
Commission Meeting

of

NEW JERSEY LEGISLATIVE APPORTIONMENT COMMISSION

*“The Commission will take oral testimony from members of the public
on the establishment of State legislative districts in New Jersey”*

LOCATION: Meeting via Zoom

DATE: November 6, 2021
10:00 a.m.

MEMBERS OF COMMISSION PRESENT:

LeRoy J. Jones, Jr., Democratic Delegation Chair
Al Barlas, Republican Delegation Chair
Senator Stephen M. Sweeney
Senator Thomas H. Kean, Jr.
Assemblyman Jon M. Bramnick
Honorable Philip S. Carchman
Cosmo A. Cirillo, Ph.D.
Linda A. DuBois
Michael B. Lavery, Esq.
Gary Taffet
Diane T. Testa, Esq.



ALSO PRESENT:

Raysa Martinez Kruger
Office of Legislative Services
Commission Secretary

Jessica Oestreicher
Roshard Williams
Office of Legislative Services
Commission Aides

Saily Avelenda
Democratic Delegation
Executive Director

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Therefore, portions of this transcript may not be completely accurate as portions were inaudible and/or indiscernible.*

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

DEMOCRATIC MEMBERS

LeRoy J. Jones, Jr.
Chairman

Cosmo A. Cirillo
Stephen M. Sweeney
Gary Taffet
Diane T. Testa



REPUBLICAN MEMBERS

Al Barlas
Chairman

Jon M. Bramnick
Linda DuBois
Thomas H. Kean, Jr.
Michael B. Lavery

NEW JERSEY LEGISLATIVE
APPORTIONMENT COMMISSION
STATE HOUSE ANNEX • P.O. BOX 068 • TRENTON, NJ 08625-0068

APPOINTED
ELEVENTH MEMBER
Philip S. Carchman

COMMISSION NOTICE

TO: MEMBERS OF THE APPORTIONMENT COMMISSION

FROM: AL BARLAS, CHAIRMAN
LEROY J. JONES, JR., CHAIRMAN

SUBJECT: COMMISSION MEETING – NOVEMBER 6, 2021

The public may address comments and questions to Raysa Martinez Kruger, Commission Secretary or make scheduling inquiries to Sophie Love, Secretary, at (609)847-3890. Written and electronic comments, questions and testimony submitted to the Commission by the public, as well as recordings and transcripts, if any, of oral testimony, are government records and will be available to the public upon request.

The Apportionment Commission will meet remotely via Zoom on Saturday, November 6, 2021 at 10:00 AM.

The Commission will take oral testimony from members of the public on the establishment of State legislative districts in New Jersey. As required by the New Jersey Constitution, the Apportionment Commission is charged with redrawing the lines of the State's 40 legislative districts, from which the 40 Senators and 80 Members of the General Assembly are elected.

Members of the public may view the proceedings via the New Jersey Legislature home page at <https://www.njleg.state.nj.us/> or via the Commission's home page at <http://www.apportionmentcommission.org/default.asp>.

Those wishing to testify must register online at <http://www.apportionmentcommission.org/schedule.asp>. Registration is also available at <https://www.njleg.state.nj.us/>. Select November 6 on the calendar and click on Apportionment Commission for the registration link. Registrations must be received by Friday, November 5, 2021 at 3:00 PM. Upon successful registration, you will view a printable receipt on screen. At a later date, you will receive an email with instructions for testifying.

(OVER)

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LeROY J. JONES, Jr. (Co-Chair): Well, good morning everybody; and I want to welcome you to the first public hearing of the New Jersey Apportionment Commission.

This morning, before we get started, you know we're going to move -- before we get started with the public testimony, we're going to move to a portion of the agenda where we have some business to take care of, and some announcements to handle.

The first involves a small edit to the Commission's bylaws, which has been requested by the Commission Secretary. This was noticed on the public agenda, and right now I'm going to request a motion to amend the Commission's bylaws for this change.

MS. MARTINEZ KRUGER: Chairman, would you like to do a roll call first and then move the resolution?

MR. JONES Jr.: Sure. I'm just so excited about this process.
(laughter)

You want me to call my members, and then--

MS. MARTINEZ KRUGER: I can do the roll call.

MR. JONES Jr.: Go right ahead.

MS. MARTINEZ KRUGER: Okay, thank you Co-Chair.
Commissioner Bramnick.

ASSEMBLYMAN BRAMNICK: Present.

MS. MARTINEZ KRUGER: Commissioner Cirillo.

MR. CIRILLO: Present.

MS. MARTINEZ KRUGER: Commissioner DuBois.

MS. DuBOIS: Present.

MS. MARTINEZ KRUGER: Commissioner Kean.

SENATOR KEAN: Here.

MS. MARTINEZ KRUGER: Commissioner Lavery.

MR. LAVERY: Here.

MS. MARTINEZ KRUGER: Commissioner Sweeney.

SENATOR SWEENEY: Here.

MS. MARTINEZ KRUGER: Commissioner Taffet.

MR. TAFFET: Here.

MS. MARTINEZ KRUGER: Commissioner Testa.

MS. TESTA: Present.

MS. MARTINEZ KRUGER: Co-Chair Barlas.

AL BARLAS (Co-Chair): Here.

MS. MARTINEZ KRUGER: Co-Chair Jones.

MR. JONES: Present.

MS. MARTINEZ KRUGER: Eleventh member, Commissioner Carchman.

MR. CARCHMAN: Present.

MS. MARTINEZ KRUGER: All of the members are present.

MR. JONES: Thank you, Raysa.

Well, as I said earlier, good morning everybody, and welcome to the New Jersey Apportionment Commission's first public hearing. We want to thank all of the Commissioners and each and every professional involved in this session, as well as the Secretary and the members of the OLS team. Also, looking forward to hearing the testimony from the witnesses who have signed up today.

But before we get moving with the public testimony portion of the agenda, as I said earlier, we have some business and some announcements to handle.

The first involves a small edit to the Commission's bylaws, you know, that has been requested by the Commission Secretary. This was noticed in the public agenda, so at this moment I'm going to request a motion to amend the Commission's bylaws for this change.

MR. BARLAS: Co-Chair Jones, this is Commissioner Barlas. Yes, I move to amend the Commission's bylaws to allow the Office of Legislative Services Hearing Reporter Unit to provide official transcriptions of the Commission's hearings by a voice vote.

MR. JONES: Thank you, Chairman Barlas. Can I recognize Senator Sweeney--

SENATOR SWEENEY: Yes—

MR. JONES: For a second.

SENATOR SWEENEY: Second, second, sorry Chairman. I'm like you -- I'm so excited I'm making mistakes. (laughter)

MR. JONES: Thank you, Senator Sweeney.

It's been moved and seconded, all those in favor repeat "aye."

ALL: Aye.

MR. JONES: Any opposed? (no response)

Seeing none, any abstentions? (no response)

Seeing none, the motion passes unanimously, and the bylaws are amended. I would ask the Commission Secretary to memorialize this and have it posted on the Commission's website as soon as possible.

MS. MARTINEZ KRUGER: Will do, Chair.

MR. BARLAS: Thank you, LeRoy. In addition, the Commission would like to make the following announcements.

The Apportionment Commission has a public website managed by OLS that is located at www.apportionmentcommission.com. This website provides public information about the work of this Commission, including scheduled hearing dates and times, approved agendas, and information about how to register to provide testimony. The site also provides the public with different ways to communicate with the Commission. At the bottom of the page, if you click the "Sign Up" link, you can sign up to receive updates from the Commission. If you click "Contact Us" on the menu bar at the top, you can submit written testimony. Shortly, a feature will be added to allow for public submission -- for submission of maps by the public.

Thank you all, and this concludes our preliminary comments.

Chairman Jones.

MR. JONES: Thank you, Chairman Barlas, and with that we're going to move to the all-important public testimony. As it was mentioned, this is our first public hearing of many that will be scheduled. We have a number of in-person meetings scheduled as well; there's a schedule out and published.

Please take advantage of making yourselves aware of that. And just to point out -- and madam Secretary, you probably just want to brief folks, the witnesses, on the length of time they have in their testimony and any other procedural requirements that go along with the public's testimony at this point.

MS. MARTINEZ KRUGER: Chairman, we have about 12 members of the public who signed up to testify today. The Chair may limit

public testimony to about five minutes per person, and members of the public are encouraged to submit their written testimony to the e-mail for the Commission that is listed on the agenda. And then we will circulate that testimony and post it to the Commission's website.

And the e-mail is olsaideappc@njleg.org.

MR. JONES: Thank you, madam Secretary. And who do we have up first -- or is that my discretion?

MS. MARTINEZ KRUGER: That's at your discretion, Chair. You can go either from the spreadsheet of witnesses or from the list of witnesses in the order that they signed up to speak; whatever you would like.

MR. JONES: We will go with the order that they signed up to speak.

MS. MARTINEZ KRUGER: Okay, Chairman. Your first speaker then would be Ms. Jesselly De La Cruz.

MR. JONES: Ms. De La Cruz.

J E S S E L L Y D E L A C R U Z, D S W: Hello; hello, my name is Dr. Jesselly De La Cruz, I am the Executive Director for the Latina Action Network Foundation, and I just want to thank you for allowing me to speak and choosing me as first, just by random selection it seems -- but thank you.

I just want to share some points that we believe are important for the Commission to take into consideration on our behalf. You know, the redistricting process provides an opportunity to create a fair New Jersey, one in which Latinos have appropriate representation. We aim to advocate for appropriate State Legislative Districts that respect our communities of interest, and ensure that our influence is not diluted.

Latinos compromise 20.9 percent of New Jersey's total population, but only 10 percent of the New Jersey State Legislature and zero percent of the Apportionment Commission. Latinos continue to be disproportionately affected by New Jersey's lack of affordable housing, trapped in segregated school districts, and lack access to their basic everyday civil rights such as language and translation in courts and healthcare.

The most recent example of the impact of structural racism on Latino communities in New Jersey includes the 361 Latino men who represented 43 percent of the coronavirus deaths of people under the age of 50. However, there is an opportunity for New Jersey to put forward a fair and accurate redistricting effort that can respect the power of the Latino vote. This is especially important for a new generation of Latinx voters, with Latinx youth compromising 21.8 percent of New Jersey's school-aged children.

New districts should be drawn that reflect the fact that New Jersey's population growth has been overwhelmingly concentrated among New Jersey's communities of color. There are opportunities to create greater Latino representation both in North and South New Jersey. In the last 10 years, our communities have branched out across the State, and that needs to be represented in the future map.

We thank the Commission for providing the first five dates of the Commission hearings in advance, and we ask the Commission to schedule additional meetings on nights and weekends when community members are better able to participate. We would also like to urge the Commission to clarify on its website which translation services are provided, and provide simultaneous translations by default, instead of placing the burden on potential hearing participants and attendees to request translation services.

Thank you for your time and your consideration.

MR. JONES: Thank you, Ms. De La Cruz, we really appreciate your testimony and look forward to your ongoing input. Thank you so much.

Madam Secretary.

MS. MARTINEZ KRUGER: Mr. Chairman, your next speaker will be Christopher Binetti, followed by Ms. Neha Aluwalia.

Mr. Binetti.

CHRISTOPHER BINETTI, P h. D.: Hello, everyone.

I am the President of the Italian American Movement, which is a New Jersey-based Italian American civil rights group. I represent about 20 percent of the legal population of the State of New Jersey.

There is a problem in my view that the redistricting and apportionment process includes total population, when it is in our view that only the legal population should be counted.

The reason this is a problem for us is because of the way the unauthorized population is distributed, it ends up leading to less Italian American representation than otherwise. And the real problem of that is not the number of Italian Americans who are elected -- it's actually the opposite. It's actually the substance of the laws.

It would be acceptable to have, for example, less Italian American politicians if we actually got the kinds of laws and bills that we want passed. But that's not what's been happening.

I had an encounter with one of my Assembly people's staffers, and he said it was his goal to have less Italians in the Legislature; he wanted less Italian Americans in the Legislature. I was very worried about that, but I think what's more important-- Because I don't think there's a conflict, for

example, between Italians and Latinos. I know that the Latino community wants more representatives in the Legislature, and, to me, there isn't really a conflict.

The issue is that we Italian Americans are actually secretly suffering a massive underrepresentation crisis in the universities, in academia, in a lot of the powerful areas, because we don't have certain civil rights protections. And to me, the lack of representation that we have -- what I call malrepresentation; I'm a political scientist -- due to counting total population instead of legal population leads to civil rights outcomes and leads to us not getting things like affirmative action, which I think Italians really need.

So it's not really a conflict between different communities, it's not the number of Italian legislators that's important, it's really the number of Italian voters and the power of the Italian vote in different districts, and the fact that we have less of it than we -- in my view -- constitutionally should have, and this leads to certain civil rights outcomes.

And I know in my community the fact that we aren't recognized as a minority is an increasing problem. There's been attacks on our symbols, on our statues, on Columbus. And a lot of this for us is -- we think -- is really a systemic discrimination against us. And, you know, we don't normally get to go into the media, people don't really talk about us, and we are, we estimate, about 20 percent of the legal population. The reason I say estimate is because no one has to do statistics on us.

So the affects of malrepresentation are a little bit more insidious. It's not really about, you know, the numbers of our politicians, it's more the numbers of the voters. And that's another reason why I don't think we're in

any conflict with any other communities. It's more about being part of the discussion.

I know as a political scientist, you know, that it is important how voters are apportioned. And I am particularly worried-- I know in my district, I have a wonderful Senator, but he does take into consideration there aren't that many Italian voters in the district, and he worries about that. And in another neighboring district, there's an Italian American politician and he, again, worries about the Italian American -- lack of Italian American voters. And as a result, nothing ever changes for us, and a lot of Italians are leaving the State, we're worried about how the State perceives us. I know it's impossible for Italian Americans to get academic jobs at Rutgers, at other political places -- public places -- because we're not considered minorities.

So to me, it's more about the substance of representation rather than descriptive representation. And that's one of the reasons why I think there really isn't a conflict with other communities that really want more descriptive representation. It's really making sure our voters get heard and, you know, who the politician -- what the politician's background is who listens to our voters; it doesn't really matter, no one is really listening to us, even our own people.

So it's important, I think, to take into account this malrepresentation by the way the unauthorized residents are included. And if that can't be changed, then try to come up with some other mechanism to include us, because you know, I can't even get the Chairman of my Democratic party in Middlesex County to talk to me after a year. He won't talk to me on the phone.

I can't get people to take me seriously because I'm Italian in a State with about -- again -- about 20 percent of the legal population. I can't get taken seriously. Even with a Ph.D. in Political Science, even with a Masters in Political Science, etc. etc., people just don't take me seriously, and I think a lot of it has to do with my ethnicity, and I want some change in that.

Does it have to be, you know, what I would prefer -- which is to change the basis with the redistricting to the legal population? It doesn't have to be that, but there has to be some mechanism where, you know, we're basically politically powerless even though we're like the fifth in the legal population.

So that's my viewpoint, and I hope I didn't offend people, because I don't view it as an us vs. them thing, it just really is really stinky when I'm actually blacklisted by the *Star Ledger* for being an Italian American activist; like, I'm not allowed to be published at all by the *Star Ledger* because I'm Italian. And they won't admit it, because they have all this power.

And I just want to change the formula, or at least change peoples' views of us and how-- This is the first time I've actually talked to so many people in power at the same time, ever, and I've been doing this for a couple years, so I really appreciate it.

Thank you for listening to me.

MR. JONES: Thank you, Mr. Binetti. No offense taken; we appreciate your thoughts and your comments and it will be duly taken into consideration. Thank you so much.

Madam Secretary, next witness.

MS. MARTINEZ KRUGER: Mr. Chairman, the next witness is Ms. Neha Aluwalia, followed by Ms. Marcia Marley.

NEHA ALUWALIA: Hi everyone; my name is Neha Aluwalia, I'm 21 years old and a senior at Rutgers University in New Brunswick, and I'm from Plainsboro, New Jersey, located in Middlesex County.

I believe that each citizen is the expert of their own community, so I'm here to testify about the important features of the community that I call home. I'd like to specifically speak to the Commission about the need for Plainsboro to be joined in the same Legislative district as West Windsor.

Plainsboro and West Windsor share many close ties and a geographic border, but Plainsboro is located in the 14th Legislative District while West Windsor is separated into the 15th Legislative District. I'd like to speak a little bit to you all about the similarities and the commonalities between these two places.

To begin, West Windsor and Plainsboro share a regional school district, the West Windsor-Plainsboro School System. Our two towns share ten schools with each other: two high schools, two middle schools, and six elementary and upper elementary schools. Many families, like my own, moved to Plainsboro for the quality of the West Windsor-Plainsboro School District, which is one of the best school districts in the State.

Education is an extremely important value to the residents of Plainsboro and West Windsor. From the West Windsor-Plainsboro Girl Scout troop that I was a member of, to the shared sports teams and summer camps, these towns share organizations and institutions that are important to be represented together. Currently, the needs of West Windsor-Plainsboro

School District are not being advocated for together by a single representative.

West Windsor and Plainsboro also share much in common in their demographics. According to census data, Plainsboro is composed of around 60 percent Asian residents. Additionally, over half of my hometown was born in another country, including myself and all of my immediate family members. The immigrant population is an essential part of the fabric of both Plainsboro and West Windsor. Over 47 percent of residents in West Windsor also identify as Asian, with 40 percent of West Windsor being born in another country.

We have many South and East Asian places of worship, grocery stores, and businesses located in Plainsboro and West Windsor. West Windsor and Plainsboro also share many of the same resources. The Princeton Junction Train Station is located in West Windsor. Many Plainsboro and West Windsor residents use this train station in order to access work in New York City.

Additionally, an inconvenient truth about living in Plainsboro is that we don't have a gas station in my town, so the closest gas station to my house is located in West Windsor. Our communities have a need to share resources and should share a representative as well.

I want to thank you for your time and ask for your consideration in grouping Plainsboro and West Windsor in the same Legislative district, without diluting the powers of communities of color or otherwise violating the law or Fair Redistricting Principles.

Thank you very much.

MR. JONES: Thank you, Ms. Aluwalia. Your testimony was very forthcoming, and taken into deep consideration; and we thank you for your advocacy for your community and we will be looking at your testimony with deep concern. Thank you so much.

Madam Secretary.

MS. MARTINEZ KRUGER: Next speaker is Ms. Marcia Marley, followed by Ms. Susan Davies.

MARCIA MARLEY: I want to thank the Apportionment Commission for allowing me to speak about the importance of a fair redistricting process -- a democratic process.

In any democracy, the redistricting process should be transparent and include public input, and I commend the Commission for your public hearings. I hope that you will also publish the maps you are considering before approving final versions, and allow public comment on them.

I am here today on behalf of BlueWave New Jersey to speak about how to measure and ensure fairness in a redistricting map. There are many principles that should be used to draw district lines. They include equal population, compactness, connectedness, preservation of political districts such as towns, and protection of communities of interest and color and their representation.

These principles, however, take us only so far and are not sufficient to ensure that a map is fair. Fairness is of course inimical to racial and partisan gerrymandering -- and certainly independent commissions help, but there is much more to fairness.

What I want to draw the Commission's attention to today is that a fair map for New Jersey -- the Legislature -- must consider the State's

redistricting history -- what happened 10 years ago, not *just* the current election. And this is important because, to my knowledge, most measures of fairness are static. They only look at the current or most recent data.

Because of its relevance to New Jersey, I want to discuss one static measure of fairness. This is the idea that a party's share of seats should correspond to its share of the statewide popular vote. For example, if a party has 50 percent of all votes cast in a recent election of 40 districts, the districts should be configured under this principle so that the party is likely to win 20 of them. This *minimize the deviation from proportional representation principle* sounds straightforward and desirable -- but in practice it is extremely misleading.

(Indiscernible), as demonstrated in election after election, election results can have large swings, elections are binary. So when you see a lopsided result in favor of one party, it could be because districts are substantially gerrymandered through cracking and packing communities, or it could be just that the majority party did a good job of winning over swing voters. This simple measure will not tell you which is the case. You need to look at history and the underlying competitiveness of the districts.

An important measure of a district that is not fair is the degree of packing in that district. If there is substantial packing of only one party in fewer districts, it dilutes their votes and represents partisan gerrymandering.

I define a packed district as one where the candidates receive more than 60 percent of the vote over several recent elections. Or where Cook's Partisan Voting Index (PVI) is above +20 for either party. From an efficiency point of view, votes in excess of 60 percent are wasted. In terms of

Legislative districts, using Cook's PVI, there are 11 districts where Democrats are currently packed, and none where Republicans are currently packed. The highest Republican PVI district is +17. And there are three Democratic districts at least with a PVI of 30 or above.

Now, not all concentration of voters is negative. Some clustering may be desirable to meet other principles, such as preservation of communities and racial equity. And I strongly believe these principles should override efficiency arguments. However, there is a limit to the amount of crowding required to ensure representation. Additional packing in these districts just reduces minority power.

Now, let's talk about competitive districts. In general, competitiveness is desirable and a principle of good government. One measure of competitiveness is a PVI of + or - .8. I used to have it + or - .6, but given recent elections an increase in Independents have increased that. So a PVI of + or - .8 would be competitive. However, if -- in order to obtain competitiveness in more districts, if it requires substantial packing of one party into fewer other districts, thereby diluting voter power, then the creation of these additional competitive districts increases the partisan gerrymandering that happened in the last redistricting, and should be avoided. Instead of enhancing voter power, you are disenfranchising it.

The bottom line is that the 2022 Legislative redistricting process is starting with many Democratic districts -- a total of 11 -- that have been previously packed, compared with zero Republican districts that meet the packed criteria. Moreover, given the population increases in the northern counties, there is an added urgency for the new map to reflect and provide a voice for New Jersey's increasingly diverse population.

Further packing these already safe Democratic districts will only compound the historical partisan gerrymandering, and reduce minority power. In contrast, a good map will be one that protects minority communities from being cracked apart or packed into the minimum number of districts possible; will empower communities of color to elect candidates of their choice, and preserve political districts where possible.

A good map will also reflect the will of the electorate. While competitiveness is a good thing and should be one of our goals -- it helps our democracy thrive -- a good map should not be drawn to further pack districts that historically were packed in order to create more competitive ones.

Thank you for your time and consideration.

MR. JONES: Thank you, Ms. Marley. We really appreciate that thorough and concise testimony, and we will certainly be examining that as we continue this process. Thank you so much.

Madam Secretary.

MS. MARTINEZ KRUGER: Mr. Chairman, the next speaker is Ms. Susan Davies, followed by Ms. Rachel Davis.

S U S A N D A V I E S: Hello. My name is Sue Davies, and thank you -- good morning, and thank you for the opportunity to testify at this hearing.

I, as I said, am Sue Davies; I am the Founder of New Jersey Independent Voters, which is an organization that gives voice to the 2,410,952 unaffiliated voters in New Jersey.

As I said, 2.4 million voters in this State choose to register unaffiliated. And this has been a constant number for many, many years. We are 37 percent of the registered voters in New Jersey -- almost as many as the Democrats, and 1.5 times more than the Republicans. Many of us are

Millennials, African American, Latinx, Asian, and veterans, and we aren't allowed to vote in the primaries as Independents.

Imagine if Democrats were required to register as Republicans in order to vote in a primary, or any election -- or vice versa. And we don't have a voice on this redistricting Commission. We are not closet Democrats or Republicans; we are not leaners; we are not undecided voters. We simply do not want to be forced to join a party in order to participate fully in our electoral process.

But we are more than that. We are voters that care deeply about our state and our future. We come from all ends of the political spectrum, and we talk to everybody on all sides of the aisle. We are people who see our state and our issues through an unfiltered lens: We the People.

The redistricting process needs to reflect the composition of this state, and be inclusive of Independent and unaffiliated voters. Another backroom deal that divides the state neatly into six seats for the Democrats and six seats for the Republicans, that generates gerrymandered and packed districts that split communities -- as some of the speakers have already referred to -- that are not competitive, and are safe for incumbents is not what we need.

Districts are not Democrat or Republican -- they are citizens. They are citizen districts.

Michigan created a redistricting process that is independent, citizen-led, transparent, and fair. That's what New Jersey needs. We'll never be able to solve the problems that our state faces unless we get passed the partisan divides that keep us from creating new solutions. That can't happen without amplifying the voices of Independents.

So thank you for your time, and for holding these public hearings -- meetings.

MR. JONES: Thank you so much, Ms. Davies. We appreciate your testimony.

Ms. Davis, you're up.

RACHEL DAWN DAVIS: Yes, thank you so much.

Good morning everyone. Thank you for this opportunity to share testimony. My name is Rachel Dawn Davis, and I am the Public Policy and Justice Organizer for Waterspirit. Waterspirit is a nonpartisan, nonprofit ministry of the Sisters of Saint Joseph of Peace, and we work to center equality and justice around water-related policies. At every level of government on Earth, we focus on the interconnectedness of all life, and the issues in which we all work are intertwined. Democracy, like water, is fluid. We are glad to partake as part of the Fair Districts New Jersey Coalition.

I also want to say thank you to all of the election workers and all who voted or helped get out the vote.

I'd like to talk today about community representation and participation. New Jersey districts should be drawn that reflect the fact that New Jersey's population growth has been overwhelmingly concentrated among New Jersey's communities of color. These communities are growing, and the Apportionment Commission must ensure these communities are receiving equitable representation that reflects and respects this growth in the next Legislative map.

Accessibility is essential to ensuring all New Jersey voices are heard. We do want to acknowledge the Commission's commitment to holding these 10 public hearings, and appreciate that they scheduled half of

those meetings already, which makes it easier for people to plan their participation around their busy lives. While it may not be enough, it is something noteworthy.

Today, I am Zooming in from occupied Lenni Lenape in so-called Monmouth County, New Jersey, where I am raising my family. My kids are reading in the next room, while my husband is capable of doing our food shopping. Time and health and safety is precious for New Jersey families, alongside this accurate representation.

Currently, three out of five meetings are scheduled on weekdays during work hours, times when it is extremely difficult for most people to participate. The Commission should schedule additional meetings on nights and weekends wherever possible, so that people may more easily participate. I'm not sure if December 10th was changed already to December 11th, but I think that would be a great move so that people could participate in person.

The Commission should commit to making proposed maps publicly available prior to certification, and hold hearings providing the public the opportunity to weigh in before a final vote on the certification is held. In addition to written testimony, the Commission should explicitly and clearly allow the submission of maps from the public on its website.

However, the Commission's website -- while, you know, definitely being upgraded -- it must be improved to make public participation even easier. I shared last week, during the virtual testimony to the Redistricting Commission, stellar examples in California and Colorado that do this process justice, and I would recommend that this Commission do the same. The Commission should clarify on its website which translation services are provided, and provide simultaneous translation by default instead

of placing the burden on potential hearing participants or attendees to request translation services. That's something that we've talked about throughout this process.

Almost half of New Jersey residents are people of color, but less than a quarter of this Commission is. In fact, a majority of this Commission is made up of white men, despite being around a quarter of New Jersey residents. Despite this malapportionment, we still believe this Commission can make decisions that reflect the needs and perspectives of all New Jersey residents, to step up and ensure that people of color and other groups that are not well-represented on this Commission -- LGBT community, people of -- women -- are empowered to participate in the process. Currently, the Commission is falling short for the transparent changes which future generations of New Jerseyans so deserve.

Thank you.

MR. JONES: Thank you, Ms. Davies. Comments and recommendations are duly noted.

Madam Secretary.

MS. MARTINEZ KRUGER: Mr. Chairman, the next speaker will be Mr. Cory Garriga, followed by Mr. Claudio Mir.

C O R Y G A R R I G A: Good morning, everyone. How are you doing? My name is Cory Garriga, I am from Jersey City, Legislative District 31. And we are, you know -- we have, I feel, fair representation in our district, and I just want to go over a couple of things with you guys. You know, a couple of housekeeping things in terms of the dates. Like other people have been saying, I believe there should be more dates in the evening time, especially since it's my understanding--

MR. JONES: I think we've got a connectivity issue, Madam Secretary.

MS. MARTINEZ KRUGER: IT, are we able to assist--

MR. GARRIGA: So with that said, we definitely need to do better in providing individuals access to this. I kind of see it as a form of voter suppression. And I agree with the translation services, they should be offered in multiple languages, and more specifically in initial e-mails for those asking to testify.

So going onto-- For maps, I just want to say that Jersey City is considered one of the most diverse cities in New Jersey; Hudson County as well. So we face some issues like gentrification, zoning issues, housing discrimination, but that's not why I'm exactly here today. I just want to say that this Commission needs to be reminded -- it has a duty to the residents in New Jersey to vote on fair and proportionate mapping.

Now, the rest of the state doesn't-- If we came together as a Commission to represent the state accurately and proportionately, as a state we would be able to tackle those issues like housing discrimination, gentrification, zoning issues.

All right, now, the State of New Jersey has 9 million residents. In 2010, 40 percent of the State's population was a member of the minority population. (Indiscernible) that number is now at 48 percent. Like I mentioned, the maps currently do not reflect that 48 percent minority population. I'm asking the Commission to do the right thing, and vote on a map that accurately reflects the 48 percent. Doing this produces more opportunities for individuals like myself. That way we can, as a state, come together and be unified.

Thank you, that's all I have.

MR. JONES: Thank you, sir, we really appreciate your testimony.

Mr. Mir, you're up.

C L A U D I O M I R: Thank you very much; good morning, everyone, Commissioners, thank you for the opportunity.

I just wanted to be brief and think about the American experiment, where everybody can participate, come from wherever we come from or born in the states, and still have a voice to participate. I come from a community where 90 percent of the members of our community are in the service industry. It's not a secret that people of color are mostly working service, right, so I think that to connect that with the American experiment -- why do we live in this country, why do we come here, why are we born in this country? Like, why? We don't have a choice in where we are born, right.

But there's been a history of service in New Jersey, especially minority communities, from the steel mills in Trenton to the person who is cutting the grass or cooking. You know, everywhere you go in New Jersey, most of the people in the service industry are minority individuals and all those individuals work for the same thing that all of us work, right, like to have a roof over their heads, to send their kids to good schools, to hope that their kids will have a better life than they have and a lot of opportunities, right, in the future. And so how-- The election plays an important role in that, and participation also plays an important role.

I'm asking the Commission to consider that in some ways, we need to increase the amount of individuals participating in elections, right? And redistricting is also an important part of it -- people feel that they're a

part of the process and they have a voice in the process, and you represent the people living in our different communities. From the North to the South. New Jersey is one of the most diverse states in the country, one of the most densely populated. And that brings a lot of riches, there are communities- We are between New York and Philadelphia, and a lot of people who don't know New Jersey talk a lot of B.S. about New Jersey. Although we know -- those of us who live here, who have made our lives here -- we know that we have a treasure, right, and you know when someone is not a Jersey person, who doesn't understand, doesn't grasp that knowledge of the richness of living in this state.

So when redistricting, when thinking of increasing the amount of voters, I think those things need to be taken into consideration. This idea that we all work to create a better state, a better living condition for all -- not only for Latinos, but for everyone, right, because in like a fish tank, we are all in the same boat. If one fish gets sick, the rest of the fish will get sick.

Thank you very much.

MR. JONES: Thank you, Mr. Mir, we appreciate those comments.

Madam Secretary.

MS. MARTINEZ KRUGER: Mr. Chairman, the next speaker will be Mr. Jerome Harris, followed by Ms. Henal Patel.

MR. JONES: Mr. Harris.

J E R O M E H A R R I S: Good morning, members of the Commission, my name is Jerome Harris. I've been a member of the Board of Trustees at the New Jersey Institute for Social Justice, and President Emeritus -- or Chairman Emeritus of the New Jersey Black Issues Convention.

Since 1980, I have attempted to participate in the process of reapportionment and redistricting in New Jersey. As I reflect on what is almost now 50 years of work in this area, my observation is the more things change, the more they remain the same. I acknowledge the fact that this Commission has agreed to increase the number of public meetings, and the accessibility of those public meetings. There still remains work to be done in that area, it's already been noted in terms of dates and times; and I also suggest to you that we acknowledge the fact that there is a digital gap, and peoples' ability to access even these virtual meetings limits the possibility of people in certain economic and educational backgrounds from participating.

The technology has improved, the ability to share maps and develop maps are there, and I recognize the fact that you have added and will be providing a portal for individuals and organizations to submit maps to you. I would further suggest that you continue to perhaps consider additional technology barrier reductions as you hear about them as you go through this process.

The composition of the Commission has changed. In 1980, there were 10 white males and then an 11th white male to join the process. But now we have women and minorities, but has already been identified it is not proportionate to the presence of those groups in our population.

Population shifts have already been addressed; the state is almost 50 percent people of color. That emerging majority is not represented in the Legislature; as a matter of fact, it is under-represented. And as a consequence the concerns of those communities -- in terms of education, health, wellness -- are not addressed; and it is a statewide problem and the Legislature needs to be able to address that.

In addition, political polarization is a reality of the time and the work of this moment that we're in, and how this Commission does its work can have an affect of reinforcing the underlying principles of democracy and peoples' trust; or you could proceed to do your work in such a way that further undermines peoples' confidence in democracy.

I am certain that your commitment to this process will not be intended to be undermined, but as the Democrats and Republicans look out for their partisan political benefit and their election to office, that can be a byproduct, unfortunately.

I urge you to remedy the situation of malapportionment and underrepresentation in the Legislature communities of color by developing a map that truly reflects the idea of "one person one vote."

To the points of transparency, I've asked that you reduce the barriers of access to technology, and continue to do that throughout the process; because there are people in the Office of Legislative Service and elsewhere that can assist you in doing that. I suggest and request something that has not happened in the past -- the Democratic and Republican caucuses have had their maps and talked and tried to sell those maps to each other, but have not made those maps available to the public for comment beforehand. I urge you to post the caucus maps that are being discussed for review and comment by the public; and also I endorse the concept that before final certification of the map that will be presented to the State, that there be public opportunity to comment on those maps.

Again, thank you for your time, and I look forward to continuing to observe the process, and wish you well as you undertake this difficult task of reinforcing democracy for the State of New Jersey.

Thank you very much.

MR. JONES: Thank you, Mr. Harris; thorough as always and much appreciated.

Madam Secretary, Ms. or Mr. Patel is up next.

MS. MARTINEZ KRUGER: Yes, Ms. Henal Patel.

HENAL PATEL: Hi, thank you.

MR. JONES: Thank you, Ms. Patel.

MS. PATEL: Thank you, and thank you for this opportunity to testify. My name is Henal Patel, and I am the Director of the Democracy and Justice Program at the New Jersey Institute for Social Justice. The Institute uses cutting edge racial and social justice legal advocacy to empower people of color by building reparative systems that create wealth, transform justice, and harness democratic power from the ground up in New Jersey.

The purpose of redistricting is to ensure that we have a government that is representative of the people. It is a foundation of our democracy, of our form of government. At this first public hearing, we urge you to remember this during the course of this process and to center those who are not here. While we do not wish to relitigate old battles, the reality is that almost half of New Jersey residents are people of color, but less than 20 percent of this Commission is.

That is why it is imperative for this Commission to consider the people who do not have a voice here. Redistricting is about power. Everyone in this virtual room knows the importance of it -- as does every elected official and unelected power broker in this state. But the purpose of redistricting and of this Commission is to think of the interests of those who do not have access to the backrooms of power. It is about the people who are, right now,

planning to go to church tomorrow, who are on hikes, who are celebrating Diwali with their families, who are working on homework. Because kids who are in grammar school right now in places like Newark, and Camden, and all around the state are going to turn 18 with the maps you decide in effect.

Remember them in this process, their representation. Not holding onto specific seats, or protecting incumbents, or volleying for power between the parties. The representation of the people in New Jersey is what matters here. We must have a map that reflects the people of the state, the increasingly diverse population.

In the past, this Commission has not met that principle. In 2010, despite New Jersey being over 40 percent people of color, the Legislative map that was certified overrepresented white people. Now the state is over 48 percent people of color, like a lot of my colleagues said today. Latino -- Latino population grew by 447,000 people; the Asian people grew by 223,000 people. The Black population grew by about 29,000 people. Meanwhile, the white population in the State declined.

In all likelihood, New Jersey will be a majority people of color state in this coming decade. In fact, due to systemic undercounts of communities of color in the census, we may already be a majority people of color state. According to the census' diversity index, New Jersey has become one of the most racially diverse states in the country -- more racially diverse than New York, Florida, or Georgia.

We must not have another map that overrepresents white people and thereby decreases the power of Black, Latino, and Asian people in this state. While you will undoubtedly follow the Constitutional and legal

requirements for redistricting, we urge this Commission to prioritize racial equity.

To illustrate some of the needed changes and what to consider, I'd like to discuss my own district. I'm a lifelong resident of New Jersey, and a proud resident of North Bergen in Legislative District 32. LD 32 is over 75 percent people of color; it's a majority Latino district, and one of only two in the state. It was also drawn to be a majority Latino district back in 2010. The Asian population is also significant. This district, my district, has also seen significant growth in the past decade. In order to maintain "one person one vote" standards, we will need to shrink to comply with the State Constitution -- that means we're going to have to lose a town or two. That's fair. But it matters what towns we lose and how we change this district.

So, as I said, I live in North Bergen. One other town in this district is Guttenberg. We share a school district, kids in Guttenberg go to North Bergen High School. It wouldn't make sense to have them not be in the same Legislative district as we are. North Bergen, one of the landmarks of our town -- probably the heartbeat of our town itself -- is Bergen Line Avenue. It's a commercial district in our area, it also shares-- Bergen Line Avenue also crosses into West New York, Guttenberg, and also Union City. Union City is already in a different district. You shouldn't let West New York be in a separate one.

I live in downtown North Bergen. Many of our bigger parks, many of our resources, are in uptown. The big county park is on the other side of the town. It's not the largest town, geographically, but we are bisected by the road that leads right into the Lincoln Tunnel, so it is quite a hike to

go to the other side of town. Which is why kids in my neighborhood go play basketball, go play sports in Secaucus, which is much easier to get to.

This is my community. So when you're making changes, please keep that in mind as we have to lose certain towns in this district. In-- And this is the type of thing that we urge this Commission to do all over the state for every district that's going to be seeing changes. And to prioritize the communities of color so that when we lose towns in this district, one, we should maintain our status as a majority people of color town -- a majority people of color district, a majority Latino district. But as towns are taken away and placed into other districts, we urge you -- I urge you -- to not minimize and not dilute the power of people of color; whether it's the Asian community that could have a significant -- could become an influence district in a district right near us, or a Latino community that could be joined together in another majority district or a plurality district. Don't dilute communities of color as we're shifting this district.

In addition, in order to allow the people to have a voice in this process, we urge a public transparent process. I would like to thank this Commission, as many others have, for agreeing to hold 10 public hearings. That *is* an increase from the last redistricting cycle. And for scheduling the first five of those hearings with sufficient notice, it's helpful, really helpful for people. That being said, the Commission currently is not going far enough to ensuring a full public process. Currently only two of the five public hearings are scheduled to be held outside of normal working hours. We urge you to change that and to make sure that hearings are held on nights and weekends so the public has the opportunity to testify.

We also need much better translation services to ensure that all New Jersey residents can participate. There's still no information about which translation services will be provided by default. Requiring residents who do not speak English or would like to listen to the Commission in a different language to take the additional steps of requesting translation services places an additional undue burden between those residents and their ability to participate.

The census data is clear here. We really are on the cusp -- at a cusp in New Jersey history. People of color are poised to represent much more significant power than they have in the past, and will soon be a majority of people in this State. We have seen across the country how other states have responded to that change, with intense assaults on the voting rights of Black people and people of color, and the use of gerrymandering in an attempt to diminish and stunt their political power in the future.

New Jersey has an incredible opportunity here to serve as a national bright light by drawing its democracy in a way that captures the emerging majority of people of color population.

Thank you again for your time.

MR. JONES: Thank you so much, Ms. Patel. Compelling testimony; very value-added. Thank you.

Madam Secretary.

MS. MARTINEZ KRUGER: Mr. Chairman, your last speaker will be Mr. Christopher Gliwa.

MR. JONES: Mr. Gliwa.

CHRISTOPHER GLIWA: Thank you, Chairman Jones, Chairman Barlas, and members of the Legislative Apportionment Commission, for holding this hearing today.

My name is Christopher Gliwa; I am a lifelong resident of East Rutherford up in Bergen County, and I am currently a graduate student at the Princeton School of Public and International Affairs.

I was going to comment on the public submission of maps, but Chairman Barlas kind of stole my thunder there, so I'll instead focus my testimony in support of this motion.

So I personally am a very avid map drawer, both just for fun, but also in tandem with the Princeton Gerrymandering Project. And several times within the last year, I've been asked by fellow New Jerseyans why their Legislative districts were drawn the way that they are. And many were confused why their municipality was drawn into a district with other municipalities that they felt had little in common. Others, after having learned about the process, felt empowered by their newfound knowledge of the process but, at the same time, powerless and unable to actively contribute to the redistricting process.

So I do support the Commission's step to allow citizens to actually assume a more active role in redistricting, and to allow for the submission of citizen maps. So, as previously mentioned, one of the most important tenants of redistricting, amongst others, is the preservation of communities of interest. Our state, as we've heard from the other testimonies, is a bastion of diverse geography, ideology, and stenography, each of which combine to create several different communities of color -- communities of color and common interests.

If you were to ask someone in East Rutherford what they might define geographically -- literally geographically -- to be their neighborhood or their community, they might draw a circle around the working-class communities of southern Bergen County. Everyone has an opinion about it, and everyone wants to be represented with communities that they feel they share something in common with.

And these public hearings are a great medium for the public to voice their concerns and thoughts on the process. But a common theme is we want more engagement of the public; and if we really want to engage the public in a meaningful way, I think map submissions make it a lot easier for these people to literally define their communities of interest to help you all in your work.

And additionally, I'm sure that there are many novice mapmakers across the State of New Jersey that are really eager to share their work with you. I personally have made a few New Jersey State Legislature maps in my free time, and the prospect of submitting those for consideration or for inspiration I think is very moving.

So just to recapitulate the immense benefits of map submission from citizens: First, you're actively engaging citizens in a process that should be explicitly citizen-focused. We've all heard that saying, that voters should choose their politicians, not politicians choosing their voters; I believe that by letting voters submit their maps this ensures that their voices are even more present during deliberation.

Second, it makes the Commission's work a lot easier. And I'm sure you have the resources and staff to get the job done and to get the job done well, but entering the process with ideas and concepts of which

communities share common interests, I think makes drawing maps less of a guessing game.

And third, the participation in governments is also an educational experience. I believe that redistricting and gerrymandering have very radical implications on modern politics and our democratic process, but is such a complex issue and topic that it's not easily understood by, I would venture to say, most people. I think that allowing citizens to submit maps and to actively learn about the redistricting process results in a more informed citizenry; and I think a more informed citizenry, in my opinion, is probably the most vital component of a healthy and functioning democracy.

So I really do welcome this new change. I'm very excited to see that the Commission is accepting citizen maps to both inspire statewide visions, but also specific communities of interest. I think this creates a more informed and engaged public, but it would also result in a much better final map.

Thank you.

MR. JONES: Thank you, Mr. Gliwa, we really appreciate all that.

Madam Secretary.

MS. MARTINEZ KRUGER: Mr. Chairman, you do not have any further speakers.

MR. JONES: Thank you, Madam Secretary.

I want to thank all the witnesses for providing such valuable and time-honored testimony. These proceedings are recorded, and we will certainly be using this recording as a research document as we move forward through this process.

At this point, if any of the Commissioners or Judge Carchman -- if you have any comments, I'll open it up to that before we move to adjournment. (no response)

Seeing none.

SENATOR SWEENEY: Motion to adjourn.

MR. JONES: Before I look for a motion to adjourn, Senator--

SENATOR SWEENEY: Sorry, Chairman.

MR. JONES: I just want to just acknowledge the fact that our next in-person meeting will be held at Stockton University in Atlantic City at 11 a.m. And the proceedings--

MS. AVELENDA: Chairman, 12 p.m.

MR. JONES: Thank you.

MS. AVELENDA: Sorry.

MR. JONES: Thank you, Madam E.D. 12 p.m. I think my clock went back a little earlier than it should have today.

But with that, Senator, motion to adjourn.

SENATOR SWEENEY: I'm good at that; motion to adjourn.

MR. JONES: All in favor?

ALL: Aye.

MR. JONES: Any opposed? Any abstentions? (no response)

We're adjourned. I think it was a great public -- first kickoff meeting. Thank you, Commissioners; thank you, witnesses; thank you staff, and Madam Secretary and your staff.

Thank you so much.

(MEETING CONCLUDED)