

APPENDIX

Written Remarks of Dr. Christopher Binetti for New Jersey Reapportionment Commission's Second meeting on 11/16/2021

Dear New Jersey Reapportionment Commission,

I am writing these comments to be read alongside my oral comments. They are here to support my oral comments before the Commission today. My main points are 1. that Italian Americans should be viewed as community of interest like traditional minorities/persons of color, 2. that the data to help you is not found yet on the Census site from 2020, 3. That the U.S. Census Bureau's American Community Survey (ACS) in 2019 is a helpful tool for representing Italians in New Jersey (hereafter referred to here as Italo-Jerseyans), 4. That the Italian American Movement and the Italian American Community is ready to help the Commission interpreting the ACS 2019 data, and 5. that our Community's quest for recognition and reclassification does not conflict with those quests of other minorities.

Italo-Jerseyans make up between 15 and 20 percent of the population of the State of New Jersey, with at least 15.7 percent of the population in 2019 if unauthorized residents are not included. Yet, we are not viewed as a community of interest due to the U.S. Census Bureau's definition, which I understand is actually the Office of Management and Budget's (OMB) decision. The OMB is a branch of the President's Executive Office, not a normal part of the federal executive branch bureaucracy. The OMB has been entirely unresponsive to my requests for information.

As a result, Italo-Jerseyans are underserved and underrepresented, particularly substantively, because of federal data rules and ethno-racial classifications. Italo-Jerseyans need the State of New Jersey to recognize and reclassify us so that we can achieve full civil rights, along with other minority groups, not in competition with them. To do that, we need proper representation. I have and will explain malrepresentation due to unauthorized residents at other times. Instead, I want to focus on how the reapportionment and redistricting process here will allow us to, for the first time ever, fully participate in New Jerseyan politics.

As I have said before, while electing Italian politicians is important, there are times where having enough Italian voters to push for pro-Italian politicians and policies is more important than having Italian politicians. It is ultimately the laws and policies that matter. Any politician who defends Colombo statues and Columbus Day, who defend and promote the Italian language, who supports affirmative action, Diversity, Equity, and Inclusion and statistics for Italians, and empowering county governments, which will allow for local communities of interest to have more control over their own lives is welcome by the Italo-Jerseyan community.

That said, we do not want to lose descriptive representation without a resulting increase in substantive representation. Those Italians who do support a pro-Italian agenda are only hurting our representation. However, one of my assemblymen's staffers told me that he wanted less Italian representatives in State government. I do not like this attitude. We are willing to work with our fellow minorities on a reasonable distribution of seats, but we should not be targeted to lose seats.

We are willing to help you with interpreting the 2019 ACS data and we are more than willing to work with other minority groups to cure malrepresentation for all. I hope that you will call me at
and or email me at

/x

Sincerely,

Dr. Christopher Binetti, President of the Italian American Movement.

LD-9 testimony November 16, 2021

I am a resident of Galloway Township. Both Galloway and Port Republic are the only towns in Atlantic County that are included in LD-9, the bulk of which is in Ocean County.

Geographically, there is no reason for this, except that the area is like a nodule attached to Ocean County. With population increases in Ocean County in the last 10 years, there is no population-related reason either.

The concerns of Atlantic County are not necessarily the same as those of Ocean County. The presence of casinos in Atlantic City provide an example of issues that affect only Atlantic County. A newspaper article in the Press of Atlantic City discussed the inclusion of 15 Atlantic County municipal courts into one central court. It is doubtful that the Assemblypersons and Senator of Ocean County would find this of interest, and that is understandable.

The problem is that Galloway and Port Republic have no representation in the state legislature. LD-9's political activities and campaigning take place in Ocean County only. We do not know who, if anyone, is running against the current incumbents since campaigning is geared toward Ocean County voters. This is true of both parties.

I am asking for your consideration in removing Galloway Township and Port Republic from LD-9, and putting us in a district that is more compatible geographically. The article in the Press announcing this hearing states that the goal of redistricting is to ensure that all state residents have equal representation in the US House of Representatives. I assume that this would also apply to state legislative districts.

We have no representation! Let this redistricting be the end of our situation of taxation without representation!

Susen Shapiro

Egg Harbor City, NJ 08215 (mailing address only)

Good afternoon commissioners of the New Jersey Apportionment Commission. My name is Joshua Hunte and I am a junior at Stockton University studying Psychology and Biology with a Neuroscience minor, with residence at the Galloway campus, where my goal is to attend Rowan Osteopathic School of Medicine to become a Pediatric Psychiatrist. On-campus, I serve as the Chairperson of the Diversity and Inclusion Committee on Stockton's Student Senate and a member of the Stockton State NAACP. Aside from these I am a Founding Father of Phi Mu Delta Fraternity Mu Psi Provisional Chapter. Our goal and the Fraternity's national goal will be to provide a positive fraternity experience for today's college man, regardless of ethnicity. The chapter will also encourage high personal standards, morally mentally, and spiritually, and, to help its members live the ideals of our founders: democracy, brotherhood and service. At the moment, I am a Patient Care Associate at Atlanticare Mainland Campus, where our goal is to create a trusting, engaging, and sacred personal connection for the patients we come in contact with.

Though I currently live on the Galloway Campus, I am originally from Lindenwold, NJ, and have lived there for 20 years. Growing up there, I lived on the border of Lindenwold and Gibbsboro and went to Trinity Preparatory School in Laurel Springs. Confidently, I can say I've explored all of Lindenwold which ranges from the Patco Station to Clementon Park and extends to Berlin. Speaking more about my town and experience, within a mile from my house there is an apartment complex with diverse residents. While in that area I saw many different people from all backgrounds. While the area is predominantly white, I saw many Black and Hispanic people outside walking their kids, going to the park, or visiting "Deterding's" supermarket right across the street. While growing up in this area, many of my friends were first-generation

citizens coming from households where their parents didn't speak English fluently. Yet, they worked hard to become a part of the community and build a life for themselves and their families. I thank God that my parents worked hard for my sister and me so that we did not have to experience poverty. However, for 14.2% of our community, that was not the case. When most people hear "Lindenwold Borough", they often get a foul taste in their mouth, if they are only familiar with what is displayed in the news and what is on social media.

They only retain information about the crime rate, which is said to be a significant percentage above the national crime average. However, to me Lindenwold is the place I call home. The majority of people don't see the diversity and culture that is never-ending and always exciting. With that, I am thrilled to say that I am from Lindenwold. A heartfelt thank you to my parents for choosing that town I know and love, and that is so special and dear to me. What I ask today is that everyone here sees what I feel and understands why I feel the way I feel because it is imperative that the concerns of my community do not get drowned out by representation that does not have my best interest. Therefore, I implore this committee to make sure that my community's voice is not overpowered by the white majority's representation. Please, whatever decision that is made, make sure that my community receives the attention that it deserves—we deserve to have our voice heard.

Thank you for your attention and time for this matter.

Jesse Connor

Port Republic, New Jersey 08241

NJ Legislative Apportionment Commission
Legislative Redistricting Testimony
November 16, 2021

First, I want to thank the commission for allowing me to speak about the importance of redistricting and elevating the voices of our communities. My name is Jesse Connor, I am a longtime resident of Port Republic, and I am here today on behalf of the Atlantic County Chapter of the League of Women Voters. The LWV is an organization that, for over 100 years, has fought to protect and strengthen our democracy and ensure full participation and access in the process. The redistricting work that this commission has been charged with is a central part of our democracy.

The hope for my testimony today is to play a small role in ensuring that maps drawn in the 2021 redistricting cycle fairly represent my community and other communities throughout South Jersey. We have seen how improper redistricting has distorted and undermined crucial values of our representative democracy. All maps drawn should be drawn in the interest of the people and communities they serve, and not, as is often the case, to protect the power of a few. The unfair redistricting of communities has stolen their power and guarantees the suppression of their voices. In our democracy, it is important that all voices are heard, and allowing people like me to testify is the best way to ensure a fair and just process. We cannot allow another redistricting process to go by without fighting for fair representation.

As an active member, and Co-Chair, of the Atlantic County Chapter of the LWV, I strongly support a redistricting process that requires substantially equal populations, geographic contiguity, and effective representation of racial and linguistic minorities. A process that promotes nonpartisan fairness, the preservation of "communities of interest," and the boundaries of municipalities and counties is also critical to the creation of fair districts.

I have a personal interest in redistricting as well. As I mentioned, I have been a resident of Port Republic for the past 32 years. The population of my roughly 7 ½ sq

mile town is 1,121. It is situated in the northeast corner of Atlantic County, bordered on the north by the Mullica River and on the east by the waters of Great Bay.

Historically, Port Republic residents voted with neighboring Galloway Township residents and other citizens of Atlantic County in Legislative District 2. More recently, however, Port Republic and Galloway Township have been redistricted into the 9th District in Ocean County. I believe that redistricting the citizens of Port Republic into District 9 has done us a disservice. The Mullica River geographically isolates us from Ocean County. Like other residents of Port and Galloway, I shop, volunteer, attend church, dine out in restaurants, and attend cultural and community events in Atlantic County. I rarely travel north to the area covered by District 9. I am unaware, uninformed, and to be perfectly honest, not very interested in the issues that are of importance to voters of the 9th Legislative District. In contrast to that, I *am* aware, informed, and interested in issues that are of importance to Port Republic, Galloway Township and the neighboring Atlantic County community.

So now, speaking for myself as one of many redistricted citizens and voters, I urge the commission, when creating new maps in 2021, to protect communities of interest and respect county boundaries and to keep Atlantic County together by redistricting Port Republic and Galloway Township back into Legislative District 2.

Thank you for the opportunity to testify.

Jesse Connor

Port Republic, New Jersey 08241
November 16, 2021

Written Testimony for November 16th Hearing

Dear Members of the Apportionment Commission,

Thank you very much for allowing me to speak at the hearing on November 16th and voicing my concerns and thoughts on behalf of my organization.

I have included a written statement down below for inclusion in the Commission's record.

Regards,
Yash Shah

Statement:

Thank you Judge Carchman, Chairman Jones, Chairman Barlas, and all of the members of the Legislative Reapportionment Commission for allowing me to speak today. My name is Yash Shah, and I am the Executive Director of the South Asian Registration Initiative. I appreciate your willingness to hear from the members of the public. Transparency and inclusion are an important part of the reapportionment process. This is why I am here to speak to you today.

Like other communities who have addressed this commission, I would like you to consider the impact your decisions will have on my community, not just in Monmouth County where I currently live and work, but all across this state.

The Asian population in New Jersey has increased significantly since the last census. The Asian population increased 44% over the last decade, with more than 1 million people residing here of Asian American and Pacific Islander heritage. This was most evident in this month's election results. Asians have historically been underrepresented, but we will now have six (6) legislators across five districts representing us in Trenton beginning this January.

You must do everything you can to protect our communities of interest and solidify our legislative representation for the next decade when creating the new map.

Our State Constitution requires that you do not divide municipal lines, except in Jersey City and Newark. With that principle in mind, I believe it is impossible to create a majority Asian district that stays within acceptable population guidelines. And yet, in the next legislative session, there will be six representatives of Asian descent from five different districts. So how should you go about ensuring there are more opportunities for Asian representation even if it may not be possible to create majority Asian districts?

I ask that you solve this problem by creating many different districts that reflect the broad diversity of New Jersey with significant Asian populations. For example, the 33rd district, home to Assemblyman Raj Mukherji, is only 17 and a half per cent Asian, but it is over 60 per cent non-white. In that case, creating a diverse district with a significant Asian minority sustains Asian representation. As you look at Jersey City, I ask that you keep the Asian communities there in a single district.

8x

State Senator Vin Gopal lives in Monmouth County and the residents in the 11th legislative district have benefited greatly from his voice and advocacy in Trenton. His path in 2017 was helped by the diverse communities of color in the 11th district and removing communities like Asbury Park and Neptune Township would jeopardize our only representation in the state senate.

Assemblyman Sterley Stanley lives in East Brunswick and keeping towns like East Brunswick and Edison together in the same legislative district allows for the Indian community to be represented in Trenton. Again, the district is not majority Asian, but it has created an opportunity for Asian representation, with approximately 36% of its population being Asian. Although some may want to combine the Oak Tree Road corridor together by merging Edison and Woodbridge together, this would have the practical implication of taking Edison, which is more than 48% Asian, out of a district that currently sustains one of only six Asian representatives in the legislature.

We just elected the first-ever Muslim woman to the NJ General Assembly who currently lives in Montgomery Township. Her victory was due in large part to the Asian community living in Princeton and South Brunswick. Removing those communities would severely hinder the historic progress we just made.

Bergen County just elected two Asian women in the 37th legislative district. This district follows the same path as others that have created opportunities for Asian representation--majority non-white, with a large Asian minority that allows the Asian communities to build coalitions to increase representation. I ask that you maintain a district with similar population in Bergen County.

In conclusion, my attempts to create a majority Asian district have been unsuccessful if we are to follow other Constitutional and legal criteria such as respecting municipal boundaries and creating districts of equal population. Since you cannot create a majority Asian district, I ask that you do the next best thing, which is to create many districts that reflect the broad diversity of our state that have sizeable Asian populations. The best way we have found electoral success in New Jersey is to have districts that are majority non-white, in which the Asian population is a plurality or a significant minority. I also ask that you consider the recent success of Asian candidates for the legislature in mind when creating new districts. Cutting significant portions of districts away from current Asian legislators in the name of creating an opportunity for Asian representation does not make sense. And so I ask you to keep together communities that have a proven track record of electing Asian representatives to the legislature.

Again, I thank you for your time and your consideration.

**NJ Apportionment Commission
Public Hearing
November 16, 2021
Stockton University**

**Testimony Submitted by:
Helen Kioukis, Atlantic City**

Thank you, members of the commission, for holding this public hearing and for this opportunity to present testimony. My name is Helen Kioukis, and I am a resident of Atlantic City. I am not speaking today on behalf of any organization, but as a lifelong voting member of the 2nd Legislative District who disagreed with the way Atlantic County was divided in the last redistricting cycle.

This area has two major anchor institutions that have grown significantly over the last decade: AtlantiCare Regional Medical Center and Stockton University. Both are currently constructing new facilities in Atlantic City, and they have also expanded within the Galloway Township area over the years. AtlantiCare's Mainland campus is in Galloway, and for anyone else like me who sees physicians in this network, most of our doctors' offices are also in Galloway. Similarly, the students who reside in Stockton's new Atlantic City dorms shuttle between here and Stockton's main Galloway campus. However, Atlantic City and Galloway are not in the same Legislative District. For the next map, these municipalities should be reunited. Keeping Atlantic City and Galloway divided between the 2nd and 9th districts splits communities of common interests and diminishes the voting and advocacy power of Stockton students. Along with my testimony, I have submitted a draft of a proposed District 2 map that keeps Atlantic City and Galloway together, along with 12 other contiguous municipalities of Atlantic County. This new district would have a population of 232,422—just 197 people above the target population for each new district.

In closing, I urge the commission to create the new district map guided by input from community members and civil rights advocacy organizations, rather than partisan data. I understand that redistricting is a very complex and political process, but I believe any final map should accurately reflect the diversity of New Jersey, provide communities of color the opportunity to elect candidates of their choice, and keep together communities with shared interests—whether those interests are cultural, social, or economic. Thank you, again, for this opportunity.

Proposed Legislative District 2:

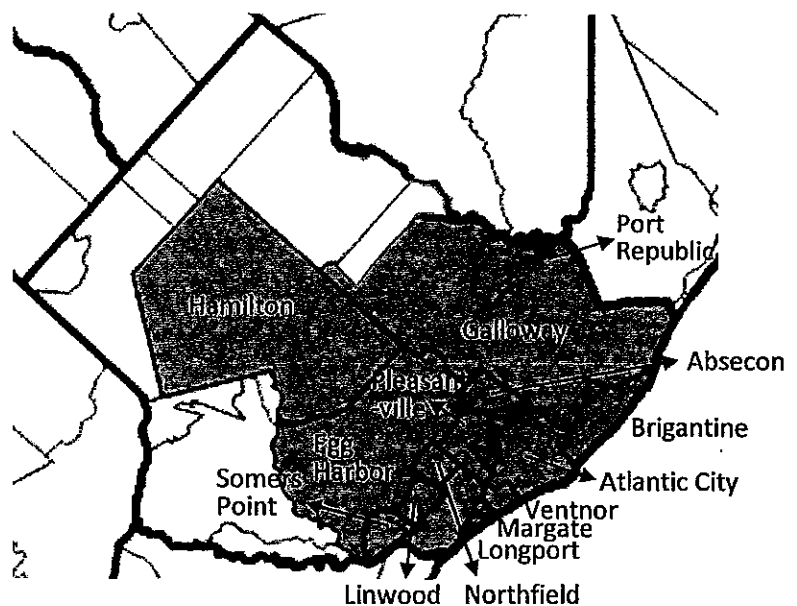
State/County/ Municipality Code	Area name	Total Population
34001	Atlantic County	275,531
3400100100	Absecon city	9,155
3400102080	Atlantic City city	38,976
3400107810	Brigantine city	7,723
3400108680	Buena borough	
3400108710	Buena Vista township	
3400115160	Corbin City city	
3400120290	Egg Harbor township	47,906
3400120350	Egg Harbor City city	
3400121870	Estell Manor city	
3400123940	Folsom borough	
3400125560	Galloway township	37,870
3400129280	Hamilton township	27,546
3400129430	Hammonton town	
3400140530	Linwood city	6,975
3400141370	Longport borough	893
3400143890	Margate City city	5,321
3400149410	Mullica township	
3400152950	Northfield city	8,440
3400159640	Pleasantville city	20,791
3400160600	Port Republic city	1,103
3400168430	Somers Point city	10,497
3400175620	Ventnor City city	9,226
3400180330	Weymouth township	

Total Population for 14 Municipalities: **232,422**

- NJ 2020 Total Population: **9,288,994**
- Target NJ Legislative District Population: **232,225**
- Proposed Legislative District 2 Population: **232,422**
- Municipalities **not** included: **43,109**

Race/Ethnicity of Proposed Map:

- White: 54%
- Black/AfAm: 17%
- Asian/PacIsl/Amlnd/Alaskan: 10%
- Other: 10%
- Two or More Races: 9%
- Hispanic/Latino (any race): 19.5%



Malikah Stafford

New Jersey Apportionment Commission Testimony

Good afternoon, commissioners of the New Jersey Apportionment Commission. My name is Malikah Stafford. I am a graduate of Egg Harbor Township High School and currently a senior at Stockton University majoring in Communication Studies and minoring in Africana Studies. I'm currently the Vice President and Educational Chief of the Unified Black Student Society at Stockton University and a member of the Stockton NAACP where Zabrina Clement is President. My career goal is to be a change agent in the television field by becoming a writer and producer that uses her talent to showcase the diaspora of African American life in a way where our culture can be uplifted. I am here today at the request of the New Jersey State Conference NAACP Youth Works committee, and the Stockton State University NAACP.

Currently, I am a residential student living on the Atlantic City campus. While I grew up in a neighboring town, Egg Harbor Township, I was born right here—Venice Park to be exact, an area of the city that was a part of the historical Northside, a redlined predominantly Black neighborhood. Growing up, I was heavily immersed in Atlantic City's noteworthy church culture. It was not uncommon for me to be in Atlantic City at least two to three times a week, for my family's church, the Westminster Christian Worship Center, as well as visiting the other churches within the community on occasions.

Here, in Atlantic City, this diverse community has a dominant Black and Brown presence, many of whom are either essential workers for

the city government or are essential workers in the city's notable consumeristic market of casinos, shops, restaurants, and more. My mother's side of the family, the Witherspoons, all either have worked for the city or still are working for the city in some form or capacity. I want everyone to know that Atlantic City is much more than this consumeristic market, there is a thriving diverse community full of a rich history that is valuable. With Stockton's unveiling of the Atlantic City campus, there is now a diverse college student population within the city which only adds to the diverse cultural population here in Atlantic City, which I will at times affectionately refer to as "AC" henceforth in this testimony.

Atlantic City is bordered by the Absecon Inlet on the north side of the city and extends all the way to Jackson Avenue—the border separating Atlantic City from Ventnor. It resides within the 2nd Congressional District and in the 2nd Legislative district of New Jersey. Within these 48 blocks, you can see the casinos' towering presence at any place in the city. But AC is much more than these casinos and The Outlet shops that lie at the center of the city. The heart of AC lies within the diverse communities like Chelsea Heights right by Tropicana, and the Village—blocks away from The Walk, and Venice Park right by the Absecon Inlet. These distinctive communities of the city demonstrate the city's rich and diverse history. I remember going to the Gardner's Basin for various blues concerts that my dad would drag me to growing up, or going to "Take Your Child to Work Day" with my mom at the Atlantic City Municipal Court right off of Atlantic and Iowa Avenue, or hearing of the glory days of my family's church formerly located on the corner of Vermont and Madison Avenue. This is the Atlantic City that I know—a city that I've come to love.

With that being said, I would like to tell you a story: one day my sister and I were driving through AC. We wanted to find a different restaurant to go to and we thought about staying offshore and going to a restaurant, but we decided to roam in the city on that day. Coming off the white horse pike, we drove straight through AC. Cracked sidewalks, dilapidated buildings, the absence of traffic cameras, interwoven with brown-skinned faces walking to wherever—some with children in tow, others dressed in uniforms as if they were headed to work. We kept driving, kept driving, and saw the same things street after street with a moment of slight pristine-ness when we hit the center city outlets.

But after a couple blocks— the same thing. Still no traffic cameras. Uneven, crammed roads boarded up houses, broken street signs. Then, as we crossed the border of Jackson Avenue from AC to Ventnor, I noticed a distinct change. I saw: a Wawa. I couldn't believe it. Right across the street—a movie theater. As we kept driving the roads became more even—they were smoother. We kept driving. We saw plenty of restaurants with outside seating. White people walking their dogs. Some jogging. Others ride their bikes.

As we crossed into Margate, the houses turned into mansions almost. I saw Teslas, Mercedes Benz', BMW's aligning the wide streets that were accented with manicured lawns and pretty fences with gates. Out of all these things—I noticed the traffic cameras the most. How they awaited you at every stoplight accompanied by speed barometers as if to tell those who were outsiders that you were being watched. Monitored even. My sister and I were greeted with curious stares as we rode

through—as if we were blemishes riding through these designated white streets.

But my gaze kept returning to the traffic cameras. How frequent they appeared. It was as if that was to signal to me that this community was worthy of being seen. That this community was worth being protected. That this community mattered. My sister and I ended up turning around to find somewhere else to eat because we felt that uncomfortable. We felt seen—not in a good way. As we made our way out of Margate, into Ventnor, and crossing Jackson Avenue into Atlantic City, the traffic cameras left. I felt some relief to be in a place where I felt I belonged, but at the same time I knew that not seeing those cameras meant that this diverse community of AC that I love so much—would metaphorically and literally not be seen. It would not be validated. It would not be protected. It would not matter. AC is no different than any other bustling city in America. My work as an intern for Stories of Atlantic City, an organization committed to restoring the narrative and image of Atlantic City through restorative narrative journalism, illuminated this to me. There's culture, entertainment, and most of all, a rich, diverse community here—something that often goes unnoticed. What makes AC so different from Margate and Ventnor? White people; white people with money and resources. And this should not make their voice matter anymore than the predominant Black and Brown voices that fill the communities in Atlantic City.

That brings me to my last point. It's important to have people who look like the people within my community representing my community. And if they don't look like me, it is imperative that people who are representing me

make it their central focus of taking these marginalized communities out of the margins and placing them within the view of recognition, validation, and importance. Therefore, I implore this apportion committee to make the right choice, whatever choice that may be, in making sure that the Black and Brown voices of the Atlantic City community are not diluted and lost in the midst of the overpowering white majority in this district. In these unprecedented times of change, those who were always counted last—are now being counted first. It's up to us to follow the upward curve of change. It is important that the NJ apportionment commissioners, when drawing the new legislative map, ensures that there will be adequate representation that allows my community's voices to be heard and for the stories of our communities to finally be seen. This will make way for change that will strengthen our community.

It is important that you take my testimony and those like mine in consideration when you are preparing to draw the legislative map. Again, thank you for hearing my testimony today.

Statement of Brigid Callahan Harrison, Ph.D. Before the New Jersey State Legislative Apportionment Commission

Mr. Chairman and Members of the Commission,

I am testifying as a resident of the Borough of Longport in Atlantic County, New Jersey in the second legislative district. In 2020, was an unsuccessful primary candidate for the second congressional district seat. I am also a professor of Political Science and Law at Montclair State University, where I serve as department chair. My research interests over the past 25 years have centered on elections and the reapportionment and redistricting process, as well as New Jersey politics and I am grateful to have the opportunity to speak before you this afternoon.

Much of the testimony during the course of these hearing centers on the desire of constituents to remain in their specific legislative district, being represented by their state legislators.

However, I want to call your attention to the importance of the role that legislative redistricting plays in assuring that the principle of "one person, one vote," (as outlined in *Baker v. Carr*,¹ *Wesberry v. Sanders*², then *Reynolds v. Sims*³) are consistent with interpretation of the Voting Rights Act and the Equal Protection clause of the 14th Amendment. Particularly in today's political climate, it is imperative that you ensure that all of New Jersey's diverse voices are heard and that the *principle* of "one person, one vote" is truly implemented. In *Wesberry*, Associate Justice Hugo Black held that Article One of the Constitution required that "as nearly as practicable one man's vote... is to be worth as much as another's."⁴

In the 2021 New Jersey state legislative elections, 32 of the 40 state senate seats of both political parties were won by incumbents receiving more than a 10 percent plurality over their opponent. In several districts, the margin was in excess of 30 percent.

I know that many of you would like to argue that these incumbents are doing their jobs so well that constituents are incredibly satisfied with incumbents' job performance, and so return them to office with these large margins. But we all know that, of all the advantages that incumbents have – name recognition, larger campaign war chests, and so on, the drawing of district boundaries to overwhelmingly favor one party or the other are the greatest advantage. And today, using GIS mapmaking technology, these partisan gerrymandered districts can be drawn in much more sophisticated and certain manners than in decades past.

There are numerous problems associated with the creation of such a large number of "safe seats." Districts that are so partisan gerrymandered feed into a national political culture in which partisan extremism is valued over moderation, in which intraparty factionalism replaces partisan competition, and bi-partisanship is rare and ridiculed.

¹ 369 U.S. 186 (1962)

² 376 U.S. 1 (1964)

³ 377 U.S. 533 (1964)

⁴ 376 U.S. 1 (1964)

But for your purposes, importantly, the net impact of partisan gerrymandering is a violation of the principle of "one person, one vote." In *Davis v. Bandemer*,⁵ the Supreme Court has ruled that partisan gerrymandering claims are justiciable under the Equal Protection Clause. This was confirmed and expanded in subsequent rulings.

When partisan voters are packed in legislative districts, the net effect is that the impact of their votes are diluted, presenting a structure that is potentially in violation of Article One of the U.S. Constitution. When minority voters are packed into legislative districts, the net effect is that the impact of their votes and influence as a community is diluted, presenting a structure that is potentially a violation of the Equal Protection Clause.⁶

That is why I am urging you, Judge Carchman, to urge the members of this commission to create maps using a standard of partisan fairness.

In creating these maps, commission members should use one of the accepted metrics to gauge partisan fairness.⁷ Using a mean-median difference score, which compares the average district's vote-share to the median district's vote-share to find partisan asymmetry across the legislative district plan is a simple but elegant solution.⁸ If the mean district vote share is significantly higher than the median district's vote share, the plan likely cracks and packs voters of one party. The goal is to get the difference as close to zero as possible.

But perhaps more appropriate for New Jersey is the use of the efficiency gap (EG),⁹ which compares what it calls "wasted votes" – the votes for the losing party and the votes for the winning party in excess of 50%+1 – to test for unequal outcomes. The EG then takes the number of wasted votes and divides by the total number of votes to see how efficiently votes were spread across the districts' map. An EG score of over 8% is considered evidence of a gerrymander. In New Jersey's over 75% of our current legislative districts have an EG score over 8%.

Whatever methodology the commission uses, I would urge you to ensure that votes cast by New Jerseyans are not wasted, to ensure some standard of partisan fairness, but most importantly to ensure that the diversity of voices of the voters of the State of New Jersey are heard.

Thank you.

⁵ *Davis v. Bandemer*, 478 U.S. 109 (1986)

⁶ Grofman, Bernard and Gary King. 2007. The Future of Partisan Symmetry as a Judicial Test for Partisan Gerrymandering after *LULAC v. Perry*. *Election Law Journal*. 6:1

⁷ Wang, Samuel. 2016. Three Tests for Practical Evaluation of Partisan Gerrymandering. *Stanford Law Review*. 68: 1263- 1321

⁸ <https://arxiv.org/pdf/1505.06749.pdf>

⁹ Stephanopoulos, Nicholas O. and Eric M. McGhee. 2015. Partisan Gerrymandering and the Efficiency Gap. *University of Chicago Law Review*. 82:831.

Dear NJ Reapportionment Commission,

Hello, my name is Arthur S Amidano Jr. I live in West New York.

I wanted to share with all of you my thoughts about the legislative redistricting situation in Northern Hudson County.

First a little about myself. I was born and raised in Union City and moved to West New York just recently in the past few months. Being a lifelong resident in the area has made me especially aware of the local community of Northern Hudson County.

As it currently stands, Northern Hudson county has two legislative districts. The 32nd ,which covers North Bergen, Guttenberg, and West New York, in addition to Kearny, Harrison, East Newark, and Secaucus in Hudson County. Edgewater and Fairview in Bergen County also form part of the 32nd district.

The 33rd district covers Union City, Weehawken, Hoboken, and sections of Northern Jersey City.

Northern Hudson County towns are extremely homogeneous. One could walk from Union City to North Bergen, past West New York, and Guttenberg, without realizing you just crossed four different municipalities.

There is a lot of cultural interchange in this part of Hudson County. People here tend to know others in all the neighboring towns. All the towns here are heavily Hispanic.

I have done some research using the previous maps adopted by NJ Reapportionment Commissions since 1980 as posted on the website. I found that from at least 1980 to 2010 there has been strong continuity in Northern Hudson County. From 1980 to 2010 Union City, Weehawken, Guttenberg, and West New York were part of one legislative district (in this case, the 33rd). In 2010, the continuity of Northern Hudson County was shattered. West New York and Guttenberg were severed from the 33rd district and moved to the 32nd district. Now, this homogeneous area is divided into two legislative districts. I am not referring to North Bergen since continuity there has been maintained unbroken since 1980 at least in the 32nd district.

In light of the fact that for thirty years this area has always been part of one legislative district, I respectfully request that this commision seriously consider placing this area in one district once again. Northern Hudson County, with so many cultural similarities and a vibrant Latino culture, deserves to have homogeneous representation in the NJ Legislature.

Thank you for your consideration

Arthur S Amidano

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