
Commission Meeting

of

NEW JERSEY CONGRESSIONAL 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: Meeting via Zoom

DATE: December 1, 2021
12:00 p.m.

MEMBERS OF COMMISSION PRESENT:

Honorable John E. Wallace, Jr., Chair
Janice Fuller, Democratic Delegation Chair
Iris Delgado
Senator Vin Gopal
Stephanie Lagos
Jeffrey Nash
Dana Redd
Doug Steinhardt, Esq., Republican Delegation Chair
Michele Albano
Mark Duffy
Mark LoGrippo
Lynda Pagliughi



ALSO PRESENT:

Raysa Martinez Kruger
Office of Legislative Services
Commission Secretary

Roshard Williams
Office of Legislative Services
Commission Aide

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

DEMOCRATIC MEMBERS

Janice Fuller
Delegation Chair

Iris Delgado
Vin Gopal
Stephanie Lagos
Jeff Nash
Dana Redd



REPUBLICAN MEMBERS

Doug Steinhardt
Delegation Chair

Michele Albano
Jeanne Ashmore
Mark Duffy
Mark LoGripio
Lynda Pagliughi

NEW JERSEY CONGRESSIONAL
REDISTRICTING COMMISSION

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John E. Wallace, Jr.
Chair

REDISTRICTING COMMISSION NOTICE

TO: MEMBERS OF THE REDISTRICTING COMMISSION
FROM: JOHN E. WALLACE, JR. – CHAIR
SUBJECT: **REDISTRICTING COMMISSION MEETING – DECEMBER 1, 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 or email: OLSAideREDC@njleg.org. 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 Redistricting Commission will meet remotely via Zoom on Wednesday, December 1, 2021 at 12:00 PM.

The purpose of the meeting will be to take testimony from the public on the establishment of congressional districts in New Jersey that will be in effect for the next 10 years.

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 <https://www.njredistrictingcommission.org/default.asp>.

Those wishing to testify must register online at <https://www.njredistrictingcommission.org/schedule.asp>. Registration is also available at <https://www.njleg.state.nj.us/>. Select December 1 on the calendar and click on Redistricting Commission for the registration link. Registrations must be received by Tuesday, November 30, 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.

To ensure that all who wish to testify can do so, the Chair will limit public testimony to 5 minutes per person. Extra time will be allotted for those needing the assistance of a translator.

(OVER)

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If you require language interpretation services to testify, please contact the Office of Legislative Services at (609) 847-3890 to discuss and arrange for interpretation services in advance of the meeting.

You may also submit written testimony instead of, or in addition to, oral testimony by email to OLSaideREDC@njleg.org by Tuesday, November 30, 2021 at 3:00 PM. Written testimony will be included in the Commission's record and distributed to all Commission members.

Issued 11/24/21

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JUSTICE JOHN E. WALLACE, Jr. (Chair): Good afternoon, and welcome to the seventh public hearing of the Redistricting Commission.

It is a virtual hearing, as you are aware.

The purpose of today's hearing is to continue to receive comments from the public to give us your views as to what the map of the congressional districts should look like. We will hear from those citizens who have registered today to speak this afternoon.

Before we hear from the speakers, is there anyone on the Commission who would like to make a comment at this time?

MS. FULLER (Democratic Delegation Chair): Good morning, Chairman Wallace.

Thank you very much.

On behalf of the Democratic Commissioners, we're pleased to be here again for this opportunity to hear from the public about the mapmaking process and look forward to the testimony we're going to receive today.

Thank you.

JUSTICE WALLACE: All right; thank you, Chair Fuller.

MR. STEINHARDT (Republican Delegation Chair): Chairwoman, thank you; Chairman, thank you.

Doug Steinhardt, on behalf of my Republican colleagues, I'd also like to welcome everyone to today's virtual meeting.

I appreciate the opportunity to participate in what I expect will be an ongoing, open, and transparent process; and hopefully, an educational dialogue.

So again, Chairman, thank you; Chairwoman, hello to you and your colleagues. I look forward to a productive day.

JUSTICE WALLACE: Thank you, Chair Steinhardt.

Madam Secretary, I believe I did not ask you to call the roll.
Would you do so at this time?

MS. MARTINEZ KRUGER: (Commission Secretary): Yes, Mr.
Chairman.

Commissioner Redd.

MS. REDD: Present.

MS. MARTINEZ KRUGER: Commissioner Pagliughi.

MS. PAGLIUGHI: Present.

MS. MARTINEZ KRUGER: Commissioner Nash. (no response)
He's here.

Commissioner LoGrippe.

MR. LoGRIPPO: Here.

MS. MARTINEZ KRUGER: Commissioner Lagos.

MS. LAGOS: Here.

MS. MARTINEZ KRUGER: Commissioner Gopal.

SENATOR GOPAL: Here.

MS. MARTINEZ KRUGER: I see Commissioner Duffy is in the
waiting room.

Commissioner Delgado.

MS. DELGADO: Present.

MS. MARTINEZ KRUGER: Commissioner Albano.

MS. ALBANO: Here.

MS. MARTINEZ KRUGER: Chair Steinhardt.

MR. STEINHARDT: I'm here.

MS. MARTINEZ KRUGER: Chair Fuller.

MS. FULLER: Here.

MS. MARTINEZ KRUGER: Chair Wallace.

JUSTICE WALLACE: Here.

Thank you, Madam Secretary. We certainly have a quorum.

After today's hearing, our next public hearing will be Sunday, December 5, at 12 p.m., at the Essex County Donald Payne Sr. School of Technology. That's located at 498-544 West Market Street in Newark, New Jersey.

Before I call our first speaker, I would just like to thank all the members who are here this afternoon; and hopefully we will continue to receive good comments from our citizens who've expressed their desire to speak.

I will now call the first speaker -- would be Patricia O'Byrne, followed by Debra Nevas.

Ms. O'Byrne.

PATRICIA O'BYRNE: Thank you.

Good afternoon. My name is Patricia O'Byrne. I'm a 26-year resident of Warren Township in Somerset County.

First, I want to thank you, Justice Wallace, and all the Commissioners, for the opportunity to speak today. These numerous public hearings are a testament to your collective commitment to a fair redistricting process, one that is responsive to the concerns of New Jersey's citizens.

I live in the 7th Congressional District, which had been mapped to be a reliably Republican District after the 2010 Census. Yet, as we've seen with a number of districts in recent years, CD7 has become a District that is neither reliably red nor blue. Through changing demographics and the

concerted efforts of many grassroots organizations, our District flipped in 2018. And, as has been noted in prior testimony, much of that mobilization was led by the women of CD7. Our hard work should be acknowledged and respected. We ask that you do so by keeping our District intact and fairly drawn.

It is worth stating that no person aspiring to represent our District can assume that he or she will be elected by “playing to their base.” In order to represent District 7, candidates must appeal to the broadest portions of the electorate. They must be engaged with and act on the concerns of all voters, as they will ultimately be held to account by all voters. This is the way it should be.

We’ve all seen the impact that unfair redistricting processes have on our national politics. When artificially safe districts predominate, our representative bodies become distorted. The voices of the vast majority of Americans, who live in the center-right to the center-left, are drowned out by more extreme voices. The result is a Congress that is highly polarized to the point of being nearly nonfunctional.

In closing, I ask this Commission to return to its long-standing anti-gerrymandering principles, which had been abandoned in 2010. New Jersey citizens deserve a congressional map that is based on fairness, preservation of communities of interest wherever possible, and respect for the will of the voters.

I thank you for your time and attention.

JUSTICE WALLACE: Thank you very much for your comments.

Debra Nevas, followed by Robert Pallante.

Miss Nevas.

D E B R A N E V A S: Thank you, Chairman Wallace, and thank you to the members of this Commission for this opportunity to speak to you today.

I'm a resident of Millburn Township. As redistricting efforts are underway, I am concerned that the power of the collective voices in my town will be unfairly lost. In particular, I am focused on the impact of being 1 of 24 municipalities in the Rahway River Watershed. In addition, Millburn Township is one of eight members of the Mayors Council of Rahway River Watershed Flood Control. This group seeks flood mitigation along the Rahway River, working with State and federally elected officials, as well as the Army Corps of Engineers, to create a workable plan to prevent flooding.

We, like some of the other towns in the Watershed, were devastated on September 1, as Ida flooded our town. Some store owners, as the waters rose, had to escape their premises by dislodging ceiling tiles and crawling out of their stores via the ceiling. Other residents had to be rescued from their cars by town-owned front-end loaders. Homes and buildings in town have had to be condemned.

Our saving grace: being represented by Congressman Tom Malinowski in Congressional District 7, where almost half of the towns in the Rahway River Watershed are situated, and where 75 percent of the towns on the Mayors Council are also located. We have strength in numbers and a strong voice in advocating for our needs as Rahway-- I'm sorry. If you tried to say *Rahway River Watershed* a few times fast -- I challenge you. (laughter)

JUSTICE WALLACE: Understand.

MS. NEVAS: --as Rahway River Watershed towns.

We've also had a forceful advocate in Congressman Malinowski, whose District was sadly decimated by Ida, from Millburn through to Hunterdon County and throughout CD7. Congressman Malinowski has been actively fighting for flood risk management. After the Army Corps of Engineers ended the Rahway River Study in 2019, Congressman Malinowski used his position on the Water Resources subcommittee of the Committee on Transportation and Infrastructure in the House to get the Rahway River Study restarted, through passage of the Water Resources Development Act of 2020. This Act sets the priorities for the Army Corps of Engineers. Section 336 in the Bill required that the Rahway River project be established, funded, and prioritized. Without this, it is unlikely that any further work to find a solution to the dangerous flooding that we have experienced for decades could be done in a way that would have a significant impact for Millburn and the downstream communities.

Since then, Congressman Malinowski has followed up with the Army Corps to ensure that they have received the necessary funding to restart the evaluation of the Study, which is as important as the authorization to proceed.

The Congressman also worked diligently to return to the U.S. Army Corps of Engineers, New York District office, responsibility for the project after it had been sent to the New England District in 2018, where it had languished. And because of his awareness of the flood risk to our town and many others, he was on hand within hours of Ida, fighting to ensure that FEMA included Millburn in its disaster declaration, thus freeing up vital FEMA funding to local residents and business owners.

Millburn should continue to be represented with the other CD7 towns along the Rahway River in CD7, as together they constitute a community of interest. We do not want to be shunted off into another district where, without the power of our numbers as watershed towns, our voices will be diluted and the hard-won progress we have made toward Rahway River flood mitigation could be impeded.

Through the united strength of our voices as watershed towns, and the persistence of Congressman Malinowski, the Army Corps of Engineers has come back to the table. This has given us renewed hope for a solution; we are loathe to lose it.

Thank you so much for your time.

JUSTICE WALLACE: And thank you for your comments.

Robert Pallante. (no response)

Is Mr. Pallante here?

MS. MARTINEZ KRUGER: Mr. Chairman, Mr. Pallante is not present.

JUSTICE WALLACE: Okay, thank you.

The next speaker is Niyati Shah.

Ms. Shah.

NIYATI SHAH, Esq.: Good afternoon.

My name is Niyati Shah, and I'm the Director of Litigation at Asian Americans Advancing Justice, AAJC. We are a national 501(c)(3) nonprofit organization, founded in 1991 in Washington, D.C. Our mission is to advance the civil and human rights for Asian Americans, and to build and promote a fair and equitable society for all.

We fight for our civil rights through education, litigation, and public policy advocacy; and serve to empower our communities by bringing local and national constituencies together, ensuring that Asian Americans are able to participate fully in our democracy.

How district lines are drawn influences who runs for public office and who is elected. District lines also affect how responsive elected representatives are to their communities. Because district boundaries are in place for 10 years, they should reflect the communities within their boundaries, so that as populations shift and grow the impact of enacted policies can continue to serve the interest of the community.

And New Jersey is a prime example of these population changes and shifts. Over the last 10 years, the population of New Jersey has grown by 5.6 percent, and it grew almost statewide. The population increase in New Jersey is, by and large, from minority communities of color. In fact, the white population in New Jersey decreased by 7.64 percent from 2010. Meanwhile, the Asian population grew by almost 31 percent, and it increased statewide. Similarly, the Latino population increased by 28.77 percent from 2010, and also increased statewide.

And finally, the African American population did grow by 2.55 percent from 2010, but their overall share of the population did decrease slightly.

And despite the fact that even 10 years ago New Jersey was over 40 percent communities of color, a full 75 percent of New Jersey's districts were made majority white. This redistricting cycle presents an opportunity for New Jersey to create districts that reflect its residents, and to not divide up communities of color.

Indeed, as my testimony will explain, the growth of minority communities of color underscores the need for this redistricting cycle to ensure that minority communities are able to elect candidates of choice and, at minimum, ensure that elected officials are responsive to a community's needs.

In addition to the principle of equal populousness, like all states New Jersey must comply with the Voting Rights Act. Among other provisions of the Voting Rights Act, Section 2 prohibits voting practices that have a racially discriminatory intent or discriminatory results. As such, Section 2 of the Voting Rights Act requires consideration of race, among other factors, to ensure that communities of color, including Asian American voters, have an equal opportunity to participate in the political process and elect candidates of choice. Compliance with the Voting Rights Act is a necessity in any redistricting plan.

After equal populousness and the Voting Rights Act compliance, we urge that this Commission prioritize keeping intact communities of interest. *Communities of interest* are groups of individuals who are likely to have similar legislative concerns and can benefit, therefore, from a cohesive representation in elected bodies. Communities of interest can include commonalities of income, educational background, shared language, housing patterns and living conditions, and shared principles.

We urge that the Commission prioritize communities of interest over other redistricting concerns that are not otherwise required by Federal or New Jersey law. Doing so can be especially helpful to communities that have been traditionally left out of the political process. When a community of interest is kept whole in a district, it can more effectively elect candidates

who will pay attention to their issues, especially when they are unable to form a district in which they are not (*sic*) a majority,

Keeping communities of interest intact is particularly important to Asian Americans, who historically experience the *cracking*, or splitting, of their communities during redistricting. For example, in Illinois, after the 2000 Census, five Illinois senate districts were over 10 percent Asian Americans. Yet, after the lines were redrawn in 2001, only two senate districts remained over 10 percent Asian Americans. And Chicago's Chinatown was split into four city wards, three state senate districts, four statehouse districts, and three congressional districts.

Since the Asian American community made up only a small part of each elected official's constituencies, none of them responded to their concerns. As a result, by the 2000s, Chinatown's library was too dated and small to serve the community. In the afternoon and weekends, children were sitting on the floor as there was no space for them to read and study. And despite advocacy by the community for a new larger library, it wasn't until after the 2010 redistricting cycle -- when 95 percent of the Chinese Americans living in the greater Chinatown area were included in one state senate and house district -- that Chicago's Chinatown finally got a new, updated, two-story library in 2015.

As explained at the outset, New Jersey's population growth has been almost entirely in communities of color, and the growth of these communities have been almost statewide. As such, it will not always be possible for these communities to form a district in which they comprise a majority, but that should not preclude these minority communities of colors from having their elected officials be responsive to their needs. As

demonstrated from the example in Illinois, unless these communities of interest are kept intact, their needs, big or small, won't receive due attention from elected representatives.

Asian Americans Advancing Justice, AAJC, urges this Commission to prioritize communities of interest when they are drawing district lines.

Thank you.

JUSTICE WALLACE: Thank you for your comments.

Jesselly De La Cruz is our next speaker.

Ms. De La Cruz.

JESSELLY DE LA CRUZ, DSW: Thank you.

Good afternoon, everyone.

My name is Jesselly De La Cruz. I typically speak on behalf of -- in a professional capacity as Executive Director of the Latino Action Network Foundation. But today, I'm speaking as a lifelong resident of District 8, Congressional District 8.

Just a few things about me. I'm a child of Latinx immigrants, I'm a first-generation college student, and I'm a commuter and a part-time driver. My family-- Me and my family -- we share vehicles, and this has been a way of life for us as long as I can remember.

So I just want to take a moment to share a little bit about my community, what it means to me; the growing Latinx community, which I am a part of in this District, and our way of life.

I'll speak a little bit about the boundaries of District 8. The southern boundaries of District 8 include parts of Union and Essex counties, like Elizabeth and Belleville; western Hudson County towns, like Harrison

and East Newark. And the District then moves up to northern Hudson County into West New York, Union City, North Bergen. And the northernmost point of the District is my hometown, my hometown of Fairview.

So now, while this District stretches out across counties, there are more qualities that unite us as a community than separate us. The road that connects us the most is the famous Bergenline Avenue that runs through most of District 8. Local roads like this -- like Bergenline, Anderson Avenue, Boulevard East, and Kennedy Boulevard -- provide commuters like me easier access to public transportation via New Jersey Transit buses, light rails, and to the PATH station.

We share access to local hospitals, such as Palisades General, where I was born, and frequently bring my parents in for care; and Hoboken Hospital, where I worked for 12 years in a mental health setting, providing mental health services to local residents. And I commuted there. That is an important part of me being able to access my continued employment,

In the last 10 years, gentrification in towns such as Hoboken, Jersey City, Union City, and West New York have made it difficult for working families like mine to secure affordable housing and rents. Because of this, North Bergen and Fairview have had a large growth of Latino and immigrant communities, because it allows them to continue having access to the benefits of this primarily urban district -- you know, benefits like accessible public transportation to get to and from work; and more affordable rents and homes.

Now, it may seem strange that Fairview is the only Bergen County town in District 8. However, residents of Fairview have easier access

to stores, doctors, hospitals, and even community college in Hudson County, as opposed to Bergen County.

If you asked anyone in Fairview what it takes them to figure out how to get to a Bergen County municipal building -- which are mostly located in Hackensack, or even further -- they'll tell you it usually takes at least two buses to get to most services or even places of employment throughout Bergen County.

So with that said, our District encompasses a strong Latino and immigrant community that we believe -- that I believe shouldn't be split up into multiple districts, especially if it means diluting Latino representation into more rural and suburban districts in Bergen County. In District 8 we share many of the same beliefs but, more importantly, we share the same needs as a community. Our ability to advocate for these needs would be greatly hurt by the cracking of our community into several districts. And having a representation that listens to our community is important for keeping the vibrant Latino community, which I'm a part of in District 8, moving forward towards a better future.

For these and many other reasons, it's only fair that we ensure our communities are heard and represented fairly in the new congressional maps.

Thank you for giving me the time.

JUSTICE WALLACE: Thank you for your comments.

The next speaker is Susan Ciardiello.

S U S A N C I A R D I E L L O: Hi, my name is Susan Ciardiello and I live in Milford, New Jersey, Hunterdon County.

I just want to say thank you so much for this opportunity to voice my concerns.

I would not like to see Hunterdon County divided among different congressional districts because we have come together, regardless of party affiliation, on specific, very important issues to us, like stopping the PennEast pipeline, protecting clean water, protecting open space, and working with the County and State officials to mitigate the effects of climate change.

For the second time in 10 years, my husband and I, and many of our neighbors, were recently victims of devastating, catastrophic flooding. This time it was due to Hurricane Ida; the last time it was Hurricane Irene. And our congressional representative, Tom Malinowski, who also lives in Hunterdon County, has been extremely helpful in directing constituents to the help we needed.

Floods like this will continue to happen, and addressing these catastrophes needs to be addressed at the County level, as well as the Federal level. For this reason, I believe it would be counterproductive to divide Hunterdon County among congressional districts. I strongly believe that districts should be fairly drawn and that voters should pick their representatives, not the other way around. Attempts to create unfair maps foster voter cynicism and disengagement, understandably suppressing voter turnout.

The Commission must demonstrate that it's working against any bias in this process, and reassure voters of its dedication to drawing fair maps that do not divide communities, and engenders confidence among voters.

I urge the Commission to consider these concerns when approving new congressional maps for NJ07 and New Jersey.

Thank you so much for this opportunity.

JUSTICE WALLACE: And thank you for your comments.

The next speaker I have on my list is Subadhra Sridhjaran, and please forgive me if I mispronounced the name.

Is he available? (no response)

MS. MARTINEZ KRUGER: Mr. Chairman, this speaker is not present.

JUSTICE WALLACE: Okay. Are there any other speakers you have on your list who I have not called?

MS. MARTINEZ KRUGER: I have Jeanette Torres; Robert Pallante, who you called previously; and the speaker you just called. None of them are present, Mr. Chairman.

JUSTICE WALLACE: Okay, so you have no one else in the waiting room, or around, who would like to speak this afternoon?

MS. MARTINEZ KRUGER: Yes, there are no other speakers, Mr. Chairman.

JUSTICE WALLACE: All right. Thank you very much, Madam Secretary.

Is there any other business or any other comments that any member would like to make at this time? (no response)

Hearing none, again I remind you--

Sorry, did I interrupt someone? (no response)

All right; hearing none, then again, I want to remind you of our session on Sunday, this coming Sunday, at 12 p.m. in Newark. We will meet in a live session, in person, at that time.

Do I have a motion to adjourn?

MS. FULLER: Motion.

MR. STEINHARDT: Second.

JUSTICE WALLACE: Moved and seconded.

All those in favor, please say “aye.” (affirmative responses)

Any opposed? (no response)

Hearing none, I wish to thank you again for being here this afternoon. I know it may be difficult for some to make this timeframe, but we’re certainly happy that almost all the Commission members were able to be present this afternoon.

Thank you, and I look forward to seeing you on Sunday.

ALL: Thank you.

JUSTICE WALLACE: Have a safe day.

(MEETING CONCLUDED)