towns and communities of interest. Now, I  
15 will say there's a requirement under the  
16 municipal home rule law that small  
17 villages, villages that are less than 40%  
18 the population of a district need to be  
19 kept whole. And they do that. We do that.  
20 But there's also a requirement that you  
21 consider other political subdivisions,  
22 other communities of interest, and their  
23 map totally ignores that. Let's look at a  
24 few examples. Next slide.

25 The Republican proposal cracks Asian

1  
2 communities in New Hyde Park and Garden  
3 City Park into District nine and places  
4 Asian communities in North New Hyde Park,  
5 Manhasset Hills and Herricks into  
6 District ten, slicing this incredibly  
7 important Asian community in North  
8 Hempstead right down the middle so that  
9 voters in this community have no  
10 opportunity to influence the outcome of  
11 elections and elect candidates of their  
12 choice. Next slide.

13 COMMISSIONER MEJIAS: I just want to  
14 point out that this District nine, which  
15 is one of the most bizarrely shaped  
16 districts in the Republican map, is where  
17 the Presiding Officer lives. Who's going  
18 to control the entire redistricting  
19 process in the Nassau County Legislature  
20 and he's the one that's going to decide  
21 what these maps look like. And  
22 coincidentally, he's got a very nice  
23 district for himself. So if you're  
24 wondering if the system is rigged, I'll  
25 just leave it up to you to determine

1  
2 that.

3 COMMISSIONER PERNICK: Now we know  
4 it's possible to do better because we  
5 have done better. And our map, we have  
6 what's called an Asian influenced  
7 district, a district in which Asian  
8 voters are unified and have an  
9 opportunity to elect candidates of their  
10 choice. This is an incredibly important  
11 step and long overdue, especially given  
12 the significant rise in Asian population  
13 here in Nassau County. And it also may  
14 give rise to another violation of law  
15 under the New York Voting Rights Act for  
16 discrimination against Asian voters and  
17 the ability of Asian voters to elect  
18 candidates of their choice. Next slide.

19 The Village of Hempstead, the  
20 largest village in the country, an  
21 important community, has been cracked in  
22 half. Our map unifies it in a single  
23 district. Next slide.

24 The Five Towns. An incredibly  
25 important community here in Nassau

1  
2 County, has been splintered into four  
3 different districts, rendering the Five  
4 Towns residents unable to elect any  
5 candidates of their choice and  
6 splintering that community across four  
7 different districts. We know it's  
8 possible to do better because we did do  
9 better. Our proposal unifies all of the  
10 Five Towns into a single district.  
11 Responding to significant public  
12 testimony in that point. Next slide.

13 Freeport. I live right next to  
14 Freeport. I spend a lot of time in  
15 Freeport, an incredibly diverse and  
16 important community here in Nassau County  
17 that has long been fractured and cracked.  
18 The Republican map perpetuates that  
19 mistreatment of Freeport, cracking it  
20 into four different districts. And  
21 cracking it with bizarre shapes that  
22 weave in and out of blocks. Our map  
23 unifies Freeport in two districts. Next  
24 slide.

25 Lakeview. The Republican proposal

1  
2 splits Lakeview into three different  
3 districts. We know it's possible to do  
4 better. We know it's possible to do  
5 better. Our map unifies Lakeview in a  
6 single district. The fracturing of  
7 Lakeview, which has long been a community  
8 that's been mistreated and underserved  
9 and neglected. It's long overdue that we  
10 do better. It's long overdue that we do  
11 better. So we've shown that it's possible  
12 to do better. Next slide.

13 South Hempstead. South Hempstead is  
14 a small community, but for some reason  
15 it's cracked in the Republican map into  
16 three different districts. We've unified  
17 it into one Next slide.

18 Woodbury, Syosset. Important  
19 communities that share a school district  
20 that share a clear community of interest  
21 based on testimony that we received.  
22 Both Woodbury and Syosset are sliced down  
23 the middle. In the Republican plan, we  
24 unify Woodbury and Syosset into a single  
25 district. Next slide.

1  
2 Plainview, old Bethpage. The  
3 Republican proposal splits Plainview, Old  
4 Bethpage into three different districts.  
5 We can do better. Plainview Old Bethpage  
6 is a school district. We know it's a  
7 community of interest. We've unified this  
8 community of interest into a single  
9 district. Next slide.

10 Westbury and New Castle. Westbury  
11 and New Castle, and the Republican  
12 proposal has been sliced in half.  
13 Westbury in one district, New Castle and  
14 another. We think that's unacceptable.  
15 And we know that we can do better. Our  
16 proposal unifies Westbury and New Castle  
17 into a single district. Next slide.

18 So this is just the tip of the  
19 iceberg. We've only had a few days. We've  
20 been asking for weeks, months to have  
21 these maps be public, to get public  
22 input. We've done the best that we can in  
23 a few days to highlight some of our  
24 concerns with the map, some of the  
25 reasons why we believe our map is better.



1  
2 This is just the tip of the iceberg. But  
3 I am eager to hear comments from you all,  
4 and I hope that we can do better than  
5 this Republican proposal.

6 COMMISSIONER MEJIAS: Commissioner  
7 Kasschau.

8 COMMISSIONER KASSCHAU: Thank you,  
9 Mr. Chairman. I'll be brief.

10 So at the top of our meeting this  
11 evening, Chairman Moroney mentioned that  
12 one of the obligations that we all as  
13 commissioners must abide by, is that any  
14 map that we introduce must be legal. And  
15 that's under the Charter. It's under  
16 Section 113, subdivision two of the  
17 Charter. And as a former county attorney  
18 of this county, it gives me great pause  
19 and it should give the same pause and  
20 concern to all of you that if we were to  
21 pass or adopt a map that's illegal, this  
22 county is highly likely to be subject to  
23 litigation. That is going to be extremely  
24 costly, many millions of dollars. And to  
25 the extent that as things typically shake

1  
2 out in county in terms of litigation, you  
3 could see an instance where not only is  
4 the Minority Caucus represented by  
5 counsel, but so is the Majority Caucus  
6 and so is the County Executive. So the  
7 legal bills will be running fast and  
8 quick.

9 Now, here's the most concerning part  
10 to me: To the extent that the county  
11 loses a lawsuit, the prevailing party  
12 would be entitled to attorneys fees. So  
13 not only would we be paying for all of  
14 those counsels, but we'd also be paying  
15 for potentially the plaintiffs counsel's  
16 fees as well. So I just want to caution  
17 all of us before we propose and vote on  
18 any map, that we have a obligation to  
19 make sure that the map that we vote on is  
20 legal.

21 Now, we've heard un rebutted expert  
22 testimony from two folks who are foremost  
23 experts in the field that the map that  
24 you're currently proposing is illegal.  
25 It's illegal under the Voting Rights Act,

1  
2 it's illegal under the John Lewis Act,  
3 and it's represents an illegal partisan  
4 gerrymander under the municipal home rule  
5 law.

6 So that being said, I think we all  
7 need to make sure that we are confident  
8 that the map that we propose to the  
9 legislature -- because we don't want to  
10 put the legislature in a bad position --  
11 is legal.

12 COMMISSIONER MEJIAS: So let me just  
13 say, our charter requires that this  
14 Commission submit only legal maps to the  
15 Legislature. So I want to put my  
16 Republican colleagues and Republican  
17 commissioners and the entire Nassau  
18 County Legislature and County Executive  
19 Blakeman on very clear notice. You're on  
20 notice that the fee shifting provisions  
21 of the Federal and State Voting Rights  
22 Law, both the Federal Voting Rights Act,  
23 52 USC Section 10310 Sub E and the New  
24 York Voting Rights Act, New York Election  
25 Law Section 17-208 Empower the prevailing

1  
2 plaintiffs to collect attorney's fees and  
3 costs in voting rights litigation. The  
4 County, therefore, you, the Nassau County  
5 taxpayers, will be on the hook for  
6 potentially millions of dollars in fees  
7 and expenses. All because the Republicans  
8 acted in a willful disregard of the  
9 expressed legal standards in the Federal  
10 and State law and denied the voting  
11 rights of Nassau County voters. It is  
12 grossly irresponsible to expose the  
13 County to such risk for no other purpose  
14 than partisan advantage.

15 So we are all on notice here. The  
16 Republican maps are illegal. Most  
17 likely, from what my understanding is,  
18 the Republicans in the Legislature are  
19 going to tweak this map and vote on a  
20 similar map that will be illegal and the  
21 taxpayers are going to be on the hook for  
22 millions of dollars. I've asked one of my  
23 commissioners, Jim, Megan, to take a  
24 closer look at the Republican proposal.  
25 And Jim, what did you come up with?

1  
2 COMMISSIONER MAGIN: So I took a  
3 close look at the Republican proposal and  
4 I want to emphasize how severely  
5 gerrymandered their map is. In the slide  
6 deck, we highlight two of the objective  
7 measures used to evaluate how compact the  
8 district is, Reoch and Polsby-Popper.  
9 These objective mathematical measures of  
10 compactness are widely accepted by  
11 experts.

12 The Reoch compactness score is  
13 computed by dividing the area of the  
14 voting district by the area of the  
15 smallest circle that would completely  
16 enclose it. Since the circle encloses the  
17 district, its area cannot be less than  
18 that of the district, so the Reoch  
19 compactness score will always be a number  
20 between zero and one. And the closer that  
21 number is to one, the more compact the  
22 district is. It's a better score.

23 Polsby-Popper compactness score is  
24 another way to measure compactness.  
25 Polsby-Popper measure is calculated based

1  
2 on the ratio of a district's area to its  
3 perimeter. Like Reoch, Polsby-Popper  
4 scores range from 0 to 1, where zero is  
5 the least compact and one is the most  
6 compact. Based on one or both of these  
7 measures, the least compact districts in  
8 Republican proposal are districts two,  
9 four, five, seven, nine, 14, 16 and 19.  
10 All eight of these districts are less  
11 compact than the least compact district  
12 in our proposal, based on at least one of  
13 these measures.

14 The bizarre shapes of the Republican  
15 proposal fails the eyeball test. And I  
16 know that's been mentioned by my other  
17 commissioners here. And if you just look  
18 at the map, it's plain to the eye. This  
19 is an important red flag that the map  
20 that was proposed was drawn for bad  
21 purposes. It should raise severe concerns  
22 for everybody in this room and everybody  
23 in this county. And I just wanted to get  
24 that on the record. Thank you.

25 COMMISSIONER MEJIAS: Andrena Wyatt.

1  
2 COMMISSIONER WYATT: Thank you,  
3 Commissioner.

4 I was sitting here just jotting down  
5 my thoughts. And I wonder if anyone in  
6 the room, because most of you were here  
7 and you were part of the entire process.  
8 And from the beginning of this process,  
9 every time members of the public spoke or  
10 myself or my fellow commissioners and we  
11 raised racial justice concerns about the  
12 2013 map, Chairman Moroney and  
13 Commissioner Bee have said that we  
14 shouldn't be worried because that map  
15 will be updated. Anyone recall that who  
16 was here?

17 (Whereupon, audience members  
18 respond.)

19 COMMISSIONER WYATT: Exactly. Yet  
20 the Republican proposal takes everything  
21 that is unjust and racially  
22 discriminatory about the current map and  
23 tries to lock it in place for the next  
24 ten years. Ten years. Even though Nassau  
25 County is only 57% white, the Republican

1  
2 proposal maintains a white majority in 15  
3 of the 19 legislative districts, that's  
4 79%. It packs most black and Latino  
5 voters into just four districts and  
6 cracks the remaining black and Latino  
7 communities and to other districts.

8 I think by now that we can all agree  
9 that the Republican proposal is offensive  
10 and outrageous and should not be  
11 accepted.

12 COMMISSIONER MEJIAS: Thank you,  
13 Commissioner. And thank you, everybody,  
14 for your time. I know some of this stuff  
15 is very technical, but we have to do this  
16 analysis and to make sure that it's  
17 legal. We've done it on our side and  
18 it's been as nonpartisan as possible.

19 I'm going to now ask Professor  
20 Magleby to share an overview of his  
21 analysis and findings --

22 CHAIRMAN MORONEY: One second,  
23 please. Are you are you calling on him to  
24 testify right now? Did you want to  
25 comment on what you said up to now?



1  
2 COMMISSIONER MEJIAS: It's up to  
3 you.

4 CHAIRMAN MORONEY: Okay. So just a  
5 couple of things. Doctor, you can sit  
6 down. You'll have plenty of opportunity  
7 and plenty of time.

8 Sounds terrible what they said,  
9 isn't it? It would if it was true. It  
10 would if it was true. We're here tonight  
11 at this meeting based upon an agreement  
12 that they entered into with us. We  
13 didn't.

14 (Whereupon, audience  
15 interruption.)

16 CHAIRMAN MORONEY: It is not a lie.  
17 It is not a lie. That's the facts. They  
18 signed off on it. They made the motion.

19 Now, let me tell you something else.  
20 Mr. Maher has said that I refuse to  
21 settle this matter. I sent him back a  
22 note saying, if you want to settle it,  
23 send me something. He didn't.

24 Now, let me just talk about the map  
25 that they're putting holding up to you

1  
2 right now. That arrived in my office 7:47  
3 p.m. last night. I saw it today for the  
4 first time. They ambush you. That's  
5 their job. That they're trying to paint  
6 a picture that doesn't exist. Let me just  
7 say one more thing. One more thing. One  
8 more thing. Words like malevolent are  
9 uncalled for.

10 (Whereupon, audience  
11 interruption.)

12 CHAIRMAN MORONEY: Please, please.  
13 You're going to get an opportunity to  
14 speak just as well.

15 (Whereupon, audience member,  
16 "we don't want to hear you".)

17 CHAIRMAN MORONEY: Well, it's too  
18 damn bad. So. So let me tell you  
19 something. Let me tell you something.  
20 This process, the furthest open situation  
21 that you have. With that, I'm going to  
22 turn it over to Mr. Bee.

23 COMMISSIONER BEE: Thank you, Mr.  
24 Chairman. I am going to try to avoid any  
25 kind of point by point rebuttal. I'm

1  
2 going to try to avoid hyperbole and  
3 drama.

4 (Whereupon, audience  
5 interruption.)

6 COMMISSIONER BEE: I said I am going  
7 to try to avoid point by point rebuttal  
8 and hyperbole and drama, but I would ask  
9 that I be allowed to speak uninterrupted,  
10 just as we allowed the Democratic  
11 delegation to speak uninterrupted. I  
12 think at least minimal civil courtesy  
13 should be extended to any speaker.

14 With that said, unsurprisingly,  
15 Republicans and Democrats have approached  
16 this process somewhat differently. From  
17 our point of view, a Democratically  
18 controlled assembly, a Democratically  
19 controlled Senate and a Democratic  
20 governor enacted a law that said  
21 redistricting shall be done in a  
22 particular manner, and they laid out not  
23 only how to do it, but they laid out the  
24 criteria and they prioritized the  
25 criteria. And the number one criteria,

1  
2 the command that overrides all others is  
3 to provide one person, one vote. That is,  
4 that each legislator should represent  
5 roughly the same number of people. So the  
6 first thing that you are commanded to do  
7 by the State Law and by Federal Law is to  
8 sit down and say, can you draw up  
9 districts in which each legislator  
10 represents approximately the same number  
11 of people? And there is a cap you can't  
12 vary by more than 5%. The map we  
13 proposed, as I recall from our experts  
14 testimony, had a total deviation of 1.8%.  
15 The original map prior to yesterday  
16 proposed by the Democrats had deviation  
17 of 4.4%. I do not know what the current  
18 deviation is of the map we got yesterday,  
19 but the point is that is under State Law,  
20 what you start with: Divide by equal  
21 population. And I think our map has a  
22 smaller deviation in population than does  
23 the democratic map.

24 The State Law also says that you are  
25 not to deny racial or language minority

1  
2 groups their participation in politics.  
3 We do not think that our map has done so.  
4 Our map.

5 (Whereupon, audience  
6 interruption.)

7 COMMISSIONER BEE: Our map has four  
8 districts that are referred to as  
9 majority/minority district. They include  
10 one district that is majority voting,  
11 age, black district, and three districts  
12 that have a so called black Hispanic  
13 coalition majority. Now, whether or not  
14 there really is a black Hispanic voting  
15 coalition has yet to be demonstrated in  
16 court for Nassau County. But for the  
17 moment, assuming that such a coalition  
18 existed, we have a total of four  
19 districts in which there is a majority of  
20 minority. The Democrats have proposed a  
21 higher number, but they have no district  
22 in their map, which is majority black.  
23 They have, I believe, six districts that  
24 have a majority of coalition black,  
25 Hispanic.

1  
2 Now, the same law also requires that  
3 districts be continued contiguous and  
4 compact, which largely both maps do. But  
5 it also says that you are not to favor or  
6 disfavor incumbents or any political  
7 party and you are to maintain, insofar as  
8 practicable, you are commanded to  
9 maintain and consider maintenance of the  
10 existing cores of existing districts. So  
11 the Democratic expert testified that he  
12 disregarded that and did not seek to  
13 maintain the cores of existing district.  
14 Our maps do so.

15 So those are some of the highlighted  
16 distinctions between the two maps. And I  
17 think whether or not I've changed  
18 anybody's mind, which I didn't expect to  
19 do, but I'd like to again be civilly  
20 heard and not interrupted and put those  
21 points on the record to highlight some of  
22 the distinctions between the Republican  
23 and Democratic proposed maps. Thank you.

24 CHAIRMAN MORONEY: John.

25 COMMISSONER REINHARDT: Thank you,

1  
2 Chairman.

3 After review of the map presented by  
4 the Democratic consultant at our last  
5 meeting and consultation with our mapping  
6 expert, the Republican commissioners  
7 offer the following analysis of the  
8 proposed plan by the Democratic  
9 commissioners:

10 Based on reports and the data  
11 produced by the consultants, we believe  
12 the plan is fatally flawed for two  
13 fundamental reasons:

14 One, it intentionally ignores  
15 aspects of Municipal Home Rule Law  
16 arbitrarily not based on law; and

17 Two, makes conclusions about the  
18 application of the Federal Voting Rights  
19 Act based on skewed assumptions.

20 Dr. Gall begins her proposal and her  
21 presentation by saying that her plan did  
22 not consider existing boundaries or cores  
23 of the districts drawn in 2013. This, on  
24 its surface, invalidates that plan. As  
25 Municipal Home Rule Law states the

1  
2 maintenance of cores of existing  
3 districts of preexisting political  
4 subdivisions, including cities, villages  
5 and towns, and of communities of interest  
6 shall be considered when drawing the map.

7 The Democratic plan also does not  
8 include a majority African-American  
9 district, even though that population is  
10 sufficiently large and geographically  
11 compact. This is a clear violation of the  
12 Federal Voting Rights Act. Based on these  
13 facts, the Democratic plan openly ignores  
14 State law, and we find it difficult to  
15 analyze further based on its unsound  
16 foundation.

17 The Democratic expert states that  
18 the 2013 legislative districts are and  
19 were when drawn illegal, therefore,  
20 eliminating the requirement to maintain  
21 the cores of those districts. This theory  
22 that these districts were illegal in 2013  
23 are illegal now, has no basis in statute  
24 or case law.

25 Another Democratic consultant on the



1  
2 basis of computer algorithm concludes the  
3 map that was in effect since 2013  
4 constitutes a partisan gerrymander.  
5 However, this interpretation is not  
6 commonly accepted and comes without  
7 measurable definition.

8 The 2013 map was never subject to a  
9 challenge in court. In fact, since the  
10 adoption of that map, both Republicans  
11 and Democrats have unseated incumbent  
12 legislators in races.

13 The Democrat consultant also  
14 concludes that African American and  
15 Hispanic populations are politically  
16 cohesive with each other. They arrive at  
17 this conclusion based on analysis of  
18 three county wide general elections that  
19 were recently held. Even if those three  
20 elections show cohesiveness, it does not  
21 indicate that race or ethnicity is the  
22 primary reason for this cohesiveness. It  
23 is possible and even more believable that  
24 African American and Hispanic populations  
25 tend to vote for their preferred

1  
2 candidate on a partisan ground rather  
3 than an ethnicity.

4 Historically, to eliminate the  
5 partisan element, primary elections would  
6 be used to take the variable out of the  
7 equation. Unfortunately, as we all know,  
8 there are not a lot of primaries on the  
9 Democratic side in these areas that could  
10 be used for analysis. Considering this,  
11 we find it unlikely that the second  
12 jingles precondition that the minority  
13 group is politically cohesive could not  
14 be proven in court. And even if it could,  
15 there still could be a conflict as it is  
16 possible to create a majority  
17 African-American district as was created  
18 in 2013. Thank you.

19 CHAIRMAN MORONEY: Mr. Pernick, you  
20 have something to say?

21 COMMISSIONER PERNICK: Yeah. Thank  
22 you, Mr. Chairman. I just need to correct  
23 the record on a few important points in  
24 response to my colleagues.

25 First, my colleague, Commissioner

1  
2 Bee, made the point that their map is  
3 better and should be taken and accepted  
4 over our map because the population  
5 deviation in their map is what, 1.9%? And  
6 in our November 10th proposal, it's under  
7 4% and our November 15th proposal, it's  
8 under 3% and the fact that they are under  
9 2% makes their map better and that is  
10 something that we failed to do. It ain't  
11 true.

12 Under Federal law. Under State law,  
13 the equal population requirement is very  
14 simple. You have a set boundary. If  
15 you're within the boundary, you're  
16 presumed to comply with the equal  
17 population requirement. If you're outside  
18 of the boundary, you're presumed in  
19 violation. It's classic cases from the  
20 United States Supreme Court. Go back to  
21 Reynolds V Sims, go back to Baker v Carr.  
22 These are basic cases that you read in  
23 your first or second year of law school  
24 talking about the right to vote. Talking  
25 about our Constitution. And you either

1  
2           comply with the equal population  
3           requirement or you don't. And what's  
4           worse is you don't get to say, oh, well,  
5           we're going to comply with the equal  
6           population requirement a little bit more  
7           than somebody else, but we're going to  
8           leave communities of color out to dry.  
9           We're going to structure a map that's a  
10          partisan gerrymander. You certainly don't  
11          get to do that.

12                 So I take issue, respectfully, with  
13          the contention that our map is somehow  
14          invalid because the deviation is about  
15          3.9%. By the way, that's a smaller  
16          deviation than the 2013 map that Nassau  
17          County adopted. A smaller deviation than  
18          we've had in this county for the last ten  
19          years. So it's simply not true.

20                 Second. There's been much ado about  
21          preserving the cores of the district's.  
22          Well, the cores of what district's? The  
23          cores of the illegal 2013 map. If you  
24          preserve the cores of an illegal map, you  
25          are infecting your new map with the same

1  
2           illegality. If a map was drawn with  
3           racially discriminatory effect or intent,  
4           if a map was drawn with a goal of biasing  
5           one party over the other of partisan  
6           bias, and you use that as your starting  
7           point, then your new maps going to be  
8           illegal. So of course, we didn't follow  
9           the cores. Of cores we didn't follow the  
10          course of the current map, because if we  
11          did, we would be doing exactly what your  
12          map does. We would be adopting and  
13          proposing an illegal map.

14               And what's more, not only do my  
15          Republican colleagues, not only do they  
16          respect the cores, they respect the  
17          course over every other consideration,  
18          including considerations that are  
19          supposed to be a higher priority under  
20          the Municipal Home Rule Law. They  
21          prioritize preserving the core of an  
22          illegal map over racial justice, over  
23          ensuring that communities of color have  
24          an opportunity to elect candidates of  
25          their choice. They prioritize preserving

1  
2 the cores over compactness, having  
3 districts that are not bizarrely shaped.  
4 They prioritize preserving the cores over  
5 respecting political subdivisions and  
6 villages and town boundaries. They  
7 prioritize preserving the cores over  
8 respecting communities of interest. None  
9 of those requirements are less important  
10 than preserving the cores. Even if  
11 they're right and we're supposed to  
12 preserve the cores, which we're not. But  
13 even if they're right, they prioritize  
14 everything else as a lower priority than  
15 preserving the cores of an illegal 2013  
16 map.

17 Now, the final point I need to  
18 correct is this contention that there  
19 shouldn't be five majority/minority  
20 districts, because as I understand their  
21 argument, black and Latino voters prefer  
22 different candidates. There's no cohesion  
23 between black and Latino voters. That's  
24 their argument. And as a result, they  
25 argue, because black and Latino voters,

1  
2 they argue, prefer different candidates,  
3 then they shouldn't be entitled to be  
4 combined for the purpose of drawing  
5 majority/minority districts. That's their  
6 argument. There's no evidence that  
7 they've proposed to support that  
8 argument. Zero. Nada. None.

9 We did the analysis and we put it in  
10 our report. We did the analysis looking  
11 at elections, looking at which candidates  
12 were supported by black voters, which  
13 candidates were supported by Latino  
14 voters. We've actually also received  
15 testimony from the public on this point.  
16 So we know that there is cohesion because  
17 we've demonstrated that there's a record  
18 before the Commission of Cohesion. There  
19 is no evidence, no analysis that shows  
20 otherwise. And it's disappointing that my  
21 Republican colleagues are willfully blind  
22 or disregarding the un refuted evidence  
23 before this commission.

24 So with that, I hope that we can  
25 turn to Dr. Magleby at this point,

1  
2 because I am eager to hear what he has to  
3 say.

4 CHAIRMAN MORONEY: Certainly, Dr.  
5 Magleby.

6 DR. MAGLEBY: Good evening. My name  
7 is Daniel Magleby. I'm an associate  
8 professor of political science at SUNY  
9 Binghamton, where I also hold an  
10 appointment in the Department of  
11 Economics. I have a PhD in Political  
12 Science and advanced degrees in Applied  
13 Math and Mathematical Methods in the  
14 Social Sciences.

15 I'm very pleased to be here to talk  
16 to you tonight about analysis that I  
17 conducted of the 2013 map, as well as the  
18 November 10th Republican proposal.

19 COMMISSIONER MEJIAS: Just real  
20 quick, can everybody hear Dr. Magleby?  
21 I'm sorry, the way that this is set up  
22 here, he's going to have to have his back  
23 to you. So I apologize in advance to  
24 everybody for that.

25 DR. MAGLEBY: I do have to say that



1  
2 as a professor who teaches classes on  
3 civics, I'm encouraged by the number of  
4 people who are here to speak up and  
5 discuss these important issues.

6 There's very little that we do in a  
7 democratic society that's more important  
8 than figuring out how to appropriately  
9 represent our citizens and our  
10 representative bodies.

11 Now, I want to talk briefly, just  
12 very briefly, and then allow you to ask  
13 me some questions about the analysis I  
14 did, if you have any. But first, I want  
15 to start by defining what a gerrymander  
16 is. And I don't frequently do this, but  
17 I'm going to turn to a Supreme Court  
18 decision authored by Antonin Scalia,  
19 where he lays out a very clear definition  
20 of what a gerrymander is. He says, he  
21 quotes from Black's Law dictionary: "The  
22 term political gerrymander has been  
23 defined as the practice of dividing  
24 geographical area into electoral  
25 districts, often of highly irregular

1  
2 shape, to give one political party an  
3 unfair advantage by diluting the  
4 opposition's voting strength".

5 The definition of a political  
6 partisan gerrymander is that it dilutes  
7 the votes of one party, one party's  
8 voters or another party's voters. It does  
9 it through two mechanisms. The first is  
10 called cracking. Cracking is the practice  
11 of dividing voters from a minority group  
12 across multiple districts in such a way  
13 that they are denied the opportunity to  
14 select a candidate of their choosing.

15 This is a spoiler alert, but both  
16 the 2013 map and the Republican proposal  
17 from November 10th cracks Democratic  
18 voters across multiple districts in such  
19 a way that it denies voters an  
20 opportunity to elect a representative of  
21 their choosing.

22 The second variety of gerrymander is  
23 a packing gerrymander, and it  
24 accomplishes its purpose of diluting  
25 votes by over concentrating voters of a

1  
2 particular type in such a way that their  
3 votes are not weighted equally to their  
4 counterparts in another party. Again, the  
5 2013 map and the Republican proposal of  
6 November 10th accomplishes these purposes  
7 through packing as well. Both maps are  
8 examples of partisan gerrymanders.

9 Let me tell you how I figured this  
10 out. This is not new methodology. This  
11 methodology has been widely accepted both  
12 by courts across the country. In North  
13 Carolina, where I served as an expert  
14 witness in a case that a partisan  
15 gerrymander was thrown out by the state  
16 Supreme Court, but also here in the state  
17 of New York, where our Court of Appeals,  
18 at the request of Republican plaintiffs,  
19 threw out a map that they said had been  
20 gerrymandered for partisan purposes to  
21 favor Democratic candidates. This is not  
22 a new methodology. It is not unusual.  
23 This is not strange to ask this question.  
24 What I did is called an ensemble  
25 analysis. I use a computer algorithm to

1  
2 draw many randomly drawn maps that follow  
3 the criteria laid out in the Municipal  
4 Home Rule Law. I then compare the  
5 characteristics of those simulated maps  
6 to the maps drawn by the Legislature, the  
7 County Legislature here in 2013, and by  
8 your demographer in the November 10th  
9 Republican proposal. In both instances,  
10 in both instances, the maps show patterns  
11 that are more extreme than most of the  
12 maps, the overwhelming majority of the  
13 maps in the simulations carried out by  
14 the algorithm.

15 It may be an inconvenient fact that  
16 these maps, the 2013 map in particular,  
17 is one that would violate the municipal  
18 home rule law and would not survive a  
19 challenge if it was brought under the  
20 Harkenrider precedent that the state  
21 Supreme Court has handed down. But it is  
22 a fact, it is measurable, and I've  
23 demonstrated it. I've sent memos that I  
24 believe the Democratic commissioners have  
25 shared with the Republican commissioners

1  
2 and have been discussed in open hearings.  
3 And I'm sorry to say that the map that  
4 has been used for the last ten years here  
5 is one that has favored Republicans to an  
6 unfair and inappropriate degree under New  
7 York law. With that, I'll stop. And I  
8 would be happy to answer questions about  
9 my analysis and the conclusions that I to  
10 which I arrived.

11 CHAIRMAN MORONEY: Certainly. I'll  
12 start.

13 First thing I'm going to do is I'm  
14 going to tell you something simple. The  
15 truism that all districting is subject to  
16 geography, population and context and the  
17 state and federal law. Correct? We're  
18 right about that, right?

19 DR. MAGLEBY: Yes.

20 CHAIRMAN MORONEY: The report that  
21 you have provided -- I know we got a two  
22 page summary. I don't know that it's the  
23 whole report. But what we were provided  
24 with, Dr. Magleby, is long on  
25 speculation, short on context, and is,

1  
2 otherwise, invalid. It's not concerned  
3 with communities of interest or reasons  
4 why the lines are drawn.

5 Commissioner Pernick read portions  
6 of the of your analysis in 2013 and we  
7 appreciated that he spent the time to go  
8 through it with us. For the record, there  
9 have been no successful challenges to all  
10 the maps created by the County  
11 Legislature's creation. Now, at the end  
12 of the presentation of Magleby's  
13 conclusion, Commissioner Pernick said  
14 that the 2013 map is so flawed that the  
15 TDAC must start from scratch, making it  
16 clear that the Democratic delegation will  
17 undo the 2013 map and replace it with  
18 another map. There have been five  
19 legislative elections since the map was  
20 since this map was approved and accepted  
21 by both Democrats and Republicans. Since  
22 the adoption of 2013 map. Both Democrats  
23 and Republicans, as we pointed out  
24 earlier, have unseated incumbents. Your  
25 evaluation and the commissioners cannot

1  
2 be taken seriously with respect to the  
3 conclusions.

4 Let me give you a little history.  
5 Dr. Luther Blake was retained as the lead  
6 demographer by the Commission on  
7 Government Revision in 1994. He was a  
8 demographic consultant. His first task  
9 was to determine if any minority/majority  
10 district or districts could be created,  
11 Bearing in mind that race was not the  
12 only criteria. Dr. Blake undertook to  
13 draw four plans to see which number of  
14 districts could be drawn for a  
15 legislature to meet all the criteria  
16 under law and provide minorities with an  
17 optimum opportunity to select a  
18 representative. After drawing maps for 15  
19 members, 19 members, 23 members and 25  
20 members, he concluded that 19 was the  
21 appropriate number. The Commission on  
22 Government Revision adopted that district  
23 model. In doing so, Dr. Blake, Dr. Blake  
24 set about to identify the geography and  
25 population that became Districts one and

1  
2 District two as a minority majority  
3 district.

4 (Whereupon, public  
5 interruption.)

6 CHAIRMAN MORONEY: In doing so, he  
7 likewise set aside making sure that the  
8 district were in compliance with the  
9 Voting Rights Act. He identified District  
10 three as an emerging minority district.  
11 Roll the tape forward, the Democratic  
12 supervisor May Newburger, who now  
13 deceased and Lou Yevoli, who's not, made  
14 certain changes to the map and as a  
15 result, Federal District Court Judge  
16 Spatt approved the map with 19 districts.  
17 To start from scratch as recommended by  
18 you and by Mr. Pernick would erase those  
19 three majority/minority districts and  
20 include the barrier island. That scorched  
21 earth approach would also erase District  
22 ten. The district that was drawn to keep  
23 Great Neck Peninsula one district. Why is  
24 that important? It's important because  
25 they came to this chamber and testified,



1  
2 the mayors and residents of Great Neck,  
3 that they wanted and lobbied for that  
4 piece of that map to be the way it is  
5 because of the two school districts, a  
6 park district, a library, district, fire  
7 district and the like. Now, you, and I  
8 guess Mr. Pernick want to erase that?  
9 Now. Did you did you look at any of those  
10 in any of those items? Did you seek any  
11 of that information for context purposes?

12 DR. MAGLEBY: Mr. Chairman, you  
13 covered a lot of ground in that question.

14 CHAIRMAN MORONEY: The next the next  
15 one will be a little shorter.

16 DR. MAGLEBY: I'm not sure exactly  
17 what you're asking. I consulted  
18 demographic data, that is population data  
19 for each of the areas, the geographic  
20 units as counted by the US Census Bureau.  
21 Those formed the basis of my analysis.

22 I don't think that I have said  
23 anything in particular about an expert  
24 that was retained by this commission in  
25 1996 with whom I'm not familiar. I'm not

1  
2 sure that that person, for whom you  
3 reference, is a person who has written or  
4 published any work about partisan  
5 gerrymandering, at least work with which  
6 I'm familiar. And this is an area in  
7 which I've published extensively over my  
8 career as a professor. I would need you  
9 to be a little more precise, if you don't  
10 mind, so that I can be --

11 CHAIRMAN MORONEY: Okay. The exact  
12 question is, did you look at any data,  
13 hard data of the of how this map was  
14 created in the first instance?

15 DR. MAGLEBY: I'm not sure what you  
16 mean by hard data. I have the shapefiles  
17 for the map. I know where the boundaries  
18 are, and I know what the demographic  
19 composition and I, after conducting an  
20 ensemble analysis in which I did not  
21 consider any partisan data, I then  
22 calculated the partisanship and the  
23 partisan composition of 10,000 simulated  
24 legal alternatives to the 2013 map and  
25 found that the 2013 map is an extreme

1  
2 partisan gerrymander. It's an outlier  
3 relative to the ensemble of maps that  
4 incorporate all of the legal criteria  
5 laid out in the Municipal Home Rule Law  
6 and conducting an analysis that is  
7 prompted by the Harkenrider decision of  
8 earlier this year.

9 CHAIRMAN MORONEY: As I understand  
10 it, you're saying that the map was that  
11 was created in 2013 was illegal. So I'm  
12 not so sure the application of current  
13 standards to that is relevant.

14 That that said, are you aware that  
15 District 11, which represents part of  
16 Port Washington and Glen Cove was brought  
17 together by a 1986 coalition known as the  
18 Coalition to Save Hempstead Harbor? In  
19 other words, there was a community of  
20 interest that caused that particular  
21 piece of geography to be drawn.

22 DR. MAGLEBY: There's a joke that  
23 folks that study gerrymandering like to  
24 say when they talk about communities of  
25 interest, that once someone gerrymanders

1  
2 a map, a community of interest is like  
3 the meaning of Christmas. It's whatever  
4 you want it to be. And I'm not sure about  
5 that particular community of interest,  
6 sir. I'm not. But I do know that we  
7 complied with the Municipal Home Rule Law  
8 in the order in which it was laid out. In  
9 the law, as your colleague suggested,  
10 drawing maps that are legal, drawing maps  
11 that are consistent with what the State  
12 Court of Appeals suggested in the  
13 Harkenrider decision.

14 CHAIRMAN MORONEY: Now, have you  
15 been involved in any other municipalities  
16 where you have drawn the conclusion that  
17 they should start from scratch?

18 DR. MAGLEBY: I was involved in as  
19 an expert witness in North Carolina.

20 CHAIRMAN MORONEY: No, I'm talking  
21 about New York State.

22 DR. MAGLEBY: In New York State. No,  
23 sir.

24 CHAIRMAN MORONEY: Okay. So this is  
25 the first time that you have opined that

1  
2 a map that was that was addressed -- this  
3 isn't funny.

4 DR. MAGLEBY: No. No, sir. So. Well,  
5 but, you know. This is the first time  
6 I've had the privilege. And it is a  
7 privilege, sir. I want to be clear. To  
8 be here, to speak to you. You are making  
9 critical decisions for all of the people  
10 who are standing behind me. And I do  
11 apologize that my back is to you. These  
12 are critical. This is a privilege. And I  
13 am grateful that I have this opportunity.  
14 I smile -- I apologize for smiling. I  
15 mean no disrespect. I have drawn  
16 literally millions of maps of  
17 jurisdictions throughout New York State  
18 and every state in the United States and  
19 some foreign countries. I am not new to  
20 this analysis. I have written and  
21 published extensively on this topic, and  
22 while I am not sure about Hempstead  
23 Harbor, I would like to learn more about  
24 it. I can't say that I've done this  
25 before. I'm grateful that I'm here. I

1  
2 genuinely and this is I said this at the  
3 outset of my comments. This is an  
4 incredibly important moment in any  
5 community where we decide the manner by  
6 which the people will be represented.

7 You said last week, sir, you said  
8 last week -- I've logged on and watched  
9 this because I've taken a keen interest  
10 in the ways that this would unfold. You  
11 said that you would like votes to be  
12 counted equally. I'm paraphrasing, but I  
13 heard you say it emphatically.

14 The problem with the 2013 map -- and  
15 you didn't have the right expert to tell  
16 you this -- but the problem with the 2013  
17 map is it does not count votes equally.  
18 It underweights Democratic votes  
19 systematically. Moreover, it excludes  
20 Democratic voters from an opportunity to  
21 elect a candidate of their choosing in a  
22 set of districts that are critical for  
23 determining which party will control the  
24 County Legislature.

25 This is not my first rodeo. Forgive

1  
2 me. I'm not. I'm a New Yorker by choice.  
3 I'm from Utah originally, we think, in  
4 terms of rodeos there. I have done this  
5 before. This is a textbook example of  
6 what a packing gerrymander looks like. I  
7 teach classes -- most of my students -- I  
8 have a great deal of affection for the  
9 people of Nassau County and Long Island  
10 because I teach at SUNY Binghamton. We're  
11 like the State University of Long Island  
12 in upstate New York. I have lots and lots  
13 of students there. I look for examples of  
14 how I can show them the mechanics and the  
15 ways that gerrymanders distort  
16 representation, and the 2013 map is a  
17 textbook example of the way that district  
18 lines will distort representation in ways  
19 that will systematically underweight the  
20 influence of particular groups.

21 CHAIRMAN MORONEY: Well, can I draw  
22 you back to the answer that you gave and  
23 reiterated, if possible? You have you  
24 have not come across any other situation  
25 in New York State where you saw sought to

1  
2 have something declared retroactively  
3 illegal?

4 DR. MAGLEBY: Declared retroactively  
5 illegal?

6 CHAIRMAN MORONEY: Yes. It was drawn  
7 in 2013.

8 DR. MAGLEBY: I'm sorry. I'm not  
9 sure what you mean by having it declared  
10 retroactively illegal. Things are either  
11 legal or they are illegal. And the  
12 question here about whether it was  
13 challenged using the tools endorsed by  
14 attorneys representing Republican voters  
15 in the Harkenrider decision is a matter  
16 that's up for -- we could find out. But  
17 it is a violation of the standards laid  
18 out in the Municipal Home Rule Law. It  
19 does not follow the criteria that the  
20 legislature passed that are the law of  
21 this state. It also is illegal in using  
22 exactly the same kind of analysis that  
23 was done in the Harkenrider litigation.

24 So, sir, I don't know what to tell  
25 you. I'm not a judge. I have taken great



1  
2 pains in my life to avoid being a lawyer.  
3 But I do know how this law works, and I  
4 know the proper way of analyzing these  
5 maps to establish whether there is an  
6 undue, an inappropriate partisan bias.  
7 Both maps the 2013 map and the November  
8 10th Republican proposal show patterns of  
9 systematic bias against Democratic voters  
10 in ways that underweights their influence  
11 on elections in this county.

12 CHAIRMAN MORONEY: Now, a couple a  
13 couple of more questions, please.

14 Have you drawn any conclusions as to  
15 the outcome of elections other than the  
16 ones that you were looking at? . The six  
17 that are mentioned in your in your  
18 report?

19 DR. MAGLEBY: So for the analysis of  
20 the November 10th map, there were eight  
21 elections held in 2017, 2019, 2021. I  
22 also -- there was a miscommunication with  
23 between me and the Democratic  
24 commissioners regarding the election for  
25 Clark in 2017 and 2021. I've now

1  
2 conducted that analysis and the patterns  
3 in that analysis are broadly consistent  
4 with what is in the report that they  
5 shared with you. I'm happy to share those  
6 data, those results, with you at some  
7 point in the future. Those are the  
8 elections I use to analyze the map.

9 CHAIRMAN MORONEY: I believe that it  
10 was said earlier that those elections  
11 were countywide, correct?

12 DR. MAGLEBY: That's right.

13 CHAIRMAN MORONEY: And did you look  
14 into whether or not any of those  
15 countywide elections, what issues were  
16 between the different parties in those in  
17 those elections?

18 DR. MAGLEBY: Sir, that's an  
19 excellent question. I'm glad that you  
20 raise it. It's one of the reasons why we  
21 consider multiple elections rather than  
22 focus on one election or cherry pick one  
23 of the elections, because I would expect  
24 that there would be a variety of issues  
25 at play in elections for the county

1  
2 executive in 2017 that would be different  
3 from the county executive race in 2021.  
4 Likewise, the DA race in 2019 and the DA  
5 race in 2019 (sic) might be about  
6 different issues. I did not look at the  
7 specific issues, but by incorporating  
8 analysis of each of those elections, the  
9 idiosyncrasies or particular strategies  
10 that might be different from one election  
11 to the next, or encompassed in the  
12 analysis that I conducted.

13 CHAIRMAN MORONEY: The issues just  
14 for the sake of the record that I'm  
15 talking about, the outcomes of elections  
16 are driven by the issues like bail  
17 reform, flawed tax assessment, tax  
18 increases, raising taxes actually ended  
19 two --

20 (Whereupon, public  
21 interruption.)

22 CHAIRMAN MORONEY: Could I have the  
23 courtesy of asking the question?

24 (Whereupon, public  
25 interruption.)

1  
2 COMMISSIONER MEJIAS: Can we please  
3 just ask to allow Chairman Moroney to ask  
4 his question, please?

5 CHAIRMAN MORONEY: Outcomes of  
6 elections are driven by issues like bail  
7 reform, flawed assessment, tax increases  
8 and the like. Raising taxes, Raising  
9 taxes cost. County Executive Gulotta his  
10 seat, and it also hurt Tom Suozzi. Bail  
11 reform and other legislation championed  
12 by Senator Todd Kaminsky led to his  
13 dramatic defeat last year to a  
14 Republican. Bad policy decisions cause  
15 voters to ignore political parties.

16 (Whereupon, public  
17 interruption continues. Court  
18 reporter states inability to  
19 hear. Chairman admonishes  
20 public.)

21 CHAIRMAN MORONEY: That's all.

22 COMMISSIONER BEE: Doctor, I really  
23 just have one question. When the map  
24 drawer retained by the Republican  
25 delegation was presenting his map and

1  
2 explaining what he did and how went about  
3 it, some of the questions from Democratic  
4 side of the table focused on whether he  
5 had only worked for Republicans or only  
6 worked for Democrats. And he responded  
7 that he had worked for both sides. But it  
8 raised the issue of whether or not  
9 someone drawing maps or drawing  
10 conclusions or analyzing these situations  
11 may have some conscious or even  
12 unconscious bias. So if you choose to  
13 respond and you're not required to, but  
14 are you enrolled in a political party?

15 DR. MAGLEBY: I'm a registered  
16 Democrat.

17 COMMISSIONER BEE: Thank you.

18 (Whereupon, public  
19 interruption continues.)

20 COMMISSIONER MEJIAS: Professor  
21 Magleby -- one second, everybody. I just  
22 want to point out in the list of issues  
23 that Chairman Moroney pointed out, you  
24 forgot corruption. That's a big one. That  
25 drives elections also. And our point here

1  
2 is this process is corrupted.

3 Professor Magleby, as to the last  
4 issue, do you work for partisan or do you  
5 work for Democrats and partisan  
6 organizations?

7 DR. MAGLEBY: I do not. I'm a  
8 professor. That is my day job that  
9 occupies my time. The great thing about  
10 being a professor, maybe the best thing  
11 about being a professor, besides teaching  
12 students from places like Long Island is  
13 that I'm on the side of truth. I get to  
14 report. I analyze the truth. My work is  
15 subjected to peer review. The analysis  
16 here is based on peer reviewed research  
17 that has been published in the leading  
18 journals in political science.

19 COMMISSIONER MEJIAS: Now, we had  
20 heard the Democratic Delegation has said  
21 that the 2013 map and, in fact, the  
22 current Republican map violates the  
23 Municipal Home Rule Law and violates the  
24 precedent set in Harkenrider v Hochul.  
25 Now, my Republican colleagues are quick

1  
2 to point out that the 2013 map there's  
3 never been a lawsuit brought against it  
4 to 2013, so it must be okay. But isn't it  
5 a fact that the Municipal Home Rule Law  
6 just took effect last year?

7 DR. MAGLEBY: I think that's right.

8 COMMISSIONER MEJIAS: And isn't it a  
9 fact that Harkenrider v Hochul and the  
10 precedents in the law set forth in that  
11 case just happened this year?

12 DR. MAGLEBY: I think that's right.

13 COMMISSIONER MEJIAS: Well, maybe  
14 that's why a lawsuit has been brought  
15 yet.

16 CHAIRMAN MORONEY: Okay, we're going  
17 to move to the reason we're here. And  
18 that's to hear from you.

19 DR. MAGLEBY: I appreciate your time  
20 tonight.

21 CHAIRMAN MORONEY: Thank you, sir.

22 COMMISSIONER MEJIAS: Thank you, Dr.  
23 Magleby.

24 CHAIRMAN MORONEY: Gregory Lewis.

25 MR. LEWIS: Good afternoon,

1  
2 commissioners.

3 First of all, I'll try not to cover  
4 too much of what has already been  
5 covered. I think the Democratic  
6 commissioners did a very good job of  
7 summarizing the illegality of the  
8 proposed map of the Republicans.

9 But, you know, I've got to follow up  
10 on what happened on September the ninth,  
11 when my wife, Cathy Middleton, who was  
12 appeared here, who was also an attorney.  
13 There was colloquy between her and  
14 Commissioner Moroney that specifically  
15 addressed her concerns about ruminations  
16 that Westbury would be taken from LD 2,  
17 and I'm going to read the transcript  
18 because it's very important.

19 "My wife: My understanding, is  
20 Westbury New Castle may be removed from  
21 LD two.

22 Chairman Moroney: How did you come  
23 by that?

24 My wife: I heard information from  
25 other members of my community that this



1  
2 was something that was possibly going to  
3 happen, and it very much concerns me.

4 Chairman Moroney: Are you or any of  
5 you -- referring to the commissioners --  
6 aware of any of that, referencing the  
7 board.

8 Whereupon all the board members said  
9 no.

10 Chairman Moroney: I hope the  
11 information you have is wrong.

12 My wife: Okay. Could you tell me  
13 what your plan is?

14 Chairman Moroney: There are no  
15 plans to discuss.

16 My wife: The possibility exists  
17 that you're redistricting. You're drawing  
18 maps that are going to change the  
19 legislative district. As it appears  
20 today, the possibility exists that  
21 Westbury New Castle and the new proposed  
22 new map may be no longer a part of LD2.  
23 Isn't that correct?

24 Mr. Moroney: No, not that I'm aware  
25 of."

1  
2 He goes on to say, as far as I know,  
3 to separate out the Westbury portion of  
4 LD2, there's never been anything as far  
5 as he knows.

6 Now, that was in on September the  
7 ninth. Now, we're here November the 10th.  
8 And now we see a map by the Republicans  
9 that want to remove Westbury from LD2.

10 Now, it is incredible to me. It's  
11 disingenuous to me, Chairman, any of you  
12 other Republican members, that this was  
13 not under consideration before. It  
14 insults the intelligence of all of us.  
15 And there is no question that removing  
16 Westbury from the district will, in fact,  
17 violate Municipal Home Rule 34.

18 So I just asked that all of you take  
19 into consideration that all of the voters  
20 here know what is going on. It is been a  
21 pattern of the Republican Party to use  
22 voter suppression tactics, as shown in  
23 all of the laws that were enacted after  
24 the 2020 election in which they proposed  
25 over 400 laws limiting voting. In 19

1  
2 states they passed laws restricting  
3 voting. And now you are following in that  
4 proud tradition. So we are not fooled.  
5 Thank you very much.

6 CHAIRMAN MORONEY: Peter Cavallaro  
7 and his village board.

8 COMMISSIONER KASSCHAU: Mr. Lewis,  
9 just to follow up on your comment.

10 Had you been here at the last  
11 session, their expert actually expressly  
12 admitted that he did not take any public  
13 comment into consideration when he drew  
14 his map.

15 MR. LEWIS: Thank you. It's par for  
16 the course, right?

17 CHAIRMAN MORONEY: Peter Cavallaro,  
18 in your village, you have any village  
19 board members with you? It says here.  
20 Yes.

21 MAYOR CAVALLARO: Good evening,  
22 everybody.

23 CHAIRMAN MORONEY: I'm reminded that  
24 it's a three minute presentation.

25 MAYOR CAVALLARO: Good evening,

1  
2 everybody. You've got a lot of stuff  
3 going on here, a lot of partisan stuff  
4 going on here. The beauty of being a  
5 village mayor is we don't deal with  
6 partisanship and we basically do what we  
7 think is right for the community on a  
8 nonpartisan basis. I have members of my  
9 board here, Democrats and Republicans,  
10 Beaumont Jefferson, Steve Corte and Bill  
11 Wise.

12 I'm just going to talk about how the  
13 maps affect the village of Westbury. I'm  
14 not going to talk about all the other  
15 things that you guys have to deal with  
16 and all the other things that have been  
17 raised tonight.

18 But I think first I'd like to say,  
19 you all know, I think that Westbury is  
20 one of the most diverse communities,  
21 Westbury Village, on Long Island, and I  
22 think we've been pretty successful in  
23 that. And but I think that both sets of  
24 maps have the effect of diluting the  
25 impact of the voters of Westbury and in

1  
2 particularly the minority voters of  
3 Westbury because of the way they've been  
4 constructed. And that's the Democratic  
5 map and it's also the Republican map. So  
6 I think and that's reflected really in  
7 the fact that it lumps both of our two  
8 incumbent legislators, current  
9 legislators, into the same district.

10 And so Siela Bynoe, who is a  
11 Democrat and a member of a minority  
12 community, you know, she would have a  
13 tougher time being elected, I think,  
14 under both of the maps that have been  
15 proposed and she does under her current  
16 district. And I think that that's  
17 improper. And I also think it's just not  
18 appropriate, and Section 34 kind of makes  
19 it inappropriate to disadvantage  
20 incumbent elected officials, as well as  
21 people who are looking to be elected to  
22 office.

23 So I think that both sets of maps  
24 are flawed, maybe one more than the  
25 other. I'm not going to make a judgment

1  
2 on that, but both of them, I think, have  
3 the impact of diluting the impact of  
4 Westbury voters, including and maybe  
5 especially the minority voters in  
6 Westbury.

7 You know, Westbury has always been  
8 split since the inception of legislature  
9 down Post Avenue into east and west. And,  
10 you know, there are reasons for that.  
11 There are communities of interest that  
12 are different. And I think the past maps  
13 have reflected that. Neither of these  
14 maps do that, and I think they're flawed  
15 in that way as well. And Westbury,  
16 frankly, has been the beneficiary of  
17 having multiple representatives on the  
18 County Legislature from its inception,  
19 whether it was Rich Nicolello,  
20 originally, and now Laura Schaefer on one  
21 half. And then it was Robert Troiano and  
22 now legislative Siela Bynoe on the other  
23 half.

24 So, you know, our position as a  
25 village is that the current lines and the

1  
2 current division and the current  
3 respecting of the communities of interest  
4 that are in Westbury are appropriate. And  
5 whatever maps you adopt in the future  
6 should be should be respected.

7 I'm just going to ask Trustee  
8 Jefferson to make a couple of additional  
9 prospective comments for from the  
10 Village's perspective.

11 DEPUTY MAYOR JEFFERSON Thank you.  
12 Beaumont Jefferson. Second Deputy Mayor.

13 I would just like to say Westbury  
14 has a long history of diversity and it  
15 has been recognized in both our village  
16 government as being very diverse and at  
17 the Legislature, and that's since the  
18 inception of the Legislature. We've had a  
19 very diverse representation within the  
20 village of Beaumont.

21 CHAIRMAN MORONEY: Can wrap up your  
22 comments. That's all. We're at the three  
23 minutes.

24 DEPUTY MAYOR JEFFERSON: Thank you.  
25 So the law states a presumption or a

1  
2 preference that villages should not be  
3 divided, but in the case of Westbury,  
4 we've always had two legislators  
5 represent us. And that has worked well  
6 for the village of Westbury. And we  
7 enjoyed having two representatives within  
8 our district. The law provides that a  
9 weight at least equal to the concept for  
10 preserving village lines also given to  
11 preserving existing legislative district  
12 cores and identifiable communities of  
13 interest.

14 So as a village, we're currently in  
15 District two. We enjoyed the  
16 representation of both Siela Bynoe and  
17 Legislator Schaefer. We've worked well  
18 together with them, and I would just like  
19 to say as a representative of the  
20 Village, I would not like to see the  
21 voters in my community, the minority  
22 voters, their votes diluted. Thank you.

23 COMMISSIONER MEJIAS: Thank you very  
24 much.

25 If I may, Mayor, the Municipal Home



1  
2 Rule Law, you brought up Section 34 is  
3 very clear that no village having more  
4 than 40% of a full ratio for each  
5 district shall be divided. So under the  
6 Municipal Home Rule Law, we required to  
7 keep Westbury together.

8 MAYOR CAVALLARO: No, you're not.  
9 It's prescriptive. It says if it's  
10 practicable and when there is a  
11 overriding interest, which is separate  
12 communities of interest, it's not a  
13 mandate. And I think you should read the  
14 law more closely than you have.

15 COMMISSIONER MEJIAS: And I think  
16 and I think what you're saying is there  
17 are separate communities of interest in  
18 Westbury. So you want to keep the West  
19 Side, Westbury west of the Post Avenue,  
20 that's the mostly white side, right? You  
21 want them to have Laura Schaefer who a  
22 white legislator representing them, and  
23 the part that's east of Post Avenue,  
24 which is the minority part of Westbury,  
25 would be represented by a minority

1  
2 legislator. Now, that's exactly what  
3 we're trying to eliminate here, but it's  
4 also what the New York State Legislature  
5 is trying to eliminate.

6 And to the extent, as you cite the  
7 law, that it's to the extent practicable,  
8 we have proved with our map that it is  
9 practicable and it's actually required  
10 under the law to have Westbury undivided.

11 MAYOR CAVALLARO: It's not required.

12 COMMISSIONER MEJIAS: But you're  
13 your premises is wrong because you're  
14 relying on a portion of the law that says  
15 to the extent practicable, which means if  
16 it's not possible, we're not going to  
17 hold you to it. But our map complies with  
18 the population, with contiguity, with  
19 compactness.

20 MAYOR CAVALLARO: So as it was  
21 pointed out earlier, there is a  
22 progression in the law as to  
23 prioritization of those criteria. And  
24 that's the second to the last criteria on  
25 the list, the preceding ones that talk

1  
2 about maintaining communities of  
3 interest, which most of the people in  
4 this room would identify with the fact  
5 that Westbury, even though it's a diverse  
6 and wonderful community, has various  
7 communities of interest that should be  
8 respected. And that's the point that I'm  
9 trying to make, and that's the point that  
10 both maps, quite frankly, ignore, that  
11 there are communities of interest. And  
12 the other factor being, as I indicated,  
13 both maps would will dilute the minority  
14 voter ability to elect candidates of  
15 their choice because the districts are  
16 less favorable to the minority voters in  
17 the district than the current map is. So  
18 that's all.

19 COMMISSIONER PERNICK: Mr. Mayor,  
20 One last question for you. So you've been  
21 opining that it's important to split  
22 Westbury because not doing so would  
23 somehow undermine the electability of the  
24 minority preferred candidate. Am I  
25 understanding properly?

1  
2 MAYOR CAVALLARO: Yeah, I think if  
3 you look at both of the maps that have  
4 been drafted, including the Democratic  
5 map, it reduces the Democratic  
6 proportionality of the voters, which  
7 would therefore make it harder for  
8 Legislator Bynoe or any other Democrat to  
9 be elected or any other any other  
10 candidate of color to be elected. Her  
11 district is probably now a 75:25  
12 district. I think your map is probably  
13 more like a 60:40 district. The  
14 Republican map is probably something like  
15 a 70:30 district. These are rough  
16 numbers.

17 My point is the districts that have  
18 been crafted have less voting influence  
19 by those voters in those districts than  
20 they currently have under the current  
21 maps.

22 COMMISSIONER PERNICK: So I  
23 appreciate that clarification. So for  
24 your information, because we haven't had  
25 an opportunity to meet this or first time

1  
2 speaking, the process that we used to  
3 develop that district and all of the  
4 majority/minority districts, we did what  
5 was called a racially polarized voting  
6 analysis, where we have a PhD, academics,  
7 who look at voting patterns and  
8 understand whether there's polarization  
9 in political preferences and use the  
10 outcome of that analysis to determine  
11 whether a particular district would  
12 perform for the candidate preferred by  
13 voters of color. And we've confirmed that  
14 all five of the majority/minority  
15 districts in our map would absolutely  
16 perform for the minority preferred  
17 candidate with no question, with zero  
18 question And we know that because it's  
19 math --

20 MAYOR CAVALLARO: Then what are  
21 elections for?

22 COMMISSIONER PERNICK: Well, excuse  
23 me. We know this because --

24 (Whereupon, crosstalk.)

25 MAYOR CAVALLARO: -- your district

1  
2 as well as a Republican district, have  
3 lesser proportionality of Democratic  
4 voters and minority voters than the  
5 current district does.

6 COMMISSIONER PERNICK: Mr. Mayor, I'm  
7 explaining the law. The law requires us  
8 to conduct a racially polarized voting  
9 analysis, evaluate whether it's possible  
10 to give communities of color an  
11 opportunity to elect candidates of their  
12 choice. We've confirmed that it is in  
13 five districts and we've drawn five  
14 districts. If we were to split Westbury  
15 to pack black and Latino voters into a  
16 particular district, that risks a racial  
17 gerrymandering claim. It exposes the  
18 county to potential litigation for  
19 violating the Municipal Home Rule Law.

20 So that's our rationale in keeping  
21 Westbury whole. It's quite clear in the  
22 Municipal Home Rule Law that we need to,  
23 so long as it's practicable. And by the  
24 way, all of the maps that have been  
25 proposed prove that it's practicable. So

1  
2 that obligates us to do it. So I  
3 appreciate your testimony.

4 I think it's helpful context, but I  
5 just want you to understand how we  
6 arrived. We're trying to follow the law  
7 precisely. We're trying to follow the  
8 requirements set out by Federal and State  
9 courts. Precisely. And that's and that's  
10 what we've done from the beginning.

11 MAYOR CAVALLARO: Understood. But  
12 what I will still say is that Westbury  
13 has been better served by having the dual  
14 representation that it's had in the past  
15 than it will under the maps that have  
16 been proposed by both sides. And I still  
17 maintain that both maps are flawed. If  
18 you follow the fact that each of them  
19 fail the different criteria in different  
20 respects, and again, you have to look at  
21 the prioritization that the State Law  
22 puts in effect. And some of the most  
23 important ones are the ones that get to  
24 the heart of the comments that I have,  
25 and that is to maintain communities of

1  
2 interest and their voting power. And both  
3 sets of maps dilute that from what  
4 currently exists. So thank you for your  
5 clarifications.

6 CHAIRMAN MORONEY: Joel Berse.

7 MR. BERSE: Thank you, Mr. Chairman.  
8 Good evening, committee members. My name  
9 is Joel Berse, and I am the immediate  
10 past president of the Northwest Civic  
11 Association of Hicksville.

12 I changed my whole narrative of what  
13 I was going to say because of what I've  
14 heard here tonight. I want to speak to  
15 you about two districts that were brought  
16 up in the conversation as part of the top  
17 three that have a problem the way they've  
18 been districted. We are majority in the  
19 14th district, but we are ridiculously  
20 served by three legislators from this  
21 2013, where I believe it was controlled  
22 by the Democratic legislature that  
23 redistricted us and chopped up our civic  
24 association. Our civic association's  
25 boundaries are incorporated with New York



1  
2 State since 1951. We are the oldest  
3 organization active in Hicksville. The  
4 northern boundary is where Jericho meets  
5 Hicksville. The western boundary is  
6 through the Town of Oyster Bay Line,  
7 which goes down Cantiague Lane between  
8 the Town of North Hempstead and the Town  
9 of Oyster Bay. Our southern boundary is  
10 the train station, and our eastern  
11 boundary is the center divider of  
12 Broadway Route 107. We have Laura  
13 Schaefer in the 14th, and we have a  
14 cockamamie zigzag thing that I can't  
15 figure out what you've either done to  
16 change or left in a ridiculous manner  
17 where people on a very tiny street that  
18 has eight houses have a different  
19 legislator across the street from each  
20 other.

21 Okay. And also years ago when it was  
22 being redistricted, they wanted to get  
23 the triangle that's known as Jericho  
24 Gardens, which is between Cantiague Rock  
25 Road and Cantiague Lane and is in our

1  
2 established boundaries with the state to  
3 be brought into the same district, to  
4 have one full district in our community.

5 Now if you look at Jericho Gardens  
6 as the other problem that we're  
7 discussing, the little triangle and the  
8 most northeastern portion of the district  
9 to and you can see the line that goes  
10 between North Hempstead and Oyster Bay  
11 bisecting that little triangle. They  
12 have Westbury Post Office, but they are  
13 Hicksville schools, Hicksville, water,  
14 Hicksville, fire. So they are our  
15 Hicksville neighbors. Many of them are in  
16 our Civic. And three of the people that  
17 live in that community are on our board.  
18 So we need to get this corrected that we  
19 have one legislator and not having people  
20 across the street from each other  
21 confused by representation when they go  
22 to the polls or the other ones that share  
23 the services of Hicksville and Oyster Bay  
24 being segregated from us for whatever  
25 reason of boundaries, it's ridiculous and

1  
2 it hasn't been corrected.

3 And the other complaint is I was  
4 looking to find out if my argument holds  
5 water, but there's nothing that shows  
6 what streets are the jagged line. You  
7 can't tell to be able to talk about this  
8 intelligently. And I'm upset that I  
9 couldn't speak better knowing what the  
10 streets are, where the zigzag lines are.

11 CHAIRMAN MORONEY: Thank you for  
12 coming.

13 COMMISSIONER MEJIAS: Just one  
14 correction. The 2013 map was approved in  
15 and made by the Republican majority in  
16 the legislature. And it was the  
17 Democratic commissioners who wanted all  
18 of the shapefiles and block files to be  
19 uploaded to the County website so that  
20 you could see what block you live on and  
21 what district you're going to be in. And  
22 when we asked for that to be done, we  
23 were denied.

24 CHAIRMAN MORONEY: That's absolutely  
25 not true. It's up already. It was put up

1  
2 by Peter. Peter Clines's from your  
3 office. He sent him over to the Clerk  
4 yesterday or today.

5 COMMISSIONER MEJIAS: There's no  
6 shapefiles or block equivalency files on  
7 the County website.

8 CHAIRMAN MORONEY: Everything we  
9 gave you is there. Now let's move on your  
10 map.

11 COMMISSIONER MEJIAS: The block  
12 equivalency files and the shapefile of  
13 your map are not up.

14 CHAIRMAN MORONEY: I'm not  
15 responsible for your maps.

16 COMMISSIONER MEJIAS: I'm talking  
17 about your map.

18 CHAIRMAN MORONEY: Everything we gave  
19 you is up.

20 Arthur Dobrin.

21 MR. DOBRIN: Arthur Dobrin. I'm as  
22 a resident of Westbury. I live on the  
23 corner of Rush Hollow Road and Dartmouth  
24 Street, which is the juncture of Westbury  
25 and New Castle. So I really want to talk

1  
2 about trying to ensure that New Castle  
3 and Westbury remain together in the same  
4 legislative district. I say this because  
5 historically, emotionally,  
6 psychologically, these two communities  
7 have been joined together -- I sort of  
8 think of them as conjoined twins -- in  
9 every way, historically for sure, but  
10 certainly in terms of the school district  
11 and other districts such as the water  
12 district, the fire district, the post  
13 office, the library district, all of that  
14 encompasses New Castle and Westbury  
15 together. So it seems to me that If New  
16 Castle and Westbury were to be separated  
17 under whichever map you ultimately draw,  
18 this is really would be a disservice to  
19 both communities. Because  
20 psychologically, emotionally, in every  
21 other way, I think that most residents in  
22 both of those communities think of  
23 themselves as having a joint interest and  
24 being in the same community.

25 I certainly do. The people who are

1  
2 my neighbors do. My friends do. My  
3 children grew up in Westbury and have  
4 many friends. Westbury, New Castle.

5 New Castle, I think is often thought  
6 of as more of a neighborhood in Westbury,  
7 although it's not within the village  
8 borders. So all of us are in favor of  
9 having strong communities. I think to  
10 divide Westbury from New Castle, New  
11 Castle from Westbury would be a  
12 disservice in that regards. It already  
13 is a strong community. It ought to be  
14 kept as a strong community. And any map  
15 which divides the legislative districts  
16 into separate communities, would be to  
17 undermine what I think is an absolutely  
18 wonderful and unique community in Nassau  
19 County. Thank you.

20 CHAIRMAN MORONEY: Thank you very  
21 much.

22 We're going to take a few minute  
23 break here.

24 COMMISSIONER MEJIAS: The Republican  
25 commissioner and I agreed on something

1  
2 that 8:15 we would take a 15 minute break  
3 until at 830.

4 (Whereupon, a brief recess  
5 is taken, 8:07 to 8:30 p.m.)  
6

7 CHAIRMAN MORONEY: Our next speaker  
8 is Rosemarie Walker.

9 COMMISSIONER MEJIAS: I just I just  
10 want to remind everybody there, we do  
11 have a lot of slips and we want to make  
12 sure we get to everybody. I apologize in  
13 advance if we do have to stick to the  
14 three minute rule. But I do want to just  
15 make sure that everybody that's staying  
16 here late gets their chance to speak as  
17 well. So that's why the three minute  
18 rule. So I apologize in advance if some  
19 people get cut off by the chairman. We've  
20 talked about this, but I wanted to make  
21 sure that we everybody gets heard and we  
22 don't end this just at a certain hour  
23 arbitrarily. Thank you. And I thank the  
24 chairman for his indulgence also.

25 CHAIRMAN MORONEY: That's okay.

1  
2           There you go. How are you?

3           MS. WALKER: I appreciate you all  
4           being here and I appreciate being here.  
5           And thank you for giving me the  
6           opportunity.

7           My name is Rose Marie Walker. I'm a  
8           of villager of Westbury. I'm here  
9           primarily to listen and to hear and to  
10          understand what's going on. And I  
11          appreciate being able to hear both sides  
12          and to understand the different  
13          perspectives.

14          My primary reason for standing here  
15          is to beg and that we stand united and  
16          that together -- I'm looking at the line  
17          of you and I'm saying, can't we come  
18          together in terms of looking at who are  
19          people are? Do you know who your  
20          neighbors are? Do we know who they are  
21          and not just look at the 26 years ago,  
22          but what is relevant today? Who are the  
23          people today and what is relevant? And to  
24          hear and to honor and respect what folks  
25          are saying.



1  
2 I heard my mayor talk about the  
3 village of Westbury. I don't necessarily  
4 agree with everything he says either. All  
5 right. And I'm so thankful for the  
6 ability to have my own voice and to be  
7 able to say that. What I'm asking,  
8 respectfully, is that you truly in  
9 drawing these lines look at these  
10 communities. Instead of continuing on  
11 the avenue that we are currently in --  
12 And we are on a dangerous path, folks,  
13 let's be clear about that. We are on a  
14 dangerous path. All right? And that path  
15 is being led by people full of hate and  
16 intolerance. Let us be the ones who say  
17 this is not all right.

18 This is not the America that I  
19 signed up for. Because I signed up to be  
20 a citizen of America and have been a  
21 citizen for more than 40 years. And I'm  
22 proud of that. I'm proud of my children  
23 who serve in America's military. I'm  
24 proud of my child who teaches in our  
25 school and what I want, and the young

1  
2 people whose mother came up to me and  
3 asked me to speak with them to help me  
4 understand, is for you all to understand  
5 who the constituents are out here and to  
6 speak to them so that they understand  
7 what's going on, and so that your voter  
8 who is going to come up two years from  
9 now, the young lady is 16 years old. She  
10 wants to understand, what are we talking  
11 about here? Are we able to make a  
12 difference? Do I actually have a voice?

13 I think that if we are modeling a  
14 different behavior in terms of how we  
15 speak with each other and how we respect  
16 each other, then she is more likely to  
17 vote, more likely to speak to her friends  
18 about voting and taking part in this  
19 system that we have been a part of and I  
20 am proud to be a part of. Except that  
21 when it gets unruly and disrespectful  
22 (buzzer)-- and I'm closing up -- when we  
23 are not able to listen to each other and  
24 hear each other respectfully, it does not  
25 help our young people.

1  
2 And basically that is all I want to  
3 say and that we just really be mindful  
4 that there are young people here  
5 listening, watching, paying attention and  
6 want to see an example of how they should  
7 be part of governing in the future.

8 CHAIRMAN MORONEY: Thank you,  
9 Rosemary. Thank you.

10 Arlo Fleisher.

11 MS. FLEISCHER: Good evening. My  
12 name is Arlo Fleischer. I'm an organizer  
13 for the Nassau County New York Civil  
14 Liberties Union. As we're all here to do  
15 tonight, I'm here to comment on the  
16 proposed redistricting maps, but I'd also  
17 like to comment on the process first.

18 It has been very clear from the  
19 start that the Republican side of this  
20 Commission is not interested in  
21 transparency. They have refused to put  
22 the census and other important  
23 information up on the County website to  
24 the point where the Democratic  
25 commissioners had to create their own

1  
2 Google Drive and get the word out on  
3 social media to share information with  
4 the public. The original schedule only  
5 allowed for three hours between map  
6 proposals and the adoption until the  
7 public outcry became so loud that they  
8 had to make a change. And finally, their  
9 map maker has admitted that public  
10 comment was not incorporated into their  
11 proposed map. And when asked if he  
12 planned on incorporating public comment,  
13 the Republican chair ordered the map  
14 maker not to answer the question.

15 That all having been said onto the  
16 map. The Republican expert who drew this  
17 map stated that he did not take into  
18 account any community input. We heard at  
19 the numerous meetings that were held,  
20 held throughout the county over these  
21 last two months. He did say that this map  
22 proposed on November 10th was just a  
23 first draft. And although the Republican  
24 commissioners stated that this was a  
25 working session, the door was shut when

1  
2 Democratic commissioners proposed  
3 changes. The map maker also said he did  
4 not consider the John Lewis Voting Rights  
5 Act when drawing up this map. And in  
6 fact, Democratic commissioners pointed  
7 out that this map as drawn was run  
8 against a possible 10,000 simulated maps  
9 using the gold standards method known as  
10 ensemble. It was found to be more  
11 extremely gerrymandered in favor of  
12 Republicans than all of the maps run.  
13 Ensemble is a methodology recognized by  
14 the courts. The mapmaker then attempted  
15 to debunk the methodology by saying that  
16 it doesn't take public comment into  
17 consideration, but neither do his maps.

18 When asked if he believes the map  
19 would comply with the John Lewis Voting  
20 Rights Act, he said, I don't have to  
21 apply the law to this map.

22 Now let's look at the actual  
23 communities. Uniondale is cut into three  
24 different districts. Freeport is cut into  
25 four. Lakeview straddles at least two

1  
2 districts. Hicksville is cut into five  
3 different districts. Hempstead is cut  
4 into at least two. District 14 cuts  
5 across all three Nassau County towns.  
6 East Meadow is cut into three districts,  
7 and Roslyn and East Hills is cut into  
8 five districts, and the five towns are  
9 cut into four districts. When asked if he  
10 did anything to try and preserve any of  
11 these towns, his answer was no.

12 The chair of the Commissioners  
13 Commission continued to want to share the  
14 history of community input that created  
15 some of the existing lines on the old  
16 maps that informs this new map, yet he is  
17 not interested in incorporating community  
18 input for this new map.

19 The New York Civil Liberties Union  
20 urges the Commission against the adoption  
21 of the Nassau Plan Five map. And the  
22 level of arrogance and contempt shown by  
23 this Commission has been absolutely  
24 stunning.

25 CHAIRMAN MORONEY: Thank you.

1  
2 Kathleen Spatz.

3 (Whereupon, no verbal  
4 response.)

5 CHAIRMAN MORONEY: Jared Behr.

6 MR. BEHR: Good evening,  
7 Commissioner.

8 Thank you, Commissioners, for this  
9 opportunity. My name is Jared Baer. I  
10 live in plain view with my wife and my  
11 two young children. I'm here tonight to  
12 speak out in support of the Democratic  
13 proposed map for the redistricting and to  
14 comment on this once in a decade  
15 opportunity and the importance of getting  
16 it right, both legally and ethically.

17 While reviewing the proposed maps  
18 and trying to educate myself on  
19 redistricting laws. I came across a  
20 Barrack Obama quote that really kind of  
21 struck me. President Obama said, "fair  
22 districts could not be more important to  
23 a functioning democracy. It's the best  
24 hope for us to honestly confront the many  
25 challenges that we face".

1  
2 And as we all know, everybody in  
3 this room, Nassau County, faces many  
4 challenges and will continue to face  
5 those challenges over the next decade. In  
6 order to meet those challenges, the  
7 redrawn districts must reflect Nassau  
8 changing demographics and keep  
9 communities whole. Looking at the two  
10 proposed maps, it's clear that only the  
11 Democratic proposed map complies with  
12 both the New York State Voting Rights  
13 Act, applicable Federal Laws and keeps  
14 communities whole.

15 This commission is not an  
16 opportunity to create, quote, safe  
17 districts that divide communities and  
18 limit majority/minority districts. Any  
19 attempt to do so must be stopped. Just  
20 look specifically at my community in  
21 Plainview. As pointed out by the  
22 professor -- unlike him, I was unable to  
23 avoid becoming a lawyer, if that's not  
24 clear to everybody in the room -- It cuts  
25 Plainview and old Bethpage right in half.



1  
2 As spoken to, we really are one  
3 community. It's one school district.

4 Similarly, it divides Syosset and  
5 Woodbury again, one community of  
6 interest, one school district. The  
7 Democratic map already has pointed out  
8 several times, creates five  
9 majority/minority districts as opposed to  
10 the four created in the Republican  
11 proposed map.

12 As also stated numerous times, the  
13 Republican map is based off an illegal  
14 redistricting in 2013 that violates the  
15 law and, frankly, does not make common  
16 sense and does not pass the eye test.

17 I am absolutely not a redistricting  
18 expert and I do not hold myself out to be  
19 one. I will not pretend to be one  
20 tonight. But what I am standing before  
21 you, besides a personal injury lawyer, is  
22 a concerned resident of Nassau County who  
23 wants our legislative districts to  
24 reflect Nassau changing demographics and  
25 keep the communities together. I urge the

1  
2 Republican commissioners to resist the  
3 temptation to do the politically  
4 convenient and expected thing and to  
5 create safe districts that will allow  
6 those people in power to remain in power  
7 and alienate those communities that have  
8 been alienated for decades in Nassau.  
9 Instead, follow the charge of your  
10 commission. Do the courageous thing, the  
11 right thing, and work with the Democratic  
12 commissioners to create a fair  
13 redistricting for all of Nassau County.  
14 We're depending on you. Thank you.

15 CHAIRMAN MORONEY: Thank you.

16 Tracie Brown, you're up. To be  
17 followed by son, Sonja Prophet. Go  
18 ahead. I'm sorry.

19 MS. BROWN: Yes. Good evening,  
20 everyone. It's a real appreciation to be  
21 here tonight. I'm just here to say that I  
22 must admit that both maps, I'm rejecting  
23 them because I feel that they're unfair  
24 to Uniondale. The Republican map doesn't  
25 even list us as being a community, and

1  
2 Uniondale is a vital community with an  
3 excellent tax base.

4 As part of our community, we've  
5 always been slaughtered. They tried to  
6 call us East Garden City. They divided  
7 us. You have people that live in  
8 Uniondale and haven't realized that the  
9 first zoning they did in 2013 divided a  
10 community. Uniondale has two districts  
11 and most people don't even know that live  
12 here, unfortunately. And now we have no  
13 idea where we stand, especially with the  
14 Republican and even with the Democratic  
15 mapping.

16 This meeting, obviously enough  
17 people haven't been told because it  
18 should be so crowded we can't even find  
19 seats in this place. So how are you going  
20 to make a decision like that by the first  
21 of the first of the year, January. More  
22 people haven't gotten the information  
23 because I'm sure if they did, it would be  
24 more people here. This is affecting  
25 taxes. This is affecting school district.

1  
2 This is affecting young people who 25, 30  
3 years ago could buy a home and can't  
4 afford a home in Long Island. This would  
5 be a suburb of nobody if you keep going  
6 the way you're going.

7 We have to consider people. People  
8 are disabled. People incomes are  
9 limited, but yet our taxes go up every  
10 year and sometimes people don't get a  
11 raise for eight, ten years. It has to  
12 stop. This is abuse. This is abuse.

13 And I'm sorry to say that I'm not  
14 convinced anybody cares enough for the  
15 people. I don't care what party you of.  
16 People are starving, homeless and you're  
17 talking about taking people rights.

18 Their towns are what they invested  
19 in. I invested 31 years of my life in  
20 Uniondale. I could have live somewhere  
21 else, but I like the town I lived in.  
22 Love it. It's not perfect. No town is  
23 perfect. But to just come here and make  
24 decisions about our town like we're  
25 pieces of paper when human beings are

1  
2 living here is not correct, sir. Or  
3 anybody else who agrees. Ma'am, whatever.  
4 I'm sorry, but it's not correct. People  
5 live in Uniondale and all the other  
6 towns. We're not pieces of paper. That's  
7 all I have to say. Thank you.

8 COMMISSIONER PERNICK: Ms. Brown,  
9 very briefly. Ms. Brown, I just want you  
10 to be aware that when the Democratic  
11 commissioners, when we were working on  
12 our map, we made sure to unify Uniondale  
13 in one district. We do. And it's right  
14 over there in the map.

15 The Republican map splits the  
16 Uniondale into three districts. So that  
17 was unacceptable to us, and that's why we  
18 made sure to unify Uniondale in one  
19 district. But we really appreciate your  
20 testimony. Thank you for being with us  
21 tonight.

22 CHAIRMAN MORONEY: Thank you. Mr.  
23 Pernick.

24 Sonja. Behind you, I have Leslie,  
25 Leslie Davis.

1  
2 MS. PROPHET: My family has been in  
3 the west end of Rockville Centre for over  
4 85 years. My grandmother moved here when  
5 she was ten. So I know about Lakeview,  
6 the West End, which is labeled so because  
7 it's a community of color.

8 Now, in 1993, my father wrote a  
9 budget analysis on the minority  
10 communities investment in Nassau County,  
11 which basically found that we weren't  
12 receiving the services we should have  
13 been receiving, the benefits we should  
14 have been receiving in income from the  
15 taxes that we had invested in our  
16 community. So that being said, Nassau  
17 County was found unconstitutional.

18 So I'm wondering if this map now is  
19 a new strategy of rerouting those funds.  
20 Are you trying to take money from us?  
21 Where is the money going? Who's deciding  
22 who gets the money and where it goes?

23 My street that I live on is Main  
24 Avenue and it's down the block from the  
25 Science and Technology Center. Every

1  
2 Halloween, my block is bombarded with  
3 strangers. And now I have signs outside  
4 of my house that give you a historical  
5 event of what has happened here in the  
6 swamplands of Tanglewood. Okay. And now  
7 we have these home. Like how? How do I  
8 say this? It's The Handmaid's Tale with  
9 these lights that line the street with  
10 gates that weren't there. We have a  
11 sidewalk that we didn't have for 30  
12 years. We get plowed. When we didn't  
13 have anything done for 30 years that I'm  
14 aware of because I'm almost 40 years old.  
15 But now all these changes are  
16 miraculously happening because it's  
17 almost like the decision that you have  
18 made has been made in a certain way and  
19 it's rolling out and we're just  
20 bystanders that have to accept the  
21 changes that you have projected onto us.  
22 This is not what we ask for. We didn't  
23 even know about it. I just found out this  
24 morning when I looked at my e-mail.

25 So that being said, why is this

1  
2 happening? Is this a new technique? Is  
3 this a restrategizing of how to take our  
4 money? Because that's how we feel. Thank  
5 you.

6 CHAIRMAN MORONEY: Sonja, one quick  
7 question. Do you know who your legislator  
8 is?

9 MS. PROPHET: Bynoe.

10 CHAIRMAN MORONEY: Next is Lisa  
11 (sic) Davis. And behind her is Pedro  
12 Quintanilla. That's what I said. Yeah.

13 MS. DAVIS: Good evening. Good  
14 evening. My name is Leslie Davis. I'm a  
15 lifelong resident of Westbury New Castle  
16 Community. A former trustee of the  
17 Westbury School Board of Education and  
18 the current president of the Westbury New  
19 Castle NAACP. I am joined tonight by  
20 other members of our executive board, my  
21 vice president and members of our branch.  
22 This is the second time I'm appearing  
23 before the Commission. The first time was  
24 at the hearing held in Manhasset on  
25 September 8th. I am disappointed to have



1  
2 to again make an appearance before you. I  
3 am disappointed because at the time I  
4 joined with other residents of the  
5 Westbury to ask the Commission not to  
6 remove the predominantly minority  
7 portions of the village of Westbury from  
8 the Legislative District 2 where it has  
9 been since the lines were first formed  
10 more than 25 years ago. We spoke about  
11 the commonalities this section of  
12 Westbury has with other residents of the  
13 Legislative District 2 such as New  
14 Castle, Hempstead and Lakeview.  
15 Commonalities such as familiar bonds,  
16 socioeconomic backgrounds, places of  
17 worship, social values and cultural  
18 interests.

19 We noted that cracking off this  
20 portion of the village of Westbury would  
21 be a disservice to its residents,  
22 diluting the ability of this  
23 predominantly black and brown community  
24 to elect the representative of their  
25 choice. We also noted it would be a

1  
2 violation of the Voting Rights Act. We  
3 indicated that we were acting  
4 preemptively to ensure that the  
5 Commission was aware of our wishes. It  
6 was our hope that the Commission would  
7 have this input and take into  
8 consideration when drawing the map.

9 Some of us were heartened by the  
10 comments made by the Commission Chair and  
11 the following exchange with Cathy  
12 Middleton. Her husband already stated the  
13 exchange earlier. Basically what it was  
14 is she asked why. He said he wasn't aware  
15 that it was going to happen and everybody  
16 went along with it. As I said, many of us  
17 in the Westbury community were encouraged  
18 by that exchange between Ms. Middleton  
19 and the chairperson of your Commission.  
20 You can imagine our surprise when we saw  
21 that the map submitted by the Republican  
22 commissioner does exactly what we asked  
23 you not to do.

24 The map submitted cracks the portion  
25 of the village of Westbury we expressed

1  
2 concern about and places it in a district  
3 which Stewart Manor, Garden City and  
4 Bethpage Communities. It has no  
5 commonalities.

6 Mr. Moroney, what happened between  
7 September 8th when you incredulously  
8 asked why were you concerned about  
9 cracking this community and stated that  
10 you hoped it wouldn't and it would not  
11 happen. So November 10th, when you  
12 submitted the map, that's exactly what  
13 you did.

14 In close, I just want to ask just  
15 one question. How could you draw a map  
16 like this that doesn't address our  
17 concerns when we clearly spoke to you?  
18 You speak about transparency. How  
19 transparent are you? Really? Thank you.

20 CHAIRMAN MORONEY: You're welcome.  
21 Pedro Quintanilla to be followed by Susan  
22 Gottehrer. I think I got it right that  
23 time. Pedro, come on up.

24 MR. QUINTANILLA: Good evening to  
25 the commission and to this community.

1  
2 I just want to second what has been  
3 restated over and over again by the  
4 Westbury Community. I have lived in  
5 Westbury most of my life, right next door  
6 to Carl Place in the village. And a lot  
7 of friends on both sides of Carl Place,  
8 Westbury and New Castle. But the majority  
9 of my friends are in New Castle. Why?  
10 Because I'm Hispanic.

11 I am in favor of keeping Westbury  
12 and New Castle in District 2. Why is  
13 that? Because we have commonality. The  
14 majority of the community attends the  
15 Westbury School District, which is part  
16 of Westbury village as well, keeping the  
17 community together.

18 So what I ask is that two things.  
19 One is that the Republican map is  
20 evaluated. And Frank, you and I live a  
21 few blocks away from each other. New  
22 Castle is not far from where you are, but  
23 by breaking it off, you're going to put  
24 it in a different world. And I don't know  
25 if you know this, but a large percentage

1  
2 of the Hispanic community of New Castle  
3 treks over to the village for religious  
4 services whether it's Catholic or the  
5 services.

6 And so these things need to be taken  
7 into consideration. And I think it's  
8 critical if. Either party, Democrats or  
9 Republicans, are going to earn the  
10 respect, earn the trust of the  
11 citizenship in these tumultuous times  
12 that we're in, is that you start doing  
13 that by addressing and looking at the  
14 needs of those communities and keeping  
15 them together.

16 I understand that each party has an  
17 interest in shaping the map to suit their  
18 political needs. But I think, you know,  
19 if you're going to be honest with each  
20 other, it is very clear which map is not  
21 doing the right thing by minority  
22 communities.

23 And I just want to add, one fact  
24 that I have been seeing is, is that not  
25 only is the minority community,

1  
2 predominantly African and Hispanic, but  
3 combined as a community, it is growing  
4 tremendously and it makes a significant  
5 percentage of Nassau County now, I think  
6 about a third. You know, and I think  
7 maybe one out of five are Hispanic  
8 descent, and plus the Asian community.  
9 Right. So I think it's only right and  
10 just. Right. And just, you know, to put  
11 the communities alike together.

12 I implore you to revisit that map  
13 and look at that, because at the end of  
14 the day, our community as a whole Nassau  
15 County, as a whole will benefit from  
16 that. Thank you.

17 CHAIRMAN MORONEY: Thank you, Pedro.  
18 Susan. And behind you is Karen  
19 Montalbano.

20 MS. GOTTEHRER: Hi. Good evening.  
21 Before I start, if I could just ask you  
22 about the bottom of the Republican map.  
23 Has a Copyright 2021 caliper on the  
24 bottom of it. I'm just asking if you  
25 could address that at some point.

1  
2 My name is Susan Gottehrer. I'm the  
3 director of the Nassau County New York  
4 Civil Liberties Union. I'm here to  
5 comment tonight on the proposed  
6 Republican map. I'll be reading excerpts  
7 from written testimony that was submitted  
8 to all of you from the New York Civil  
9 Liberties Union.

10 The map, identified as Nassau Plan  
11 Five, shows strong indicia of racial  
12 gerrymandering and the dilution of the  
13 black Latinx and Asian voting strength.  
14 In doing so, the Republican map likely  
15 violates some or all of the following:

16 The United States Constitution. The  
17 New York Constitution. Section two of the  
18 Voting Rights Act of 1965, the Municipal  
19 Home Rule Law and the John Lewis Voting  
20 Rights Act of New York.

21 This map has some fatal flaws that  
22 are obvious even within the limited time  
23 given for evaluation. The Commission  
24 should reject it. For example, it  
25 increases the number and concentration of

1  
2 black voters in Legislative District 1 to  
3 create a black majority district, even  
4 though black voters are already able to  
5 elect their candidates. This attempt to  
6 do so, in layman's terms seems to be for  
7 the purpose of creating adjacent majority  
8 white districts. This is all very  
9 technical and legal, and it's all in the  
10 four page memo that we've submitted to  
11 you.

12 In Cooper versus Harris, the US  
13 Supreme Court found improper packing of  
14 black voters into two districts in North  
15 Carolina in order to make the surrounding  
16 districts more predominantly white. So  
17 that is an example of what we're seeing  
18 here.

19 Importantly, referring to District  
20 one, the memorandum for the consultant  
21 that drew this map issues the following  
22 disclaimer:

23 "At this point, we have not  
24 performed or studied any analysis that  
25 indicates whether Section two of the



1  
2 Voting Rights Act required that this  
3 district be created".

4 So there's disclaimer inside your  
5 own consultants report on this. Absent  
6 any evidence that the VRA requires a  
7 black majority district here, it is clear  
8 that the map uses the VRA as a pretext  
9 for racial gerrymandering in District  
10 one.

11 Additionally, to the extent that the  
12 proponents of this map contend that Black  
13 and Latinx voters are not politically  
14 cohesive, not only are there indicators  
15 to prove otherwise, but they also  
16 improperly divide Latinx voters into  
17 subgroups as stated by their mapmaker on  
18 November 10th. Racial voting patterns,  
19 public testimony, housing, data,  
20 education, employment, criminal justice  
21 and social services show numerous  
22 indicators of political cohesion among  
23 Black and Latinx populations, and the  
24 statistical evidence of racial voting  
25 patterns in interracial contests in the

1  
2 record before this Commission indicates  
3 that the preferred candidates of black  
4 and black and Latinx voters are usually  
5 defeated by a cohesive block of white  
6 voters.

7 Finally, the Republican map  
8 privileges maintaining the cores of  
9 existing districts (buzzer). The proposed  
10 map compounds the errors of the 2013 map,  
11 which just became which just because it  
12 wasn't taken to court, doesn't mean that  
13 it's legal. Nothing in the Municipal  
14 Home Rule Law indicates an intent to  
15 grandfather in flagrant violations.

16 Your map maker said this was a  
17 draft. Your map maker admitted to not  
18 including anything subjective like public  
19 comment into his configuration. This map  
20 is not acceptable and we look forward to  
21 seeing the changes you will implement  
22 after this public comment.

23 I would also like to just add, Mr.  
24 Chairman, that the other night you said  
25 it doesn't matter how people make their

1  
2 money, who's working on maps or on the  
3 commission. It does matter how people  
4 make their money -- who's working on a  
5 map. That's exactly the reason why we're  
6 doing this work right now. So when  
7 somebody asked about his political  
8 consulting background, you said it  
9 doesn't matter how he makes his money, it  
10 does matter how he makes his money. And  
11 it matters how all of you make your money  
12 from this county as well.

13 CHAIRMAN MORONEY: Thank you. Thank  
14 you, Susan.

15 Susan, you asked a question about  
16 the 2021 caliper at the bottom. It's at  
17 the bottom of all of the maps, both  
18 Democratic and Republican. My best guess  
19 is that that deals with Maptitude which  
20 is the company that we all ordered our  
21 map making paraphernalia from.

22 MS. GOTTEHRER: Thank you. I  
23 appreciate.

24 CHAIRMAN MORONEY: Karen Mantalbano  
25 to be followed by Cesar Ruiz.

1  
2 MS. MANTALBANO: Good evening. My  
3 name is Karen Montalbano. I am the  
4 government liaison for the Baldwin Civic  
5 Association and the past President.

6 Last time I spoke to this body, I  
7 asked you to redistrict by the interest  
8 of the people, not party. It seems that  
9 that has gone by the wayside. I look at  
10 the Baldwin map. It has a suspicious jog  
11 on the east side coming in and along the  
12 top. But then I was just informed that  
13 one house on the south west corner is in  
14 District seven, one house.

15 There seems to be a real problem  
16 with Baldwin. You can't seem to keep us  
17 in just one thing. You are dividing  
18 communities. You're diluting a  
19 community's representation and our  
20 ability to get anything done for our  
21 community.

22 I look at when I talk to our  
23 neighbor over in South Hempstead. They're  
24 even smaller than us and they are in  
25 three parts. That's crazy.

1  
2           How you divide it up. Freeport. Oh,  
3 my gosh, Crazy. I know firsthand the  
4 difficulty of trying to get something  
5 done when you are divided up this way  
6 with several different legislatures.

7           Remember, you know, you talk about  
8 all of the stuff about 1986, 1996, 2013.  
9 Well, here we are in 2022. We should be  
10 looking at what the concerns are of the  
11 people of 2022.

12           Remember, you're supposed to be  
13 representing the people and what the  
14 people need, not the parties. Thank you.

15           CHAIRMAN MORONEY: Thank you.

16           Cesar. And behind his Barbara  
17 Epstein.

18           MR.RUIZ: Greetings, Commissioners  
19 of the Nassau County Redistricting  
20 Commission. My name is Cesar Ruiz. I'm an  
21 attorney at Latino Justice PRLDEF and a  
22 member of its New York Voting Rights and  
23 Redistricting Project.

24           Latino Justice is a Latinx civil  
25 rights organization that for the past 50

1  
2 years has protected the civil rights of  
3 Latinos across the nation.

4 Redistricting is a critical  
5 component of our democracy, one that will  
6 determine the political representation of  
7 Nassau County residents for the next ten  
8 years. As we know, historically, members  
9 of marginalized communities all  
10 represented in this room, have been  
11 excluded and disenfranchised by that  
12 process, often by political and partisan  
13 interest.

14 Our participation and that of our  
15 communities is crucial. So I want to  
16 begin with a few points. The first is  
17 that the Commission has a duty to adopt a  
18 map that does not dilute the voting power  
19 of black, Latino and Asian community  
20 members. That's under the Federal and  
21 State Law.

22 My second point really focuses on  
23 maps and is really a little bit more  
24 pointed. The majority proposed map  
25 abdicates the Commission's duty to avoid

1  
2 diluting the voting power of communities  
3 of color in defiance of State and Federal  
4 law. The Majority proposed map has  
5 prioritized protecting cores of  
6 districts, village boundaries and equal  
7 populations. However, these priorities  
8 are in conflict with the Legislature's  
9 duty to prevent the dilution of the vote  
10 of minority community members. An  
11 analysis of the Majority proposed map  
12 makes clear that the new district lines  
13 have cracked and packed Latino, black and  
14 Asian populations unjustifiably  
15 splintering communities of interest and  
16 defiance of public testimony and proper  
17 redistricting principles.

18 A number of examples which I'll go  
19 through: District one of the majority  
20 map splits the Village of Hempstead in  
21 half on the basis of equal population.  
22 But public testimony has sought for this  
23 to be unified. In contrast, the minority  
24 proposed map in District three unifies  
25 that, so it shows that it's possible.

1  
2 District one also raises concerns of  
3 Cooper V Harris of a racial  
4 gerrymandering claim and unnecessarily  
5 packs Latino and black community members  
6 raising concerns of racial  
7 gerrymandering, which was found to be  
8 illegal in Cooper v Harris. If adopted,  
9 that district would be vulnerable to  
10 legal challenges under the Equal  
11 Protection Clause of the 14th Amendment.

12 In the Majority proposed planned  
13 Uniondale is split. We've already heard  
14 testimony about that. The Minority map,  
15 by contrast, unifies that. So it shows  
16 again that it's possible and it avoids  
17 cracking communities of interest and  
18 Latino and black communities.

19 The Majority plan also splits  
20 Freeport into four districts. The  
21 minority plan, by contrast, does not and  
22 maintains the core of it, while only  
23 splitting it within two districts, thus  
24 showing again that you can unify black  
25 and Latino community members who share



1  
2 similar economic, social, and political  
3 interests.

4 There are a number of other examples  
5 that I want to hit: Westbury, New  
6 Castle, another split in the Majority  
7 plan where we showed that it could be  
8 unified. And I'll go through a little bit  
9 quickly because I see there's time. In  
10 District three Elmont Valley Stream and  
11 are unnecessarily connected to Inwood.  
12 Plan that packs and cracks minority  
13 voters in the neighboring seats.

14 Lastly, I'll just end in conclusion  
15 that this is unjust. It's unfair to pack  
16 and crack communities for political  
17 interests (buzzer), and really the focus  
18 of this process should be driven by  
19 members of the community. And I didn't  
20 get through all of my comments, but I'll  
21 be happy to submit in writing and answer  
22 any questions that the commissioners may  
23 have.

24 COMMISSIONER PERNICK: Mr. Ruiz,  
25 thank you for your testimony. This is

1  
2 extremely helpful and thank you for your  
3 work, generally. I know that you're a  
4 seasoned voting rights litigator. You've  
5 done work across the country, and I  
6 appreciate your involvement in this  
7 effort.

8 One quick question for you: Do you  
9 believe that Nassau County will violate  
10 Section two of the Voting Rights Act and  
11 the New York Voting Rights Act if we fail  
12 to draw five majority/minority black  
13 Latino districts that perform for  
14 candidates preferred by voters of color?

15 MR.RUIZ: Plainly, yes. There are  
16 sufficient population under the Gingles  
17 analysis that there's majority  
18 population. Anecdotal and historically,  
19 communities of color, Latino and black  
20 communities have tended to vote  
21 cohesively. This would have to be done  
22 through more thorough analysis, driven by  
23 an expert, which I see the Democrats have  
24 provided. I haven't seen any data  
25 provided to the contrary. With that

1  
2 basis, there's at least a good faith  
3 argument that could be made that you  
4 would meet Gingles too.

5 And then the last two to form the  
6 injury would be whether a white majority  
7 block, which tends to be the easiest part  
8 to prove where the injury occurs, and  
9 it's likely that it could be met. I  
10 reserve observation or making a  
11 conclusive answer around the two and  
12 third, but anecdotally and with what is  
13 given, it's definitely likely and it's  
14 certainly an obligation of the Commission  
15 to draw that.

16 COMMISSIONER PERNICK: Thank you.

17 CHAIRMAN MORONEY: Barbara Epstein.  
18 Barbara Epstein to be followed by Cynthia  
19 Johnson.

20 MS. EPSTEIN: Good evening, ladies  
21 and gentlemen. My name is Barbara  
22 Epstein, a member of the Nassau County  
23 League of Women Voters Redistricting  
24 Committee. The league is a nonprofit,  
25 nonpartisan organization that encourages

1  
2 informed and active participation in  
3 government, works to increase  
4 understanding of major public policy  
5 issues and influence public policy to  
6 education and advocacy.

7 Last week, we were presented with  
8 two maps: One from the Republican side  
9 and one from the Democratic side. Mr.  
10 Moroney, you have continually said the  
11 process would be transparent and follow  
12 all the applicable laws and rules. Yet  
13 your guidance to the Republican mapmaker  
14 was to use the current map to create a  
15 new one. There have been multiple  
16 hearings throughout the county with many  
17 suggestions from the public. When the  
18 Republican map maker was asked if he  
19 considered any of them, he said no.

20 The map splits multiple communities  
21 such as the five towns, Hicksville, etc.  
22 The new municipal law says to use  
23 generally accepted practices for  
24 redistricting districts that are as  
25 nearly equal in population as is

1  
2 practical. This was done. Districts were  
3 drawn with the intent of resulting  
4 result, or denying equal opportunity or  
5 racial or language minority groups to the  
6 participant in the political process.

7 The minority population in Nassau  
8 has increased from 32.6% to 41.65% since  
9 the 2010 census. The call for five  
10 minority/majority district is realistic.

11 Districts consent of contiguous  
12 territory. The Republican map does not  
13 really do this. It unjustly divides  
14 communities of interests. This year's  
15 process reminds me of what happened ten  
16 years ago. Same process. It was wrong  
17 then. It is wrong now. Go back to the  
18 drawing board. Come back with a map that  
19 reflects Nassau County.

20 Even your consultant said that the  
21 Republican map should not be the final  
22 plan and to be used as a starting point  
23 by the Commission. We also suggest not  
24 only new maps but additional hearings on  
25 the maps do not have the November 21st

1  
2 vote, but to present other maps. There  
3 is time to do it right. Thank you.

4 CHAIRMAN MORONEY: Cynthia Johnson.  
5 Cynthia.

6 MS. JOHNSON: Good evening,  
7 representatives. My name is Cynthia  
8 Johnson. I live at 185 Rhododendron Drive  
9 in Westbury.

10 I came to the Manhasset Conference  
11 meeting on September 8th and voiced  
12 concern about the redistricting process.  
13 Many people at that meeting voiced  
14 similar concerns. The redistricting  
15 committee released a map on Thursday that  
16 strips portion of the village of Westbury  
17 that is the east of Post Avenue out of  
18 Legislative District 2, the district it  
19 has been in since it was formed in the  
20 1990s. New Castle in Westbury will no  
21 longer be in the same legislative  
22 district. The undoing of the bond between  
23 New Castle and Westbury by putting us in  
24 separate districts is a radical departure  
25 from the history and from precedent. We

1  
2 have been bound together for generations.  
3 Even as the mayor told you, our District  
4 of Westbury works well because of the  
5 bond that we have. The undoing of this  
6 bond between New Castle and Westbury is  
7 putting us in a difficult position. We  
8 are in one school district, one water  
9 district, the library district, the town  
10 of North Hempstead. All until now.

11 Many people were at the hearing and  
12 many spoke out about this as a problem  
13 under the law. You should consider that I  
14 was surprised as a resident of a minority  
15 community, that my plan and my voice was  
16 diminished because of this redistricting  
17 plan. This would combine Stewart Manor,  
18 Garden City and Bethpage with Westbury.  
19 There is no commonality of interest with  
20 these cities. As a result, my vote has  
21 been severely diminished because of this.  
22 I encourage you to reconsider this map  
23 and rejoin the community that I live in  
24 with other communities of Legislative  
25 District 2. Under the law, you are

1  
2 required to consider this move and keep  
3 communities of color together as required  
4 by the Voting Rights Act.

5 I pray that my voice can be heard  
6 and District 2 remains unchanged as it  
7 has been for the past 30 years. I hope I  
8 am not whistling in the wind as I did on  
9 September 8th and nothing was changed.  
10 Thank you for your attention.

11 CHAIRMAN MORONEY: Thank you for  
12 your testimony.

13 We have one more presentation, which  
14 I'm told is to be 10 minutes long. So I'm  
15 going to call up Fred Brewington and ask  
16 him to come up and make that  
17 presentation.

18 MR. BREWINGTON: Thank you so much,  
19 Mr. Moroney.

20 First of all, good evening,  
21 Commissioners, and good evening to all  
22 the people that have gathered here,  
23 particularly the people from the  
24 communities that have been oftentimes  
25 derogatorily related to as the corridor.



1  
2 But we accept that. We accept that  
3 designation because the corridor means  
4 that we are the core.

5 And what I come to you to talk to  
6 you about this evening, as we have a  
7 PowerPoint that may be up on the screen  
8 and I'll roll through it in a second, is  
9 to come to you to say that what I have  
10 seen with regard to the map that has been  
11 proposed as the primary map being  
12 discussed now, that being the Republican  
13 map, fails on all three legs.

14 It's important for people to  
15 understand that with regard to the issues  
16 of voting rights, that there are multiple  
17 levels of importance. And so if we were  
18 to take voting rights and make it as  
19 though we were a table. And then place on  
20 that table three legs, a three legged  
21 table. We've seen those, right? And if  
22 you took the three legged table and it  
23 was standing on strongly three legged  
24 tables, that would be the rights of  
25 citizens and voting rights of

1  
2 particularly communities who have been  
3 underrepresented standing on three legs.

4 (Whereupon, PowerPoint  
5 presentation is displayed and  
6 referred to during Mr.  
7 Brewington's presentation.)

8 MR. BREWINGTON: The first leg. What  
9 I've placed up here is the New York Home  
10 Rule 34 4E. And the reason we've been  
11 talking about it, you've heard it  
12 referenced, but I thought it was  
13 important to see the language because the  
14 language from 34 4E says, "the districts  
15 shall not be drawn to discourage  
16 competition or the for the purpose of  
17 favoring or disfavoring incumbents or  
18 other particular candidates or political  
19 parties".

20 Leg one as you have created your  
21 map, is broken because you have created a  
22 map that is a partisan gerrymander. And  
23 I'll just tell you that when you look at  
24 the Harkenrider case and evaluate that it  
25 was a mistake made by the Democrats

1  
2 statewide. What makes you think you're  
3 going to get away with that in Nassau  
4 County when it was the Republicans that  
5 challenged it? That's a concern. And I  
6 think that as you go through this process  
7 and you look at this three legged table,  
8 the first leg being kicked out means that  
9 the table is tottering.

10 Then if we go on and look at what  
11 Reynolds v Sims, and my colleague, Mr.  
12 Pernick, referenced, Reynolds v Sims  
13 Supreme Court case that really just talks  
14 about what the right to vote is. And it  
15 says that the right to vote freely for a  
16 candidate of one's choice is of the  
17 essence of a democratic society. And  
18 that's what we claim to be. We claim to  
19 be a democratic society. We claim to be  
20 a society that respects the rights of  
21 individuals, majority/minority and those  
22 who have been underrepresented. But when  
23 you go after the very right, that makes  
24 us a democracy that separates us from  
25 what's going on in Ukraine right now, you

1  
2 create a concern that we must fight back.  
3 We have to. And don't expect us to be  
4 quiet about that.

5 So when we look at the right to vote  
6 and the right to pick a candidate of  
7 choice, when you strike at the heart of  
8 that right, you create a concern that all  
9 the courts in the United States, not just  
10 places where Democrats rule, where  
11 Republicans rule, have said, you can't do  
12 that. Because that's anti-American. I  
13 know none of you want to be labeled with  
14 being anti-American. I know that you wear  
15 flags on your lapels. By doing what  
16 you're doing, you are labeling yourself  
17 with a label you don't want to carry.

18 And this is an opportunity to  
19 educate everybody, including yourself,  
20 because forewarned is forearmed. And it's  
21 important that you understand that you  
22 don't want to get into that scenario that  
23 Brother Mejias was talking about, where  
24 you're paying lawyers after lawyers after  
25 lawyers, because there are people just

1  
2 waiting for you to do the silly thing  
3 that's happening. I may be one of them.  
4 But I say that because it is my  
5 obligation as a civil rights lawyer to  
6 not let the nonsense that's taking place  
7 go on.

8 So if we go on, we look at the  
9 Voting Rights Act of 1965. That's leg  
10 number two. The table now is starting to  
11 tilt because the Voting Rights Act of  
12 1965 says that you have a responsibility  
13 to abide by what the Supreme Court of the  
14 United States has allowed to exist, that  
15 being Section two. And what people died  
16 for. I'm not talking about just standing  
17 up and arguing at a podium. People stood  
18 in front of hoses, got bit by dogs, were  
19 whipped, were burned and lynched because  
20 they wanted to make sure that they had a  
21 right to stand in a hall of justice like  
22 this and say, treat me right.

23 Do not shame those ancestors. And I  
24 do cite them regularly because if it  
25 weren't for them, a little black boy from

1  
2 Lakeview wouldn't have gone to come back  
3 and come back home to raise hell. And I'm  
4 raising it because that is the importance  
5 of what we all stand for as a community.  
6 Because when we don't respect each other  
7 and we don't respect the rights that you  
8 have, and the rights that you have, the  
9 rights that you have, and the rights that  
10 everybody here has, we do damage to that  
11 table.

12 Let's talk about the next. Because I  
13 can go through the Voting Rights Act and  
14 I don't think I need to do the whole  
15 thing. And these are the preconditions of  
16 the voting rights requirements under  
17 Thornburg v Gingles -- and my friend from  
18 Latino Justice was so appropriate in  
19 talking about how wrong this is. I don't  
20 need to recite all that. But let's just  
21 take a look at what's taking place. I  
22 wanted to make sure that we all heard the  
23 terms. But what are they? What are they?  
24 Cracking, stacking, packing. Sounds like  
25 triplets, doesn't it? But those triplets

1  
2 are amazingly dangerous to that table.  
3 Because it's now standing on one leg in  
4 the wind blowing, because we've dealt  
5 with Home Rule, we've dealt with the  
6 Voting Rights Act. And as we look at what  
7 cracking, stacking, and packing are, we  
8 define them so that everybody knows  
9 because you're doing it in your map.  
10 Cracking fragments, the minority  
11 populations, and disperses them among  
12 other districts to ensure that all  
13 districts are majority white.

14 So when we look at I'm going to name  
15 them: Westbury, New Castle, Lakeview,  
16 Freeport, Hempstead, Uniondale, Elmont,  
17 and South Floral Park; all of them.  
18 You're creating a problem by cracking.

19 And then what you do as we go  
20 forward, we look at the next phenomenon.  
21 Which is stacking. And what are you  
22 doing? You're combining large minority  
23 populations like Lakeview with a greater  
24 number of white voters so that their  
25 ability -- and Lakeview's historic,

1  
2           dealt with Malvern. Right. So what you're  
3           doing is you're stabbing the historical  
4           components of Lakeview right in the back.  
5           And so you're stacking them in a  
6           community where the savor of their vote  
7           will be lost.

8           Packing. It is happening when you  
9           create a district that's 90% minority and  
10          then make sure that the 40 or the 30%  
11          that could influence and or create  
12          another district is not joined to the  
13          other part of another district so you get  
14          a fifth district. This is this is not  
15          hocus pocus. And it's very important for  
16          you to understand that the reason why so  
17          many people are here, there is no hope  
18          that you're going to do the right thing.  
19          But there is hope that we can take this  
20          to a place where they will say that you  
21          did them wrong. And as a result, we make  
22          the record for you so that you can't say  
23          you weren't warned.

24          So this packing that's taking place  
25          that concentrates minority voters as many



1  
2 as possible in as few districts as  
3 possible to minimize the strength. And  
4 the savor of that vote is what's  
5 happening.

6 And I'm getting to the end. Let's go  
7 to Lake three on that table. God rest his  
8 soul. He stood marched with Dr. King and  
9 stood along with everybody that made it  
10 possible for us to be in this place  
11 tonight. Because Nassau County even had  
12 its own problems dealing with voting  
13 rights and dealing with poll taxes and  
14 literacy tests even into the sixties.  
15 It's important to know your history. And  
16 when we deal with that. I've got to just  
17 hearken back because one of the speakers  
18 said you seem to be joining in to those  
19 voices that are doing voter suppression  
20 in other places that we commonly think  
21 they would happen, you know, the  
22 Mississippi and Alabama and Florida.  
23 Well, we're down south up north. And what  
24 you're doing right now is joining in to  
25 that rhythm. That doesn't even keep time.

1  
2 Because the time is 2022. Don't go  
3 backwards and don't take us backwards.

4 So the John Lewis Voting Rights Act  
5 of New York is the third leg. And it  
6 deals with voter dilution. It deals with  
7 voter suppression. It deals with voter  
8 intimidation, deception, and obstruction.  
9 It deals with expanding language access  
10 and preclearance, which was the old  
11 Section five that was undergirded by  
12 Section four of the Voting Rights Act of  
13 1965, and you're running right into a  
14 buzz saw because as you kick that leg out  
15 and violate that leg, the only thing  
16 that's going to come down on your head  
17 are the rights of all the people that  
18 have warned you. And as a result of that,  
19 you will be in violation of not one law  
20 or two laws or three laws, but you'll be  
21 in violation of constitutional violations  
22 because you intentionally did it. This is  
23 not a mistake or an error in map drawing.  
24 You know that you are doing this and  
25 refuse to change your hearts. I'm not

1  
2 worried about your minds.

3 So I'm going to end up here. With  
4 this. You talked about the percentages of  
5 deviations within sections from different  
6 maps, right? You said, oh, the proposed  
7 map from the Dems, you've got a higher  
8 deviation in terms of the numbers in the  
9 districts. As long as you're within the  
10 accepted deviation, you're good by all  
11 genres of law, all areas of law. But what  
12 you're not dealing with. And we're not  
13 just dealing with equality. We're dealing  
14 with equity. Be fair. Be just. Be  
15 appropriate. Because what you are doing  
16 right now is not only unfair, but this  
17 explains what equity is. And you've seen  
18 this picture before, but people have not.  
19 And a lot of people just don't know that  
20 term. So we got to talk with each other.

21 Equity. Puts me on the same plane as  
22 you, Mr. Moroney. After 450 years of  
23 subjugation, after 400 years of being  
24 underfoot, under 400 years of abuse, you  
25 can't expect that a society that saw me

1  
2 as a piece of furniture to think that  
3 everything is okey dokey. It's not. So  
4 equity means that you take the extra  
5 steps to make sure that the standing and  
6 the ability to see everything, to have  
7 access to everything, to be involved in  
8 everything, places everybody on the same  
9 plane. Your map does not do that. What  
10 your map does is turn people who stood in  
11 Nassau County and challenged the old  
12 Board of Supervisors; People that  
13 challenge the Board of Elections -- NAACP  
14 v Board of Elections. That stood and  
15 challenged a number of things on its ear  
16 so that the rights of those individuals  
17 and all the individuals here are just not  
18 considered. And when you take a look at  
19 your own map. Please, everybody, look at  
20 it in the mirror. Look at yourself. And  
21 evaluate whether or not am I as a human  
22 being with authority and power going to  
23 hand this map over to the Legislature so  
24 that they can do their dirty work. And if  
25 that's your vote. Shame on you. But God

1  
2           bless you.

3                   CHAIRMAN MORONEY:   Thank you.

4                   COMMISSIONER MEJIAS:   Thank you.

5           Thank you, Mr. Brewington.

6                   And for the record, Chairman Moroney  
7           and I had a conversation earlier today,  
8           and Chairman Moroney agreed that Mr.  
9           Brewington can make his presentation  
10          without any time constraints. So thank  
11          you, Chairman Moroney, for making that  
12          exception for Mr. Brewington.

13                   MR. BREWINGTON:   Thank you for that  
14          courtesy as well.

15                   CHAIRMAN MORONEY:   That's okay.

16                  Marvin Amazon.

17                   MR. AMAZON I just want to start off  
18          by saying thank you for having me up  
19          here. Although it took like three hours  
20          to get up here, I finally made it. But  
21          I've come to the conclusion that  
22          Republican commissioners really don't  
23          care about what I say. And I know that  
24          because they created their maps without  
25          giving any public comment to their map

1  
2 creator, which kind of defeats the  
3 purpose of why we're here.

4 Now, it's interesting to me because  
5 you, the commissioner I'm sorry, the  
6 chairperson of the commission, you asked  
7 the doctor that was here earlier if when  
8 he was running his maps, if he actually  
9 added any of the concerns of the people.  
10 And that's just weird to me because you  
11 didn't add any of the concerns of the  
12 people to the map that you created. So  
13 you're just kind of throwing things out  
14 there and hoping that it would stick. But  
15 it's not because we're aware and we're  
16 paying attention.

17 So, I mean, I guess since you guys  
18 don't care, I guess someone talked to the  
19 rest of you guys all today. You don't  
20 have you don't really care about what I  
21 have to say anyway. No, not y'all. They  
22 don't really care about what I have to  
23 say, so I'm gonna turn to you guys and  
24 just talk to you all.

25 I want to let you know that the

1  
2 Commission proposed the maps, right? And  
3 after it gets proposed, it goes to the  
4 Legislature Rules Committee, and after  
5 that, it goes to the Full Legislature. So  
6 the legislature has an opportunity to do  
7 the right thing. Right? They can actually  
8 go out and draw a map that represents us  
9 all, but we know what's going to happen.  
10 And if that does happen, it's going to  
11 get very expensive for us. All right. And  
12 regardless of what happens, we should not  
13 be discouraged. We should not turn our  
14 backs. We should not turn our heads. We  
15 should go harder. We should come harder.  
16 Right? We need to make sure that we are  
17 doing our job in our civics, getting our  
18 kids out here. My young son, he's only  
19 nine months now, but getting him out  
20 here, getting everybody out here to make  
21 them understand and make them know that  
22 what we're doing here right now is very  
23 important and so that they can continue  
24 this fight once we have all left. Right.  
25 Because that's what it's about, to

1  
2 continue this fight so that things like  
3 this don't continue to happen, although  
4 it seems like it will be.

5 I'm sorry about that. But I do want  
6 to thank you all for coming out here.  
7 Because you are what's going to stop this  
8 from happening, hopefully. Right. Taking  
9 your time out, especially after the three  
10 hours or two hours that we had to wait  
11 before we have to come up here and  
12 actually speak. And we still have a lot  
13 more people to speak. And I'm hoping that  
14 you guys are not going to close this up  
15 at like 10:00 saying that you have to go  
16 home to your family. I would love to go  
17 home to my son as well. And I didn't get  
18 the opportunity to do that. And he's  
19 about to go to sleep in like 10 minutes.  
20 So I hope I get the opportunity to do so.  
21 But again, I do thank you all. I'm not  
22 going to take any more of your time?  
23 Because like I said, I do want to get  
24 home to my son. So thank you again for  
25 coming out.



1  
2 And I hope that the maps that you  
3 guys propose do the right thing. Because  
4 we're going to have to deal with it. Not  
5 you all. You don't care. We do. We're the  
6 ones being affected by your decisions  
7 today. So hopefully you guys make the  
8 right decision. Thank you.

9 CHAIRMAN MORONEY: Stephanie Chase  
10 and Michele Lambert. You're on deck.

11 MS. CHASE: Good evening,  
12 commissioners. My name is Stephanie  
13 Chase. I am a member of the NAACP. I'm a  
14 civic engagement chair, and I am also a  
15 member of the mighty Lakeview Civic  
16 Association, which was formed pretty much  
17 because things weren't happening in our  
18 community.

19 We're not happy with these maps.  
20 I've been to every -- well, every meeting  
21 but one. I spoke, I asked for  
22 transparency, fairness, and I must have  
23 been just spitting in the wind. Not  
24 happy. I've missed Bible study every  
25 Wednesday to come here. And I just can't

1  
2 believe what you did to Lakeview.

3 Lakeview is a small community and it's  
4 divided.

5 It's bad enough that the Rockville  
6 Centre part can't even get a commuter  
7 ticket for parking at the train station  
8 and the West Hempstead side can't either.  
9 So we're in a middle of nowhere. We just  
10 have ourselves and we do a good job.

11 I'm really, really, really annoyed.  
12 I'm trying to be cool, but if you think  
13 that I'm going to pay all these taxes and  
14 you're going to dilute my voice. Got  
15 another thing coming.

16 Oh, boy. I'm calling for -- this is  
17 just me, not my organizations I'm from.  
18 I'm calling for all of us -- we have to  
19 do something. Because you obviously think  
20 that we're joking. And I'm calling that  
21 maybe we have a day of absence or two  
22 days of absence. So you'll see sometimes  
23 if you get hit in your pocket, you'll  
24 think twice about what you're doing. I  
25 don't see how you could sit there -- I'm

1  
2 talking about the Republicans -- and just  
3 try to cancel out a whole race, races the  
4 people to benefit.

5 I really don't know what else to  
6 say. You're taking away our rights and  
7 you don't seem to care. You don't seem to  
8 care about us at all. Thank you.

9 CHAIRMAN MORONEY: Thank you,  
10 Mikayla (sic). And behind Mikayla, we  
11 have Laura Mallay.

12 MS. CHASE: And I just hope we can  
13 get together for this day of absence. All  
14 these communities to do something or get  
15 our heads together. Show them we're not  
16 playing.

17 MS. LAMBERTI: Good evening,  
18 Commissioners. My name is Michelle  
19 Lamberti. I live in Port Washington. I'm  
20 a member of the Nassau County League of  
21 Women Voters Redistricting Committee.

22 As Barbara mentioned, the league is  
23 a nonprofit, nonpartisan organization  
24 that encourages active and informed  
25 participation in government.

1  
2 Our earnest hope was that the  
3 parties would work together to prepare  
4 one map for consideration evidencing  
5 compromise and saving county residents  
6 the cost of two sets of experts, staff  
7 and mappers. As that did not happen,  
8 we've reviewed the Republican and  
9 Democratic Delegation districts and  
10 proposals.

11 We cannot support the map proposed  
12 by the Republican delegation. As the  
13 Republican map consultant conceded, this  
14 proposal was based principally, if not  
15 solely, on maintaining cores of existing  
16 Nassau County legislative districts. This  
17 intention is not the principle nor the  
18 highest goal of the newly amended  
19 Municipal Home Rule Law. As mentioned  
20 before, Municipal Home rule law, Section  
21 34-4 notes that districting plans shall  
22 comply with the following standards which  
23 shall have priority in the order here and  
24 set forth. The maintenance of existing  
25 cores is one of the last in the list of

1  
2 possible criteria. Well, after equal  
3 population, the equal opportunity of  
4 racial or language minority groups to  
5 participate in the political process and  
6 to elect representatives of their choice  
7 after continuity, after compactness, and  
8 after not favoring nor disfavoring  
9 political parties or incumbents. Having  
10 not considered this criteria, the  
11 Republican delegation's map violates New  
12 York's Home Rule Law.

13 The existing legislative district  
14 lines do not comply with all applicable  
15 Constitutional, State and Federal  
16 requirements and cannot form the basis of  
17 a constitutional redistricting plan.

18 Additionally, we have concerns that  
19 the map proposed by the Republican  
20 delegation may be in violation of the  
21 Voting Rights Act, as well as New York's  
22 John Lewis Voting Rights Act. No racially  
23 polarized voting analysis was undertaken,  
24 nor are the Gingles factors adequately  
25 considered.

1  
2 More than 42% of Nassau County  
3 residents are members of racial or  
4 language minority groups. The Republican  
5 Delegation plan does not reflect the  
6 demographic reality of our county and  
7 maintains 15 non-Hispanic white majority  
8 districts. Well, there was a decline of  
9 nearly 100,000 non-Hispanic white  
10 residents over the last decade. This  
11 cannot stand.

12 Additionally, the admitted lack of  
13 analysis of whether VRA Section 2  
14 requires the creation of districts for  
15 black, Latino or Asian communities in our  
16 county is unacceptable and could expose  
17 our county to well deserved litigation at  
18 substantial cost. And I recognize cost  
19 both financially, but more importantly to  
20 the fabric of our community.

21 The Republican Delegation's plan  
22 also ignored public comments and divided  
23 communities. I see my time short, so  
24 switch to the next.

25 The district plan presented by the

1  
2 Democratic Delegation, while preferable,  
3 has a few issues as well. Growth of  
4 communities of color drove growth in  
5 Nassau County. We applaud the Democratic  
6 delegation proposal for creating an  
7 additional minority/majority district as  
8 well as an Asian opportunity district  
9 (buzzer). However, we do question whether  
10 an analysis was conducted to determine  
11 whether a Latino majority district could  
12 be created. Latinos comprise almost 18%  
13 of our county residents. Yet there has  
14 not been an elected Latino on the Nassau  
15 County Legislature, I believe, since  
16 2007. An effort should be made, where  
17 practicable, to create a Latino majority  
18 district.

19 While I appreciate the analysis  
20 conducted by Dr. Gall, I would like it to  
21 consider New York State Assembly, Senate  
22 and Nassau County legislative races and  
23 primaries.

24 Thank you for the opportunity to  
25 provide public comment for the Commission

1  
2 and we will hope you will take community  
3 comment and applicable law seriously as  
4 you consider how to move forward.

5 CHAIRMAN MORONEY: Laura Mallay,  
6 you're up and behind you is. Pearl  
7 Jacobs. Laura? Laura?

8 (Whereupon, no verbal  
9 response.)

10 CHAIRMAN MORONEY: Pearl Jacobs.

11 MS. JACOBS: Good evening. My name  
12 is Pearl Jacobs. I'm president of the  
13 Nostrand Gardens Civic Association in  
14 Uniondale. I have with me Mary Ellen  
15 Cray. She's a long time leader in  
16 Uniondale, Uniondale Community Council.  
17 And I have my son here who's supporting  
18 me tonight.

19 I remember taking an introduction to  
20 art class, and the first thing that the  
21 instructor said was a picture is worth a  
22 thousand words. Draw what you feel and it  
23 will tell your story.

24 This Republican redistricting map  
25 certainly tells the story of how the



1  
2 architects of this map feels about  
3 Uniondale. The story that I discern when  
4 I look at this map is a story of  
5 discrimination, gerrymandering,  
6 marginalization and encroachment. You  
7 have named everything around Uniondale  
8 and left us unnamed on this map. You have  
9 rendered Uniondale invisible on this map,  
10 invisible as if Uniondale doesn't exist  
11 and is not an essential part of Nassau  
12 County.

13 Besides the issue of rendering  
14 Uniondale nameless on this map, I see  
15 issues of encroachment upon our  
16 boundaries, addition of another  
17 legislative representative that would  
18 increase our county representatives to  
19 three, and other indications of nefarious  
20 tactics.

21 In addition to a gerrymandering,  
22 Perhaps this map was also designed for  
23 developers to intrude further upon  
24 Universal's undeveloped land space. I am  
25 certain that the fact that Uniondale sits

1  
2 90 feet above sea level makes Uniondale  
3 an attractive location for more  
4 developers. Whatever the reasons are,  
5 this map is a picture of everything  
6 wrong.

7 In reference to the Democratic  
8 redistricting map. Uniondale, its name,  
9 was included, and it appears that  
10 Uniondale will remain hold and  
11 represented under one legislator. And  
12 that is good. Having one legislator is  
13 favorable. Currently, Uniondale has two  
14 legislators, and as a civic president, I  
15 find that there are often communication  
16 breakdowns between representatives,  
17 making it extremely difficult to get  
18 anything done at all. Keep Uniondale  
19 whole.

20 CHAIRMAN MORONEY: Thank you.

21 James Hodge, followed by Corinne  
22 Richards. Here we go.

23 (Whereupon, Mr. Hodges  
24 approaches while singing.)

25 MR. HODGES: T Mr. Chairman and

1  
2 commission. You can hear me, right? I  
3 want to make sure you can.

4 Chairman, I want to say early that  
5 the way you started this meeting off was  
6 very disrespectful. It seemed like  
7 whenever there's a group of a lot of  
8 black people or minorities, there's extra  
9 police officers. You feel the need that  
10 you got to tell us you don't want no talk  
11 back. Who are you talking to? Did you say  
12 that in the other majority white areas I  
13 don't want talk back. Then we have cops  
14 and detectives or maybe something was  
15 going on and I didn't know about.

16 Chairman, I keep questioning when  
17 you told me you received this Martin  
18 Luther King Award. I keep wondering why,  
19 when it just seems like these things keep  
20 happening over and over and over. The  
21 disrespect for the people, especially the  
22 minority districts.

23 I'm asking you when we talk about  
24 fairness, silence is a form of betrayal.  
25 So I'm asking all of you, and I'm going

1  
2 to keep coming to you, Pastor, because I  
3 love you and I care about you. But  
4 silence. There's no need for silence.

5 When Mr. Brewington said people bled  
6 and died -- I talked to the late. Great.  
7 Congressman John Lewis, and he said keep  
8 getting in good trouble. He was beat on  
9 his head for believing in civil rights  
10 and justice for people. And when you had  
11 your expert on the line and he said he  
12 didn't even take into consideration what  
13 people have been saying for weeks and  
14 months, it is disgusting and  
15 disrespectful to even having these  
16 meetings.

17 I say to you that for you not to  
18 even take into consideration all of the  
19 things that these people have been  
20 saying, and then you said something about  
21 you don't give something when one of the  
22 ladies was saying -- I'm telling you,  
23 Chairman, I'm a black man and I'm not  
24 going to stand in no meetings and let  
25 anybody disrespect kings and queens.

1  
2           One of the most disrespected people  
3           in this country is black women. And I'm  
4           telling you how we address them, we must  
5           respect them in how we present.

6           So again, how do you implement,  
7           let's say, systematic racism and  
8           institutional racism in your policies  
9           like we're seeing today? They're voted  
10          on. They agreed upon. This map is totally  
11          -- from what we heard, it's totally  
12          illegal. I am asking. From all of the  
13          statistical data that you had, you have a  
14          civil rights, one of the greatest in our  
15          country right here. You're an attorney.  
16          Do you agree with me? He's one of the  
17          best attorneys in the country.

18          CHAIRMAN MORONEY: I think the best  
19          lawyer, an attorney sitting right next to  
20          me. Peter Bee.

21          COMMISSIONER MEJIAS: I thought you  
22          were talking to me for a second there.

23          CHAIRMAN MORONEY: Problem is this  
24          six lawyers on this thing.

25          MR. HODGES: Well, okay, well,

1  
2 that's your opinion, but I think that Mr.  
3 Brewington is one of the best in the  
4 world. All right.

5 And so in my conclusion, I'll say  
6 this, that it is unfair. You said it's  
7 five against five. I believe it's six  
8 against five. And I believe that it's  
9 fair against wrong. Okay. Because again,  
10 the community keeps voicing and voicing  
11 and voicing their opinion. And for the  
12 expert to say he has not even took he's  
13 not even taken any of this into  
14 consideration, it's really disrespectful  
15 and a disregard to the people that are  
16 fighting for justice.

17 So again, I end with saying, as I  
18 always say, no matter what happened, I do  
19 give this pastor great respect, but I  
20 believe that I hold pastors and leaders  
21 of organizations and churches to a higher  
22 level than anybody else because they have  
23 sheep that follow them. So again,  
24 Chairman, I say to you that no matter  
25 what you do, God is watching you and he

1  
2 has the last say with you and all of your  
3 commissioners. Everyone here, please hear  
4 the voice of God like you would hear your  
5 parents if they're calling, even if  
6 they're calling from heaven. I'm asking  
7 you to hear the voice of God and do what  
8 is right by the people. Amen.

9 CHAIRMAN MORONEY: Thank you.  
10 Corinne Richardson. And behind her is  
11 Lee Senior.

12 MS. RICHARDSON: Good afternoon. I'm  
13 Corrine Richardson. I am representing  
14 Uniondale. I live in Uniondale for a long  
15 time. I grow all of my children there.  
16 One worked for Nassau County, he's a bus  
17 driver for 31 years. One is a New York  
18 City police officer for New York City.  
19 Plus, I have two daughters served in the  
20 United States Army. Plus, I had a brother  
21 -- I'm a Gold Star family -- got killed  
22 in Vietnam. And now I am waiting for his  
23 results to come to us of the family so we  
24 could be able to unite with things that  
25 he have done.

1  
2 I moved from Brooklyn. Over here  
3 when my son was a baby in my arms, who's  
4 serving New York City now. I seen this  
5 place go downhill. Jobs was here when I  
6 came here. Now you have to spend money in  
7 order to keep a decent home and a job  
8 that go so far out. Jobs don't come in  
9 our neighborhood.

10 When you draw that map, what that  
11 map tells me, we have to spend money, go  
12 someplace else. And we are taking other  
13 people's neighborhoods and making a good  
14 wealth of it when ours are going down.  
15 And I think it's very unfair. Give us  
16 back our opportunities to have too.

17 When you take money from me, you  
18 making me poor. I'm a retired young lady.  
19 Eighty years old. Young, eighty years  
20 old. And I work all my life for every  
21 dime I got. And I cannot stand to see me  
22 not have and for -- if everybody think  
23 that this town, Uniondale, is very  
24 (buzzer) wealthy too.

25 Our tax dollars are going someplace



1  
2 else. Do you know our highway, our  
3 streets is getting paint, is getting  
4 tarred like it should be because I went  
5 down to Hempstead and fought back. Big  
6 holes. Tires coming off the car when you  
7 ride down the street. Then you go  
8 someplace else. Other neighborhoods look  
9 better than mine. I'm tired of spending  
10 my money and going out the window. Not  
11 helping me. Helping Others. I want to see  
12 my money come back to me too. I want to  
13 see my money come and help my children.

14 I have a son right now. He's getting  
15 ready. If he retired from the New York  
16 City Police Department, gonna sell his  
17 home. He said, Mama has two expensive.  
18 Our Tax are ridiculous in Uniondale.  
19 Every year our school taxes are high.  
20 It's not fair. Please tell me how our  
21 people gonna live if we don't fight,  
22 fussing and carry on and make sure that I  
23 will have something too.

24 I don't want to look like a rag  
25 lady. I don't want to walk around like I

1  
2 don't have nothing when I work hard all  
3 my life.

4 I could not vote in the South. I'm  
5 from South Carolina. I could not vote in  
6 South Carolina until I came to this state  
7 in 1963. In 1965, and Lyndon B. Johnson  
8 passed that civil rights bill, I was able  
9 to vote.

10 CHAIRMAN MORONEY: Mrs. Richardson,  
11 if you could just wrap it up, please. We  
12 have a three minute limit. You're well  
13 over it, but just wrap it up in your own  
14 words.

15 MS. RICHARDSON: Excuse me?

16 CHAIRMAN MORONEY: Can you wrap up  
17 your presentation?

18 MS. RICHARDSON: I'm going to say  
19 one more word, then I'm going.

20 It's not fair to us that don't have.  
21 If we don't straighten our act now, after  
22 a while -- where I live, across the  
23 street now, they're building up they're  
24 building condominium costs \$2000, \$3000.  
25 My children can't get in there. Thank

1  
2           you.

3                   CHAIRMAN MORONEY:   Aida Berry.

4                   MS. BERRY:   Good evening, everybody.  
5           So many of us have come here and voiced  
6           our displeasure with the map presented by  
7           the Republicans. We have talked about the  
8           lack of transparency, but we understand  
9           why that's a pipe dream. Not listening to  
10          constituents, not making things public in  
11          a timely manner has been the procedure  
12          for getting things passed underneath our  
13          noses and then told it's too late to do  
14          anything.

15                  Arlo, the attorney, Cesar, Mr.  
16          Brewington and so many others here  
17          tonight have so eloquently voiced how  
18          wrong this Republican map is. It reminds  
19          me of Nassau's reputation as the most  
20          segregated county in America. But let's  
21          pay attention to the fastest growing  
22          group in America.

23                           (Whereupon, Ms. Berry speaks  
24                           Spanish.)

25                  MS. BERRY:   They sound and they look

1  
2           like me.

3           You mentioned one legislator, one  
4           vote. Why did you have to go across the  
5           county to get the necessary numbers? You  
6           mention you were trying not to deny  
7           minority voice, but that's exactly what  
8           you're doing to communities like Lakeview  
9           by splitting them into three districts.  
10          We're not even that big.

11          We have heard so many speak tonight  
12          about how this map is an obvious example  
13          of political gerrymandering. It's time to  
14          start thinking about those you represent  
15          rather than keeping a minority party  
16          ruling the majority.

17          I came here to listen and learn. I  
18          have more questions now than what I came  
19          in with. But one question I would like  
20          answered is: What can we do to prevent  
21          this travesty? And yes, I do know my  
22          legislator.

23                 CHAIRMAN MORONEY: Sanjeev Jindal  
24                 with Reverend Tristan Salley behind.

25                         (Whereupon no response from

1  
2 Mr. Jindal.)

3 CHAIRMAN MORONEY: Okay. Reverend  
4 Tristan Salley. And we have Trustee Noah  
5 Burrows from the Village of Hempstead  
6 behind.

7 REVEREND SALLEY: To the Chair and  
8 commissioners and to all Nassau County  
9 residents. I stand before you tonight as  
10 a clergy person, resident, and concerned  
11 citizen of the roughly one square mile  
12 hamlet of Lakeview, a proud and a  
13 passionate community comprised of just  
14 roughly around 7000 residents. According  
15 to the 2020 Census.

16 As a senior pastor of St Paul AME  
17 Church, African Methodist Episcopal  
18 Church, a congregation which is preparing  
19 to celebrate its centennial year of  
20 Ministry and Community Building in the  
21 Greater Lakeview Command Community, and a  
22 church that is the oldest, predominantly  
23 African American Christian denomination  
24 in the United States and perhaps the  
25 world that was birth out of the Free

1  
2 African Society after Richard Allen, who  
3 personally endured racial inequality  
4 after being pulled off of his knees by  
5 white parishioners at the St George's  
6 Episcopal Church in Philadelphia,  
7 Pennsylvania, started a movement for a  
8 liberating gospel that is inclusive of a  
9 social and racial justice ministry for  
10 all people.

11 I stand before you tonight shoulder  
12 to shoulder, not just on behalf of the  
13 175 members of my congregation and the  
14 500 individuals who visit our food pantry  
15 on a monthly basis, but alongside other  
16 communities, organizations and residents  
17 to speak truth to power about the  
18 atrocity that this proposed redistricting  
19 process has been and the complete  
20 absurdity of the proposed maps that call  
21 for the ultimate disenfranchisement of my  
22 beloved, our beloved community. Not only  
23 not only does splitting this small,  
24 predominantly minority community along  
25 the proposed lines not ethnically make

1  
2 sense, it is also a travesty that will  
3 have economic and other detrimental  
4 ramifications upon the quality of life  
5 for Lakeview residents and businesses.

6 Mr. Chair, outside of our current  
7 legislature, historically, Lakeview has  
8 been widely underserved by our elected  
9 officials, all the while having to be  
10 left to fight for the basic needs of our  
11 community, such as the maintaining of  
12 public spaces, access to clean drinking  
13 water and economic opportunities such as  
14 employment. And by splitting us  
15 according to one of these proposed plans  
16 would again provide hardships for all of  
17 our residents by minimizing our voice and  
18 leaving our residents to rely on a system  
19 that has systematically and systemically  
20 ignored the concerns of our taxpaying  
21 citizens (buzzer).

22 Additionally, the suggestion of this  
23 redistricting is offensive in its obvious  
24 attempt to devalue Lakeview residents as  
25 well as their civic and historic

1  
2 contributions.

3 Tonight, I ask you, Chair and  
4 Commissioners, not to subject the  
5 community of Lakeview or Nassau County to  
6 deal with the consequences of a decision  
7 based solely upon political affiliations,  
8 nor to come to a hasty decision for the  
9 sake of party expediency. But instead, I  
10 request of you to have a compassionate  
11 heart such as Christ did, as he cared for  
12 the well-being of all of those he  
13 encountered. Honestly, the matter that is  
14 before us. Honestly, it's not about you.  
15 And it's not about me, but it's about our  
16 children, my son, who is soon to be born  
17 and generations of Long Islanders and  
18 Nassau County(ites) for futures to come.

19 CHAIRMAN MORONEY: Reverend, could  
20 you wrap up?

21 REVEREND SALLEY: I'm going to wrap  
22 it up. But tonight, I urge you in the  
23 words of the Reverend Dr. Martin Luther  
24 King Jr., "The ultimate measure of a man  
25 is not where they stand in times or



1  
2 moments of convenience and comfort, but  
3 where they stand at times of challenge  
4 and controversy".

5 Mr. Chair, we are watching and  
6 praying and demanding you do the right  
7 thing.

8 CHAIRMAN MORONEY: Thank you.  
9 Trustee Noah Burrows. And behind the  
10 trustee is Stephen Edmenton.

11 MS. GRIFFITH: Good evening,  
12 everyone. I'm not a Trustee Noah  
13 Burrough, but I am Trustee Cloriona  
14 Griffith of the Village of Hempstead and  
15 we're one village, so we're one trustee  
16 tonight.

17 So me and Mr. Borrough have been to  
18 numerous meeting and we spoke to you guys  
19 and we spoke to everybody about what's  
20 taking place. I'd just like to mention  
21 that Hempstead is in the house. And I  
22 also want you to know that Hempstead is  
23 one of the largest village in the United  
24 States. And what you're trying to do  
25 today is clearly something that is going

1  
2 to go into the book. Divide and conquer.  
3 That's what you're trying to do. Divide  
4 us.

5 You want to crack us up by dividing  
6 us. Then you want to turn around and you  
7 want to stack the votes in your favor.  
8 And then you want to pack everybody in to  
9 make sure that you get our votes. Because  
10 oftentimes when you won our votes in  
11 Hempstead, that's when you all show up to  
12 take out demographic. But it's not going  
13 to happen.

14 You might divide us on the map, but  
15 you will not divide us as the people  
16 because we're here tonight and we're  
17 going to continue to show up, like I said  
18 before. So please reconsider. Think about  
19 this, because just because you divided  
20 this map does not mean you're dividing  
21 the people. We're going to continue to  
22 speak up and let you know that we're not  
23 standing for what's happening.

24 I might not be able to see all of  
25 the -- matter of fact, it wasn't even

1  
2 written there. The streets you know, the  
3 streets weren't written down. And the  
4 reason why it wasn't written down is  
5 because there's no transparency. The  
6 people can't see. They won't understand  
7 the maps. The maps that I brought that  
8 day was even clearer than the maps that  
9 you're presenting today. Good night,  
10 everyone. Thank you.

11 CHAIRMAN MORONEY: Stephen Edmenton  
12 and Regis Thompson Lawrence to follow up.

13 MR. EDMENTON: Hello, Peter Bee.  
14 Hello, Jared. And I think Jared is right.  
15 I think we're going to have a big  
16 lawsuit. Considering I know Jared when he  
17 was counsel for Oceanside sanitation. And  
18 this pile over here is not going in order  
19 because I was one of the first persons  
20 here. Yes. So that's another problem.

21 But we have three county legislators  
22 in Oceanside. I mean, we got Howard  
23 Kopel. I mean, when he shows up half the  
24 time, he's in Florida. I mean, and they  
25 put him down in Bay Park and then they

1  
2 put Denise Ford down in Bay Park after  
3 the sewage treatment plant backed up. So,  
4 so much for the maps. And I mean, we got  
5 three county legislators.

6 And your friend Kevin McKenna just  
7 got locked up in the room over here. I  
8 think that was the Democrats to lock them  
9 up. So they can't blame the Republicans  
10 on that one.

11 But you're going to have a lawsuit.  
12 I can see it coming. I mean, you have  
13 NIFA, because they didn't do the right  
14 thing and then you're going to have  
15 another lawsuit.

16 I mean, I had Fred Brewington  
17 represent me when I had to sue the  
18 county. It took me eight years because  
19 they fired me for being dyslexic as a  
20 park ranger. So I know what's going on in  
21 this county. Have a good night.

22 CHAIRMAN MORONEY: Thank you. Regis  
23 Thompson-Lawrence and Viviana Russel  
24 following up.

25 MS. LAWRENCE: Good evening,

1  
2 everyone.

3 I said I wasn't going to speak  
4 because I remember the last time standing  
5 at the podium the police came, so I was a  
6 little nervous about speaking.

7 So but when I look at with attorney  
8 Brewington has said about the John Lewis  
9 Voting Rights Act, I'm concerned about  
10 all of you who sit on this panel. And if  
11 you're really thinking about your family,  
12 not just my family, but all the families  
13 that live in the Village of Hempstead,  
14 how you have robbed and steal from the  
15 people. I think now is the time to take a  
16 closer look at who you are as  
17 individuals.

18 I'm a human being. I have rights and  
19 I feel right now my rights have been  
20 taken away from me. But I'm not going to  
21 let that happen any longer because  
22 Sharon, she didn't leave already. And  
23 Attorney Brewington, he knows me. I'm  
24 trying to remain calm because I'm  
25 hurting. And I think there needs to be a

1  
2 lawsuit about my human rights and how  
3 mentally I have suffered. Looking at a  
4 map that I can't even explain to the  
5 people that live with me, what does this  
6 map mean, whether it's a Democratic map  
7 or a Republican map, I don't know what  
8 street I'm on.

9 So I think it's time for you to be  
10 honest and sincere with how you view the  
11 people in the Village of Hempstead, as  
12 well as all the people that are in Nassau  
13 County. It doesn't matter if they look  
14 like me. Just tell the truth. Be honest  
15 with who you are within yourself.

16 And Mr. Brewington, if you would  
17 like to say a few words to the people,  
18 please say a few more words because, you  
19 know I'm hurting right now. I feel the  
20 pain. What's going to happen to the  
21 grandchildren? What's going to happen to  
22 your children if you keep lying and not  
23 telling the truth? You have to tell the  
24 story. Look what happened to my great  
25 grandmother. She probably raised some of

1  
2 your family members that you don't want  
3 to talk about. So my time is up. I said,  
4 enough. I just want to say, look at your  
5 history. God bless you. Have a good  
6 night.

7 CHAIRMAN MORONEY: God bless you,  
8 too. Viviana Russel and Henry Boitel  
9 backing up.

10 MS. RUSSEL: Good evening, everyone.  
11 If I could just ask the committee to  
12 please oblige me. We have a young person  
13 here that would like to speak, and I  
14 would like to allow her some of my time  
15 to speak because she does have to get  
16 home because she has school tomorrow. So  
17 if you can allow her to speak now and  
18 then I can speak after her.

19 CHAIRMAN MORONEY: Sure.

20 MS.MCNAIR: Good evening. Actually,  
21 it's past 10:00. My name is Chelsea  
22 McNair, and I go to Holy Trinity High  
23 School in Hicksville. And I'll be brief  
24 because it's past my bedtime.

25 I'm only 16 years old, so I'm not

1  
2 registered to vote. But I can read and I  
3 can listen. And I like to be informed.  
4 And I did a little research while sitting  
5 here and listening to everyone speak.

6 The population in Nassau County is  
7 1.3 million people. Now the white  
8 population has dropped from 73% to 58%.  
9 That's a little scary. Maybe for some of  
10 you. The Asian population has increased  
11 by 60% in the Latino population has  
12 increased by 30%. Again, some scary  
13 numbers.

14 To be brief. Honestly, this is about  
15 there's less funding, there's less  
16 opportunity, and there's less power to  
17 the people with this map, less power to  
18 my people, our people. And it's just  
19 bogus. I mean, the map doesn't even make  
20 sense. Like, hold on. What was I'm sorry.  
21 I had the number of the funding for the  
22 committee and I've lost it. But with this  
23 amount of funding, you tell me you can't  
24 put streets names of streets on a map?

25 Okay. People of color are being



1  
2 moved around and shuffled around like  
3 cattle on a map to benefit both sides  
4 honestly for our votes and it's tiring  
5 and it sets a precedent for the next  
6 generation, my generation and the  
7 generation that will come after me. And  
8 we're tired. We're tired. And you have to  
9 do better. And good night.

10 COMMISSIONER MEJIAS: Thank you for  
11 coming.

12 MS. RUSSEL: Good evening again, Mr.  
13 Moroney, and members of the entire  
14 committee. My name is Viviana Russel. I  
15 am a black Hispanic American. I'm a  
16 resident of New Castle and I'm the  
17 immediate former council person for the  
18 town of North Hempstead. They used to  
19 represent District one, which includes  
20 the hamlets of Westbury, New Castle,  
21 Carle Place and the villages of Westbury  
22 and Old Westbury.

23 The proposed map identified turns  
24 over Nassau County on its head and it's  
25 not a fair map. It's not a map that does

1  
2 justice to the communities of Nassau  
3 County, in particular, to the village of  
4 Westbury and the hamlet of New Castle.

5 Twenty years ago, Federal District  
6 Court Judge Arthur Spatt's first  
7 requirement was to create two effective  
8 minority districts in the original county  
9 legislative plan. The judge decided.  
10 Jackson v Supervisors held that Nassau  
11 County is weighted Board of supervisors  
12 voting system violated the US  
13 Constitution's one person one vote equal  
14 protection guarantee.

15 Judge Spatt ordered the County to  
16 come up with a new form of government.  
17 The County Legislator was one of the  
18 results of that effort. Judge Spatt also  
19 held that Nassau County was required by  
20 Federal Voting Rights Act to create at  
21 least two effective minority districts.  
22 The first county legislature subsequently  
23 elected two African Americans to  
24 represent District 1 and District 2.

25 Almost 20 years ago, these districts

1  
2 were kept intact in the spirit of Judge  
3 Spatt's order in the legislative plan.

4 In 2013, I stood in this very room  
5 at this podium and testified on the same  
6 principles to uphold the interests of the  
7 residents of Nassau County. While the  
8 Legislative District 2 was left intact,  
9 it was illegal. This year you're  
10 proposing radical changes to District 2  
11 that makes us wonder what's behind this  
12 map. The Voting Rights Act applied then,  
13 and it still applies today.

14 In addition, the Municipal Home Rule  
15 Law provides that weight at least equal  
16 to the concept of preserving village  
17 lines also be given to preserving  
18 existing legislative districts, also  
19 known as cores, and identifiable  
20 communities of interest a look at the  
21 hierarchy of how the cores impacted is  
22 warranted as so not to disenfranchise the  
23 New Castle Westbury community as was done  
24 recently in the congressional  
25 redistricting.

1  
2           While the law was already has  
3           already been quoted, I feel it's  
4           necessary to restate it in context to my  
5           statements. Section 34-4 of the Municipal  
6           Home rule law reads any plan of  
7           districting or redistricting for the  
8           purpose of apportionment or  
9           reapportionment of members of its local  
10          legislative body shall be subject to  
11          Federal and State constitutional  
12          requirements and shall comply with the  
13          following standards, which shall have  
14          priority in the order herein set forth to  
15          the extent applicable.

16                 First in order of priority, Section  
17          34-4a states that districts must be  
18          relatively equal in population within 5%  
19          of each other.

20                 Second in order of priority, Section  
21          34-4b states that the Voting Rights Act  
22          of minority racial and language groups  
23          must be respected.

24                 Third, Section 34-4c states that  
25          districts must be contiguous.

1  
2 Fourth in priority, Section 34-4d  
3 states the districts must be drawn  
4 compactly.

5 Then comes the language of Section  
6 34-4e, fifth in order of legal priority,  
7 which makes the case for why New Castle  
8 and the eastern portion of the village of  
9 Westbury should not be split. Districts  
10 should not be drawn to discourage  
11 competition or for the purpose of  
12 favoring or disfavoring incumbents or  
13 other particular candidates or political  
14 parties. The maintenance of cores of  
15 existing districts or preexisting  
16 political subdivisions, including cities,  
17 villages and towns and of communities of  
18 interest shall also be considered. To  
19 the extent practicable no villages,  
20 cities or towns except those having more  
21 than 40% of a full ratio of each district  
22 shall be divided.

23 New Castle, in the eastern portion  
24 of the village of Westbury, communities  
25 have been served well by the unity of

1  
2 interests that was created by being  
3 included in one legislative district. The  
4 unincorporated areas of Westbury or New  
5 Castle, which in some instances are  
6 across the street from the village of  
7 Westbury residents and Central Westbury  
8 section, with whom they share many  
9 social, cultural and socioeconomic  
10 characteristics, will have to go to  
11 different legislators to discuss issues  
12 that are common concern to both of them.

13 While I have a great admiration for  
14 the competencies of both Legislator Bynoe  
15 and Legislator Schaefer, this is bigger  
16 than both of them. This matter lies in  
17 the letter and the spirit of the law,  
18 which was established to maintain, to  
19 maintain unity of our interests, not  
20 politics of either party.

21 Section 34 E 5 further states,  
22 districts shall not be drawn to  
23 discourage competition for the purpose of  
24 favoring or disfavoring incumbents or  
25 other particular candidates.

1  
2 As a community advocate, activist, a  
3 black Cuban American, former member of a  
4 town board for 12 years, I know a little  
5 something about these communities.  
6 Through partnerships with both  
7 legislators, we have worked to help  
8 residents work together to accomplish  
9 community goals.

10 The redistricting plan being  
11 proposed takes us a step backwards, many  
12 steps backwards. The map should be a  
13 Nassau County map. Not a Republican map.  
14 Not a Democrat map. Please go back to the  
15 table and work to develop a plan Nassau  
16 County can be proud of.

17 CHAIRMAN MORONEY: Viviana, could  
18 you wrap it up? You had three minutes.  
19 Three minutes are up.

20 MS. RUSSEL: You have very little  
21 time. But I want to believe I truly want  
22 to believe that you will do the right  
23 thing in good faith with the privilege  
24 that you have been given as a part of  
25 this committee to serve the people in a

1  
2 way that communities deserve and the law  
3 requires. Thank you.

4 CHAIRMAN MORONEY: Henry Boitel and  
5 with Janine Maynard behind.

6 MR. BOITEL: Henry Boitel, Rockville  
7 Centre.

8 I think I'm about to do the unheard  
9 of and congratulate both branches of the  
10 Commission on doing at least one thing,  
11 right. If I read the maps correctly and  
12 it's difficult just from looking at the  
13 map to be certain about this, the village  
14 of Rockville Centre is now going to be in  
15 one distinct district; is that correct?

16 CHAIRMAN MORONEY: Yes.

17 COMMISSIONER PERNICK: We're  
18 required to by the new municipal home  
19 rule law, Mr. Boitel. We're required to.

20 MR. BOITEL: Both of you?

21 CHAIRMAN MORONEY: Yes.

22 COMMISSIONER PERNICK: Yes.

23 MR. BOITEL: And I really appreciate  
24 that.

25 Now, having said that. I'd like to



1  
2 say I'm an attorney. I've appeared at  
3 every level of the state and federal  
4 system arguing. And I heard Mr.  
5 Brewington's presentation tonight. I  
6 heard all the presentations, of course,  
7 and I agree with a lot of them, but I  
8 want to say that I agree 100% with the  
9 legal argument that was made by Mr.  
10 Brewington tonight. And I think you  
11 should pay very close attention to what  
12 it is he had to say. If you do so, you  
13 will not only save this community a lot  
14 of grief, you will save the community a  
15 lot of money.

16 In any event, thank you.

17 CHAIRMAN MORONEY: Thank you. Janine  
18 Maynard with Doris Hicks following.

19 MS. MAYNARD: Good evening. My name  
20 is Janine Maynard. I'm co-facilitator of  
21 an action coalition in Uniondale called  
22 the Greater Uniondale Area Action  
23 Coalition. That's co convened by our two  
24 oldest civics Uniondale Community Council  
25 and Ocean Garden Civic Association.

1  
2 I'm here today to make a couple of  
3 points about our discontent and lack of  
4 support for the Republican version of the  
5 map.

6 First, I want to point out that the  
7 map that was provided by the Republican  
8 Committee omitted the Uniondale census  
9 designated place while naming a bunch of  
10 community census designated places around  
11 our community. They have listed here  
12 Salisbury Census, Designated Place; East  
13 Meadow Census Designated Place; Hempstead  
14 Village Garden City Census designated;  
15 Mineola. So they take the areas around  
16 us and leave us nameless and then divide  
17 us by three. That's outrageous.

18 So I'm going to give you an object  
19 lesson of what that's like. Mr.  
20 Chairman, I'm going to take your name  
21 away. And I'm going to speak to the  
22 other people on the committee who are  
23 visible to me whose names I will see.  
24 You tell me if that feels like you can do  
25 business with me.

1  
2 Right now when I look at this map. I  
3 see that there are violations. Many of  
4 them have been spoken about before, but  
5 Home Rule Law does describe geographic  
6 and numbers standards for meeting the  
7 test.

8 There's an area that they're talking  
9 about giving to a third representative.  
10 And that area of acquisition is curiously  
11 high on value and low on people. If you  
12 look at this little map here, Section 13  
13 coming from East Meadow wants to encroach  
14 on our community land. It's in our green  
15 space and where our land protects, our  
16 access to our sensitive wetlands,  
17 intermittent wetlands that help protect  
18 us from flooding.

19 Now you're saying that that  
20 acquisition had something to do with  
21 giving a few more numbers to East Meadow,  
22 but it's green space. Look. It's green  
23 space. You want our land. You want what  
24 our people want to defend as its  
25 community. So taking our voice isn't

1  
2 just taking our vote (buzzer). It's  
3 taking away our right to represent our  
4 land.

5 Area 14. The census place of 14.  
6 That's the Long Island Railroad and the  
7 third track? That's access to economic  
8 development. And you want that land to.  
9 That's why it's so choppy and that's why  
10 Carle Place people can't handle Carle  
11 Place Long Island Railroad Area and  
12 Westbury people and Hicksville people.

13 CHAIRMAN MORONEY: Could you wrap it  
14 up?

15 MS. MAYNARD: So for me, for me, if  
16 my voice is going to count in my  
17 community, it's my protection of my  
18 people and my land.

19 CHAIRMAN MORONEY: Doris Hicks.  
20 Doris Hicks with Carol Campbell following  
21 up.

22 MS. HICKS: Good evening, everyone.  
23 My name is Doris Hicks, and I've been a  
24 resident of Lakeview for 36 years. I  
25 stand before you today as a resident and

1  
2 the president of the NAACP Lakeview  
3 branch.

4 We have had the most wonderful  
5 representation as far as a legislator  
6 within the last four years. Prior to  
7 that, we had a legislator that gave away  
8 our land. This lady is talking about  
9 land. They gave it away for a dollar.  
10 They gave away our Tanglewood preserve  
11 for \$1. And you let it happen. They gave  
12 away a soccer field up to Lynbrook for a  
13 dollar. That was Lakeview property. And  
14 it happened. And nobody said a word until  
15 we found out later.

16 But today, we have a legislator who  
17 cares who's done back to school  
18 activities, holiday celebrations, clean  
19 up, Lakeview, school support, health  
20 fairs, equality for all street repairs,  
21 Raggedy Woodfield Road if you've ever  
22 driven down it.

23 She's walked out community. She's  
24 talked to us and rang our doorbells.  
25 Stands with us. And we love her. And we

1  
2 know that eventually she'll move on. But  
3 she has laid the groundwork for the next  
4 legislature to come in and say, I got to  
5 do the same thing and better. We can't  
6 have this where these legislators come in  
7 and do nothing. We saw them when they  
8 came to vote and that was the end of it.

9 But I say to you today, why are you  
10 letting these maps go like this? What do  
11 you expect to gain? I also tell you that  
12 you're being divisive. Lakeview is a  
13 small community. I used to walk it every  
14 week up and down and come back. Very  
15 small. We have somebody who cares.

16 I also say to you, you know, that  
17 there's strength in numbers. Strength.  
18 I'm going to repeat that. There is  
19 strength in numbers. If you take little  
20 old Lakeview, as we know, and divide us  
21 into three sections, our strength is  
22 gone. Okay, let me say that.

23 Then you want to put us in Rockville  
24 Centre, who doesn't give two hoots about  
25 us. We only use their post office. You

1  
2 can't get a train pass up there because I  
3 tried years ago. You want to put us with  
4 Lynbrook, who couldn't care about us, who  
5 treat people in one of the most racist  
6 areas in Long Island, Nassau County. And  
7 then you want to put us with Malverne.  
8 Our school district is Malvern (buzzer).  
9 I'm going to finish up.

10 Our school district is Malverne  
11 because of forced integration. You  
12 wouldn't even know that Lakeview has a  
13 part of Malverne School District. I know  
14 because I taught there for 15 years. We  
15 don't have a name on it. It says Malverne  
16 and most of Malverne people go to Holy  
17 Trinity and everybody else. So what are  
18 you doing by splitting us into three?  
19 Think about that three little small  
20 Lakeview.

21 And I wanted to end with, do you  
22 really think we will get the support that  
23 we've received from Legislator Bynoe if  
24 you split us up? No, we're going to get  
25 under washed, washed away. That's what's

1  
2 going to happen to us. They want to wash  
3 us away. And as a minority community,  
4 it's a disgrace if you let it happen.  
5 Thank you.

6 CHAIRMAN MORONEY: Thank you.

7 COMMISSIONER MEJIAS: Thank you.  
8 Mr. Chairman, if you can give the court  
9 reporter and the Commission five minutes.

10 CHAIRMAN MORONEY: We're just going  
11 to give a few minutes to the people  
12 working here.

13 (Whereupon, a brief recess  
14 is taken.)

15 CHAIRMAN MORONEY: Jerry Vattamala.

16 MR. VATTAMALA: Thanks. Good  
17 evening. My name is Jerry Guatemala. I'm  
18 the director of the Democracy Program at  
19 the Asian American Legal Defense and  
20 Education Fund, AALDEF. We are a  
21 national civil rights organization. We've  
22 been around 48 years, and our mission is  
23 to protect the civil rights of Asian  
24 Americans.

25 As you know, in Nassau County, Asian



1  
2 population growth was the largest over  
3 60% growth in that racial group. That's  
4 the largest in the county. It's the  
5 largest in New York City. It's the  
6 largest in New York state and was also  
7 the largest in the country. The new line  
8 should reflect the census data. And the  
9 Republican maps really turn those census  
10 numbers on their head. You wouldn't think  
11 that there was 100,000 population loss in  
12 the white community and this massive  
13 growth in the Asian community.

14 I do want to focus my comments on  
15 where there was that growth in the Asian  
16 community that was in that new Hyde Park,  
17 Manhasset Hills area, as well as  
18 Hicksville and Plainview. In New Hyde  
19 Park, the main areas that we're looking  
20 at and the reason that they are Asian  
21 American communities of interest is that  
22 it's driven by the school districts. So  
23 it's the Garden City Park, New Hyde Park  
24 School District, as well as the Herricks  
25 school district. That's the main draw for

1  
2 the Asian American community and why so  
3 many people from the Asian community have  
4 chosen to raise their families there, and  
5 a big drive of that community of  
6 interest.

7 As was mentioned earlier, the  
8 Republican maps, you have the trifecta.  
9 You violate the Federal Voting Rights  
10 Act, Section 2; you violate Municipal  
11 Home Rule; and you violate the John Lewis  
12 New York Voting Rights Act. In  
13 particular, when you look at the Asian  
14 community, you contrast the Republican  
15 map and the Democratic map. You see the  
16 Democratic map was able to draw an Asian  
17 influence district, very compact in the  
18 new Hyde Park, Manhasset Hills area.  
19 Again, that's an Asian American community  
20 of interest, which is a redistricting  
21 criteria you're supposed to rely upon.

22 The Republican map splits that  
23 community almost in half in districts  
24 nine and ten, which is what we will  
25 allege if it's not corrected, a clear

1  
2 violation of the New York Voting Rights  
3 Act. Yes, it's going to be enacted next  
4 year, but you still must comply with it.  
5 And you can certainly expect a lawsuit  
6 under that provision for denying the  
7 right of Asian American communities to  
8 equally participate in the electoral  
9 franchise.

10 As you know, the New York Voting  
11 Rights Act supplements the Federal Voting  
12 Rights Act and actually lowers the bar  
13 for our lawsuit. We have increased  
14 protections for federally protected  
15 groups, which include Asian Americans.

16 You are prohibited under the New  
17 York Voting Rights Act when from having a  
18 minority candidates of choice, when they  
19 will be usually defeated. If you draw a  
20 district where that minority communities  
21 candidate of choice will usually be  
22 defeated and where there is either  
23 racially polarized voting or under the  
24 totality, the circumstances, the ability  
25 of that minority group (buzzer) to elect

1  
2 or influence or influence the election of  
3 candidates is impaired, which clearly,  
4 when you look at the Republican map for  
5 the Asian community in New Hyde Park in  
6 Massachusetts and Manhasset Hills, you  
7 clearly violate that provision of the New  
8 York Voting Rights Act. So I urge you, on  
9 behalf of all the taxpayers here, I've  
10 been a resident of Nassau County my whole  
11 life, grew up in New Hyde Park, and can  
12 attest to the fact that it is an Asian  
13 American community of interest. Any of  
14 you in Nassau County, you know that it is  
15 referred to as an Asian American.

16 CHAIRMAN MORONEY: Wrap it up,  
17 please.

18 MR. VATTAMALA: So you clearly  
19 diluted the voting strength of the Asian  
20 community. We haven't talked much about  
21 the Asian community tonight, but we are a  
22 federally protected group under the  
23 Voting Rights Act and have special  
24 protections for this racial group along  
25 with the black and Latino communities.

1  
2           So as I mentioned, you have the  
3           trifecta, as was mentioned earlier, not  
4           only do you violate the New York Voting  
5           Rights Act, you violate Municipal Home  
6           Rule, and you also violate the Federal  
7           Voting Rights Act and Section 2. Thank  
8           you.

9           COMMISSIONER PERNICK: Thank you.  
10          Mr. Vattamala, one quick question for  
11          you. First, thank you for being here. For  
12          folks who don't know Mr. Vattamala, he is  
13          one of the leading authorities on voting  
14          rights in the country. So I'm very  
15          grateful that he's taking time all  
16          evening to be here with us tonight to  
17          testify before the Commission.

18          You mentioned and you talked about  
19          the Asian community in New Hyde Park and  
20          Harris in that area. Could you expand a  
21          little bit on what unifies the Asian  
22          communities and new Hyde Park and Garden  
23          City Park, which have been placed in  
24          District nine in the Republican proposal  
25          with the Asian communities in North New

1  
2 Hyde Park, Manhasset Hills and Harris,  
3 which have been placed in District ten in  
4 the proposal?

5 MR. VATTAMALA: Absolutely. So these  
6 are predominantly Asian communities. When  
7 we look at communities of interest,  
8 you're looking at racial, cultural,  
9 socioeconomic, religious, many factors in  
10 what goes into community of interest. And  
11 the driving force, as I mentioned, for  
12 New Hyde Park and Herricks school  
13 district is the school district. That's a  
14 main reason why so many Asian families  
15 move usually from Brooklyn or Queens into  
16 Nassau County. For the school district,  
17 that is a top priority for them.  
18 Immigration is a really big issue for  
19 this community. Many residents are  
20 immigrants themselves are foreign born  
21 and their children are native born. Like  
22 myself. Many H1-B, a lot of family visas  
23 are derogatorily referred to as chain  
24 migration. So many of the families came  
25 through with the family visa program,

1  
2 common industries that they're employed  
3 in. So many folks in the Asian community  
4 there work in healthcare. There's so many  
5 hospitals in the area, LIJ, North Shore,  
6 so many different healthcare facilities,  
7 and education is a driving force.

8 But I also want to mention all of  
9 the restaurants and entrepreneurs, Asian  
10 owned businesses. If you look along  
11 Hillside Avenue, it's a major corridor  
12 that sort of unites the South Asian  
13 community. There's a through line from  
14 western Queens, from Bellrose Floral Park  
15 and Glen Oaks. There used to be this  
16 border that was sort of imaginary, where  
17 those Indian stores and Asian stores  
18 wouldn't cross over into Nassau. It broke  
19 through several years ago and straight  
20 into New Hyde Park, all the way through  
21 down to H. Mart on Harris Road and  
22 Hillside. A similar situation for the  
23 East Asian community along Northern  
24 Boulevard. You see a similar pattern of  
25 that community stretching out into Nassau

1  
2 County and uniting these folks and these  
3 neighborhoods.

4 We do have racially polarized  
5 voting. There are many races you can look  
6 to take a look at that. I myself ran for  
7 town in North Hempstead, District three.  
8 And we know there's a history of racially  
9 polarized voting in these communities  
10 which bolster the community of interest  
11 argument.

12 COMMISSIONER PERNICK: Thank you  
13 very much. And it's fair to say, just to  
14 be clear, that the Republican proposal  
15 cracks this community that you're talking  
16 about into two separate districts in  
17 violation of the John Lewis Voting Rights  
18 Act?

19 MR. VATTAMALA: Absolutely. And I  
20 encourage this Commission to take a look  
21 at a heat map. You can easily do that on  
22 your software, put the Asian population a  
23 heat map and then superimpose Republican  
24 lines. You see it goes right through the  
25 heart. The deepest concentrations of the



1  
2 Asian community, you divide them right in  
3 half, which is really disgraceful. We  
4 have a lawsuit in Texas challenging their  
5 discriminatory redistricting. I'm really  
6 surprised that we're on level, on par  
7 here with Texas. It's pretty disgraceful.  
8 So I encourage you, please at least do  
9 that exercise. You see where we're coming  
10 from. You wouldn't want that happening to  
11 your community. Please don't do it to  
12 ours.

13 CHAIRMAN MORONEY: Thank you.

14 Linda Bell Linda Bell with Robyn  
15 Bowling behind.

16 Linda Bell. Thank you.

17 MS. BELL: Good evening, everyone. I  
18 am Linda Bell. I have lived in the  
19 Lakeview community for 46 years. And from  
20 what you've seen today, most of the  
21 people in the Lakeview community stay for  
22 a long time. So it's not a transient  
23 community. People stay for a long time.  
24 And we're very proud of our community and  
25 we want it to stay the way it is.

1  
2 Now, after the election, I decided  
3 to go to see what the results were for  
4 Nassau County. And we all know that  
5 Nassau County is basically red. And when  
6 I looked at the numbers. The numbers were  
7 overwhelmingly for the Republican Party,  
8 but that doesn't seem to be enough. So  
9 when I heard that about they're trying to  
10 break Lakeview into three different  
11 areas. I'm like, what you have isn't  
12 enough. You want more? Is it part of the  
13 supremacy that seems to be completely  
14 invading our community, our country?

15 And I'm going to take us back a  
16 little bit, please, Attorney Brewington.  
17 You took us back for 150 years, and I'm  
18 so happy to see that there are so many  
19 attorneys here tonight. I don't know if  
20 in your law school they taught you about  
21 the black codes. Did they talk to you  
22 about the Jim and Jane Crow laws? Did  
23 they tell you what it was like during  
24 that period of time and how the rights  
25 were taken from people? Did they did they

1  
2 tell you that? Did they did they teach  
3 you anything about how a group of people  
4 were treated?

5 And then we fast forward to I  
6 believe you said 1965 with the civil  
7 rights law that was passed. Voting Rights  
8 Act. Thank you. Civil rights was 64.

9 But now here we are in 2022. We are  
10 back in the reconstruction era. Nothing  
11 has changed. Absolutely nothing has  
12 changed. There are groups -- and I'm  
13 going to say this. It's going to take a  
14 lot of courage for those who are  
15 Republicans to be able to step against  
16 their party, it's going to take a lot of  
17 courage. But I believe you have it in you  
18 to be able to do that. And I know that  
19 there are a lot of groups out there, and  
20 some of them have names that kind of  
21 remind me of some folks who used to exist  
22 a long time ago. You know, the ones I  
23 know they have new names now. They have  
24 new names, but you know who they are. So  
25 I'm just asking you that you would please

1  
2 just take it into consideration to be  
3 able to have the courage to be brave  
4 enough to fight and do what is right.  
5 Because the way things are right now,  
6 they are ethically and morally  
7 ridiculous. Reprehensible. They truly  
8 are.

9 So, again, I just ask you to please  
10 step up. Step up. I don't know if anybody  
11 heard the interview with Michelle Obama  
12 that took place with Robin Roberts. She  
13 said, when people go low, you go high. So  
14 that's what we're asking for you to do  
15 tonight, is to please go high and not be  
16 caught up in all of this other stuff  
17 that's down here that's low. Thank you.

18 CHAIRMAN MORONEY: You're welcome.  
19 Next, we have next, we have a duet. We  
20 have Robin Bowling and Scottie Coads.  
21 You wanted to be called together.

22 MS. COADS: Good evening, everyone.

23 CHAIRMAN MORONEY: Almost good  
24 morning.

25 MS. COADS: It's almost good

1  
2 morning. It kind of reminds me of 2013. I  
3 sat on my chair here from 9:00 until  
4 about 12 that night. So I'm almost in the  
5 same situation.

6 I'm here representing my community,  
7 myself, and all of Nassau County, but  
8 especially for Lakeview. Everybody from  
9 Lakeview, please stand up.

10 There were many people that spoke  
11 already. And, you know, for years we've  
12 always said, little old Lakeview.  
13 Lakeview is great. Always has been. We  
14 produce. We support. And we don't take no  
15 crap from anybody. And I'm here to tell  
16 you we are totally disappointed. That you  
17 have taken little old Lakeview and cut it  
18 into three districts that means  
19 absolutely nothing to us. Not of like  
20 minded interests. We will have no  
21 representation of our choice. And I want  
22 to ask you the question. I know I should  
23 be speaking, but I'm going to ask you a  
24 question. How did you come to decide that  
25 Lakeview should have three districts,

1  
2 should be broken up in three sections?  
3 Please answer that for me.

4 CHAIRMAN MORONEY: The answer given  
5 the other night by the gentleman who  
6 prepared it is that he was trying to fill  
7 in population. And that's a generic  
8 reason.

9 MS. COADS: Generic reason.

10 CHAIRMAN MORONEY: I don't expect  
11 you to accept the answer, but that's the  
12 answer.

13 MS. COADS: I really don't  
14 understand. And not only that, I said I  
15 represent my community and I represent  
16 myself and everyone you see standing and  
17 those that could not be here tonight. But  
18 you didn't take all of Lakeview with you.  
19 And I'm going to be a little bit  
20 political. There are two districts that  
21 you left out of your out of the equation.  
22 Why was that? Two election districts that  
23 belong to Lakeview.

24 CHAIRMAN MORONEY: I couldn't tell  
25 you. I'm not aware of that.

1  
2 MS. COADS: Well, I think you need  
3 to look at your map again. And I don't  
4 know where we're going to end up. But.  
5 Those that went ahead of me have already  
6 said, we're not taking it sitting down  
7 (Buzzer).

8 A pastor from St Paul AME Church, a  
9 strong pastor, stood here and let you  
10 know to the very end that we're not  
11 tolerating this. I know you don't really  
12 care. You all are looking at us like  
13 we've lost our minds and like, why are  
14 they talking? This is probably my fifth  
15 time testifying. I don't need to testify.  
16 I need to tell you that you did the wrong  
17 thing by separating districts that we try  
18 our best to represent and be good  
19 citizens and good workers and good  
20 players in Nassau County. We do. But then  
21 you took us and broke us apart. It's not  
22 fair. And each time I testified, I asked  
23 you to be fair, be translucent. Be just  
24 and do the best you could for all of  
25 Nassau County. But then you turned it

1  
2 around. You took a small community like  
3 Lakeview. Yeah, we were in it from the  
4 beginning when it was Board of  
5 Supervisors. And you became legislators.  
6 We were in it from the beginning, and  
7 we've always been as one. One, not three.  
8 So you need to look at that map again and  
9 we're not going to take it sitting down.  
10 Thank you.

11 CHAIRMAN MORONEY: Thank you. Meta  
12 Mereday.

13 (Whereupon, no verbal  
14 response.)

15 CHAIRMAN MORONEY: Michael Alexander  
16 with Floyd Ewing behind.

17 MR. ALEXANDER: Good evening, all.  
18 Good evening, family. Brother Brewington,  
19 That's the correct way that we greet our  
20 people, correct?

21 Mike Alexander, Lakeview Public  
22 Library Board President, Lakeview Civic  
23 Association member, and last but  
24 certainly not least, member NAACP,  
25 Lakeview Branch.



1  
2 I certainly will not be as eloquent  
3 as many that have come before me. I'm  
4 sure that I'll be repetitive to a lot of  
5 what's been said. All of the legal  
6 standing has been presented, I'm not a  
7 lawyer. I don't attest to be. I probably  
8 shouldn't even use the word attest. But  
9 I'm sure that a lot of what I'll say will  
10 stir up a little bit of trouble, as  
11 Brother Malcolm said. But it will be the  
12 truth.

13 Lakeview has a long history of  
14 fighting for rights on Long Island.  
15 Brother Brewington spoke to it. I can  
16 speak to it from my learning at the  
17 library, from integration in the sixties,  
18 where Malverne was called the Selma of  
19 the North, to library Services in the  
20 70s, where Lakeview had to protest to  
21 have its own library because the  
22 neighboring communities would not allow  
23 blacks to attend those libraries. Equal  
24 representation at the town; there's one  
25 hopefully equal representation at the

1  
2 county; there's one, to be three. Tax  
3 parity does not exist for Lakeview in its  
4 neighboring communities. And I could go  
5 on and on and on.

6 The hamlet of Lakeview, of which I'm  
7 but a small cog in the wheel of what is  
8 behind me, we share as schools with  
9 Lynbrook, Malverne and Lakeview. Ms.  
10 Hicks spoke to that. We share our  
11 firehouse with West Hempstead and  
12 Lakeview. We share our post office with  
13 Rockville Centre and West Hempstead.  
14 There are two entities in Lakeview that  
15 are for Lakeview, the public library. We  
16 pay our taxes directly, and the Lakeview  
17 community receives those services and  
18 District two. Although it's shared going  
19 through the corridor, one hamlet, one  
20 voice.

21 The maps that are presented, they  
22 fracture the Lakeview voice. I think  
23 we've heard that over and over and over.  
24 It removes a legislator that has been  
25 progressive for Lakeview, that has been

1  
2 supportive for Lakeview in every way. And  
3 it's abominable what is being put before  
4 us today. The maps break apart roughly  
5 1800 homes and Ms. Coads spoke to the  
6 size of Lakeview, 1800 homes to be  
7 distributed at your will, because that's  
8 exactly what you're doing. You're just  
9 breaking it apart, placing it where it  
10 best suits your purpose. It clearly  
11 discriminates and marginalizes the vote  
12 of Lakeview, where "certain communities"  
13 are pushed to the side while clearly  
14 benefiting others unfairly (buzzer).

15 You can't sit in front of us and  
16 pass what is known as the red faced test  
17 when we talk about non bias in this  
18 discussion. Because although you may  
19 presume to not pay attention or put your  
20 head down or scroll your phone at times,  
21 you can't face what's being put in front  
22 of you. Yet again, we're shown what the  
23 true cloak of secrecy and convenience  
24 that our supposed leadership works under.  
25 As you continue to make America great or

1  
2 in this case, make Long Island great  
3 again, you continue to disenfranchise,  
4 suppress and oppress the residents to be  
5 self serving. What is to be one vote, one  
6 person, Lakeview and many of the black  
7 and brown communities that are here this  
8 evening just lost that representation of  
9 choice. Thank you.

10 CHAIRMAN MORONEY: You're very  
11 welcome. Floyd Ewing. And behind Floyd is  
12 Lisa Ortiz.

13 (Whereupon, no verbal  
14 response.)

15 CHAIRMAN MORONEY: Floyd's not here.  
16 Lisa Ortiz.

17 MS. ORTIZ: Good evening. Good  
18 night. My name is Lisa Ortiz. I am a  
19 resident of Lakeview, a trustee on the  
20 Lakeview Public Library Board. I am also  
21 a member of the Lakeview Civic  
22 Association and also a member of the  
23 NAACP Lakeview Branch.

24 Needless to say, I love Lakeview. I  
25 wear Lakeview very proud on my shirt

1  
2 tonight and on my back and everywhere I  
3 go. When people ask me where I reside,  
4 even though my zip code says 11570,  
5 Rockville Centre, I tell people proudly,  
6 I live in Lakeview. I tell them that  
7 because Lakeview has a very rich history.  
8 Many people have come to fight for  
9 Lakeview, including Dr. King.

10 Tonight, as I did in the very first  
11 meeting you all had, I come to ask --  
12 Well, actually, tonight I'm asking why  
13 Lakeview is being cracked into three  
14 different districts. The very first time  
15 I came before you all, I asked that  
16 Lakeview would remain whole. Lakeview has  
17 been whole in one district since the  
18 inception of the Legislature. It's  
19 important that we remain whole because we  
20 are a small district, a small community.  
21 We are just upwards of 6000, a little  
22 less than 7000 residents. But yet the  
23 Republican map has chosen to take  
24 Lakeview and lump it in with -- a portion  
25 of Lakeview. Not all of Lakeview. A small

1  
2 portion of Lakeview -- and lump it in  
3 with the Rockville Centre, neighboring  
4 village. Lynbrook, Malverne, two other  
5 neighboring villages. And a portion of it  
6 will remain with West Hempstead proper  
7 and some other communities. All of the  
8 breaking and the cracking and the  
9 distorting of our votes and diluting our  
10 votes eliminates our voice.

11 As a community, we have a shared  
12 school district. As many others have  
13 said, we don't have anything that that is  
14 owned by Lakeview outside of our library  
15 that says Lakeview. We don't have a zip  
16 code that belongs to us. We don't have a  
17 post office that belongs to us. We don't  
18 have an elected village official that  
19 represents and works solely for us. We  
20 rely heavily on our legislators on the  
21 county level, our town elected officials,  
22 and our state elected officials.

23 Recently, we went through the  
24 redistricting process with the State and  
25 a part of that process, Lakeview was

1  
2 proposed to have been separated also into  
3 two different districts. And we fought  
4 back. We fought back. And we are now  
5 whole back in one Senate district  
6 (buzzer).

7 So tonight, as in closing, I ask you  
8 and I urge you to reconsider redrawing  
9 these maps and rejecting any map that  
10 would break Lakeview up into more than  
11 one district. We need our voice to be  
12 able to be heard. We need representatives  
13 that will actually work for us and not  
14 work on an agenda that comes from any  
15 office. Thank you and have a good night.

16 CHAIRMAN MORONEY: Anna Simon.

17 (Whereupon, no verbal  
18 response.)

19 CHAIRMAN MORONEY: Mimi  
20 Pierre-Johnson.

21 MS. PIERRE JOHNSON: It's late, so  
22 I'm not going to be long. But almost  
23 everything that I was going to say,  
24 everyone said, and I agree with everyone.

25 , I do have to say thank you to the

1  
2 Democratic side of the of the Commission.  
3 You not only heard us -- well, I'm here  
4 for Elmont and Valley Stream because ten  
5 years ago and I'm going to always say it,  
6 ten years ago, they stuck us in Queens,  
7 right on the on the congressional and the  
8 state Senate level. We fought back, we  
9 came back and now we're fighting again.  
10 Right. So I'm always going to stand for  
11 Elmont and Valley Stream will like the no  
12 man's land that nobody cares about.

13 I remember in one of the meetings  
14 that the chairman said, we will listen to  
15 everyone, we will hear you and we will  
16 take it into consideration. Well, you  
17 shouldn't take it into consideration.  
18 That's part of the exercise of why our  
19 tax dollars have paid for this Commission  
20 to be here. If I hired someone and they  
21 did a bad job, I not only would fire  
22 them, but I would redo it. In  
23 construction, you have to start all over  
24 again. You have close to \$1,000,000. You  
25 could have done that because as we sat



1  
2 here last week, your expert said not only  
3 he did not listen to weeks of testimony,  
4 we had to change our schedules, our  
5 families. We had to run to come here so  
6 that you can hear our testimony, and he  
7 said he did not take that -- that was not  
8 a factor for him. So that's one. I would  
9 have written him up for that.

10 And then he said -- my impression of  
11 what he said was he took formulas from  
12 the census data and the population and  
13 put it into a computer. That is what he  
14 did. And poof, a map came up. As his  
15 boss, because you hired him. When he gave  
16 you that map, you should have said to the  
17 Democrat side of the commission, hey,  
18 guys, we're going to need a little bit  
19 more time. We need another expert because  
20 he's not an expert.

21 So he said, again, that he was proud  
22 of the 2013 map that he drew. So I'm  
23 going to leave you with this. Right. If  
24 you had a lobster beautiful dinner, would  
25 you take a garbage lid and place it on

1  
2 there and serve it? I don't think so. So  
3 if you use the 2013 map and you  
4 regurgitate it to us, that is what you  
5 have done. So I'm going to give you an  
6 out. Since he did such a bad job  
7 (buzzer), pause. Step back and say, you  
8 know what? We need someone else.  
9 Actually, he should give back the money  
10 that you paid him. Because that's  
11 garbage. That's garbage.

12 What the Democrat side did, two  
13 things on Elmont and Valley Stream. I  
14 said, no, absolutely not. Because here's  
15 how our community is. They tweaked it.  
16 And they changed it because what would  
17 have happened to South Floral Park had it  
18 gone to Flora Park and Stewart Manor and  
19 all their voices would have diminished.  
20 And so they listened. You see, they  
21 listen. So my tax dollars on this side is  
22 good. On this side, I want my money back.  
23 We want our money back.

24 So what I would like and I think  
25 most people hear what we want you to do

1  
2 is forget this map if you want to go  
3 quicker. Start with that map. With those  
4 two. Start with that. Because that  
5 represents what we all said for weeks and  
6 weeks. What the Republican map says to  
7 us, whether you say it or not, but you  
8 accepted it from your so called expert,  
9 you accepted it. So that means you agree  
10 with it. What you have to do is just  
11 forget that one, but have a baseline with  
12 the Democrat side of the map. And this is  
13 not a Republican Democrat. I don't really  
14 care about that right now. I care about  
15 the communities of Nassau County.

16 I promise I wouldn't do that. I  
17 didn't want to speak until you  
18 disrespected the room. You see, what  
19 happens is when people have been  
20 oppressed for so long, there comes a time  
21 your back is against the wall. You don't  
22 give. You don't give. You fight. I'm  
23 Haitian born. I got that blood in me,  
24 that fight. And we are supposed to fight.

25 Now, this is not pretty talk

1  
2 anymore. It is not pretty talk because  
3 ten years. Do you know what happened ten  
4 years ago? My daughter is now married.  
5 She was in college. Freshman in college.  
6 She lives with me now. Our young people,  
7 they either have to leave Long Island --  
8 and I know I'm over time -- they either  
9 have to leave Long Island, or they have  
10 to live with us. Because it's stacked  
11 against us.

12 This is not just about the map.  
13 You're making decisions that hurts black  
14 and brown people. We are getting older  
15 and nothing is changing. So now we just  
16 want to fight, respectfully, because we  
17 have people like Fred Brewington, we have  
18 people like Michael Pernick. We know how  
19 to fight. We know how to fight. We didn't  
20 fight ten years ago. We just spoke. Now  
21 we're going to fight because it's not  
22 right. It is not right.

23 CHAIRMAN MORONEY: Can you wrap it  
24 up, please.

25 MS. PIERRE JOHNSON: I'm going to

1  
2 say this last thing. If you think this  
3 decision that you're about to tell the  
4 legislators, because we're going to go  
5 through this again, because now the  
6 legislators are going to do the same  
7 thing, because, unfortunately, again, the  
8 Republicans are the ones in majority.

9 So, again, they're going to do this.  
10 And I'm going to tell you, in 2020, the  
11 election of 2020, Elmont, our town  
12 district, did not have a choice in who we  
13 chose to represent us. So it doesn't  
14 happen all of a sudden. It's little by  
15 little. And then you realize you have no  
16 say. You have no say.

17 So I hope that you don't give the  
18 map to the ledge on the 21st. Don't vote  
19 on it. Step back. Start with those. And  
20 do something different that the country  
21 is not doing. Let Nassau be an example.  
22 Let Nassau be an example.

23 CHAIRMAN MORONEY: Aisha  
24 Demostheines.

25 MS. DEMOSTHEINES: Good evening. My

1  
2 name is Aisha. I am from Lakeview. I'm  
3 going to be brief. Everyone spoken. We've  
4 had doctors. We've had lawyers. We've had  
5 heads of ACLU's. I'm going to speak as a  
6 mom. A black mom.

7 I am so tired of having to tell my  
8 black children -- I'm tired of having to  
9 put a positive spin, a truthful one, but  
10 a positive spin on how we are treated in  
11 this country. I'm tired.

12 Once again, I look at your map and  
13 I'm more exhausted because I have to now  
14 figure out how to put a positive spin on  
15 telling my daughter who will be able to  
16 vote in a few years how her vote will not  
17 matter if that becomes the map that we  
18 have to abide by. I'm here to say I want  
19 Lakeview to remain in one united  
20 district. I want us to have a  
21 representation that matches us. I want  
22 all of you -- those of you who think that  
23 this map is okay, specifically, to really  
24 think about kids. Imagine this is a room  
25 of kids right now. All of us. Imagine

1  
2 it's a room of kids. Because if this is  
3 what goes in to play, we're setting those  
4 kids up for failure. Goodnight.

5 CHAIRMAN MORONEY: Chelsea McNair.

6 (Whereupon, no verbal  
7 responds.)

8 CHAIRMAN MORONEY: Steve Beher. He  
9 left. Okay, Patt Terrelongue.

10 MS. TERRELONGUE: I'm fairly new to  
11 Lakeview. I've only been here 30 years.  
12 I'm serious about that. My neighbors are  
13 in their nineties. I have people I know  
14 There are 102 who served in World War II.  
15 I came here to raise my granddaughter  
16 when she lost her parents. Thank you for  
17 the community. I raised a beautiful young  
18 woman who's 36 now and is doing  
19 wonderful.

20 But we were always a community. We  
21 would take all of our stuff to the circle  
22 to sell. Have guys from MTA transit, fry  
23 fish and stuff. Sell everything we didn't  
24 want. The kids were in charge of  
25 entertainment and advertising, so they

1  
2           cared about their community. All the  
3           money we made went to the kids leaving  
4           for college in that community. We are a  
5           strong community.

6           I am the president of the Tri-State  
7           Chapter of the Tuskegee Airmen. I  
8           represent Connecticut, New Jersey, and  
9           New York. I teach kids to fly. Amazon Air  
10          gave me a scholarship to do that. A  
11          grant. I applied to the MBA. I have a  
12          drone program all to give back. It  
13          doesn't matter if you're Jewish, you're  
14          Indian, you're Spanish. We give  
15          scholarships because this is how I was  
16          raised.

17          I should not have been born  
18          probably. I was born breech. I was  
19          exposed to the measles in 1947 when a lot  
20          of kids died. I didn't do the little  
21          things that girls did. I liked to play  
22          boys basketball, shoot hoops with the  
23          guys and play marbles in the street. My  
24          mother wasn't happy about that. My dad  
25          taught me mechanical work. I owned the



1  
2 gas station.

3 When I decided to become president.  
4 I took on the MTA, three governors and  
5 two mayors of City of New York to get  
6 what I wanted. I wanted them to  
7 acknowledge the Tuskegee Airmen. I have a  
8 post office. I have a bus depot. I even  
9 fought the mint to get the logo for the  
10 Congressional Gold Medal on each one of  
11 those buses leaving that depot. The  
12 Tuskegee Airmen represent a lot of  
13 different cultures. Some came from India,  
14 some of American Indians. Some are from  
15 all the islands in the Caribbean. There  
16 are five Haitians, one still alive. There  
17 are women. There are men. I was born a  
18 fighter. I beg you, don't let me have to  
19 fight you, too (buzzer).

20 I was a 9/11 victim. I have  
21 emphysema. I've had cancer. Lost 21 lymph  
22 nodes. I've had three open heart  
23 surgeries and two strokes. And I'm still  
24 here. I am still here. I would like for  
25 us to be a leader in this country. This

1  
2 county has an opportunity to show America  
3 how to do it. Put the people over party.  
4 Please put the people over party.

5 I'm going to close it. But I want to  
6 tell you this. One of the Tuskegee  
7 Airmen, Dabney Montgomery, served in  
8 Italy when he came back to New York  
9 Harbor. A young Caucasian sailor told  
10 him, ends this way. They didn't want us  
11 in Times Square. He made it back to Selma  
12 and he wanted to vote. So he asked all  
13 the good old boys what he needed to do to  
14 vote. They told him, and he accomplished  
15 all of them. He had the right amount of  
16 money. He had land. He had this. He had  
17 that. He got letters from three people  
18 saying he was a good old black boy. They  
19 didn't use a word back then. They  
20 arrested him when he went to vote. They  
21 didn't let him go to 2:00 in the morning.  
22 He had to walk past the lake where they  
23 did the lynchings. Somehow he survived. A  
24 preacher picked him up and took him to  
25 the black side of town.

1  
2 He left, went to Boston, settled  
3 here in New York. When Martin Luther King  
4 called him the share the godmother and  
5 asked him to please come back to Selma  
6 and provide security. He said he really  
7 didn't want to go back to Selma. He was  
8 scared. He knew what was going to happen,  
9 but he prayed on it. And he said it was  
10 the righteous thing to go. And Dabney  
11 Montgomery was with John Lewis in Selma  
12 and Montgomery. One of my sisters was  
13 there when he was killed.

14 I come from fighters and I'm telling  
15 you, you could be heroic. You could  
16 really set the tone for this country. I  
17 beg you, please don't let me have to  
18 fight you, because I will.

19 CHAIRMAN MORONEY: Thank you.

20  
21 Thank you for that testimony. And I mean  
22 that.

23 Ladies and gentlemen, before you  
24 leave, we have one more witness who is  
25 remote. And I want to acknowledge that

1  
2 this young man in front of us, Rob  
3 Shapiro, is here as a loaner from another  
4 department in the county. And I  
5 appreciate his diligence and assistance  
6 tonight. Thank you.

7 COMMISSIONER MEJIAS: Thank you,  
8 Rob.

9 CHAIRMAN MORONEY: Who do we have,  
10 Rob?

11 MR. SHAPIRO: Olena Nicks.

12 CHAIRMAN MORONEY: Olena, you have  
13 your time.

14 MS. NICKS: Thank you. Good evening.  
15 My name is Olena Nicks. I am a resident  
16 of the Uniondale community. I'm the  
17 president of the library board there, as  
18 well as the captain and the fire  
19 department.

20 So this evening I am speaking on  
21 behalf of the Uniondale community, but  
22 also I notice that there is sparing  
23 representation from Hempstead and  
24 Roosevelt. So I am speaking a little bit  
25 for our neighbors as well.

1  
2 And I just want to say that it is  
3 incredibly heartbreaking to hear that one  
4 side, the Republican Commission heard  
5 days and days of our public comment and  
6 disregarded all of it and went and drew  
7 their own maps. This is the same reason  
8 that many communities don't show up in  
9 large numbers to come out and vote  
10 sometimes. So at this time, I'm asking  
11 you to do what is right and what is fair,  
12 that when you go back to redraw these  
13 maps, you consider the individuals who  
14 are here speaking this evening advocating  
15 on behalf of their communities and really  
16 listen to what they are asking of you.

17 Voter apathy comes when the public  
18 feels that they are assigned a candidate  
19 and that there is no purpose in voting  
20 because it will not change whether they  
21 come out to vote or not. The Republican  
22 maps are only encouraging more voter  
23 apathy, especially for marginalized  
24 communities in Nassau County, which we  
25 cannot have any more of.

1  
2 Communities want to be able to  
3 choose from candidates who will properly  
4 represent their values and run their  
5 communities well. The maps that were  
6 presented from the Republican Commission  
7 will not allow for this. These maps allow  
8 for the long tail of the haves and the  
9 have nots to continue. The quality of  
10 life of residents will not improve if we  
11 let these maps move forward even though  
12 all residents from regardless of which  
13 community, regardless of their geographic  
14 location, all want the same things.

15 If you think about most marginalized  
16 communities in Nassau County and if you  
17 actually go into them, when you think  
18 about the communities of color, it is  
19 often hard and difficult to tell the  
20 central location, the collective meeting  
21 place, or to feel that sense of  
22 community. And oftentimes that's because  
23 these communities have been broken up due  
24 to gerrymandering receiving varied  
25 representation and funding. This is

1  
2 often not a concern when we step into  
3 communities like Garden City, you know  
4 exactly where their sense of community  
5 is, where they're meeting, place is where  
6 they gather.

7 The maps drawn by the Republican  
8 Commission is evidence to not favor  
9 communities of color. Again, this is  
10 heartbreaking that these communities are  
11 continuously left out, left behind and  
12 forgotten and believed to be undeserving  
13 of the same quality of life that their  
14 non color counterparts have. Which  
15 leaves one resounding question for the  
16 Republicans: If you do not consider us  
17 when drawing these maps, how can we trust  
18 you to consider us when making any  
19 decisions on our behalf, even though you  
20 have shown that you do not care?

21 And I do just want to end with this,  
22 that if you did invest in marginalized  
23 communities and communities of color and  
24 you did give them the same opportunities  
25 and chances as their advantage and

1  
2 privileged counterparts, they too would  
3 then become those communities of  
4 interest. Thank you.

5 CHAIRMAN MORONE: Thank you very  
6 much for that. There being no other  
7 business, is there a motion to -- -

8 (Whereupon, member of the  
9 audience speaks off the record  
10 question about future process.)

11 CHAIRMAN MORONE: I can't answer  
12 all those questions. I can tell you this,  
13 that if it's Monday, it's 6:00 in the  
14 evening. There will be some back and  
15 forth between the between the  
16 delegations, I'm certain. And hopefully  
17 something comes out of it. If it doesn't,  
18 there's not much choices. And ultimately  
19 it's going to wind up, even if there are  
20 choices, even if there was an agreement,  
21 it's going to wind up before the  
22 Legislature and they're going to make  
23 that final decision. We we may make a  
24 recommendation. We may not make a  
25 recommendation. We may come to a



1  
2 resolution. This the whole panoply is  
3 open. The meeting is going to be here,  
4 but it's not going to be taken testimony,  
5 though.

6 That said, no other business.  
7 Motion to adjourn.

8 COMMISSIONER MEJIAS: So moved.

9 COMMISSIONER REINHARDT: Second.

10 (Whereupon, above matter  
11 concludes, 11:22)

## C E R T I F I C A T E

STATE OF NEW YORK                    )  
  :  SS.:  
COUNTY OF NASSAU                    )

I, KAREN LORENZO, a Notary Public for and  
within the State of New York, do hereby  
certify:

That the above is a correct transcription  
of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 16th day of November, 2022.

Karen Lorenzo

KAREN LORENZO

**\$**

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