
Commission Meeting

of

NEW JERSEY REDISTRICTING COMMISSION

*"Testimony from the public on the establishment of congressional districts
in New Jersey that will be in effect for the next 10 years"*

LOCATION: Robeson Campus Center
Rutgers University-Newark
Newark, New Jersey

DATE: October 11, 2011
10:00 a.m.

MEMBERS OF COMMISSION PRESENT:

John J. Farmer Jr., Chair
Assemblyman Joseph Roberts Jr., Delegation Chair
Michael J. Baker, Delegation Vice Chair
Michael Duhaime, Delegation Chair
Assemblywoman Caroline Casagrande
Sherine El-Abd
Edward Farmer
Aubrey Fenton
Jeannine Frisby LaRue
Eric Jaso
M. Susan Sheppard
Philip Thigpen



ALSO PRESENT:

Frank J. Parisi
Raysa Martinez Kruger
*Office of Legislative Services
Commission Secretaries*

Meeting Recorded and Transcribed by
The Office of Legislative Services, Public Information Office,
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey

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JOHN J. FARMER JR. (Chair): Good morning, everybody. I want to welcome you to the second of our three required public hearings of the New Jersey Redistricting Commission. The third hearing will be this afternoon in New Brunswick, at Winants Hall, on the main campus of Rutgers University.

Could I please have the Secretary call the roll?

MR. PARISI (Commission Secretary): Okay, Mr. Chairman.
Michael Baker.

MR. BAKER: Here.

MR. PARISI: Caroline Casagrande.

ASSEMBLYWOMAN CASAGRANDE: Here.

MR. PARISI: Nilsa Cruz-Perez.

MR. J. FARMER: It's my understanding, Mr. Secretary, that she is ill.

MR. PARISI: Thank you.

Michael Duhaime.

MICHAEL DUHAIME (Delegation Chair): Here.

MR. PARISI: Sherine El-Abd.

MS. EL-ABD: Here.

MR. PARISI: Edward Farmer.

MR. E. FARMER: Here.

MR. PARISI: Aubrey Fenton.

MR. FENTON: Here.

MR. PARISI: Jeannine Frisby LaRue.

MR. J. FARMER: My understanding is Ms. LaRue is running a bit late. She will be here.

MR. PARISI: Okay, very good. Thank you.

Eric Jaso.

MR. JASO: Here.

MR. PARISI: Speaker Roberts.

JOSEPH ROBERTS JR. (Delegation Chair): Here.

MR. PARISI: Susan Sheppard.

MS. SHEPPARD: Here.

MR. PARISI: Philip Thigpen.

MR. THIGPEN: Present.

MR. PARISI: Chairman Farmer.

MR. J. FARMER: I'm here.

MR. PARISI: You have a quorum.

MR. J. FARMER: Thank you.

I will call the witnesses in the order of which they signed up. Our first person to offer testimony today is -- and please forgive me with pronunciations here of some of these names -- Mohamed Khairullah.

M A Y O R M O H A M E D T. K H A I R U L L A H: Good morning.

MR. J. FARMER: Good morning, and welcome.

MAYOR KHAIRULLAH: May I start?

MR. J. FARMER: Yes.

MAYOR KHAIRULLAH: Thank you.

Dean Farmer, members of the New Jersey congressional Redistricting Commission, thank you for holding this open hearing in northern New Jersey and for presenting the public with the opportunity to speak.

My name is Mohamed Khairullah, and I am the Mayor of the Borough of Prospect Park, in Passaic County, New Jersey.

I know residents throughout New Jersey are disappointed that due to the new Census numbers we are being forced to lose one congressional district. This loss could potentially hurt our state's influence in Congress and reduce Federal support for our great state.

This Commission has a tough task ahead of it as it crafts a map that is fair and is in the best interest of the people of New Jersey.

Clearly, there are basic tenets that must be followed as you design a new map. One person, one vote will ensure that congressional districts are divided according to population so that each person has an equal amount of representation in their government. I understand that compactness of districts and contiguous borders are also standards the Commission will look to utilize. Continuity of representation will help ensure that people can continue to feel connected to their elected officials. And a politically fair map that represents the political leaning of the state has historical precedence and just makes common sense. After all, fairness is why our state has a nonpartisan Commission rather than an executive- or legislative-driven process as other states have.

The reason I have come to speak to you today is to speak about another significant criterion the Commission should look to: communities of interest. As the Mayor of Prospect Park, I can attest that our town, along with others including Haledon, Woodland Park, Totowa, Paterson, Clifton, and the City of Passaic -- all in the heart of Passaic County -- are communities closely related in many aspects. These towns are closely aligned and are populated with working-class New Jerseyans in a historically

industrial area. This greater Paterson-Clifton-Passaic region is a contiguous and united community which should not be split up as the new map is designed for New Jersey.

I believe that Passaic County does not get the respect it deserves for its history, culture, and natural beauty. Too many people forget that Paterson, Clifton, and Passaic are, in fact, the 3rd, 11th, and 15th largest cities in terms of population in the State of New Jersey, as measured by the latest Census figures. Furthermore, those three cities and the surrounding community have burgeoning and interrelated minority populations. The total population of this urban center is over 300,000 people. Approximately 20 percent of the greater Paterson-Clifton-Passaic population is African-American. Much of the population are immigrant communities, either first, second, or third generation. About half of the greater Paterson-Clifton-Passaic population is of Hispanic origin. New Jersey is regarded as perhaps the most diverse state in the nation, and our shared community in the heart of Passaic County exemplifies this ideal.

Clearly, this Commission must consider the Voting Rights Act in the deliberation, especially in regard to majority-minority districts. But I believe strongly that, even if any of the ethnic population cannot create a majority of one district, we must have a new map that holds in tact diverse populations within a clearly shared community. As I stated, our community in the heart of Passaic County is closely related in many of the aspects that you will take into consideration, and should not be divided.

Let me conclude by mentioning that among the community of interest is my own community, composed of hundreds of thousands of Arab- and Muslim-Americans living in the State of New Jersey. The Arab

and Muslim population in the greater Paterson-Clifton-Passaic region is, in fact, one of the largest in the entire country. Whatever the Commission decides on final borders, I would implore you to keep us together in the same congressional district so that our community of interest can speak as one. Our Arab- and Muslim-American community, made up of more recent immigrants and their families, is just now becoming more active and engaged in the political process. Diluting that voice would certainly hurt our effectiveness and take away from the diverse (*sic*) we so proudly -- or from the diversity we so proudly uphold in New Jersey.

One last note on our Governor. While there is much that can be said about him, I will simply say that in our community, we appreciate that he has recently appointed only the second Muslim-American judge in New Jersey and the first in Passaic County. Our Governor has been forceful in speaking out against some who have taken bigoted positions against Muslim-Americans throughout the country. I would like to think that, in part, the Governor is responding to the effectiveness of our organizing and the growing size of our population. I ask that this Commission do the same and ensure that our Federal representatives can hear our voice.

Thank you for your consideration of these points.

MR. J. FARMER: Thank you very much.

Any questions? (no response)

Thank you, Mr. Mayor.

MAYOR KHAIRULLAH: Thank you.

MR. J. FARMER: The next witness is Jerry Vattamala, Asian American Legal Defense Fund.

JERRY VATTAMALA, ESQ.: Good morning.

MR. J. FARMER: Welcome.

MR. VATTAMALA: My name is Jerry Vattamala, and I'm a Staff Attorney with the Asian American Legal Defense and Education Fund.

AALDEF is a 37-year-old, nonpartisan organization based in New York City that protects and promotes the voting rights of Asian-Americans through litigation, advocacy, and community education.

AALDEF -- along with the Asian Pacific American Lawyer's Association of New Jersey, APALA; Korean American Voters' Council, KAVC; South Asian Americans Leading Together, SAALT; and South Asian Bar Association, SABA -- submitted proposed redistricting recommendations for New Jersey State redistricting in March 2011. AALDEF has a long history of working with the Asian-American community in New Jersey and has fought to protect the voting rights of this community. In the past, AALDEF has monitored poll sites and conducted exit poll surveys in New Jersey's Asian-American communities, specifically in Bergen, Middlesex, and Hudson counties. AALDEF sent their observations to the Attorney General of New Jersey and petitioned the Department of Justice to protect Asian-Americans against voter intimidation and disenfranchisement.

African-American are one of the fastest growing racial groups in New Jersey from the period 2000 to 2010, now comprising of 725,726 people, or 8.3 percent of the total state population. South Asian-Americans, Chinese-Americans, Filipino-Americans, and Korean-Americans are the largest groups within the Asian-Americans community in New Jersey. At a time when New Jersey is growing slower than other states or

losing population, New Jersey's Asian-Americans community has been rapidly expanding over the last 10 years.

Asian-Americans in New Jersey have been the victims of targeted attacks affecting their right to vote. Asian-Americans in New Jersey have been painted as perpetual foreigners and outsiders, and have been intimidated and threatened at poll sites and through the local media. Examples of recent Asian-American intimidation and barriers to voting include efforts to intimidate, threaten, and coerce Asian-Americans for voting in the 2000 (*sic*) Fort Lee School Board elections. In the 1999 City Council elections in Palisades Park, New Jersey, the then-mayoral incumbent made racial appeals and warned voters against Korean-Americans "attempting to take over our town and change it inside out." On April 25, 2004, in the Jersey Guys radio show on New Jersey 101.5 FM, commentators made a litany of anti-Asian remarks and disparaged an Asian-American candidate for mayor. There have also been numerous reports of rude and racist poll worker conduct; violations of the Help America Vote Act -- HAVA; violations of Section 208 of the Federal Voting Rights Act, which allows assistance by a person of the voter's choice; inadequate number of or no interpreters; missing translated materials; and disproportionately requiring Asian-American voters to provide identification.

The above examples of intimidation and barriers to voting facing Asian-Americans is by no means a comprehensive list, but should highlight to this Commission the need for Asian-American voting strength to not be diluted, thus creating yet another barrier for this community to access their right to vote.

Despite the rapid growth in population, Asian-Americans are vastly underrepresented in New Jersey's congressional delegation. There are currently no Asian-American members of New Jersey's congressional delegation. Since Asian-Americans are a protected minority group under the Federal Voting Rights Act, districts must be drawn so that Asian-Americans can elect candidates of their choice. While the United States Supreme Court has held that the consideration of race may not predominate in the redistricting process, the Court has also held that a paramount districting criterion is to include communities of interest in districts. While the Court has defined this concept as groupings of people with actual shared interests, social scientists have found communities of interest to exist when individuals share significant cultural, economic, political, and social ties. Several Asian-American communities throughout New Jersey share common concerns and socioeconomic characteristics, but they have been divided between two or more districts. We urge this Commission to take a closer look at these neighborhoods and ensure that Asian-American communities are kept together and not splintered among newly drawn districts.

In Bergen County-- Bergen County represents one of the fastest growing areas of the state for the Asian-American community. The four municipalities of Palisades Park, Leonia, Fort Lee, and Edgewater are an Asian-American community of interest sharing characteristics of racial composition, ethnicity, language, high-limited English proficiency, immigration experience, settlement pattern, voter registration, health and social services, health care, schools, and dependence on bilingual services. Palisades Park, Leonia, Fort Lee, and Edgewater are the core of the Korean-

American community in Bergen County. The four municipalities have high concentrations of Asian-American population. And you can see on the document, 50 percent of -- 57 percent of Palisades Park is Asian-American, 38 percent of Fort Lee. Almost 36 percent of Edgewater, and 35 percent of Leonia residents are Asian-Americans.

Due to the proximity to New York City and convenient public transportation, Fort Lee, Leonia, Palisades Park, and Edgewater have been major destinations for new immigrants. According to AALDEF's 2008 exit poll report we conducted in Palisades Park and Fort Lee, there was a high number of first-time voters who were Asian-Americans, as well as limited English proficient members of the community.

Asian-American communities also reside north of Fort Lee in Tenafly and Bergenfield. The 9th Congressional District should be expanded northward to include community communities as shown in the attached proposed congressional district for Bergen County. The 5th Congressional District currently unites the eastern and western regions of northern New Jersey, which are not similar communities and extremely difficult to travel between. This Commission should adopt the proposed congressional district for Bergen County and not divide the Asian-American community.

In Middlesex, currently the county is divided among three congressional districts: Congressional District 6, 7, and 12. Middlesex County represents the largest concentration of Asian-Americans in New Jersey. The Asian-American community is active and votes. Edison Township elected the first Asian-American Mayor of a large New Jersey

municipality, former Mayor Jun Choi; and two Asian-American council members, Councilman Dr. Prasad and former Councilman Patel.

There is a strong Asian-American community of interest in Middlesex County. Most of the Asian-Americans are Chinese-Americans who speak Cantonese. These Asian-Americans are professionals and homeowners, and share many concerns. The towns of Voorhees, Princeton, and West Windsor are similar communities that are home to existing and growing Asian-American communities that share many common concerns. Asian-American communities of interest should be kept whole.

In Hudson County-- Hudson County is currently divided among three congressional districts: Congressional District 9, 10, and 13. The highest percentage of Asian-Americans in Hudson County is in Jersey City, consisting of mostly Indian-Americans and Filipino-Americans. Jersey City is a regional South Asian cultural and commercial hub, similar to New York City's Jackson Heights, Queens, and should not be divided into numerous congressional districts as it currently is. The Asian-American vote should not continue to be diluted. Jersey City should be kept whole in one congressional district.

AALDEF submits the attached proposed congressional district for consideration by the Commission. Asian-Americans are severely underrepresented in New Jersey. Given the severe underrepresentation of Asian-Americans in New Jersey, the time to correct this injustice is now. AALDEF's proposed congressional district provides this Commission with a congressional district that does not divide Asian-American communities of interest. The Commission should review these district lines when drawing new congressional districts. The Asian-American communities of common

interest listed above should not be divided. You can see that in your document.

New congressional districts should preserve the voting rights of Asian-Americans and other racial and ethnic minorities as guaranteed under the Federal Voting Rights Act of 1965. The right to vote is fundamental, and we must ensure that this constitutional right is protected for Asian-Americans and all citizens of New Jersey. The Commission should abide by the Voting Rights Act and ensure that racial minorities have a full and fair opportunity to elect candidates of their choice; and not divide the Asian-American communities of interest in Bergen, Middlesex, and Hudson counties.

Thank you.

MR. J. FARMER: Thank you.

Any questions? (no response)

Thank you for your testimony.

MR. VATAMALLA: Thank you.

MR. J. FARMER: We'll next hear from Chejin Park, Korean American Voters' Council.

Good morning.

CHEJIN PARK, ESQ.: Good morning.

Thank you for the opportunity to propose the Korean-American community's opinion pertaining to the congressional redistricting.

My name is name is Chejin Park. I'm Staff Attorney for the Korean American Voters' Council.

The Korean American Voters' Council is a community-based, nonprofit, nonpartisan organization devoted to educating Korean-

Americans about the importance of exercising their voting rights and to increase accessibility in exercising the right by removing the language barrier. Korean American Voters' Council assisted more than 7,000 Korean-Americans to register to vote since 1996.

On behalf of the Asian-Americans in Bergen County, New Jersey, Korean American Voters' Council urges the Redistricting Commission to recognize the north and eastern part of Bergen County as a community of interest for the Asian-American community and keep them in Congressional District 9. The proposed district map of the Asian-American Legal Defense and Education Fund -- AALDEF, right before me -- Jerry presented the map -- outlines the municipalities in the community of interest that we are talking about. Our testimony will be limited to the Congressional District 9 -- the proposed District 9, not current District 9. And we will limit it on that new map -- proposed map.

The Asian-American community is one of the fastest growing ethnic communities in the State of New Jersey for the last 30 years. The Asian immigrants, especially Korean-Americans, settled in the eastern part of Bergen County and formed a large Asian-American community. Soon it became a highly concentrated community of interest. When the congressional district maps were drawn about 10 years ago, most parts of the Asian-American community were included in District 9. During the last 10 years, the Asian population dramatically increased by 39.2 percent in Bergen County, and the community was geographically expanded too. The new map should be redrawn taking that factor into account.

MR. J. FARMER: Excuse me just a second.

MR. PARK: Yes, sir.

MR. J. FARMER: Is there some way to fix the microphone.

HEARING REPORTER: The larger ones aren't mine. The small ones only record.

MR. J. FARMER: Maybe move it closer to you.

MR. PARK: All right. Thank you.

MR. J. FARMER: Move the big one closer to you.

HEARING REPORTER: They're not on.

MR. PARK: It's not on.

It was turned off. Do I have to read it again?

MR. J. FARMER: No, no, it was terrific. Thank you.

(laughter)

Sorry for the interruption.

MR. PARK: Thank you.

I'm sorry, I should have checked the mike first, but I didn't.

Due to the proximity to New York City and the convenient public transportation, the municipalities near the G.W. Bridge -- including Fort Lee, Leonia, Palisades Park, and Edgewater -- have been major destinations for new Asian-American immigrants. The Asian-American population in the four municipalities has been rapidly increasing since the late 1980s. Then the Asian-American community started to expand to nearby communities along the Hudson River and highways in the 1990s. While the municipalities near the G.W. Bridge are providing jobs and businesses for the recent immigrants, nearby municipalities provide housing and education for settled immigrants for the Asian-American community. Therefore those municipalities around the G.W. Bridge, and the nearby municipalities, should be recognized as a community of interest.

The commercial districts of several communities in the area near the G.W. Bridge -- including Palisades Park, Fort Lee, Ridgefield, Leonia, Englewood Cliffs, Edgewater, and Fairview -- collectively function as a suburban Asian shopping destination for Asian-Americans in northern New Jersey, drawing shoppers from Tenafly, Cresskill, Demarest, Closter, Norwood, and Old Tappan; as well as several inland boroughs, including Paramus, Rutherford, and Little Ferry.

Since Asian-Americans' immigration history is relatively short, limited English proficiency is the major challenge for the Asian-American community. For example, most Korean-Americans in northeastern New Jersey speak Korean as their primary language at home and business. According to the Asian American Legal Defense and Education Fund's 2008 exit poll report -- which was conducted in Palisades Park and Fort Lee -- about 62 percent of Korean voters had limited English proficiency, and 22 percent of them used interpreters at the poll.

The high rate of limited English proficiency among Korean-Americans made the Korean-American community dependent on social and health services in Korean. Many organizations located near Fort Lee, Englewood, and Teaneck provide bilingual health and social services for Korean-Americans in northeastern New Jersey. There are two-- I exemplify the two organizations: Holy Name Medical Center, which is located in Teaneck, is acclaimed for its Korean medical program. And also located in Teaneck, the Asian Women's Christian Association; their program includes counseling services to support Asian-American psychological, mental, and emotional well-being. And also my organization, Korean American Voters'

Council is located in Hackensack, and they're serving the whole Bergen County area.

There are many other characteristics that are shared among the municipalities in northeastern Bergen County. By simply taking into account the characteristics we just discussed above, the Redistricting Commission may be able to recognize the communities as communities of interest. On behalf of the Asian-Americans in Bergen County, the Korean American Voters' Council strongly urges the Redistricting Commission to recognize those municipalities as communities of interest and keep them in District 9.

Thank you.

MR. J. FARMER: Thank you.

Any questions? (no response)

Thank you very much.

MR. PARK: Thank you.

MR. J. FARMER: We'll next hear from Rolando Bobadilla.

F R E E H O L D E R R O L A N D O B O B A D I L L A: Good morning. How are you?

MR. J. FARMER: Welcome. Good morning.

F R E E H O L D E R B O B A D I L L A: I just want to share a brief statement with the members of the Commission.

I want to talk to you about Newark, and in particular the North Ward of Newark. More than 60 years ago Peter Rodino was elected, the first Italian elected to Congress in New Jersey. Following him, Donald Payne became the first African-American Congressman in New Jersey. Then Robert Menendez became the first Latino Congressman elected in

New Jersey. Today, Albio Sires is the only Latino in the House of Representatives from New Jersey. So as we reflect on the first Italian-American, African-American, and Latino in Congress from the State of New Jersey, I can say that the North Ward uniquely represents that kind of democracy.

Today, the most diverse Latino area in New Jersey is in the North Ward of Newark. We have Puerto Ricans, Dominicans, Ecuadorians, Peruvians, Mexicans, and others like myself -- the first Hondureño to become an elected official in the history of Essex County and, I believe, in the state.

No congressman can represent the diverse Latinos in the North Ward, in my opinion, like Albio Sires. He is a unique representative of this community. He understands the complex diversities, the nuances, the challenges, and the strengths of the Latino communities. Albio is, I believe, a perfect representative for my community. He is a great partner. He champions education. And it's not rhetoric. He works hard and he delivers.

Thank you.

MR. J. FARMER: Thank you.

We'll next hear from Rob Pettet, Councilman from Wanaque Town Council.

COUNCILMAN ROBERT PETTET: Good morning.

MR. J. FARMER: Good morning.

COUNCILMAN PETTET: Is it still morning? And am I on?

MR. J. FARMER: It is.

COUNCILMAN PETTET: There we go.

I told the gal coming in that it took me 40 minutes to get here and 40 minutes to find a place to park, and I'm glad I'm not late.

I'm Rob Pettet, Councilman up in Wanaque. That's W-A-N-A-Q-U-E, for most of you who may not have ever heard of Wanaque. We're part of upper Passaic County, the communities of Wanaque, Bloomingdale, West Milford, and Ringwood. And we, too, are unique. I didn't plan to talk about race or ethnicity this morning.

When I met my wife -- she's from the South -- and I said, "Oh, gosh, my mom was Italian, and my dad was English and Irish." She said, "I don't know, I'm just American." And I'll just give my humble opinion, but I think we're just all Americans, and I'd like to see it that way in this great country. Whether we're folks of a darker hue, or folks who are of Italian descent, English descent, or Japanese, or what have you-- And I liked what everyone has had to say before me. I've had that advantage.

And Mayor -- I think the Mayor is still here -- you and I perhaps do disagree somewhat on ideologies at times. But I think your point was a great one, in the way this country was set up for representation -- is that it's so unique.

And, again, forgive me for being passionate, but I'm passionate about this land and this country. And I think when we get into this idea of trying to divide, and split, and make all one, and get rid of all the representations I think we go down the wrong road. And I don't mean to ramble.

But, again, we are represented by two Senators, and then we have the locale being represented by a Congressman. And the Upper Passaic County area is unique. We don't have the parking situations, we

don't have height building restrictions and regulations as do the lower parts of our county. So they need to be represented differently. And I would implore you to just consider keeping the Upper Passaic County in Congressional District 5. It really has more in common, even though it's Passaic County -- has more in common with the counties to the east and to the west of us. If you look on the map-- Sometimes when I look at the towns that are represented it doesn't make sense. But when you look at a map it does. And geographically it makes sense.

Just to point out one of the differences: Our Chief received a call not too long ago from a chief in Paterson, and he said, "We've got a-- Help, Chief, we've got a black bear that's escaped off the mountain here in Paterson." Those are some of the differences. To us, that's a common -- "Oh, okay, there's a black bear. You do this, and you do that." To the folks down in Paterson -- they were a little bit upset. They were very proud of themselves; they said, "We've got him cornered, Chief." And the Chief said, "No, no, that's not what you want to do." So, again, we have a very good working relationship with our brothers and sisters in the county, but we are a different demographic, we're a different geographic, we're a different population. And I think -- and I implore you to keep us in District 5, congressionally, to be represented as such.

I appreciate that.

I'll take questions if anybody--

MR. J. FARMER: Any questions? (no response)

Thank you for your testimony.

COUNCILMAN PETTET: Okay. Thank you.

MR. J. FARMER: We'll next hear from Mayor Carey Pilato, Borough of Bound Brook.

MAYOR CAREY PILATO: Mr. Chairman, members of the Commission, I am Mayor Carey Pilato, from the Borough of Bound Brook. We're located in Somerset County. And if you don't know Bound Brook, we're the town that floods quite a bit. (laughter) We probably have the same moniker as Wayne, New Jersey, would, but we're more -- we're located more centrally in the State of New Jersey.

I'm actually here to bear witness to, kind of, some of the things that are going on in Central Jersey, specifically in Somerset County. For those of you who do not know, Somerset County is one of the faster-growing counties in the State of New Jersey. So Bound Brook -- and I see Chairman Roberts, he would know this statistic very well -- Bound Brook is actually one of those communities that is entirely built out. And based on the third round of COAH, our 18-year obligation--

MR. ROBERTS: Why is COAH following me? (laughter)

MAYOR PILATO: Yes, I know, you're going to have COAH following you.

Our 18-year obligation of what was formerly COAH-- We would basically have a build-out of only 18 units for 18 years. And despite that fact, we grew by 3 or 4 percent from the last Census. So Somerset County is certainly a great place to live. And right outside of our borders -- Bridgewater, Hillsborough, Montgomery, Bedminster Township, as well as Bernards Township -- those are the five fastest-growing communities in Somerset County. They've experienced about 18 percent growth between 2000 and today. So what I want to implore you to think about is that

that's a significant amount of growth. And the 7th Congressional District -- currently we're represented by Leonard Lance. Prior to Leonard Lance we were represented by Mike Ferguson, and prior to that by Bob Franks. They truly understand and they truly reflect the constituency of the 7th Congressional District. Bound Brook, as you know -- because of its flooding, we have the largest flood control project east of the Mississippi in the Green Brook Flood Control Commission. And that's a very important thing not only to Bound Brook, but regionally in terms of central New Jersey. So as you think through some of the weighty decisions that you have coming forward, I'd like you to give some of that consideration.

A couple of other points, and then I will allow you -- if you have any other questions. The three northwestern congressional districts -- the 5th, the 7th, and the 11th -- and we're, of course, in the 7th -- we've added, on average, about 70,000 constituents. And that says a lot. It says that geographically the growth is happening in the central -- and then that northwestern area. And like I said, from a Somerset County perspective, Somerset County -- we're now up to about 325,000 citizens, and that's pretty dramatic when you think about where we were 10 years ago.

So, again, just for the members of the Commission -- I wanted to bear witness to what was going on in Somerset County and give you a reflection of central New Jersey and the folks who I represent. Like some of the previous speakers, Bound Brook is a community of diversity, and it's terrific. We probably have a third of our population -- is of Latino, Costa Rican, descent. And so I've become very fond, for those of you who know -- is arroz y gallo pinto, which is rice and beans. And it has a special sauce, and it's wonderful. It's very similar to some of the paellas you're familiar

with; very familiar to some of the risottos, if you're Italian, that you might be familiar with. But our community is well-represented, and has been well-represented, currently by Leonard Lance, previously by Congressman Ferguson, and then prior to that by Bob Franks.

So thank you very much for your time. If you have any questions I'd be willing to answer them.

MR. J. FARMER: Any questions? (no response)

Thank you. Thank you for your testimony.

MAYOR PILATO: Thank you.

MR. J. FARMER: We'll next hear from Nolan McCarty, from the Woodrow Wilson School, Princeton University.

N O L A N M c C A R T Y, Ph.D.: Good morning.

MR. J. FARMER: Welcome.

DR. McCARTY: My name is Nolan McCarty. I'm Professor of Politics and Public Affairs, and Chair of the Politics Department at Princeton University.

Contemporary politics in the United States is historically distinctive in at least two respects. The first is the ever-increasing polarization of political elites. Partisan differences in voting behavior have grown dramatically to levels not seen since the early 20th century. The second current distinction is that we have historically low levels of competition in congressional elections. This is especially true of the House of Representatives, where 99 percent of incumbents standing for reelection were successful in 2002 and 2004; and even in the dramatic elections of 2006 and 2008, most incumbents who stood for reelection won.

Given the conjunction of these two patterns, it seems natural to draw a link, namely that the increased polarization of Congress is a direct result of the increasing ease of reelection. Presumably in an era of declining competition, politicians no longer feel the need to reach out to moderate and independent voters. Instead, politicians are free to pander to their base. Politicians who do not pander may face primary challenges by ideologically purer candidates.

But is the story true? Is there a link between increased polarization and declining competition? Scholars have yet to establish a compelling causal relationship. Some scholars have claimed that there is a link between polarization and declining competition. It's rooted in the increasingly sophisticated techniques deployed during congressional redistricting. Pundits have also claimed that we are in the age of gerrymandering. They have observed that redistricting increasingly produced districts that are homogeneous with respect to partisanship and to voter ideology. Consequently, they argue, only conservative Republicans can win in conservative Republican districts, just as liberal Democrats dominate liberal Democratic districts. Because redistricting no longer produces moderate, bipartisan, or heterogeneous districts, moderates cannot win election to the U.S. House of Representatives.

While this narrative is attractive and it's analytically elegant, and it suggests a feasible, perhaps, solution to what ails American politics -- namely to draw heterogeneous, competitive, and politically moderate districts -- the evidence today shows that this story isn't true. So let me just kind of outline some of the empirical problems with the story, and then to

suggest that actually the opposite is true. If we care about polarization, we would do exactly the opposite.

The first point is that the U.S. Senate has increased -- a dramatic increase in partisanship and polarization without ever being -- having been redistricted. So we know that polarization is taking place in the United States without the help of districting.

A second important point is that a very large part of the polarization in the U.S. House is the result of what political scientists call the *within-district divergence* of the voting records of Republican legislators and Democratic legislators. In English that means that if we take a district -- two districts that are roughly similar in terms of demographics, partisanship, and voter ideology, a Republican and Democrat would represent those districts in increasingly different ways. So it's not simply how we draw the districts that pull politicians apart. They're pulled apart in almost identical districts. In fact, this effect -- this divergence effect -- is the overwhelming source of polarization in the United States since the 1970s.

It is true that some of the increase in polarization is due to a congruence between a legislator's party and the district's partisanship and ideology. But the increase in that congruence does not take place near redistricting. It's a secular trend that's been traced since the 1970s. It has much more to do with regional realignment than it has to do with districting.

A third point in my research-- We have simulated polarization under various fair and neutral districting procedures. We find almost no evidence that choosing one of the more fair or neutral -- ideally a system

that creates heterogeneous districts would have much impact on polarization in the United States.

What that research -- mine and that of many other political scientists -- and I'm happy to provide citations if the Commission would like -- is that we find that there is very little link between drawing -- how we draw district boundaries and polarization.

Now, of course, this would not be such a problem if there were no unintended consequences of trying to reduce polarization through creating homogeneous and competitive districts. But further research has shown that it's actually heterogeneous districts that produce more polarization because politicians within heterogeneous districts are more able to play to their specific constituencies. So the irony is that if, in fact, we strive -- put extra weight on creating heterogeneous, competitive districts, we may actually do the opposite of what many Americans would like.

So let me leave with just two pieces of general advice. The first is, it's important not to overemphasize the creating electorally competitive districts for the sake of reducing legislative partisanship and polarization. Doing so is unlikely to have the desired effects and, in fact, artificially heterogeneous districts may be counterproductive.

The second point, in my view, is the normatively desirable approach to districting is to have the distribution of districts look like the distribution of voters. That's what it means to be represented. There should be a number of conservative districts that represent or reflect the number of conservatives and Republicans in the state; there should be a number of liberal districts that reflect the number of Democrats and liberals in the state; and there should also be a number of moderate and

competitive districts to reflect the number of moderates and independents in the state.

In approaching it that way, rather than artificially trying to decrease political polarization by overenhancing competitiveness, would, in my mind, be the right approach.

Thank you very much.

MR. J. FARMER: Any questions? (no response)

Thank you.

And I would appreciate those citations.

DR. McCARTY: Okay, great. Thanks.

MR. J. FARMER: Our next and, I think, final witness is William Payne.

F O R M E R A S S E M B L Y M A N W I L L I A M D . P A Y N E :
Good morning, Mr. Chairman, members of the Commission.

I'm happy to have the opportunity to be here today to at least express some thoughts about the process and what you're going through now.

I live in the 10th Congressional District, which, as you know, is the only district in the State of New Jersey which has elected an African-American representative. And I'm proud to say I have a fairly close relationship with him. (laughter)

We believe that the district should, obviously, have a community of interest. And certainly we feel strongly that the 10th Congressional District should remain the district which elects a black representative and also represents a community of interest. Certainly more of Newark should be included in this district. And the inclusion of Essex County communities into the 10th District would certainly be inclusive of communities of interest,

which are west -- primarily west of the City of Newark. We believe that citizens of most of the suburban communities have been supportive of issues similar to the residents of the City of Newark -- interest of black voters. The residents in the other towns, which are in Essex County to the west of us-- Even though there's a wide disparity among those as far as economics, etc., goes, there is a similar interest in the issues that the residents within the inner cities and with many of the suburban towns have.

In fact, through the years Congressman Payne has been able to have the support of those communities to the west -- primarily of the west -- and other parts of Newark for his issues that he has championed. And interestingly enough, many, many of the people who live in many of those suburban communities have similar kinds of interest and have been supportive of. Therefore, it would -- inclusive of those towns -- would also be representative of the communities of interest, even though they may be people who have higher economic standing.

It's been phenomenal, as a matter of fact, that people do reside in these other districts -- well, if the districts have, in fact, supported things, such as peace issues that Congressman Payne has been involved in, and other kinds of social issues-- It's been very, very rewarding for us to be able to see the folks who live in -- what one would think are disparate, or different kinds of backgrounds -- are, in fact, supportive of the issues. And I think it's important that we continue that, and that we include within this district those kinds of folks who, as I say, represent the community of interest that Congressman Payne has championed throughout the years.

We're also quite aware of the intent of the Voting Rights Act, and extremely cognizant of the need to maintain the election of an African-American representative. We certainly want to make sure that we are within

the confines of that law, because we certainly don't want us to end up having to go through some kind of court proceeding to make sure that we are in compliance with that.

But I would say that if we could have -- as I mentioned before -- my recommendations of the towns in Essex County. And in the past, the County of Essex-- As it was mentioned, my brother's predecessor represented a number of other towns within Essex County, such as Glen Ridge, and Bloomfield, and other towns like that. I believe that we would look forward to having that kind of district also created again, and would certainly meet the intent of the law, and also would represent those kinds of folks who live within that community of interest.

I appreciate the time that you've given me today.

MR. J. FARMER: Thank you.

Any questions? (no response)

Thank you very much for your testimony.

Mr. Secretary, any further witnesses on the schedule?

MR. PARISI: Mr. Chairman, not that I'm aware of.

MR. J. FARMER: All right. Do I have a motion to adjourn?

MR. ROBERTS: So moved.

MR. J. FARMER: Second?

MR. DUHAIME: Second.

MR. J. FARMER: All those in favor of adjourning say aye.

(affirmative responses)

We'll reconvene in New Brunswick this afternoon at 3:00, Winants Hall.

(MEETING CONCLUDED)