

1. 10-13-2022 TDAC

Documents:

[10-13-22 DIST ADVISORY COMM.PDF](#)

2. 10-13-2022 TDAC

Documents:

[10-6-22 DISTRICTING ADVISORY COMM OCT. 2022.PDF](#)

3. 10-13-2022 TDAC Doc

Documents:

[10-13-22 TDAC.PDF](#)

4. 10-13-2022 TDAC PowerPoint

Documents:

[10-13-22 TDAC POWERPOINT.PDF](#)

5. 10-13-2022 TDAC Transcript

Documents:

[TDAC 10.13.22 KL PDF TRANSCRIPT.PDF](#)



## **PUBLIC NOTICE**

**PLEASE TAKE NOTICE THAT THE  
TEMPORARY DISTRICTING ADVISORY COMMISSION**

**FOR THE**

**THE NASSAU COUNTY LEGISLATURE**

**WILL HOLD A PUBLIC HEARING**

**ON**

**THURSDAY, OCTOBER 13, 2022**

**6:00 PM UNTIL LAST PUBLIC SPEAKER**

**IN**

**CAROLINE G. ATKINSON SCHOOL  
58 W. SEAMAN AVENUE  
FREEPORT, NY 11520**

**PLEASE CHECK WEBSITE AT LEAST 24 HOURS BEFORE MEETING FOR  
ANY CHANGES, POSTPONEMENTS OR CANCELLATIONS FOR  
UPCOMING MEETINGS. IF A MEETING IS CANCELLED OR POSTPONED A  
NEW PUBLIC NOTICE WILL BE POSTED**

Attendees will be given an opportunity to sign in to address the Legislature. Public comment will be limited to 3 MINUTES. Public comment on any item may also be emailed to the Clerk of the Legislature at [LegPublicComment@nassaucountyny.gov](mailto:LegPublicComment@nassaucountyny.gov) and will be made part of the formal record of this Temporary Districting Advisory Commission meeting.

**FRANCIS X. MORONEY  
CHAIRPERSON**

**DATED: October 6, 2022**  
Mineola, NY

The Nassau County Legislature is committed to making its public meetings accessible to individuals with disabilities and every reasonable accommodation will be made so that they can participate. Please contact the Office of the Clerk of the Legislature at 571-4252, or the Nassau County Office for the Physically Challenged at 227-7101 or TDD Telephone No. 227-8989 if any assistance is needed. Every Legislative meeting is streamed live on <http://www.nassaucountyny.gov/agencies/Legis/index.html>



## **PUBLIC NOTICE**

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**FOR THE**

**THE NASSAU COUNTY LEGISLATURE**

**WILL HOLD PUBLIC HEARINGS ON**

**THURSDAY, OCTOBER 13, 2022 6:00 PM**

**CAROLINE G. ATKINSON SCHOOL  
58 W. SEAMAN AVENUE  
FREEPORT, NY 11520**

**TUESDAY, OCTOBER 18, 2022 6:00 PM**

**GLEN COVE CITY HALL  
9 GLEN STREET  
GLEN COVE, NY 11542**

**THURSDAY OCTOBER 20, 2022 6:00 PM**

**ALBANY AVENUE COMMUNITY CENTER  
214 NORTH ALBANY AVENUE  
MASSAPEQUA, NY 11758**

**WEDNESDAY OCTOBER 26, 2022 6:00 PM**

**ELMONT MEMORIAL LIBRARY  
700 HEMPSTEAD TPKE.  
ELMONT, NY 11003**

**PLEASE CHECK WEBSITE AT LEAST 24 HOURS BEFORE MEETING FOR ANY CHANGES, POSTPONEMENTS OR CANCELLATIONS FOR UPCOMING MEETINGS. IF A MEETING IS CANCELLED OR POSTPONED A NEW PUBLIC NOTICE WILL BE POSTED**

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**Majority Appointees**

Peter Bee  
John L. Reinhardt  
Maureen Fitzgerald  
Christopher Devane  
Eric Mallette



**Minority Appointees**

David Mejias  
Jared Kasschau  
Andrena Wyatt  
James Magin, Jr.  
Michael Pernick

**Francis X. Moroney, Chair**  
**Temporary Districting Advisory Commission**

Nassau County Legislature  
1550 Franklin Ave  
Mineola, New York 11501

**Agenda – Thursday, October 13, 2022 at 6pm**

1. Open meeting – Pledge to the Flag
2. Chairman’s Statement
3. Introduction of the Commissioner’s
4. Public Comment
5. Other Business

**NASSAU COUNTY COMMISSION ON  
REDISTRICTING**

**OCTOBER 13, 2022**

**BASIC INFORMATION ON FEDERAL AND  
STATE VOTING RIGHTS ACTS**

**PROVIDED BY**

***FREDERICK K. BREWINGTON, ESQ.***

○ **“The right to vote freely for the candidate of one’s choice is of the essence of a democratic society, and any restrictions on that right strike at the heart of representative government.”** *Reynolds v. Sims*, 377 U.S. 533, 555 (1964).

## **Voting Rights Act of 1965**

Section Two of the VRA, as amended, establishes the following:

- (a) No voting qualification or prerequisite to voting or standard, practice, or procedure shall be imposed or applied by any State or political subdivision in a manner which results in a denial or abridgement of the right of any citizen of the United States to vote on account of race or color, or in contravention of the guarantees set forth in section 10303(f)(2) of this title, as provided in subsection (b).

(b) A violation of subsection (a) is established if, based on the totality of circumstances, it is shown that the political processes leading to nomination or election in the State or political subdivision are not equally open to participation by members of a class of citizens protected by subsection (a) in that its members have less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice. The extent to which members of a protected class have been elected to office in the State or political subdivision is one circumstance which may be considered: *Provided*, That nothing in this section establishes a right to have members of a protected class elected in numbers equal to their proportion in the population.

A plaintiff is required to satisfy three “preconditions”: (1) the minority group must be sufficiently large and geographically compact to constitute a majority in a single-member district; (2) it must be politically cohesive; and (3) the white majority must vote sufficiently as a bloc to enable it, in the absence of special circumstances, to defeat the minority's preferred candidate. *Thornburg v. Gingles*, 478 U.S. 30, 106 S. Ct. 2752, 92 L. Ed. 2d 25 (1986)



JOHN R. LEWIS VOTING RIGHTS ACT OF NEW YORK

## **JOHN R. LEWIS VOTING RIGHTS ACT OF NEW YORK**

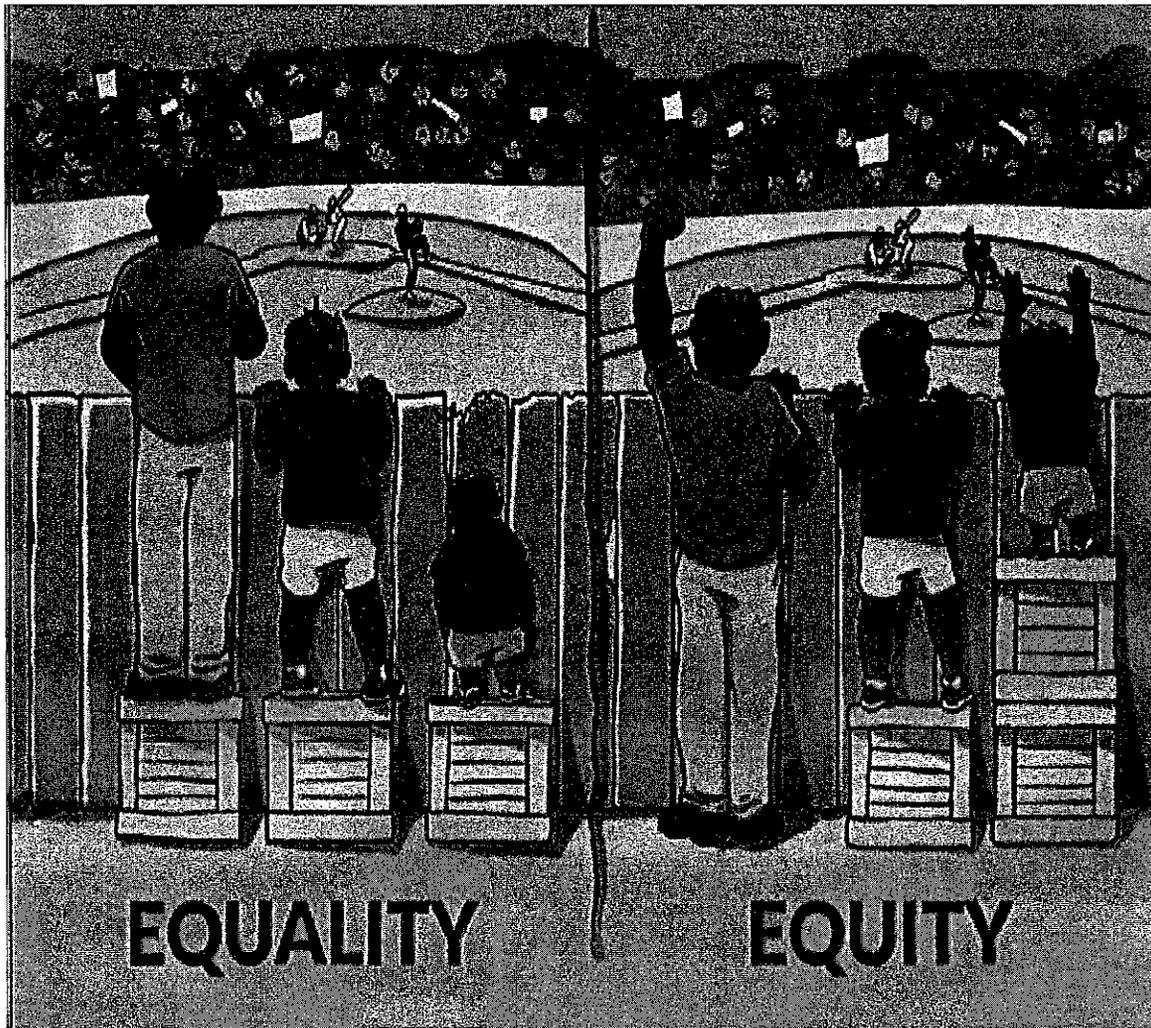
**Voter Dilution.** Prohibits methods of election that eliminate the voting strength of a protected class and establishes legal protections for violations.

**Voter Suppression.** Prohibits election-related laws and practices from being implemented in ways that deny members of a protected class the right to vote and establishes legal protections for violations.

**Voter Intimidation, Deception or Obstruction.** Prohibits acts of intimidation, deception, or obstruction that impact the ability of New Yorkers to access their right to vote and establishes legal protections for violations.

**Expanded Language Assistance.** Requires election-related language assistance beyond what is required by the federal Voting Rights Act.

**Preclearance.** Establishes a state analogue to the now dormant "section 5 preclearance" of the federal Voting Rights Act, requiring covered jurisdictions to "preclear" any changes to certain important election-related laws and policies before they can implement them. Under the new law, covered jurisdictions seeking to make a change to a range of election measures will first need to have those changes reviewed to ensure they will not violate the voting rights of a protected class. Covered jurisdictions are those with a history of civil or voting rights violations.



In order to treat them equally, they would all be given the same size box to stand on to improve their lines of sight. However, doing so wouldn't necessarily help the shortest person see as well as the tallest person. In order to give equitable treatment, each person would need to be given a box to stand on that would enable a clear view over the fence.

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NASSAU COUNTY  
TEMPORARY DISTRICTING  
ADVISORY COMMISSION

\*\*\*\*\*

MEETING V

Held at

CAROLINE G. ATKINSON SCHOOL  
58 W. SEAMAN AVENUE  
FREEPORT, NY 11520

\*\*\*\*\*

THOMAS W. ALFANO

ACTING CHAIR

\*\*\*\*\*

Nassau County Legislature  
1550 Franklin Avenue  
Mineola, New York

\*\*\*\*\*

Thursday, October 13, 2022

6:07 p.m.

TAKEN BY: KAREN LORENZO, OFFICIAL COURT REPORTER

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

COMMISSIONERS:

THOMAS W. ALFANO, ACTING CHAIRMAN

PETER BEE

JOHN J. REINHARDT

MAUREEN FITZGERALD

CHRISTOPHER DEVANE

ERIC MALLETT

\*\*\*

DAVID MEJIAS, VICE CHAIR, EXCUSED

JARED KASSCHAU, ACTING VICE CHAIR

ANDRENA WYATT

JAMES MAGIN, JR. (EXCUSED)

MICHAEL PERNICK

\*\*\*

EXECUTIVE DIRECTORS:

ELISABETTA COSCHIGNANO

RACHEL WHITMORE,

\*\*\*

BOARD ATTORNEYS:

VINCENT MESSINA, ESQ.

PETER CLINES, ESQ.

CLERK:

MICHAEL PULITZER

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

PUBLIC COMMENT:

Casey Marlowe

C. Griffin

Noah Burroughs

Stephanie Chase

Tim Rodgers

Barbara Epstein

Meta Mereday

Maria Jordan Awalom

H. Bortel

Frederick Brewington

James Hodge

Dr. Moore

H. Scottie Gourdine

Janna Rodriguez

Susan Cools

Debra Mule

Dewey Smalls

Donovan Ligonde

Linda Wright

Kevin Boone

Charles Robbins

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AGENDA

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

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ACTING CHAIR ALFANO: Ladies and gentleman, please rise for the Pledge of Allegiance.

(Whereupon, the Pledge of Allegiance is recited.)

ACTING CHAIR ALFANO: Mr. Pulitzer, can you call the roll, please?

CLERK PULITZER: Thank you, Chairman.

The roll call for the commissioners. Commissioner Peter Bee.

COMMISSIONER BEE: Present.

CLERK PULITZER: Commissioner John J. Reinhardt.

COMMISSIONER REINHARDT: Present.

CLERK PULITZER: Commissioner Maureen Fitzgerald.

COMMISSIONER FITZGERALD: Present.

CLERK PULITZER: Commissioner Christopher Devane.

COMMISSIONER DEVANE: Present.

CLERK PULITZER: Commissioner Eric Mallette.

COMMISSIONER MALLETT: Present.

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CLERK PULITZER: Commissioner David Mejas.

COMMISSIONER MEJIAS: Present.

CLERK PULITZER: Commissioner Jared Kasschau.

COMMISSIONER KASSCHAU: Present.

CLERK PULITZER: Commissioner Andrena Wyatt.

(Whereupon, no verbal response.)

COMMISSIONER MEJIAS: She's parking her car, she'll be here shortly.

CLERK PULITZER: Thank you. Commissioner James Magin, Jr.

COMMISSIONER MAGIN: Present.

CLERK PULITZER: Commissioner Michael Pernick.

COMMISSIONER PERNICK: Present.

CLERK PULITZER: The chairman today is Thomas Alfano.

ACTING CHAIR ALFANO: Present.

CLERK PULITZER: We have a quorum, sir.

CLERK PULITZER: Thank you, Mr.

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Pulitzer.

Good evening, ladies and gentleman

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COMMISSIONER MEJIAS: Can I have a point of order? I don't believe there's anything in the Charter and we have not been put on notice that Chairman Moroney has been replaced and anyone been appointed in his stead. There's no precedent to have somebody just replace the Chairman. I believe the County Executive would have to appoint a replacement. There's been no notice of that.

There's been a lot of irregularities throughout this process. This is just another one of them. For instance, tonight's the first night we actually have an interpreter and we barely got that done. So I don't know that, respectfully, Mr. Alfano, despite my personal admiration for you, I do not believe there is any legal precedent or any authority for you to replace Mr.

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Moroney, especially without notice either to the public or to the commissioners.

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ACTING CHAIR ALFANO: As it happens, Frank Moroney is ill with COVID, couldn't be here tonight. I received a letter from the County Executive appointing me as the temporary chairman. I stand before you now prepared to preside over these proceedings. I'm anxious to hear what the public has to say about these maps.

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COMMISSIONER MEJIAS: Well, I appreciate that. I would have loved for you to come to all the other hearings so you'd have at least some background as to what's been happening so far at these hearings and the various debates we've had over when the public hearings would happen, all of the resolutions that we've proposed, all the votes that have been taken. Without the requisite historical background, I think it would be difficult for you to serve as chair. Nonetheless, the non-voting chairman of the

1  
2 Redistricting Commission is appointed by  
3 the County Executive through a filing  
4 with the Clerk's Office, with the Clerk  
5 of the Legislature. We've not been put  
6 on notice that there was a filing with  
7 the Clerk of the Legislature that there  
8 would be a replacement of Mr. Moroney  
9 this evening. This is the first we're  
10 actually hearing of it. And just as an  
11 aside, we've been communicating directly  
12 with Mr. Moroney about various technical  
13 issues and other information we want to  
14 disseminate to the public. Him not being  
15 here does not give any context to the  
16 e-mails that have been going back and  
17 forth about how this hearing was going to  
18 be conducted today.

19 ACTING CHAIR ALFANO: Well, is your  
20 objection that we proceed with these  
21 proceedings?

22 COMMISSIONER MEJIAS: My objection  
23 is not that we proceed; I want to  
24 proceed. I want to actually have more of  
25 these hearings. My objection is there is

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an illegal authority for you to preside over these hearings. Since there's no legal authority for you to preside over this hearing, then perhaps Mr. Bee and myself can cochair the hearing since we are duly appointed members of the Commission and the public and the County Legislators of the Majority and Minority and the Clerk of the Legislature have been put on notice for quite some time of our appointment. So the lack of notice is troubling and I don't know that you can legal preside over this public hearing, which is just another irregularity.

COMMISSIONER BEE: Mr. Chairman, my understanding is you just represented that the County Executive has, in fact, appointed you to act in Mr. Moroney's absence, so may I suggest that we go forward and hear from the public? With all due respect and without diminishing your role in the slightest, there's not a lot of chairing to do except to call on members of the public to please tell the

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Commission what their views are with respect to how lines should be redrawn. I believe we have a copy of the letter here (handing).

COMMISSIONER MEJIAS: Well, I think after the hearing's already begun is probably the worst possible time to put anyone on notice of what's going to be happening at the hearing. There should be advanced notice. The Chair is appointed by the County Executive. The mechanism for that is through a filing with the Clerk of the Legislature and putting the public on notice of who the County Executive's appointing. Having failed to file with the Clerk of the Legislature, the requisite notice of any replacement, and the very least advise us before this very minute that that would be happening, I don't think there's a legal mechanism for a "replacement chairman".

(Whereupon, members of the public encourage the Commission to move on.)

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ACTING CHAIR ALFANO: I'd like to move on. Counselor, here's a copy of the County Executive's letter to me appointing me (indicating) as the temporary chair due to the illness of the Chair (handing).

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COMMISSIONER MEJIAS: (Perusing) I understand. It says by regular and electronic mail. None of us received that. Who was it mailed or e-mailed to?

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COMMISSIONER MEJIAS: The cc's are present on the bottom of the letter.

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COMMISSIONER MEJIAS: So just for the record, the only people who are on this -- none of the commissioners were made aware that there was going to be a replacement chairman this evening. The only person that was made aware that has anything to do with this commission is the Republican Executive Director. The executive director for the Democratic side was left off of this e-mail and the letter.

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ACTING CHAIR ALFANO: The minority

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leader --

COMMISSIONER MEJIAS: Who is not a member of this Commission.

ACTING CHAIR ALFANO: He's on the notice.

COMMISSIONER MEJIAS: Yes. But he is not a member of the Commission, nor do the commissioners have pro se discussions with the very legislators who these maps will be affecting as a matter of public policy. So I think the fact that Ms. Coschignano was put on notice on the Republican side and that no one on the Democratic side was put on notice, I think is a material defect in what you claim to be notice. In addition to the fact, the letter cites Nassau County Chapter Section 113, which requires the County Executive to file with the Clerk of the Legislature any appointment.

ACTING CHAIR ALFANO: Well, just for the record, as I said earlier, the Honorable Kevan Abrahams, the Minority Caucus Leader of the Nassau County

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Legislature, is on this document and has received notice.

I'd like to proceed now with the first witness, if you will.

COMMISSIONER MEJIAS: I'd like to say for the record, we have no choice but to proceed under protest. Once again, whether or not any particular Nassau County Legislator was put on notice, no Democratic Commissioner or staff member was put on notice. The Democratic Commissioners do not discuss matters directly regarding the Commission as a matter of public policy. I don't believe any commissioner here should be discussing the business of the Commission, other than what's said in public, with any legislator, since this proceeding, these hearings, and these maps that we will recommend directly affect them. We do not have *ex parte* communications with them.

Having said that, I have no objection to proceeding under protest;

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however, there is a matter, which you may

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or may not know about. We do have, prior

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to the public hearing this evening --

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hearing from the public, we wanted to say

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a few words about the redistricting

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process. We have a PowerPoint for that,

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as well, that we'd like to present.

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Pretty brief, but I think the people here

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at this public hearing should know what

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the process is about, should know what

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happens in terms of how the maps are

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drawn, partisanship, science, and the

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methodology behind the process as well.

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I believe the Freeport School

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District -- let me just thank everybody

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from the Freeport School District that

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made tonight possible, from the staff

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opening/closing, everyone that's helped

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us with our technical issues for tonight.

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I want to thank the Freeport School

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District, the administrators,

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Superintendent, school board, and

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especially the staff that is here as

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well. Let's have a big round of applause

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for the Freeport staff who's helped us so much tonight (applause).

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ACTING CHAIR ALFANO: With regard to this video, which none of us have seen.

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No one on the right side of this dais has seen it, it's not on the Agenda, it

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wasn't agreed to, we have no idea what

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the content is. It could be anything. I

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don't feel comfortable presiding over a

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meeting that's opened to the public,

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which is reserved for public comment.

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That's your comment (indicating). Not

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the comment of the Commission, not the

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comment of the commissioners, not the

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comment of me.

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This is your time that we are

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imposing upon right now, ladies and

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gentlemen. I, for one, think this is

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inappropriate and I would call this to a

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vote.

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COMMISSIONER MEJIAS: Well, first of

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all --

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COMMISSIONER KASSCHAU: Mr. Alfano,

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if I can interrupt for a moment. You

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don't have the benefit of hearing public comment prior to today. You will note, and we will explain to you, and you'll probably hear by way of public comment this evening, that the public has a right and an expectation to hear the discussion that's had amongst this Board and to be educated on all issues regarding redistricting so they can have a meaningful opportunity to participate in this process. Many people have gotten up and explained the confusion and the frustration that they've personally experienced in connection with what goes on here.

I totally disagree with what you've just said. This is not a matter of just the public coming up to speak. They want to hear what we have to say, they want to make sure this process is transparent, and they want to make sure that we're doing the job that we've been tasked with (applause).

COMMISSIONER BEE: Mr. Kasschau,

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respectfully, I disagree with you. There has been time set aside for tonight to hear from the public. That is what we are here to do. As far as any presentations that Commission members want to make, as the Temporary Chairman indicated, this time has been allocated to hear from the public, not from us. We reached out through our Executive Director --

(Whereupon, interruption from the public.)

COMMISSIONER BEE: If you would kindly extend the courtesy of allowing individuals to speak up here, your turn will come.

ACTING CHAIR ALFANO: Excuse me, please.

COMMISSIONER BEE: We asked through our Executive Director to learn of the content, the length, the nature of the document beforehand and were met with silence. So we do not know what it is you propose to present. We are happy to

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receive a copy, review it, and should we also approve that this is appropriate material for presentation by the Commission, then it can be presented at some subsequent hearing. But for tonight, we have set this time aside to hear from the public. I again ask the Temporary Chair to call the first person to the podium.

COMMISSIONER MEJIAS: I'm sorry. Another point of order. The Temporary Chair, Mr. Alfano, brought up the fact that it's not on the Agenda. I would call for a vote on the Agenda.

COMMISSIONER BEE: Are you making a motion to make this presentation before we hear from the public; is that your motion?

COMMISSIONER MEJIAS: No. The excuse for not hearing the presentation is because it's not on the Agenda, but we haven't voted on the Agenda. Nor, by the way, did we vote on the initial set of public hearings that were announced to

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the public. There was no input from us and there was no vote on when the hearings would occur, initially.

So having said that, since Mr. Moroney said that he wants a vote on whether or not we can present information to the public and Mr. Alfano is saying it's not on the Agenda, we should have a vote before we do anything on what the Agenda actually is. So I'm calling for a vote on the Agenda.

COMMISSIONER BEE: What, specifically, are you moving? What is your motion?

COMMISSIONER MEJIAS: Well, there's some Agenda. Maybe I misheard. I heard Mr. Alfano say there is an Agenda and the PowerPoint we want to present to the public is not on the Agenda. The Agenda hasn't been voted on.

ACTING CHAIR ALFANO: Excuse me.

COMMISSIONER MEJIAS: I would like to know what the Agenda is and whether or not -- and I would like to call for a

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vote on it.

ACTING CHAIR ALFANO: Is there a transcript or a copy of this PowerPoint that we can, perhaps, look at so that we know what it's about and what content it is?

COMMISSIONER MEJIAS: Sure.

ACTING CHAIR ALFANO: So let's take a look at this. If you don't mind, ladies and gentlemen. I'm sorry.

COMMISSIONER MEJIAS: So just to be clear, before we present evidence to the public, we have to figure out whether or not we're okay with what's going to be told to you. If you don't like it, do you want to censor part of it? Is there part of the PowerPoint that if you don't agree with a part of the PowerPoint, are you gonna then say -- you're more than welcome to have a copy to follow along. In fact, we'll give everybody a copy, if you want, to follow along as we present the PowerPoint.

COMMISSIONER BEE: No. You're

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trying to use Commission time to presentation at a point and time that has been set aside to hear from the public. We asked you for this in advance. You declined to give it to us. At this point and time, we think we should here from the public. Show it to us in between hearings, we will review it. If we think it's a proper topic for the Commission to present to the public, then we can do so. Right now, you're trying to act on behalf of the Commission.

COMMISSIONER MEJIAS: There's a motion on the floor to approve or disapprove the current Agenda. I vote that any Agenda presented includes the PowerPoint on it. That's my motion.

COMMISSIONER BEE: So you're making a motion to add the PowerPoint presentation to this evening's Agenda?

COMMISSIONER MEJIAS: I will take the Agenda that you're putting forth with the amendment that the PowerPoint will be on it and put the entire Agenda up for a

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vote, yes.

COMMISSIONER PERNICK: I'll second that.

ACTING CHAIR ALFANO: Let's call for a vote. Who's in favor of that motion, the ayes, please? Sorry, Mr. Pulitzer, please.

CLERK PULITZER: Commissioner Peter Bee.

COMMISSIONER BEE: On the motion to add an item to the Chairman's Agenda, I vote nay.

CLERK PULITZER: Commissioner John Reinhardt.

COMMISSIONER REINHARDT: No.

CLERK PULITZER: Commissioner Maureen Fitzgerald.

COMMISSIONER FITZGERALD: No.

CLERK PULITZER: Commissioner Christopher Devane.

COMMISSIONER DEVANE: No.

CLERK PULITZER: Commissioner Eric Mallette.

COMMISSIONER MALLETT: No.

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CLERK PULITZER: Commissioner David Mejias.

COMMISSIONER MEJIAS: On the motion to vote on the Agenda with the amendment that would allow the PowerPoint, which means we're voting on the entire Agenda, I vote yes.

CLERK PULITZER: Thank you. Commissioner Jared Kasschau.

COMMISSIONER KASSCHAU: I vote aye, yes.

CLERK PULITZER: Commissioner Andrena Wyatt.

COMMISSIONER WYATT: Yes.

CLERK PULITZER: Commissioner James Magin, Jr.

(Whereupon, no response.)

CLERK PULITZER: James Magin, Jr. Is here or not here?

COMMISSIONER MEJIAS: He is not here. He had a family emergency and had to leave here. I don't believe he is going to be here for the rest of the meeting. Let the record reflect that Mr.

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Magin had to leave for a family emergency.

CLERK PULITZER: Fine. Commissioner Michael Pernick.

COMMISSIONER PERNICK: I vote yes.

CLERK PULITZER: That would do it.

ACTING CHAIR ALFANO: The motion fails. We'd like to proceed with the public hearing.

COMMISSIONER MEJIAS: Well, since we don't have an Agenda.

(Whereupon, public interruption.)

ACTING CHAIR ALFANO: Casey --

COMMISSIONER MEJIAS: Hold on a second. I still have the floor by the way. Since we don't have an agenda and you're not gonna let us show the PowerPoint -- can you give everybody a copy of the PowerPoint, please? Okay. Let's all get a copy of the PowerPoint and since we can't do this the right way and put it up on the big screen to make it easy for you, everyone, including all

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the commissioners are gonna get copies and we're gonna read along with it so that you guys understand. So the public understands, right, what's happening here. What's going on.

(Whereupon, copies of PowerPoint is distributed to public.)

COMMISSIONER MEJIAS: Because just to say, we're here to hear from you, when you haven't been told what we're doing is wrong. How are you gonna comment on something that you haven't heard about and you don't know anything about? That's one of the ways that speech and the public and your input is stifled. We keep you in the dark and then say, we're gonna give you all the time that you want --

ACTING CHAIR ALFANO: This is out of order.

COMMISSIONER MEJIAS: It's not out of order. I have the floor.

ACTING CHAIR ALFANO: Yes, it is out

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of order.

COMMISSIONER MEJIAS: I have the floor and we don't have an Agenda. Your side just voted the Agenda down. So now we're gonna do this a much different way. Everyone is gonna get a copy of the PowerPoint.

ACTING CHAIR ALFANO: Including us, I hope.

COMMISSIONER MEJIAS: Of course including you.

ACTING CHAIR ALFANO: We requested it prior, hereto, and we never got it.

COMMISSIONER MEJIAS: You didn't because we didn't know you were gonna be here.

ACTING CHAIR ALFANO: My colleagues didn't receive it either. Sorry about that. My colleagues didn't receive it either.

COMMISSIONER MEJIAS: You can't complain you didn't get a copy when we didn't even know you were gonna be here.

ACTING CHAIR ALFANO: The Minority

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Leader knew I would be here.

COMMISSIONER MEJIAS: Okay. We didn't get notice that there was gonna be -- there were hearings already scheduled until they were scheduled and there was a vote. There was not vote.

COMMISSIONER BEE: Your vote to add to the Agenda was voted down.

COMMISSIONER FITZGERALD: I voted on the Agenda Mr. Alfano said was presented to the public with an amendment to the entire Agenda. We didn't vote on the Agenda. We did not vote on the Agenda. There's no agenda that's been voted on, right? One vote took place on an agenda that your side voted down. Now we don't have an Agenda. So now, since I have the floor, we're gonna do the PowerPoint (applause).

COMMISSIONER BEE: Mr. Mejias, I'm asking the Chairman to rule--

COMMISSIONER MEJIAS: Thank you. Thank you.

COMMISSIONER BEE: To rule you out

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of order.

COMMISSIONER MEJIAS: If that's a request to yield the floor, it's denied.

We will wait until everyone has a copy. Does anyone need a copy in Spanish?

(Whereupon, Mr. Mejias translates prior question into Spanish.)

ACTING CHAIR ALFANO: We'll take a ten minute recess.

COMMISSIONER MEJIAS: Is there a motion for a recess.

ACTING CHAIR ALFANO: Is there a motion for a recess.

(Whereupon, public interruption.)

COMMISSIONER MEJIAS: Is there a motion for a recess?

COMMISSIONER BEE: Mr. Chairman, I'm asking that you declare a brief recess.

COMMISSIONER MEJIAS: I can tell you now, there's not gonna be six votes for a recess. So here we go.

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ACTING CHAIR ALFANO: All right. Now  
may we call Mr. Casey Marlow, please?

COMMISSIONER MEJIAS: I'm not sure  
how you're proceeding when I have the  
floor and there's no Agenda. You voted  
it down.

COMMISSIONER BEE: We do not take  
the position that you have the floor.  
The Chair has called for --

COMMISSIONER MEJIAS: You don't have  
to. I have the floor and there's no  
Agenda, I'm sorry. I'm not yielding the  
floor to you.

ACTING CHAIR ALFANO: If you're not  
going to allow for the parties to take  
turns, there's not much point to this  
discussion.

COMMISSIONER MEJIAS: You'll have  
your turn. Trust me. You can say  
everything that you want to say when I'm  
done.

Just for the record, this PowerPoint  
presentation --

ACTING CHAIR ALFANO: I'm declaring

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a recess.

(Whereupon, recess is  
declared by the Republican  
Delegate, 6:37 p.m.)

(Whereupon, the following  
portion of this transcript is  
produced from the recording.

This portion, therefore, is not  
certified by the court  
reporter.)

COMMISSIONER MEJIAS: So since the  
vote on the recess did not pass, we're  
going to continue. While certain  
commissioners have abdicated their  
responsibility, we're going to continue  
with ours. This is on the record. This is  
all on the record. Thank you.

Just for the record, there was a  
motion for a recess which did not pass.  
So we are still on the record.

There was a motion to put the  
PowerPoint up on the screen which was  
denied by the Republican Commissioners, I

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believe.

(Whereupon, public requests  
to display.)

COMMISSIONER MEJIAS: So I don't  
think that'll be proper. I'm sorry, but  
I don't think it would be proper to do  
that. And we're trying to play by the  
book here. We are trying to play by the  
rules.

(Whereupon, public  
interruption referencing the  
court reporting being off the  
record.)

THE COURT REPORTER: I need to know  
what to do.

COMMISSIONER MEJIAS: This is a  
public hearing. The Commission is not in  
recess, and we need to continue on the  
record, please.

MR. BREWINGTON: I have a question.

COMMISSIONER MEJIAS: Okay. Yes?

MR. BREWINGTON: I'm asking that  
this Body that's now currently on the  
dais right now, contact the County

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Attorney by telephone and ask for an ethics evaluation of what just happened when half of the Commission that's been appointed has walked out on the public and that that call be made immediately by the Dems (sic) that are on the dais right now asking for a ruling and placing them in context of being actually dismissed for walking out on their constitutional duty. I ask that that take place right now.

COMMISSIONER MEJIAS: Well, I'm going to direct our counsel to make that call so that we can continue with the presentation.

MR. BREWINGTON: I appreciate that, and I think that's appropriate.

COMMISSIONER MEJIAS: Thank you, Mr. Brewington. So does everyone have a copy?

And I want to confirm that our court reporter is taking is putting is keeping the record of this.

Respectfully, respectfully -- So the commissioners have the authority over the

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meeting. I know -- I realize Mr. Pulitzer

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is here, the Clerk of the Legislature,

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but he is not a voting member or a member

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of the Commission. So the members of the

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Commission that are here are asking this

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to be on the record. Please. Thank you.

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And if there's an objection to that down

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the road, they can make an objection and

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they can have the record stricken. So

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they could have been removed from the

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record, but --

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CLERK PULITZER: The Commissioners

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do not want it on the record.

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COMMISSIONER MEJIAS: I understand

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that. But you have not been recognized by

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anybody to speak. I don't recognize you.

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The Commission has asked -- the

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Commission is directing the court

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reporter to take the minutes of the

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meeting. And if the Republican Delegation

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has a problem with it, they can make they

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can make a motion to strike the record or

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go to court and do whatever they want to

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do to prevent the public from

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understanding what's actually happening during this process. So that madam reporter --

DEPUTY COUNTY EXECUTIVE WALSH: You don't have the votes to proceed.

COMMISSIONER MEJIAS: Sorry, you're not recognized. So you can take a seat. I understand that, but you have no authority here. And you can take a seat. Thank you.

DEPUTY COUNTY EXECUTIVE WALSH: You don't have the votes. You need six votes to proceed.

COMMISSIONER MEJIAS: Sir, sir. Sir, you do not have the authority.

DEPUTY COUNTY EXECUTIVE WALSH: You need six votes to proceed.

COMMISSIONER MEJIAS: Please sit down. Be respectful of the public's time.

DEPUTY COUNTY EXECUTIVE WALSH: I think you should be respectful.

COMMISSIONER MEJIAS: Okay. We would have -- we would have been -- this PowerPoint would have been over with

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already. So I don't -- for the life of me, I do not understand. I do not. This is an eight page PowerPoint. You guys will have a copy. The PowerPoint. I do not understand. What is it that they don't want you to know? Why are they fighting us so hard on informing the public about how this process works? What's happening behind the scenes when we're not on the record and not in front of you? So we're going to tell you exactly what we're doing right behind the scenes and how this works. And we're going to ask the Republican Delegation to do the same.

So we're going to continue. We are on the record. Okay. And once we're done, the public comment period can begin. So I want to turn to the topic at hand today.

So I just I just want to be clear here. Okay. The court reporter is to continue taking the record of this public hearing. The only person with authority up here are the commissioners. So there's

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no member of the public. There's nobody.  
This hearing has begun.

THE COURT REPORTER: With all due respect, Commissioner, the Acting Chair called a recess.

COMMISSIONER MEJIAS: Okay. But respectfully, respectfully, Madam Reporter, you're not a parliamentarian. I asked for a vote on the recess and we didn't have a vote on the recess. So since the the vote in the recess didn't pass, there's no recess. So just like we have to vote to end the meeting, we vote on a recess. So. Please. Just. Please, please, just take the record, and if there's a problem later on, then the record could be stricken. Okay.

COMMISSIONER MEJIAS: That's not what I was told.

(Whereupon, public is yelling at the court reporter.)

THE COURT REPORTER: I don't need your direction either.

(Whereupon, public is

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yelling at the court reporter.)

COMMISSIONER MEJIAS: So let's everybody be respectful.

(Whereupon, public yelling at the court reporter.)

(Whereupon, this concludes portion of hearing obtained from audio/video file.)

(Whereupon, Republican Delegates return from recess, 6:43 p.m.)

COMMISSIONER MEJIAS: Are we on the record?

(Whereupon, court reporter confirms.)

COMMISSIONER MEJIAS: So if we can all open up to the PowerPoint.

Redistricting can be confusing and, naturally, many of the people in this room tonight are not familiar with the legal process of redrawing legislative district maps.

To help people better understand the process, we did inform the Chair and our

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Republican colleagues that we planned to give a brief PowerPoint presentation --

ACTING CHAIR ALFANO: Excuse me, Mr. Mejias. I want to say something on the record, if you don't mind. I'd love to call the first speaker. The public has a copy of this PowerPoint which you've disseminated. They're all capable of reading it and I don't think you have to go through it point by point for them. They're capable of --

(Whereupon, public interruption.)

ACTING CHAIR ALFANO: Casey Marlow, please.

COMMISSIONER MEJIAS: So -- I still have the floor. I'm not really sure what you're doing. I haven't ceded the floor. I do still have the floor.

To help people better understand the process, we did inform the Chair, Mr. Moroney and our Republican colleagues that we planned to give a brief PowerPoint presentation with Spanish

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translation this evening. Quite unbelievably, Chairman Moroney told us that we are not permitted to show a PowerPoint presentation. He claims that we need six votes to make a simple presentation to the people here in this room. I don't believe Mr. Moroney has the authority to prohibit any member of the Commission or commissioner from using PowerPoint to communicate information to the public during the hearing, so I'm going to ask our staff to continue to hand out the PowerPoint to anyone else that walks in the room and doesn't have one.

So on the first page, the general redistricting overview, which actually is after the cover page says "Redistricting Overview" at the top. So redistricting is the foundation upon which our democracy is built, and the redistricting process occurs every ten years following the decennial census across the country. Districts must be redrawn at every level:

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Congressional lines, state legislative districts and even local districts. This process concerns the redistricting for the Nassau County Legislature. The last time Nassau County redrew its legislative districts, was for the 2013 election.

On the second page, the Nassau County. The Nassau County Temporary Redistricting Advisory Commission is made up of ten members. Five appointed by the presiding officer of the Legislature is Presiding Officer Nicoletto, Republican, by virtue of filing with the Clerk of the Legislature. Five Appointed by the Minority Leader, Kevan Abrahams, by virtue of a filing and upon notice to the Clerk of the Legislature, and a non-voting member who serves as Chairman was appointed by the County Executive by on notice, by filing with the Clerk of the Legislature.

The Redistricting Commission is charged to submit recommendations for a new map of the 19 legislative districts

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2 to the Nassau County Legislature, and  
3 according to the Nassau County Charter,  
4 every action by the Commission is  
5 required to have six votes, and that's  
6 very important. The Commission's process  
7 includes hearings from members of the  
8 public to comment on the process, the  
9 current maps and the proposed maps.

10 Note: The Commission's current  
11 schedule denies the public denies you the  
12 opportunity to comment on the maps  
13 proposed by the Commission.

14 If you go to the next page, the new  
15 proposed maps must comply with both the  
16 Federal and State law: Among other  
17 things, the United States Constitution,  
18 the Federal Voting Rights Act, the New  
19 York State Voting Rights Act, which is  
20 new since the last legislative districts  
21 were drawn and the New York Municipal  
22 Home Rule Law.

23 Next page, slide four. The process  
24 and concerns: We have repeatedly  
25 expressed our concerns about the grave

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2 deficiencies in the redistricting process  
3 so far. This slide has some basic  
4 information about Nassau County with its  
5 population, its towns, cities and the  
6 extreme racial diversity. According to  
7 the U.S. Census, in the last ten years,  
8 Nassau, as a white population, has gone  
9 from 73% to 58.5%.

10 In the last ten years, we have seen  
11 increases in every minority community:  
12 An increase of over 30% in the Latino  
13 community, and an increase in over 60%,  
14 the Asian community.

15 This Commission has continued to  
16 provide inadequate and misleading hearing  
17 notices. As of this Tuesday morning, the  
18 Home Pages Commission's website still  
19 failed to give notice of tonight's  
20 hearing, despite the Democratic  
21 Delegation's demand that such notice be  
22 clearly posted. Until a few days ago, the  
23 homepage made it seem that the next  
24 hearing was not tonight in Freeport, but  
25 on October 20th in Massapequa. Nor did

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the homepage contain any notice of the meeting to be held in Elmont on the 26th. So no notice of the hearing in Freeport, no notice of the hearing in Elmont, but notice of the hearing in Massapequa. I wonder what the correlation might be.

To you find any notice of tonight's hearing on the Commission website, members of the public would have to know to click on the link entitled "View All Agendas and Minutes" on the County website. Not on our website, on the entire County website, and the notice of tonight's hearing was completely buried on that page. Although the homepage was finally updated yesterday, the damage has already been done.

Up until the very evening of this hearing, the website obscured the public notice. This is why the Democratic commissioners have been left with no choice but to release our own unofficial public shared drive, which contains in one central location any information that

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we are able to get from members of the public; background on the redistricting process; each of the resolutions that we have introduced; and written submissions from the public and more. You can access our shared drive by scanning the QR code on the card -- I believe the QR code is on the this page of of the PowerPoint. Similar to when you went to a restaurant to look at the menu and the PowerPoint during COVID. Now we can make everything available to you in one central location. We have asked the Commission and the Commissioner do to do this on the County website, and they have refused.

There's been not only deficient but dysfunctional language access. At our last commission hearing, it was pointed out that the Spanish language services available to the public were essentially nonfunctional and completely unsuited to the task of translating at a public hearing. The Democratic Delegation has insisted that for this hearing, the

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County administration provide meaningful translation services via headset technology that would give full access to the entire proceeding, including the testimony of every witness and all of the discussion by the commissioners, as well as the ability for members of the public with limited English proficiency to address the Commission. This is the only way to provide real language access for people that do not speak English or perhaps people that speak Spanish. Freeport has a very high Spanish speaking population. It makes it difficult to reach out to the Hispanic community and to come to these meetings when we don't know until basically today that we will have translation services from them.

The administration denied our request and said the best that they could do is provide an interpreter to translate for individuals who wish to make a statement to the Commission, which was inadequate and unacceptable. They could

1  
2 not even commit to providing a certified  
3 translator. So the Democratic Delegation  
4 has done with the administration and the  
5 commission chair, Mr. Moroney, not Mr.  
6 Alfano, should have done in the first  
7 place. At our request of Freeport's  
8 School District has graciously allowed us  
9 to use their headset technology. Thank  
10 you. We were only able to provide this  
11 thanks to the cooperation of the Freeport  
12 School District. The Republican  
13 commissioners were responsible for  
14 setting up most of the upcoming hearings,  
15 and we are concerned that we will not  
16 provide adequate translation at those  
17 hearings. Freeport has a very large  
18 Spanish speaking population.

19 The need for effective translation  
20 services was clear from the beginning, as  
21 well as the need to prevent a fiasco  
22 similar to what occurred in Long Beach  
23 when the language line failed to  
24 function. Yet Chairman Moroney, the  
25 Republican Delegation and County

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administration, failed to finalize the arrangements to have a Spanish language interpreter for this hearing until the very last minute. This is substantially hindered our ability to conduct fully effective outreach to the Spanish speaking community.

In addition, the secrecy that has occurred with this Commission, especially when it comes to outside consultants and experts. Redistricting is a technical process in which experts and consultants play a critical role.

The Democratic Delegation, we, strongly believe that the public you deserve to know who is doing this important work on behalf of the Commission. And after all, by the way, it's your tax dollars that are paying for it, so you should know who they are.

From the very beginning of the process, we have advocated for transparency and full disclosure of the identities of experts by both the

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Republican and Democratic Delegation. At the very first meeting of this commission, Commissioner Pernick proposed a resolution that would require that disclosure, that resolution failed. Each and every one of the Republican commissioners voted against it and made sure that the disclosure failed, that there would be none. There would be no requirement that we tell you what's going on behind the curtain.

We have now tried to reach an informal agreement on expert transparency. We have written Chairman Moroney requesting a mutual exchange of the identities of each delegations, experts and consultants, and a description of the work they are performing. In Response, we have received the carefully worded response by the Chair stating that the "Republican Delegation has not engaged any consultants and experts", but they still haven't told us who is drawing the maps

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for them.

Next, we asked Republican outside counsel point blank, who is drawing your maps? But we still could not get a straight answer. We know someone's drawing their maps. We know someone is drawing the maps for the Republican Delegation, but they refuse to say who it is.

In contrast, the Democratic Delegation has been an open book regarding the people that work for us. We have not only disclosed our political science expert, Dr. Daniel Magleby, we have even introduced into the public record his preliminary report, so that everyone knows exactly what he is working on. In addition, in a few moments, Commissioner Pernick will introduce a preliminary report from our demographic expert, Dr. Megan Gall.

I call upon the Republican commissioners to disclose tonight in public the identities of the experts who

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are drawing maps or will be drawing maps on their behalf, so that the full Commission and the public have the right to and have a right to know.

Now I'm going to cede the floor to my colleague, Commissioner Kasschau to address the refusal from the Republican Commissioners to disclose maps.

COMMISSIONER KASSCHAU: Thank you, Commissioner Mejias.

What I'm about to say will come as no surprise to folks who have attended the previous four meetings, and that is the Commission currently has set -- Well, I should say the Chairman has unilaterally set a schedule, whereby, draft redistricting maps will be released to the public and transmitted to the legislature on the same day, leaving the public a mere 60 minutes between hearings on November 10th to review those maps. I submit, and my colleagues on the Democratic side, submit that that schedule makes a mockery of the

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transparency and openness that this Commission ought to abide by. Clearly, that schedule is intended to shield the proposed Republican map from any meaningful scrutiny by the public or the Democratic Delegation. One at one hour is ludicrous proposal, which is both an affront to the public and in conflict with the Commissioner's duties under the Charter.

The Charter requires this Commission to ensure that the maps presented to the County Legislature comply with all applicable laws, including the Equal Protection Clause of the United States Constitution, the prohibitions on racial vote dilution in the Federal and State Voting Rights Acts, and new prohibitions on partisan gerrymandering under the Municipal Home Rule Law. No map can go to the legislature unless the Commission determines that each one of those provisions and all the legal standards they contain have been complied with. It

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hardly needs to be said that such a complex determination cannot even begin to be completed within 60 minutes.

The schedule also prevents any opportunity for the Commission to come to a bipartisan consensus on maps. It has been reported in the press, as many of you have seen, that in Suffolk County. Both the Democrats and the Republicans were able to come together and reach consensus and unanimously approve a map. Apparently, they had time to negotiate, to go back and forth and eventually agree an approach that could be earned bipartisan consensus.

It is literally impossible for our Commission to reach a similar bipartisan agreement in 60 minutes because the current schedule is structured to prevent any opportunity for us to work together, and the schedule is dooming this process to fail.

Now, numerous members of the public, some of whom may be in attendance this

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2 evening, have strenuously objected to the  
3 current schedule. In response to this  
4 pressure, Chairman Moroney, who was  
5 unfortunately not here this evening and I  
6 wish him a speedy recovery, has  
7 grudgingly stated that the schedule is  
8 not written in stone. However, while the  
9 Chair's words are hopeful, the actions of  
10 the Republican Delegation suggest the  
11 opposite. The Chair and the Republican  
12 commissioners have refused every  
13 opportunity to set a reasonable schedule  
14 for the release of any draft maps.

15 At the very first commission  
16 meeting, Commissioner Pernick proposed a  
17 resolution that provided for the  
18 publication of maps by October 14th and  
19 for seven further public hearings after  
20 their release. As with every other common  
21 sense resolution we have proposed, this  
22 one was rejected by all five Republican  
23 commissioners.

24 We tried again at the Commission's  
25 hearing on September 21st, when

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Commissioner Pernick proposed another resolution that would have required proposed maps to be presented to the public and published in draft form no later than three weeks in advance. Again, the Republican commissioners refused to support our three week proposal.

We tried again at the Commission's September 28th public hearing when I proposed that the maps be released two weeks in advance. But the Republican Delegation once again refused to commit even to those two weeks. We are now making one last ditch effort to have some semblance of public disclosure. I once again ask my Republican colleagues, will you at the very least agree to release draft maps one week prior to any commission action to transmit such maps to the Legislature? And one week is certainly not sufficient. In fact, it's far from submitted sufficient. But in the interest of giving the Republican Delegation at least one opportunity to

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have give an inch and restore some  
measure of transparency and  
bipartisanship to what is a culmination  
and the most important step in our  
process, I ask them to agree at least to  
one week.

And with that, I'll make a formal  
motion to it, to that effect, and ask for  
a roll call vote.

COMMISSIONER PERNICK: I'll second  
the motion.

COMMISSIONER KASSCHAU: The motion  
is to require that both the Democratic  
and Republican commissioners transmit an  
exchange at least one week in advance of  
the deadline to submit the map to the  
Legislature to one another and to publish  
it to the public for a review and  
comment.

CLERK PULITZER: We will have a vote  
on the motion.

Commissioner Peter Bee.

COMMISSIONER BEE: Now that the  
political mudslinging, speechifying that

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was ruled out of order is apparently over, a motion has been made to set a arbitrary timeline for the presentation of maps. I, again, as I have said on prior occasions, feel that the executive directors should engage in a dialog as these public hearings unfold and that a timeline be set. As the chairman has previously said, the tentative timetable was not carved in stone, and it is my hope that the two executive directors can work out a timetable. But for the present motion, which I think is untimely and inappropriate, I vote no.

CLERK PULITZER: Thank you.

Commissioner John Reinhardt.

COMMISSIONER REINHARDT: No.

CLERK PULITZER: Commissioner Maureen Fitzgerald.

COMMISSIONER FITZGERALD: No.

CLERK PULITZER: Commissioner Christopher Devane.

COMMISSIONER DEVANE: No.

CLERK PULITZER: Commissioner Eric

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Malette.

COMMISSIONER MALLETTE: No.

CLERK PULITZER: Commissioner David  
Mejias.

COMMISSIONER MEJIAS: Yes.

CLERK PULITZER: Commissioner Jared  
Kasschau.

COMMISSIONER KASSCHAU: Yes.

CLERK PULITZER: Commissioner  
Andrena Wyatt.

COMMISSIONER WYATT: Yes.

CLERK PULITZER: And Commissioner  
Michael Pernick.

COMMISSIONER PERNICK: Yes.

CLERK PULITZER: The vote is five  
no, four yes.

ACTING CHAIR ALFANO: Motion fails.

COMMISSIONER MEJIAS: So I want to  
put the Republican Commissioners on  
notice. The Democratic Delegation will  
not supply the six vote to transmit any  
map to the Legislature until there has  
been an opportunity for meaningful public  
review of the map and an opportunity to

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determine whether the map applies to law.

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So without six votes, a Commission can send no maps to the Legislature. For you to have just one hour to review a map that's going to determine your

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representation in government for the next

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ten years is just simply ludicrous. So

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I'd like to finish my -- we're going to

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finish the PowerPoint. I will cede the

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floor to Commissioner Pernick to discuss

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the Magleby Report, which is one of the

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consultants that we hired, and we want to

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make sure you know exactly what we hired

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them for and what they're doing and what

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they've come up with.

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COMMISSIONER PERNICK: Thank you

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very much, Commissioner Mejias.

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So if you turn to the next slide in

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the deck, we have a few bullet points on

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a report that we submitted a few weeks

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ago from Dr. Daniel Magleby. Now, Dr.

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Magleby, he's a professor of political

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science up in Binghamton. He is one of

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the leaders in the field of understanding

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redistricting. He's testified before courts. He specializes in this, it's his expertise. So he is one of the people who we trust, members of the public trust. And he's not a partizan person, he's an academic. And he looks at the facts, and that's what we asked him to do.

Now, we've spoken about this before and we talked about it today. There have been some changes in the law. And one of the changes in the law is that it's now illegal in New York State to pass a partisan gerrymander. It's now illegal in New York State for the maps that emerged from this process to be biased in favor of one party over the other, to make it more difficult for members of one party to have their voices heard. And there are standard, objective ways to measure whether a map violates these rules, and that's why we asked Dr. Magleby to look at for us. The report that we put into the record looks at the current map as a starting point to see where is it that

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we're at today? Where are we starting from? And his conclusion was very clear. His conclusion left no room for doubt: That the current map is an illegal partisan gerrymander.

Now, the way in which he did this analysis -- for a nerd like me, I really enjoy it. Maybe there are some folks in the audience who think this is cool. What he did is he used computer simulations and generated 10,000 randomly simulated maps, all of which comply with the requirements of the law. And then what he does is he looks at those maps and compares them to the actual map and sees what would the outcome be based on projected election results. And the way this analysis works of the map that's being evaluated is more extreme than most of those maps, Courts will conclude that the map is an illegal partisan gerrymander.

Well, what did Dr. Magleby find for the current County Legislative map? He

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found that it is more extreme than all 10,000 randomly generated maps, an extreme in favor of Republican voters and against Democratic voters. So it was very clear cut. And that's exactly the standard that the New York Court of Appeals has adopted and relied on in Harkenrider v. Hochul. That's the standard the courts looking at partisan gerrymanders, state courts and other in other states have relied on as well.

So we know that the current map violates that provision and that means we need to start from scratch. If we use the current map as a starting point, we're going to be violating the partisan gerrymandering rules.

Now I want to turn to the next slide. So as Dave is pointing out to me, the analysis that he's doing, it is a neutral process. It's blind to party. It's not favoring one party over the other. It's it's a neutral process. And the odds that a map could be drawn in a

1  
2 neutral process that's this extreme, it's  
3 less than one in 10,000. So we know we  
4 know that map is an extreme partisan  
5 gerrymander, and we know it based on an  
6 academic nonpartisan middle of the road  
7 report where we asked our expert to look  
8 at the facts.

9 Now, today I'm going to introduce  
10 into the record a second report. And if I  
11 could pass this out. So we'll need six  
12 copies and I have one for the clerk.  
13 Should I walk it down to you? Okay, we'll  
14 have one brought down to you. Here's some  
15 colleagues copy from my colleagues over  
16 here. And I believe we have copies of  
17 this new report for members of the  
18 audience.

19 (Whereupon, copies of Gall  
20 Report are handed out.)

21 COMMISSIONER PERNICK: Now, this new  
22 report is a preliminary assessment of  
23 whether the current map, and maps that  
24 are substantially similar to the current  
25 maps, would comply with Section 2 of the

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Federal Voting Rights Act and would comply with the brand new John R. Lewis Voting Rights Act of New York, which is also called the New York Voting Rights Act.

The takeaway from from this analysis, just like the takeaway from the first analysis, it's simple and it's extremely important. There is substantial evidence that the current map violates both the Federal and the State Voting Rights Act. And this means that if this Commission recommends a map and the County Legislature adopts a map that's similar to the current map, we risk violating first the partisan gerrymandering rules and the Municipal Home Rule Law. Second, the Federal Voting Rights Act. Third, the State Voting Rights Act. The brand new provisions in the State VRA.

Now, let me take a step back and explain what this means. The Federal Voting Rights Act is, I believe, the most

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2 significant civil rights legislation in  
3 our nation's history. It's designed to  
4 protect communities of color against  
5 racial discrimination in voting. It was  
6 adopted in 1965 to respond to centuries,  
7 hundreds of years, of racial  
8 discrimination in our country and ongoing  
9 racial discrimination in the voting  
10 context, not just in the South, but  
11 across the country. It was a landmark  
12 bill that provided sorely needed  
13 protections across our country.

14 Now, courts have litigated Section 2  
15 violations for many years. So we know  
16 exactly what needs to be proven in the  
17 redistricting context to show that a map  
18 violates. There are three preconditions:

19 First, you need to prove that  
20 there's an alternate map that gives Black  
21 or Latino voters additional opportunities  
22 to elect candidates of their choice.

23 Basically more districts, more majority  
24 minority districts than there are;

25 Second, you need to prove that the

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minority community is cohesive, tends to vote for the same candidates;

And third, you need to prove that without additional majority/minority districts, Black or Latino voters would be shut out of the process, except for maybe a few districts, would be denied an equal opportunity to participate in the process and elect candidates of their choice.

So the way that you do that analysis, you walk through those three preconditions. The second and third are collectively referred to as racially polarized voting. So you need to do what's called a racially polarized voting analysis. And that's exactly what we've done here.

Now, the New York Voting Rights Act is even simpler. All you need to do to prove a violation of the New York Voting Rights Act is show that there's racially polarized voting. And if there's a community with standing that could

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benefit from from an alternate proposal,  
they have that right if there's racially  
polarized voting in the county.

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So we asked Dr. Megan Gall, to do  
that assessment for us, and that's what's  
in this report. Now, I'll say Dr. Gall is  
a national expert in doing this work.  
She's a quantitative social scientist,  
holds a Ph.D. in political science, a  
master's degree in geographic information  
science. She specializes in VRA  
compliance with a focus on the Gingles  
preconditions. So this is exactly what  
she does. She's worked for the U.S.  
Department of Justice, state and city  
governments. This is what she does.

And she concluded that there's  
substantial evidence that all three of  
those preconditions would be satisfied  
with respect to Nassau County. What does  
this mean in simple terms? It means the  
current map is racially discriminatory.  
It means the current map harms  
communities of color through cracking,

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2 through packing, through denying  
3 majority/minority districts. That's what  
4 this means. That's what we're dealing  
5 with right now. And if we continue to  
6 have a map that has these same  
7 characteristics, that map violates  
8 section two of the Voting Rights Act.  
9 That map will violate the New York Voting  
10 Rights Act.

11 So Dr. Gall started working on  
12 alternatives to see if it's possible to  
13 draw additional majority/minority  
14 districts, and here's what she concluded:

15 She concluded it would be easy to  
16 draw a county legislative map with five  
17 majority/minority districts that does a  
18 better job of respecting traditional  
19 districting and principles than the  
20 current map;

21 Does a better job of having compact  
22 districts, does a better job of  
23 respecting political subdivisions. And it  
24 provides five districts where Nassau  
25 County's black and Latino voters would

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have an opportunity and equal opportunity to elect candidates of their choice.

That's what she's concluded.

Right now, when this map was drawn, there were only three districts. Now, over the course of the last ten years, there's been a growth in the minority community. So there was a fourth district that became majority/minority, a Black and Latino voting age population, eligible voting population. Right now, when this map was drawn, it was only drawn with three districts in which black and Latino voters comprised a majority of the voting age eligible population. We now know there should be five, and in fact the law requires there to be five. It is clear cut because these preconditions are satisfied.

This also tells us that if Nassau County fails to adopt a map with at least five districts, we're going to be in violation. So based on these two reports that we've put into the record, this

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Commission and the Legislature are on notice of a few important things:

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Number one, if we pass a map that's like the current map, we're going to violate the municipal home rule law.

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Number two, if we pass a map that's like the current map, we're going to violate the Federal Voting Rights Act.

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And number three, if we pass a map that's like the current map, we're going to violate the brand new John R. Lewis Voting Rights Act of New York State.

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So that's the submission. I'd be very interested to hear what members of the public think, and any comments or questions about this.

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I know that Commissioner Wyatt had some comments on this as well. So I'd like to ask Commissioner Wyatt to offer her thoughts as well.

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COMMISSIONER WYATT: Thank you, Commissioner Pernick.

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I just wanted to really emphasize the importance of the hand out that you

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have and I'm very grateful for the Democratic Delegation for providing this to the members of the public.

This is very important information here. This is not designed by us, this is designed by experts. And the reports that you just heard in the handout that you have, it proves what we already know: The current map discriminates against communities of color in violation of the Voting Rights Act. It is a violation of the Voting Rights Act. For too long, for far too long, communities of color have been underrepresented. We've seen tremendous growth, as you can see from this report. We've seen tremendous growth in the Black and Latino communities. Yet we are underserved in our county government. Why is that? That's because the current map packs Nassau County, current map packs, Black and Latino voters into a handful of districts and then cracks the remaining voters into other districts. There's no question in

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my mind that we cannot use the current map as a starting point. It is discriminatory. Thank you.

COMMISSIONER MEJIAS: Thank you. So for the record, you now know the consultants that we've hired, you know the work that they're doing, and you have their reports, and I hope you found -- well, I'll ask you: Did anyone find that this was helpful and understanding the process and what it is that we're doing (applause)?

All right. Thank you. Thank you for the applause. And we're glad that we're glad that you were able. We're glad that you feel that way. It's very important that you know the process. It's very important that it be transparent. So that is why we're doing what we're doing, to make sure that you know what's going on, on our side at least, and who's drawing our maps and how they're being drawn. These are not democratic, like hit men. These are respected academics drawing

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with nonpartisan reports that are just doing math. And if you do the math, there should be five majority/minority districts when there are now only three. So you deserve more. The Black, Latino, and Asian community deserve more representation in government. You pay a lot of taxes. You make up the big a big part of the population. And the fact that we take away your power by only having three majority/minority districts in the Legislature means that we can't even start with the map. We have to scrap it and start all over again. So I thank you for your time. I thank you for listening and I hope this was helpful. Thank you very much. I cede the floor.

COMMISSIONER BEE: Well, I hope that we can now move on to hearing from the public. Although before we do that, I do want to just make note for the record that we are now at the fifth public hearing of the Temporary Redistricting Advisory Commission, and this was

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designed as an opportunity for you to suggest and to tell us what you want to see in the maps, specifically, where would you like to see the lines drawn? There will also be additional opportunities for the public to have input in this process. To date, the members of both the Republican and the Democratic delegations have heard from approximately 70 speakers with varying requests to keep various communities together. I would trust that the public attendees and those streaming the proceedings will continue to feel free to share their ideas and requests.

As you have observed, the Commission consists of 11 members with a non-voting chair being appointed by the County Executive. There were five members appointed by the Presiding Officer and five by the minority leader. The commission permits but does not require public hearings. But we have gone forward with public hearings because the

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2 reapportionment process from prior  
3 occasions has established a tradition  
4 that permissive hearings seeking public  
5 input should be held.

6 You should know that the county  
7 legislature allocated \$985,000 to fund  
8 our work. The allocation is divided  
9 equally between the commissioners  
10 appointed by the Presiding Officer and  
11 those appointed by the Minority Officer.  
12 A portion of the \$985,000 was set aside  
13 to pay for stenographic services,  
14 American Sign Language interpreters,  
15 Spanish speaking interpreters, etc. Each  
16 delegation of appointees share the  
17 balance equally for the purchase of  
18 needed mapping technology, software  
19 experts, counsel and other staff as  
20 deemed necessary.

21 In developing a map or maps, the  
22 Commission must comply with both federal  
23 and state law, and the proceedings have  
24 to be fair and should be transparent to  
25 the public. Transparency is being and has

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been achieved by significant outreach to the public and holding the public hearings on any maps or plans for redistricting submitted by these commissioners or others.

Once maps or plans are drawn, there will be an opportunity for the public to see and give an opinion as to the work product. We are looking to have a full hearing in early November at a date and time to be announced. The updated website will have a link to any and all maps that may be presented to this Commission, which will take comment on the work product. Thereafter, the map or maps are turned over to the Legislature. Likewise, all the transcripts and all the public comments that are generated by the Temporary District Advisory Commission, us, are submitted to the Full Legislature for their consideration.

In addition, all items not included in the record may also be delivered directly to the County Legislature. The

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Full Legislature will also conduct public hearings on the submissions by the appropriate legislative committees and then by the entire Legislature. The goal of this Commission is to have our process complete its hearings so the Legislature has time, adequate time, to review any submissions and conduct its hearings.

The County Legislature has the power to reject, adopt, revise or amend the redistricting plan or plans recommended by the Temporary Commission, or adopt any other redistricting plans that meets all constitutional, federal and state statutory requirements.

In an effort to achieve transparency, all meetings and hearings will be in public and streamed live over the Internet. The legislative clerk will preserve the records.

Further, this Commission will and has streamed the hearings and will keep the record open for a period of time after the completion of public hearings.

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It will include these submissions, including e-mails, correspondence all received prior to the date the record of the Commission is closed. Nonetheless, any correspondence, e-mail or information received after that date will also be forwarded to the Full Legislature for its consideration.

In preparation for this hearing, a notice of this meeting and others were sent to the following:

The Office of the County Executive, all county legislators, members of the Minority Commission, members of the Majority Commission, Nassau County League of Women Voters, The City of Glen Cove, The City of Long Beach, The Town of Hempstead, The Town of North Hempstead, The Town of Oyster Bay, all 22 villages in the Town of Hempstead, 30 villages in the Town of North Hempstead, 16 villages in the Town of Oyster Bay, 55 libraries, 57 school districts, 67 civic associations, 50 chambers of commerce,

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2 and 150 news and media outlets that serve  
3 Nassau County. There will be additional  
4 hearings currently scheduled for October  
5 18 in Glen Cove, October 20, at the  
6 Albany Avenue Community Center and Elmont  
7 Memorial Library on October 26.

8 Hopefully, Mr. Chairman, we can now  
9 turn to the first speaker.

10 ACTING CHAIR ALFANO: Casey Marlow,  
11 please.

12 MR. MARLOW: Hi. Thank you for  
13 letting me speak today. I hope that  
14 Chairman Moroney recovers quickly, but  
15 tonight has been an utter embarrassment.  
16 Following the letter of the law matters.  
17 Following ethical procedures as Mr.  
18 Brewington brought up before matters.

19 The acting chairman of dubious  
20 legality, rejecting the educational  
21 PowerPoint, which many members of the  
22 public have requested at every single  
23 hearing -- every single hearing, people  
24 said we don't know what's going on. We  
25 want to be educated on this. Do you have

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anything to show us? And you guys rejected it. For what? No reason. I don't know why. It's just laughable. It's laughable disrespect to the process, to the public. And the irregularities, complete lack of transparency, you guys have lost the trust of the public, and you should probably lose the respect of the public.

I'm a former student of Professor Magleby whose expertise and integrity are unquestionable. And if he says that our maps are gerrymandered, then they're gerrymandered and we can't start out with them; it's illegal. It's just illegal.

So I have no confidence in your guys ability to do your jobs. And frankly, when you walked out, that's probably the best thing that you've done the entire time serving on this Commission. So I would encourage you guys to do that again next time. Because you disrespect this process, you disrespect us, you disrespect the County, and you disrespect

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the country. Representation matters.  
This why we had the revolution.  
Representation means resource allocation.  
It has a tangible impact on people's  
lives in the County. I just want you guys  
to do your jobs. That's it. Thank you  
for letting me speak. I wish I could  
stay, but I have family obligations to  
take care of. So have a great night.  
Thank you.

COMMISSIONER BEE: Thank you for  
your comments.

ACTING CHAIR ALFANO: Trustee  
Clariona Griffith from Hempstead Village.

MS. GRIFFITH: Good evening. First,  
I would like to also echo what the person  
just said prior to. It was definitely an  
embarrassment to get up and walk away  
from us. As the public, you should have  
stayed in your seat and act like a duck  
and let everything roll off your back and  
you should not get up and walk away from  
the public. We have a right to hear and  
see what's going on.

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Today, I actually made a map because I wanted you guys to see from the view where we sit. And this map that I actually made is to actually talk about what you're doing, that it's not fair to our community. And I know you probably can't see it just like the maps you're not allowing us to see. And it's probably very difficult to determine what's on this map right now. And that's how we feel. So I get to explain it to you. This map right here represent the fact that you're constantly, every ten years taking away from our community. The Black and Brown community is constantly suffering. Every ten years, we work together to build our community up, and then you come along and you take it. And I keep asking the same question all the time: What is fair about Garden City and Hempstead? What is fair about Uniondale and Massapequa? Last time someone came to the meeting, they said they didn't understand what wasn't fair. So I figured this time

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I'll bring a visual for them. Just in case they needed to see it. There's nothing fair about this whatsoever. You need to stop cracking. Okay. Why? Because it's not fair that you divide us. Divide and conquer. Then you turn around and you park us. And this is what this map is showing for those that might be able to see. They have a whole bunch of white and just a couple of black in between.

You pack us in. Okay. And that's not fair. Now we become the minorities when all of a sudden you turn around and you stack it, and how you stack it is to your benefit that now you turn around and you choose our voters. You turn around and you choose our politicians. And it's not fair at all. This needs to stop. Stop. Crack and stacking and packing. We need to do this fairly. Where we also become a part of the majority and have a right to choose who we want. People like myself. I can say this because, guess what? Not only am I a politician, but I'm also a

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resident. I'm also a business owner. I'm also a grandmother. And ten years from now, all you guys are sitting here. You're going to ask yourself, was this really fair? You get to see this map from a bird's eye view, because that's exactly what's happening right now. The people are not seeing what you're showing us. Thank you.

COMMISSIONER BEE: Thank you. Would you be kind enough to give that map to the Clerk so that we can have that as part of the record?

COMMISSIONER MEJIAS: And just for the record, that the Democratic Delegation did not walk out, we stayed here. It was the Republican Delegation in the purported temporary chair who walked out of the meeting.

ACTING CHAIR ALFANO: And just for the record, we have returned and here we are. And by the way, the dissemination of the Democrats PowerPoint was distributed and reviewed and explained to you and

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painful detail.

COMMISSIONER MEJIAS: Yes, despite the fact that you voted against everybody being able to see it in the PowerPoint, we persevered and we prevailed, just like the people here will when these maps are finally coming out.

ACTING CHAIR ALFANO: Stephanie Chase, please.

(Whereupon, Mr. Burroughs speaks next. Ms. Chase follows.)

MR. BURROUGHS: I'm also one of the trustees of the Village of Hempstead. I was combined with Trustee Griffith.

ACTING CHAIR ALFANO: Name for the record.

MR. BURROUGHS: Trustee Noah Burroughs, Village of Hempstead. Just some questions I have for the Republican side:

Why are you guys are so against transparency? I'm not expecting an answer because you guys never talk. So it

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was a rhetorical question.

Second thing is, why when there is a such a simple motion me this is long dissertation instead of just say yes or no. You have an audience here. We have lives. We don't want to sit in these meetings for two hours listening to you guys just talk to yourselves. It's pointless for that.

So now that you know that there's some work that has been done. Commissioner Pernick presented you guys with some information. I'm just so curious to know, what is it you're going to do with the information that you've presented tonight? What were you in fear of? This PowerPoint that he gave us was very clear and the public needed that. What was it? What was it you were hiding? Is it that you now know that the public can know a little more of what goes on? No. Yeah, no. No answers. Again.

ACTING CHAIR ALFANO: We didn't see it, Trustee. We did not see it.

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MR. BURROUGHS: Okay. But you guys didn't want it, right?

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ACTING CHAIR ALFANO: How could you say that? We --

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COMMISSIONER BEE: We asked for a copy.

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MR. BURROUGHS: Okay. All right. So I'm going to tell you this, as a Village Trustee. I'm going to make sure it's my business, that I make sure that I disseminate the next meetings, the times. And I hope you guys can somehow make sure you get those times and those dates available so that we can make it available to not only our residents, but also to the neighboring residents so that they get all find time to make these meetings, because I think they deserve that.

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COMMISSIONER BEE: Well, as I noted a moment ago, all villages were given notice of all of these meetings.

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MR. BURROUGHS: Yes. But when you checked those meeting times, sometimes

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they're a little outdated and you guys will change the times. And that's not fair. People are working individuals, and they need to know ahead of time. They need to plan it. They may have babysitters. There's a lot of things that go into making a meeting, as you know. When you guys plan this meeting, you didn't plan this meeting with an hour notice. Right? So the public needs time.

Now, after which you gave a pre-written speech. Sounds great, right? But that was a pre written speech. And there's a difference between you guys, Republicans and Democrats. What I love is when I hear Commissioner Mejias speak from the heart. I hear Commissioner Pernick speaks from the heart. Ms. Wyatt speaks from the heart. But you guys have these pre-written speeches and no one believes it. We know that you here just the past time. The main reason we know, because most of you guys don't speak. The only thing you say is yes or no when

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you're taking a vote. And so you know, I'm just letting you know that the public, we're aware of it and we're tired of it.

And my last thing, what Commissioner Pernick let you guys know there is no way out of this. Right. You're going to violate at least three voting rights. What will you do when it's time for you to go? Again, no answers.

COMMISSIONER BEE: Thank you for your comments.

COMMISSIONER MEJIAS: Actually, Trustee Burroughs brings up a good point. While we're on the record, I would ask the clerk, Mr. Pulitzer, can we get a copy of all -- we keep hearing this list of people that are put on public notice of these meetings. So can we get a copy of all the towns, municipalities, civic groups, school boards, library boards, and a copy of the correspondence that was actually sent putting the public on notice of these meetings? The Democratic

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Delegation has never been given that. So if you would kindly provide us with that, that'd be great.

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CLERK PULITZER: We will take care of that, sir.

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COMMISSIONER MEJIAS: Thank you, Mr. Pulitzer.

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ACTING CHAIR ALFANO: Stephanie Chase.

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MS. CHASE: Good evening. My name is Stephanie Chase. I'm from Lakeview.

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I have a couple of questions: Have the maps been drawn yet?

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COMMISSIONER MEJIAS: Ours have not. No, we're still working on that. I don't know about the Republicans.

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MS. CHASE: I'm talking about them because every time I'm here, I've been here to four of the meetings, and the public speaks and they say, no, every little thing, no. You're not listening to the public, then I don't understand that. And it was definitely disrespectful for you to walk off. I'm out here and

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it's pouring rain and I walked from the parking lot in the pouring rain without an umbrella for you to walk off. Are you kidding me?

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Also. Shouldn't you? Shouldn't we see the maps first? This seems kind of backwards. How can we comment on something that's not there?

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COMMISSIONER BEE: Well, what we're hoping --

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MS. CHASE: It's like air. How can we comment and make any kind of decision? And also for us to only be given an hour before the real maps are drawn. How is that possible? It takes time to decipher and look through the maps.

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COMMISSIONER BEE: What we're hoping to do is hear from you as to how you would like the maps to be drawn before we draw our map.

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MS. CHASE: Well, this is like the fourth meeting already. When are you going to draw the maps?

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COMMISSIONER BEE: We have a number

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of public hearings scheduled, and at those public hearings, we hope to hear from the public as to how they would like the maps to be drawn.

MS. CHASE: We keep telling you but you say no every time. You say no, they say what's in our hearts and you say no.

COMMISSIONER BEE: Thank you for your comments.

MS. CHASE: Okay. Yeah. Okay. I pay a lot of taxes, and if you guys think that you going to dilute my voice and put me out and I'm struggling to pay my taxes, you got another thing coming. You're going to see the biggest storm you ever saw. We're going to rise up and we're not going to take this.

ACTING CHAIR ALFANO: Timothy Rodgers.

MR. RODGERS: Good evening. To the Honorable Commissioners, the Commission women, of which we have two represented here tonight. My name is Timothy Rodgers. I spoke at I believe it was the first or

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second in Garden City. And the thesis of my talk was simply: Is perception reality: Well, it's a question. Is perception, reality? And I honored each and every one of you with the respect that I felt you both you all deserved. By talking to you face-to-face and giving the audience my back. So today I'm going to give you my back and give the audience my face.

You know, my wife asked me, Tim, please don't go out and say anything. She begged me not to. And the reason why is because when I spoke the first time about cracking and packing, my supervisor who sits to the right of me, Eric Mallette, fired me the next day in less than 12 hours. He took the food off my table. The money out of my bank account. And I'm a black man that will not run. It will not deter me from being persistent about what I believe.

So I'm saying to each one of you that are here now and the Commission may

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hear me or not, but I'm talking to you.  
And if you could just simply respond with  
a yes or no. If you see a bird and it  
wobbles like a duck and quacks like a  
duck. What do you think it is?

(Whereupon, public  
responds.)

MR. RODGERS: And so if you see a  
Commission that is not represented by any  
of the census, what do you think you're  
going to get? The same thing that we've  
been getting for the last 30 years.

I came to speak at the first meeting  
thinking that as a man that is just  
coming to speak for Ms. Williams, who  
lives on my block, who's almost 90 years  
old and who lost her husband, and for the  
residents of my community, for the  
Veterans that can't come out, for the  
women that have children. I came out to  
speak for them and in 12 hours I was  
fired.

So you will not muzzle me. I'll turn  
back to you, Mr. Mallette. You will not

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muzzle me. You don't have the authority to muzzle me. And I just everyone to know that -- and I left you with thought the last time. Spike Lee's a very dear friend of mine: Can't we all get along? And I guess the answer to that is, well, we will see what the answer to that is.

But I just want to leave that with you. And so my wife, Mallette, you scared my wife. She's afraid. You want to run me out of Hempstead? You want to run me out of Nassau County? But I'm not scared. I'm a black man in America. And I'm going to face you straight up. Right.

COMMISSIONER MEJIAS: Thank you, Mr. Rodgers. Not only did you speak at that first meeting, you were actually the very first speaker that we had. And at that meeting, you expressed concerns about social and racial justice here in Nassau County. You addressed the commissioners. You're the first speaker from day one. First speaker said you're concerned about packing and cracking districts and you

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stood up for your community and to hear that you were fired the very next day. I only know what *Newsday* reports, but it seems pretty suspicious to me.

And I want to tell you, I'm gonna give you the highest compliment I can give you. You remind me of my father. So when my father spoke out against Fidel Castro in Cuba, he was put in jail for four years, that he watched his own brother get tortured and killed in front of him. But he wouldn't relent. And he made it to America. And this means something in this country. My father was put in jail for pro-democracy activity, and you were fired for pro-democracy activity. So God bless you, Mr. Rodgers.

COMMISSIONER BEE: Mr. Mallette, as much as I am sure you are bursting at the seams in a desire to comment, I encourage you not to comment as this is not the proper forum. And, Mr. Chairman, I ask you to call the next speaker.

ACTING CHAIR ALFANO: Barbara

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Epstein.

MS. EPSTEIN: Good evening, ladies and gentlemen. My name is Barbara Epstein. I am member of the League of Women Voters.

You've heard this before, but for the public. The League is a nonprofit, nonpartisan organization, encourages informed and active participation in government, works to increase understanding of major public policy issues and influence public policy through education and advocacy.

Both Commissioner Moroney and the Commissioner tonight, you have talked about transparency and following all applicable laws. Yet there is still nothing on the website, and this is our fifth hearing.

We suggest you follow the example that was mentioned before of the Suffolk County Bipartisan Commission, which is structured similar to ours. The Suffolk County Redistricting Commission,

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Republican Chair, and I'm gonna quote.  
The chairman Jesse Garcia said,  
"Committee members came together in a  
bipartisan manner. This is a result of  
when you put transparency and  
bipartisanship ahead of pure, unabated  
politics".

          Their Commission created four  
minority/majority districts. We hope that  
this commission keeps this in mind when  
creating a map. We are also asking  
residents to contact Mr. Nicolello who is  
the presiding officer of the County  
Legislature and Chair of the Rules  
Committee, which will first vote on a  
map. We are asking for a public hearings  
before there is a vote on the map.

          We suggest that residents go to the  
next full legislative meeting, which is  
scheduled for October 24th at 1 p.m., and  
do the same. We're asking for public  
hearings.

          I'm listening and it's been  
mentioned before and mentioned again

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2 about submitting the map on November  
3 10th. I'm glad to hear there are  
4 possibilities that there may be some  
5 adjustment to that schedule, but please  
6 remember that the public must not only  
7 tell you what they think about what their  
8 communities need, but also they need to  
9 be able to look at the maps and give  
10 input for that as well. Thank you very  
11 much.

12 COMMISSIONER PERNICK: Ms. Epstein.

13 I want to just take a moment to  
14 thank you for being here and thank the  
15 League for its involvement in this  
16 process, for providing input and guidance  
17 and suggestions. It is appreciated. At  
18 least I can speak for myself when I say I  
19 read and truly appreciate the suggestions  
20 and the input and the involvement of the  
21 league in this process.

22 I'm really glad that you raised the  
23 Suffolk County precedent and encouraged  
24 us to work bipartisan and try and find an  
25 approach that complies with the law that

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2 can earn bipartisan consensus in this  
3 commission. And as I've said before, I'm  
4 committed to doing that. Right now, it's  
5 not possible. Right now it's not possible  
6 because we don't have a schedule that  
7 permits it under the current schedule,  
8 which has not been changed. We don't have  
9 that opportunity. We have one hour after  
10 maps are introduced for us to try and  
11 work together to negotiate a compromise.  
12 How is that possible? We had no input in  
13 that schedule. We had no say in setting  
14 that schedule. It was not set by a vote  
15 of the Commission, which requires six  
16 votes, and it categorically precludes any  
17 opportunity for bipartisan collaboration,  
18 something that I know I'm committed to  
19 doing and I know my colleagues on this  
20 side are committed to doing.

21 So, again, as Commissioner Kasschau  
22 has asked in this hearing and in the  
23 previous hearing, and we've asked, get  
24 rid of the schedule. That only leaves one  
25 hour. It doesn't work. And it's designed

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to prevent that bipartisan collaboration that the League and countless members of the public have been pleading for. And it denies members of the public that opportunity to weigh in.

So, once again, I want to thank you for your involvement. I want to thank you for the points to raising their important points, their good points. And I hope that what we haven't been able to do it with our resolutions and our motions, so perhaps your continued advocacy could be helpful. Thank you.

MS. EPSTEIN: Let's put it this way. Maybe you'll surprise us. Thank you.

ACTING CHAIR ALFANO: Meta Mereday, please.

MS. MEREDAY: First of all, if this is an actual hearing, where is the swearing in? Where's the legitimacy for something that seems to be so out of order, illegal, disrespectful, time consuming. And that near million dollars that you mentioned, that's divided

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between the two, the court reporter that did not report when the other half of the Commission stayed with the public. That to me would be considered a deduction. Do you understand what I'm saying? As a taxpayer, you don't get paid for time served. Okay. The job was not done and the commissioners then walked out again, as Mr. Brewington said, a call should have been placed to the County Attorney.

All of this should be on the record because we already know we're going to court really know this. That's why I'm speaking to this side of the room. Otherwise, I'd like Mr. Rodgers and turn my back. But I'm trying to remain respectful and calm in this process.

We already know, it has been noted by experts, not relatives, not friends, not political influencers, that the current map is illegal. It has been dysfunctional. It has been detrimental to communities of color. Clearly, only the four of you and the one that we wish his

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family emergency everything is okay care about. We have heard here, and I haven't been at every meeting but the majority, that there are some on this side who have said because there always seems to be one or two people who are speaking. Everybody else really should just have a stand in a placement because there's really nothing else coming out of that side. Where is the fairness here? Where is the representation? We want five minority/majority positions, not the shaky three that we already have.

We want to have input. Okay. So if you want to know what we want, do we not want input? Yes. Doing that more than one hour.

(Whereupon, public responds.)

MS. MEREDAY: And you've heard it. You've heard it before. We don't need six or seven additional meetings to say the same thing. We want it now. When do we want it? When do we want it? One more

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time we want.

(Whereupon, public

responds.)

MS. MEREDAY: So it's been said.

It's been repeated. It has been restated.

I appreciate, Commissioner Mejias, you

breaking that down for us for the

information. It was valuable. That

presentation could have taken all of,

what, 10 minutes? So 30 minutes were

taken. I appreciate Commissioner Pernick

for breaking it down and outlining that

there are experts on your side of the

room. What do we have from this side of

the room? What do we have? What do we

have? What do we have? Because we're

going to get?

(Whereupon, public

responds.)

MS. MEREDAY: Lastly, when do we

want it? When do we want the maps?

(Whereupon, public

responds.)

MS. MEREDAY: Okay. We can't waste

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2 any more time. We have other things that  
3 we need to do. And if we can include VFW  
4 halls. Oh, that's right. The majority of  
5 them closed because the funding has been  
6 lacking. The majority of those who are  
7 now serving in our military are people of  
8 color. So not only disrespecting the  
9 residents, you're disrespecting the  
10 military that half of you run around and  
11 put your military flag pin on you, attend  
12 a pancake breakfast, you sit in the  
13 parade and you're disrespecting the  
14 military veterans, the wives, the widows  
15 and the family members. How do I know?  
16 Because I fight for them myself on my own  
17 time and dime every day. Do a better job.  
18 We pay too many doggone taxes in this  
19 county to be disrespected,  
20 underrepresented.

21 The gerrymandering must stop. When  
22 is it stopping? Are we ready to go to  
23 court?

24 (Whereupon, public  
25 responds.)

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MS. MEREDAY: I'm done. Thank you.

COMMISSIONER MEJIAS: Thank you very much. Just for the record. The Chair, all the commissioners, Republicans and Democrats, this is an unpaid position. We are telling you who our consultants are and they cost money, but so you should know who they are.

And one of the ways they can hide it, and it's been hidden from the public in the past. Ten years ago, the Republicans hired a law firm and that law firm subcontracted and said, oh, we just hired a law firm. But they subcontracted out to all these consultants. Right. And they didn't tell you who they were. And that's I suspect that's what's happening now. So that's why we want to make sure that we tell you how your money is being spent and what it's being spent on and it's being spent, quite frankly, in a nonpartisan way. If it was being spent in a partisan way, I would imagine one delegation that did that would want to

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hide that from you. So we're doing it the right way. You deserve to know how your money is being spent.

ACTING CHAIR ALFANO: Maria Jordan Awalom.

MS. JORDAN-AWALOM: Good evening, everyone. My name is Maria Jordan-Awalom. I am a Freeport resident and I am president of the Freeport School District Board of Education. So welcome to our school district.

I am here once again because clearly nothing has changed. I am here today because we are in a critical moment where immigrant and communities of color are still asking themselves, How can we ensure our voices are heard? I cannot think of a more important way for us to do so than to engage in how our representation is developed and carved out.

Our public schools continue to be segregated, created even more inequities along racial and social economic lines.

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Many of us already live in areas where we constantly have to fight to be heard. We have to fight to achieve environmental justice for our children. We have to fight for the availability of resources. We even have to fight for basic quality of life services. We shouldn't also have to fight to simply have rights afforded to us as residents and citizens of this country. The Right to fair representation.

As an educational leader in my community, I stand before you all tonight to implore upon this Body to create a process that the people can believe in and that we can trust in for a brighter and more equitable future for all our children. We live in a democracy, and as such, we need our representatives to lead with transparency and to represent us all. We will continue to show up. We will continue to engage. And we will continue to fight for fair maps that will result in legislative districts that accurately

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reflect Nassau County in 2022 and for the next ten years. Thank you.

COMMISSIONER MEJIAS: Thank you. Thank you for your service. Thank you to the school board and to the administration and staff for helping us here tonight. Thank you very much.

While we're waiting, I just want to be clear for the record. There was a portion of what happened tonight that was not on the record. Unfortunately, the court reporter is kind of caught between what to do, what not to do. The court reporter is not a lawyer. She's not a parliamentarian, so she was advised, by my understanding, by Mr. Pulitzer, the Clerk of the Legislature, to no longer take a record of what was being said here tonight. I would hope in some way there is a videotape -- or somehow that there be a transcript actually, and the record be complete and not censored by directing that there not be a record when there's clearly things that are untenable and

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inappropriate going on in a parliamentary procedure, which prevents people from having the information that they need going forward. I would hope somehow what was said that was directed not to be put in the record, gets in the record.

I just want to make it very clear that we never told the court reporter to stop transcribing the events here today, neither did the Republican delegation. It was Mr. Pulitzer who did not have the authority to do so. I want to make it very clear for the record.

ACTING CHAIR ALFANO: Legislature  
Debra Mule.

LEGISLATOR MULE: Good evening. I'm Nassau County Legislator Debra Mule and I am very proud to represent the beautiful area that we are in right now.

It was not my intention to get up and speak. I came to the first hearing. I'm here now because this is where I live and these are the people that I represent and I wanted to hear what they had to

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say. But I have to tell you, I was so  
disturbed by what happened here tonight.

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So disturbed.

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But I'm going to keep my remarks to  
one area, because you're hearing from  
everybody else about a lot of other  
things. As one of the people who's going

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to vote on this map, I need to know that

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it was done in a fair, impartial, and

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transparent way. I need to know that the

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people's input was heard. I need to know

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that after the maps are put out, that

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they have more than one hour to make

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comments, which of course is ludicrous.

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I did hear Mr. Bee say, yes, there

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will be -- a calendar will be made

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available; I guess we'll see. I hope we

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can take you at your word. As a

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legislator, you must do your job and make

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sure that this is a fair process. Thank

you (applause).

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COMMISSIONER PERNICK: I want to

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thank Legislator Mule for her testimony

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today. It is important testimony. I

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appreciate it. I just want to thank you for your leadership in this community and for speaking out for your constituents on this issue here today. We do appreciate it.

I also want to turn back to the point that Commissioner Mejias raised prior to Legislator Mule's testimony around the transcript.

I agree, the court reporter was placed in an impossible position. It was absolutely not the role of the court reporter to make a decision over whether or not to continue a transcript when there was no motion to adjourn and that should not have been put on the court reporter. I want to apologize for myself for the fact that you were in that position. It was not on you.

I want to thank you for everything you've been doing and being so diligent and helpful and working really hard to get a clear and good record. It's not an easy job. I do want to thank you for

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that and I want to ask everybody to join me in thanking the court reporter for being through all of this process (applause).

And I would like to make a motion to ask for the portion that was not transcribed to be put in after the fact so that we have a complete record and there's a record of what actually happened. There was never a motion to adjourn. I would make a motion at this point for us to have -- using the audio recording -- have the transcript filled in after the fact. I don't think this should be controversial, but I'd like to make that motion at this time so we have a complete record of these proceedings.

COMMISSIONER MEJIAS: I second the motion.

COMMISSIONER BEE: Well, just to make the point, I don't think the motion is necessary as we have repeatedly said anyone who submits anything to the Commission, will have that made a part of

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the record.

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Our objection earlier was to our failure to have received an advanced copy from something that was purportedly being presented by the Commission rather than by the public, and we had not opportunity to review it. Had you given us that courtesy, we might well have resolved the issue.

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Having said that, and now having had a chance to glance through the material, we do not take the position that we join with you in the accuracy of the content, that we leave to you. You have decided to disseminate this material. It's from the Democratic Delegation. But if you want to submit an audio, a video, type-written material, anything you want, we have repeatedly said anything submitted into the record, will be taken into the record. We simply disagreed with your timing and the manner in which it was done.

COMMISSIONER PERNICK: Commissioner

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Bee, that has nothing to do with my

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motion. My motion is about the official

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TDAC transcript. Right now it's not

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complete. My motion is for us to have a

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complete transcript of what actually

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happened here today, so the official

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transcript corresponds with the record of

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what happened here today. I think you're

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talking about something else. I

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apologize if I wasn't clear.

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My motion is very simple and very

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specific. I am moving for us to have a

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complete transcript of what happened here

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today using the audio file from the

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recording of this hearing. That's my

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motion at this point and time and it's

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been seconded. It has nothing to do with

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other submissions.

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COMMISSIONER MEJIAS: Second.

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COMMISSIONER BEE: I'd like to

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understand the motion. You're asking

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that the audio be transcribed and that a

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hard copy of that transcription be

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submitted into the record?

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COMMISSIONER PERNICK: And

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incorporated into the official transcript

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of this hearing. The transcript right

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now -- my understanding is it's

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incomplete because the court reporter was

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not taking transcription for a portion of

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this hearing. My motion is to direct the

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court reporter to prepare a complete

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transcript and use the audio recording

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for the purpose of making that complete

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transcript.

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COMMISSIONER BEE: Understanding

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that recording includes the Chair having

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ruled it out of order, and that a recess

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was declared, I'm not sure it's

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appropriate to do it that way and I'd

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like a moment to briefly caucus with my

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fellow commission members.

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COMMISSIONER PERNICK: And of course

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that would be included in the transcript

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as well. The transcript should be a

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recording of what happens. So that would

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be included in the transcript as well.

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COMMISSIONER BEE: Then before

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voting on the motion, I'd like a brief recess to consult with my fellow commission members.

ACTING CHAIR ALFANO: Recess granted.

COMMISSIONER MEJIAS: All those in favor.

(Whereupon, no response.)

(Whereupon, a brief recess is taken, 7:52 p.m.)

(Whereupon, hearing resumes, 7:57 p.m.)

ACTING CHAIR ALFANO: The motion having been moved and seconded, please call the roll. We're back on the record.

CLERK PULITZER: Commissioner Peter Bee.

COMMISSIONER BEE: I mentioned earlier that I think the audio was during a period of time that we were in recess, and procedurally, I don't think it's appropriate that be done this way; however, we have also said that should the Democratic Delegation or anyone wish

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to submit anything to the Commission, we will take it into the record. So rather than stand on ceremony, I will vote yes and take into the record.

CLERK PULITZER: Commissioner John J. Reinhardt.

COMMISSIONER REINHARDT: Yes.

CLERK PULITZER: Commissioner Maureen Fitzgerald.

COMMISSIONER FITZGERALD: Yes.

CLERK PULITZER: Commissioner Christopher Devane.

COMMISSIONER DEVANE: Yes.

CLERK PULITZER: Commissioner Eric Mallette.

COMMISSIONER MALLETTE: Yes.

CLERK PULITZER: Commissioner David Mejias.

COMMISSIONER MEJIAS: Yes.

CLERK PULITZER: Commissioner Jared Kasschau.

COMMISSIONER KASSCHAU: Yes.

CLERK PULITZER: Commissioner Andrena Wyatt.

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COMMISSIONER WYATT: Yes.

CLERK PULITZER: Commissioner James  
Magin, Jr.

(Whereupon, no response.)

CLERK PULITZER: Commissioner  
Michael Pernick.

COMMISSIONER PERNICK: Yes.

CLERK PULITZER: It is unanimous,  
sir.

ACTING CHAIR ALFANO: Great. The  
motion carries.

Henry Bortel.

MR. BORTEL: Henry Bortel from  
Rockville Centre. I think this gentleman  
here, I guess, is the Republican Chair  
indicated earlier, as I heard him anyway,  
that the Commission is permitted but not  
required to hold public hearings. Is that  
right, sir.

COMMISSIONER BEE: I believe so.

MR. BORTEL: Well, what are you  
required to do since you were on that  
subject?

COMMISSIONER BEE: Well, now is the

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time actually for public comment.

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However, I will comment that it is my

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understanding that we have decided to

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hold public hearings. So once we have

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made that decision, we are required to go

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forward with that decision. So we are

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holding public hearings, taking the input

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of the public, following which each

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commission side will work to create a map

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or maps, ideally jointly and

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bipartisanly, but if not separately, and

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submit our advice. That's all it is

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advice to the County Legislature about

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how new maps should be drawn. And then it

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is up to the legislature to take more

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public input on that advice and to

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ultimately make a decision about what the

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new maps should look like.

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MR. BORTEL: Are the meetings of

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this Commission subject to the open

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meetings law?

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COMMISSIONER BEE: Well, I'd rather

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not be in the position of being your

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attorney, but we are conducting them as

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if they are.

MR. BORTEL: Well, are you saying they are or they are not? Well, perhaps the chairman can tell us.

COMMISSIONER BEE: What my answer was, is that we are endeavoring to conduct them as if they are. But I don't want to be in a position of giving legal advice.

MR. BORTEL: As I indicated, I'm a resident of Rockville Centre. Rockville Centre is a landmark community in Long Island. I've lived there and raised a family there for over 50 years. I was on the Board of Education there. I know the community well. Through some manipulation, I have to say Rockville Centre, which could itself fit within one legislative district, is divided into three legislative districts. And if you look at them on the map, you see this very clear gerrymandering kind of formulation of what the district which was the district saw.

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I'm wondering have the Republican members of this committee or commission at all addressed the issue of the manner in which Rockville Centre has been apportioned along three districts rather than one?

COMMISSIONER BEE: We hope to address all of the communities and the way they are currently divided and the way that they ought to be divided.

MR. BORTEL: But I'm asking if it has even been addressed superficially up to this moment, because I was not able to make some of the other commission hearings. I went to the first one, but I haven't been to the one since then. Have you at all had a discussion in this public forum about the way Rockville Centre is divided?

COMMISSIONER BEE: I don't recall it having come up at any of the public hearings.

MR. BORTEL: Well, I'm raising it.

COMMISSIONER BEE: Thank you.

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MR. BORTEL: I'm asking the members of this Commission, the Republican members at this point, because you've been silent on these matters, if you would comment now about the way Rockville Centre is presently divided and whether it meets with your approval.

COMMISSIONER BEE: The only comment we can have at this point is that we're still collecting information and we hope to look at all of these issues before our maps are drawn.

MR. BORTEL: So then you don't have enough information to form an opinion about the present structure of Rockville Centre?

COMMISSIONER BEE: I am not making any decision at this point in time. I'm waiting to --

MR. BORTEL: Not decision, comment. I think you're asking us for comment without us having any opportunity to see any maps. I'm asking you to comment about the present structure of Rockville

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Centre, an area that is smaller than one legislative district having been divided into three. Would you comment on that?

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COMMISSIONER BEE: I can't comment it or I'm not going to comment on it at this point in time. But we will have, as one of our goals, an effort to maintain communities of interest in an integral way. But we have not yet formulated any final opinion.

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COMMISSIONER MEJIAS: Mr. Bortel, can I ask your question? You've been you've been in Rockville Centre for decades. You've come down to public meetings. You're on the school board in Rockville Centre. You know your community well, your friends, your neighbors. Is how do you feel about Rockville Centre being in one district versus three districts? What do you and your neighbors, what would you like to see happen?

MR. BORTEL: Well, Rockville Centre is one village. It is one school

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2 district. It is a broad variety of people  
3 from different backgrounds. Some of them  
4 been there as long as I have a much  
5 longer and some more recent. It is an  
6 ideal place to be characterized as having  
7 a community of interest. It is the center  
8 of of my church on Long Island, the  
9 Diocese of Rockville Centre, and yet the  
10 Dioceses of Rockville Centre, if you if  
11 you talk about a few graphic area of  
12 Rockville Centre, it's been divided into  
13 three parts. We don't have a unified  
14 voice. We don't have the ability to go to  
15 "a" person on the legislature and say,  
16 you represent us and say this is what we  
17 want; this is what we don't want, which  
18 we ought to be able to do.

19 Now, if Rockville Centre, a landmark  
20 village in Long Island, can be so  
21 gerrymandered in the way it has been  
22 suggested, would be just failing to  
23 accept what the actual obvious facts are.  
24 To say that that is proper, and to say  
25 that that is in compliance with the laws

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of the state of New York with regard to the Voting Rights Act, etc., would be absurd. And I'm asking this Commission, and when I do that, I have to be addressing the Republicans on the Commission. Because, in effect, you're controlling this operation. You're controlling it either by acting or by not acting. And I'm asking you to confront these issues directly and to give Rockville Centre a fair voice, a unified voice on the County Legislature.

COMMISSIONER MEJIAS: So Mr. Bortel, what you're saying is that you and your neighbors in your community would like to have one legislator representing Rockville Centre?

MR. BORTEL: Absolutely.

COMMISSIONER MEJIAS: Okay. Thank you.

COMMISSIONER BEE: Thank you very much.

ACTING CHAIR ALFANO: Thank you.

Kevin McKenna.

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MR. MCKENNA: Good evening, Kevin McKenna. I want to follow up on the gentleman that just spoke before me. All of you on the left side were at the meeting when I spoke calmly about the three legislative districts in Hicksville. I explained to you, I gave you examples, as to how residents in one district were not given information from the other districts. I spent three or four minutes talking about that. Since I spoke at that meeting, have any of you had discussion, and said, you know what, even though we can't stand Kevin McKenna because he calls out all our nonsense, he's right?

Did any of you have any discussion about how blatantly gerrymandered Hicksville is?

Mr. Bee, I'll give you a few seconds. You look a little flustered tonight, especially the last few minutes. You look a little nervous. So have you had discussion and said, you know what?

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What he said, just like the gentleman before me, even though even though we were put here to be obstructionists for the Republican Party, what Kevin McKenna said makes a lot of sense and it doesn't make sense to have three legislators in Hicksville. So I'm going to give you a chance to answer that.

COMMISSIONER BEE: I can assure you that I have no recollection of a discussion in which we said, as long as we're only here as Republican obstructionists, we should nevertheless consider what Mr. McKenna had to say. We don't have that kind of conversation. We do hope to address all of the communities and come up with a result that deals with property --

MR. MCKENNA: Thank you very much. Let me -- because I don't want to lose my time.

Do you realize -- and I give the right side of the room, I give you guys a lot of credit for trying. Everybody come

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in to this microphone asking you why you're not doing this and why you're not doing that is a waste of breath. At the second meeting when I spoke about Hicksville, actually it was a different meeting. Mr. Moroney, who's not here tonight? Can I ask you your name in the in the middle?

ACTING CHAIR ALFANO: Thomas W. Alfano.

MR. MCKENNA: Okay. Mr. Moroney, actually on the record, said to a resident that came up to this microphone, he actually said, we're here to listen to you, but we're probably not going to change anything. That's on the record (buzzer). Mr. Co-Chair, could you just give me 20 more seconds? He actually said that. So my question to you is -- to all of you puppets and mutes, because most of you are mute.

ACTING CHAIR ALFANO: Excuse me, Mr. McKenna. I just ask that you please not --

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MR. MCKENNA: You could ask whatever you want, but I have freedom of speech and I can say whatever I want to say to you. How do you like that?

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ACTING CHAIR ALFANO: Well, so does everyone on this panel have freedom of speech.

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MR. MCKENNA: Correct.

ACTING CHAIR ALFANO: No one is here to be insulted.

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COMMISSIONER MEJIAS: The court reporter can't take two people speaking at once.

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MR. MCKENNA: Do you guys realize social media has exposed you. Do you realize how your reputations are being viewed right now by thousands of people, not just in Nassau County? Do you realize how you're being viewed? Do you realize how how arrogant? You know, a gentleman before said that the people on the right side of the room, they speak with heart. And I've had my differences with them. But they are speaking with heart

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(buzzer). You guys look like fools to the world. Do you realize that? Thank you very much.

COMMISSIONER BEE: Thank you for your comments.

ACTING CHAIR ALFANO: Trustee Noah Burrows from the Village of Hempstead.

COMMISSIONER MEJIAS: Mr. Burroughs, I believe, spoke earlier.

ACTING CHAIR ALFANO: Frederick Brewington, Esquire (applause).

MR. BREWINGTON: I usually give my appearance when I see a court reporter. So I give my appearance to you right now. But first I echo what my brother, Mr. Pernick said. You were placed in a very difficult position and you are a professional. You wanted to know what to do. And I want to just let you know from everybody here that even though there was anxiety in the room, you did still maintain yourself as a professional as hard as it was. And I just want to say thank you to you.

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Mr. Alfano, how are you?

ACTING CHAIR ALFANO: Good. Good.

How are you, sir?

MR. BREWINGTON: I'm good. I'm good.

All right. I have come prepared. And I see there's a wonderful screen there to do a PowerPoint. So I have my my thumb drive. Permission to have the PowerPoint activated, please?

COMMISSIONER BEE: Do you know how long this presentation is?

MR. BREWINGTON: Yeah, it's like five minutes. Not even. Not even five minutes. Can we do that?

ACTING CHAIR ALFANO: By all means, Mr. Brewington. By all means.

MR. BREWINGTON: Who do I give my thumb drive to?

(Whereupon, thumb drive with presentation given to personnel.)

MR. BREWINGTON: Members of the dais, I do have copies for you and I have a copy for Mr. Pulitzer (handing).

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And while that's setting up, let me just tell you what you're going to be looking at. I do think the members of the commission that wanted to provide something that would be educational, because part of what your job is, and I mentioned this last time I was with you, is not only to get information, but also to provide information so that the community is fully and fairly educated about the processes that go into this. And I am not quite sure and, perhaps, my brothers on the left side and my sister on the left side can tell me. I don't know if you've had a good presentation about the Voting Rights Act, but I thought it was important for me, other than someone that may be on the opposite side of a table from you, to provide information about voting rights acts, because that seems to be the subject this evening. I saw Mr. Prenick's a submission and I thought that that was excellent. So and hopefully we'll be able to get get

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this up.

COMMISSIONER MEJIAS: I just feel that I have one objection, just that yours is much nicer than ours. You have graphics in here. This is really nice (laughter).

MR. BREWINGTON: Thank you. I'm sorry, but it only took me seven minutes to put that together.

COMMISSIONER MEJIAS: It's really nice.

MR. BREWINGTON: While we're waiting for that, I just want to make sure that members of the of the dais, since you are in the general area of Freeport and Rockville Centre, that the geographic area. Not only is Rockville Centre divided up between three districts, but Freeport, which has such a concentrated minority community. Let me say that again, Freeport, which has such a concentrated minority community, is divided up in -- and let me just ask any of you know how many districts Freeport's

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divided up into? Four. That is the epitome of cracking. It doesn't become more clear. So what you do is you take the Black and Hispanic population that are communities of interest, that live with each other, that that strive with each other, that lift each other up on a daily basis, and you divide them up so that they cannot impact what's going on in their own communities by electing candidates of their choice. That's cracking.

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Then you've heard a term called packing. Right now, there are three districts, three minority/majority districts. There are approximately 80 to 90%. Packed. Which means that no matter what happens with regard to those districts, their voices cannot be heard any place else. And you say, well, how do those two survive together? The reality is, is that they shouldn't. They shouldn't survive together. And the Supreme Court of the United States has

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said that they can't. So what I'm asking you -- and I'm hopefully we'll get that up if we can. If not, I'll wing it. But I'm asking every member here to stop, as I asked before, and coalesce, meet and talk about what you can do to change the course of history in Nassau County. History.

And Mr. McKenna, well, you know, he's right.

COMMISSIONER MEJIAS: You know, I second that.

MR. BREWINGTON: Give credit where credit's due.

Mr. Bee, you and I talked a lot about things and we discussed the legal issues. There's no way from a rational standpoint that there should be this type of divide. There's no way that there should be no votes on whether or not we're going to allow people to have information. One of the things you just did was prove the point. And I was so glad when Mr. Bee said, let's go caucus.

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Because you made a decision that you could all agree. And the fact that you agreed on a vote to have the record clear, impacts the fact that you made decisions in the past to not allow information to go into the record. That's a problem. That's a real problem. And I'm encouraging you. I'm encouraging you at this point to stop doing this partisan dance; turn the music off. As they say in that movie, turn that racket down, and get to the work that needs to be done.

You can surprise everybody out there in social media land. If you came back tomorrow and said, you know what, I must have hit my head on something last night, but I've come to my senses and I'm ready to let's talk and talk about the processes that are intended to try and lift our democracy up, not separate us one from the other.

There's no reason why anybody should be looking over here and seeing enemies, but that's what's being created. You're

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creating division within communities. You may say that's not your intent, but the reality is that that's what's taking place. All right.

(Whereupon, technical difficulties displaying Mr. Brewington's presentation.)

MR. BREWINGTON: All right, you know what? Don't worry about it. Let me just tell you what you have here.

What you have here is a presentation that talks about what the right to vote is supposed to be. And the Supreme Court of the United States says the right to vote freely for the candidate of one's choice is of the essence of a democratic society, and any restrictions on that right strike at the heart of representative government. That's not Fred Brewington speaking, that's the Supreme Court of the United States in Reynolds v. Sims, citation is in the paper.

Then I provided you in case you

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haven't really had a chance to read it, the Voting Rights Act, Section 2. That's right here in this document, you just flip the page. It's the orange pages, Section A and Section B. I wanted to make sure that as you go into this endeavor and as you provide things to the Legislature, the record to the Legislature, that there's no doubt that you have the information, the actual value of the words that make up Section 2 of the Voting Rights Act. Why? Because when the lawsuit comes, that's what it's going to be based on, in part.

Then Mr. Pernick mentioned about the Gingles factor, the three preconditions. That's here also on this page, and I give that to you so that you understand that:

One, Freeport's a great example. The minority group must be sufficiently large and geographically compact to constitute a majority in a single member district. That's one.

Two, it must be politically

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cohesive. You know that, don't you?

Three, the white majority must vote sufficiently as a block to enable it in the absence of special circumstances, to defeat the minority preferred candidate. That's happened over and over and over again. And those records, those races will be tested.

Last couple of slides. It's a picture of John Lewis. Why do we hold a picture of John Lewis up in this place (applause)? Because New York State, with a lot of help from good advocates, made sure that they named the Voting Rights Act, the New York State Voting Rights Act after John Lewis.

And if you'll remember, I bent my knees like I was --excuse me, Pastor -- getting ready to preach. I had to bend my knees because I can't wait. When that law comes into effect, it will change the face of how we deal with voting rights in the state of New York. And that's, as my friends from Jamaica say, soon come.

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John Lewis Voting Rights Act is then delineated on the pages. Why? So that you cannot say that you weren't not informed that it dealt with voter dilution, voter suppression, voter intimidation, deception, and obstruction.

Then expanding language access and preclearance, which brings back the old Section 4 and 5 requirements under the Voting Rights Act of 1965. Nassau County has an opportunity to do the right thing now.

The last two slides or last one slide is a very simple slide, and this is what I ask you to take to heart. It's a picture of people standing on boxes. And it's about equity. Not equality. The concept of equity and equality has evaded America for a long time. Equity is when people are placed on the right level so that they get a chance to be on the same level. Equality is me giving you \$0.50 and you \$0.50, but you don't get two extra inches. Equity is when I give you

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\$0.50 and \$0.50 and I give you lifts to lift you up. So on these boxes that are on this page, the person in blue starts out looking over the fence. The person in red starts out barely looking over the fence. But the person in purple is not see over the fence. If we are, and that's equality. They're all on the same level. But equity changes the historical components and gives the person in purple two boxes, just like five districts. So that they have a chance to see into and be part of the game. You can't be in and part of the game, unless they are decisions made to make sure that equity is provided to the communities who have been oppressed and violated in such a way that everybody that sees that should simply say I want to change that, and those who don't want to change that will be convinced.

So my PowerPoint is not working, but seems like there wasn't a plan for PowerPoint anyhow. But I'm leaving my my

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PowerPoint for the record, along with the slide show, to make sure once again that you are fully informed and that when you make bad decisions, you have been given information which tells you that your decisions are indeed bad. Thank you.

COMMISSIONER MEJIAS: Thank you, Mr. Brewington. The PowerPoint was working earlier. I really apologize.

ACTING CHAIR ALFANO: Thank you.  
James Hodge.

(Whereupon, Mr. Hodge proceeds to podium singing while using bullhorn.)

MR. HODGE: I do believe that we shall overcome some day. I may not have it -- James Hodge, Long Beach. I may not have it in the right key that you may think I should have it in. But there's been many Republicans, Democrats, blacks and whites that sung that song that came together to make right decisions. When we look at the atrocity that goes on meeting after meeting, it is ridiculous. I'm

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sick and tired. I got a bullhorn. I had to go to the safety aisle because this is a 9-1-1 call. And we've got Nassau County great officers in the back. And we thank God for what law enforcement and the security is here in case there's a safety issue. But there's a safety issue. Do you see it? Do you hear the calls from the Middle Passage to the Amistad? Do you do you hear the black in white people fighting?

Black people have only been able to vote for 57 years. Do you hear? Or are we just appointed to do a job?

Eric Mallette Pastor, I give you great respect. You're a black man, but stand up. You can speak for yourself. He didn't have to tell you that you can't answer to him. You can tell him, "I can't speak about that". That's it. You're a black man and you're a paster and we been through too much. Nobody has to speak for you.

I want everybody to hear the God

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that you preach about every Sunday. I want them to hear when he talks about the people that are being treated wrong. I want you to talk to them about what God is going to do because he going to stir things up. I want you to talk to them.

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Everybody didn't have to walk out if they didn't present something. Okay, sit down. You don't agree with it. You don't agree with it.

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Mr. Devane, I know you a long time. You was a prosecutor and now you're a defense attorney. There's people calling for you to defend them, Chris. You speak well. You won a lot of cases. Win the case for the people, Chris. How could you guys have nothing to say? People are coming in -- I came from Long Beach. How could he speak for you, Pastor? He's bursting at the seams to speak, but he's not going to say nothing. This is not the place. You can say that. This is not the place. And I will say if you've got to get fired, listen to what God is saying,

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because God will give you a job better than all of is. Nobody dictates to us what to do when we serve a God as big as we serve. Republican. Democrat. Nobody.

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Women has only been able to vote for 100 years. Men listened to their mothers and then men went and said their mothers couldn't even vote. Young lady, stand up and speak up. I say to you, there's people heard. Do you care that people hurt? Do you care if people are perishing? Do you care? Let the people hear you say so. This is history. It's going around the country.

As I said before, what would your families think? There were people back then that said slavery was good. Those people back then who said lynching and brought their kids to see it.

There's 19 legislators, not one is Latino. Do you think that's fair and right? Do you think it's just good to get them to do the jobs that we want them to do (applause)?

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Now, I know some of you. And as I said before, you don't speak to me after this, it's all right? God got me. You hear me? God got me. Maybe. Maybe you need to call Long Beach. Maybe we need to show up at some of the houses and let the neighbors know what's going on. Maybe we need to show up with the bullhorn and tell the neighbors what's going on. Because people are hurting.

And as I close up, the decisions that you make, it's not just a simple vote, is votes. Who knows whether you'll be here in ten years. Who knows if I'll be here in ten years. One speak said, you'll find out if the decision was right or wrong. You know they're wrong. There's tons of evidence right now. Pastor, say that you don't want to be on this committee. Because you see the wrong and you still here. Don't be a part of nonsense and corruption. Don't be a part of it.

You're a pastor. That's over people

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lives and you shouldn't be a part of this nonsense. What's going on here? You shouldn't be a part of. Right. And so I put my bullhorn, because we shall overcome. In the midst of all that we've gone through. We are people that rise to the occasion. And so if some don't believe the God that we serve. And I don't know whatever beliefs that we have in here. But whatever you call him, I'm calling on him every night to show a shake up some ground that you walk on. Because God will have the last say. God bless you.

ACTING CHAIR ALFANO: Dr. Emily Moore.

Amen.

(Whereupon, Dr. Moore proceeds to podium singing.)

DR. MOORE: Good evening, everyone. My name is Dr. Emily Moore. I grew up on 114 East Sunrise Highway in Freeport, where Staples was. I'm in the first graduating class of Freeport High School.

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I'm a former Peace Corps volunteer. Kennedy said when I was in high school, I said this before, "ask not what your country can do for you, what you can do for your country". As a citizen of the United States of America, we pay federal, state and local taxes.

Whether it's a Republican in office or a Democrat in office. It's the government and elected officials from the president, the congress, the senators to that meet the needs of all the people. We are considered the melting pot.

I've been all over the world. I haven't been to Australia, I haven't been to China, never been Japan, but I've been to African many times, been to Israel, Turkey, the Canary Islands, Mexico. I've been trained and exposed. And we were poor. My father said, that stuff will get you nothing but trouble.

My sister said, memorize the book. Don't count on the teacher to teach. And my mother said, try your best and do your

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best. But I grew up right down the street. I walked the same schools, was trained and raised by people from every walks of life. So when they said, well, how how did you go to those different countries? You give people respect, they respect you.

My thing is training young people to be all they can be. You are somebody. You have to be able to know that you come to school to get education and listen and learn, read, write. And when you fall down, you get back up.

I'm not going to go on anymore. But the thing is, you got the lawyer. You got the guy from Long Beach.

We put our lives on the line in the 60's. I'm a pioneer in the civil rights -- John Lewis. I've met him many times. He told our class you don't know what time is. You all said no bail, we stayed in prison; a whole week in prison. Arrested three times in Baltimore, Maryland.

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I'm a graduate of Milwaukee. The president said you go down there and get involved in that, demonstrators are going to put you out of school. I was on campus. I said, well, let me move off campus because I don't show up at night, they can put me out of school. So I took two busses to get an education.

That's not the point. I'm an example of overcoming obstacles. Making changes, standing up.

When you talk about losing your job -- I was denied -- I'm a part of the school board now. I told the superintendent when he did that, he said, you know, you're not needed. I did outstanding work. What does it mean when people are afraid?

All for one and one for all. We are people of the United States of America, the United States of America. Do you see what's happening all over the country? It is not about a few individuals -- if I have to pay federal, state and local

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taxes, everybody should have to pay,  
whether it's a Republican or a Democrat  
in office. We have to be fair. We have to  
make a change because he who fails to  
organize, motivate, and educate and train  
his young people, don't blame them when  
they don't measure up or don't blame them  
because you are afraid to say to  
somebody, you can do it. I'm here to  
train and talk to people.

I'm getting ready, go. I missed a  
program at the school. I ran for the  
school board. I ran three years and lost.  
But I told the superintendent, I'll be  
here when you gone. I seen 20  
superintendents come and go in Roosevelt.  
What does it mean that if you don't train  
and educate children -- and I got over  
five generation of kids, they all over  
the country doctors, lawyers, engineers.  
Why I told them, you can be smart if you  
work hard and you demonstrate yourself  
and don't give up when the going gets  
tough. That's all I have to say.

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I stayed here tonight. I will help you with some children tonight because that's where I put my time. But you have children. You're the future. It's up to you. This country. The world is waiting for America. Not white folks or black folks. United States of America, the people of the United States to come together and do what's right for the world. Because you are you making decisions that's going to reflect the whole world. Everybody's watching. I've been all over (applause).

ACTING CHAIR ALFANO: H. Scottie Gourdine-Coads.

MS. GOURDINE-COADS: Good evening, Commissioners. You've seen this face. This is the third time. The message is basically the same. I can't follow Mr. Hodge. Mr. Hodge gave it to you like you really deserved to get it.

To the commissioners, Chairman, and to those of you that spent hours on end to bring to our communities information

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that hopefully will help many of us understand the redistricting process.

I also must thank all of the organizations and individuals who diligently attend these hearings expressing their concerns on how terribly our community are constantly being disenfranchised.

My community of black and brown people are sick and tired. Sick and tired of fighting for the things that other communities automatically get without a fight. Without a fight. No matter how much we talk. No matter how much we present, no matter how much we fight, it never ends for us.

In my last statement to this body, I requested that the lines should be drawn to include five minority/majority districts. That was spoken of quite a few times tonight. We know the population has increased over ten years because we can just look at the community and see the growth, but yet we only deal with three

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minority/majority districts.

My request is on the basis of how much our communities have grown since the last ten years. This can be done without interference of the present three districts. Don't touch the three districts, add two more.

In addition, let me speak about gerrymandering briefly. Gerrymandering of the lines will be watched closely by our communities. Please know that things have changed in our communities. We all are aware that these lines drawings are not as it was 50 or 60 years ago. People of our community are aware of the trickery and the blatant tact the Conservatives have used in the past (buzzer). I say conservatives and progressives because I represent the strong 113 year old NAACP, and I don't speak on parties.

Residents attending these hearings are tending to see what your move will be and what bipartisan effort is being put forth to give our community what it

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deserves to get. Let's show those lines to the public so we can show the lines. What's taken you so long? Four hearings and you still haven't produced the maps? Let's show the lines. So the public can begin to see that government work for us as well as other communities.

I beg of you. I don't believe I used that word. Draw the lines with fairness With fairness. We are people too. We live here. We work here. We raise our children here. We pay high taxes here in Nassau County. We do the same thing that other communities do.

And so, to let you know, we are tired. When we say tired, we are tired of fighting for everything that we are entitled to get without a fight. And that's across the country. New York is no different, as a matter of fact. We're seeing things in New York happening that we didn't see ten years ago. Yeah, you draw the lines terribly ten years ago and we had to live with it. But this time we

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are going to see you wherever we need to see you. And if it's in court.

(Whereupon, addresses the public.)

MS. GOURDINE-COADS: Everybody listen: Whoever here we intend to see you follow the progressives to court if they have to. And that's what we will do. This is no joke. We're not playing. We're not playing. Everybody in this room understand what redistricting is. And if they don't fully understand, they know when they're being mistreated. We all know when we are being mistreated. And so. Again, do the right thing. I say to you, be fair when you draw the lines. We want to see them and we're not going to approve everything that you draw, because I know you're going to gerrymander like you don't believe. Yeah. I'm upset. And I'm tired of fighting, fighting, fighting for what we are entitled to having: Fairness in our communities. Thank you.

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ACTING CHAIR ALFANO: Thank you.  
Janna Rodriguez.

MS. RODRIGUEZ: My name is Janna Rodriguez, and I am a lifelong Freeporter, a small business owner, a committed educator and a human being at heart, and I would like to echo the sentiments of the residents who have spoken before me. It seems, and it is critical that we, the people are told who are drawing these maps, because we understand the importance of transparency and we understand what equity is about.

I would like for the Commission to provide adequate time when it comes to the people being able to view these maps, which we understand is a constitutional and fundamental right.

As I've stated before, as a lifelong resident, I sat in this audience today and watched each and every one of you, those who spoke and those who didn't, be reflective of the type of leadership that I, an active voter, understands the

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2 importance of. And so for me, being part  
3 of this millennial generation that is  
4 becoming powerful with our movement of  
5 being part of the process, it is critical  
6 that you take into consideration that the  
7 communities of color are being impacted  
8 the most. I am a reflection of this  
9 community. And as much as I'm looking at  
10 every single one of you that is sitting  
11 on that stage, I don't see the diversity  
12 that I wish to see. And I understand the  
13 importance of bipartisan and working  
14 alongside everyone to be able to do  
15 what's right for all communities, not for  
16 some, not for any political gain, but to  
17 truly, truly respect our fundamental  
18 right of protecting our right to vote.

19 And I would just like to say that I  
20 was saddened when you got up and you  
21 walked off the stage. Because I actually  
22 believe being here at my first hearing,  
23 as much as I'm involved in the community,  
24 I would think that we would be respectful  
25 enough to honor everyone here and to

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honor yourselves. And as disappointed as I am, I am hopeful that you will understand the importance of being fair when it comes to drawing up these maps and letting the public know who is drawing up these maps and again, providing the adequate time for the public to be able to look at these maps.

That one hour timeline or window that you are providing is going to continue feeding the systemic and racist system that continues to plague our communities every single day. And as much as I can't preach like the ones that have went out before me, what I can say (buzzer), is that I am committed to serving my community, and I'm committed to doing everything that I need to do to ensure that our future, those that will come after me, have the right to vote. Because that right was fought for, for so many years. And even today it is still up for debate if it's a constitutional right for -- in the view of some not in the not

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in the view of the law, and I am not an attorney.

And so I would just like for each and every one of you to please take into consideration your important duty, your duty to support all communities, and your duty to be reflective of the way that I view Nassau County, because I view Nassau County as a diverse, inclusive, accessible county that allows for everyone to have an opportunity to thrive. And as an educator, a committed educator, I understand the importance of our black and brown children. And their lives are at stake today. And so I am here when I was supposed to be at another meeting because I understood the importance of not just my presence, but hearing from each and every one of you. And so I think those that have provided the adequate information regarding what this process entails, because not everyone does understand that process, because access to information is

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inaccessible in communities of color.

And so we thank you. I thank you.

And for those that have been silent, I am not here to speak ill of you because I do not know you. But I can only judge you based off of your actions tonight. And what I can say is that it isn't the leadership that I would like to see lead such an important cause, such as this one, because you have the future of our world in your hands right now, and we have to do something. And if you don't do anything about it, then we have to stand up and be able to to do something because it seems like nothing is being done. And this is my first meeting.

So I just would like to thank each and every one of you and to please, please remember that there are children that are watching and believing in the American dream. And those dreams are being shattered every day because of the fact that this gerrymandering is happening across all states across this

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country when it comes to voting rights.  
And it is a fundamental and it's a  
constitutional right. Thank you  
(applause).

ACTING CHAIR ALFANO: Susan Cools.

MS. COOLS: Good evening. I would  
just like to make a few points.

First and foremost, I certainly hope  
that there is going to be a full  
investigation into Mr. Rogers possibly  
losing his job simply for utilizing his  
First Amendment rights. And if that, in  
fact, is what happened, it's disgusting.  
And anybody who had any part in that  
should reap the ramifications that would  
justly go with that act. That is  
horrible. And it's a slap in the face to  
everything that we are supposed to all  
stand for and that our country is  
supposed to stand for.

And speaking of a slap in the face,  
anybody that could even so much as  
propose that an hour be given for the  
voters to review something as important

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as what we are talking about, that is nothing but disrespectful and an absolute slap in the face to every one of us voters.

And then I'd like to say that I am currently the president of the Baldwin School Board, and I can tell you that every time there's been one of these meetings, we received the e-mail late afternoon, the day before the meeting. So, you know, that's not hearsay. That is exactly what is happening.

And then the last point I would like to make is actually not to you guys. It's to everybody out here. It is absolutely time that we stop putting our power in the hands of politicians that care nothing about us. They care only about party lines because we need to all realize it's 2022. And I don't know if you've ever heard the term crowdsourcing. Every single one of us has the ability to go out. And it's our duty. And we should be doing it. Speak to five people. Tell

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them what is happening and tell them why

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it's important to them and how it will

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affect their lives. People don't

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understand. They don't understand these

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things are happening. They don't know how

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it might affect their lives. We do. Let's

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go tell them. You tell five people.

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They'll tell five people. Get on your

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social media. You make a post about it.

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How many people in three minutes time

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will see that? A lot more than five. Then

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they'll share it. Then they'll share it

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in a matter of a couple hours. You can

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inform a thousand people about what's

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going on. That's where the power lies.

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And that's what we have to do.

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COMMISSIONER MEJIAS: Thank you.

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That was that was very cool. And I you do

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make a good point. I would say that it is

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ironic that, you know, my Republican

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colleagues wanted more time to review our

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PowerPoint, and they're going to give you

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to review the maps.

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ACTING CHAIR ALFANO: Dewy Smalls.

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MR. SMALLS: Thank you very much for holding these meetings. Transparency is very important. You need to hear from us. You need to see us. We need to see you. But I also want you to recognize something that's important to me that I've been sensing and feeling for a long time doing this political stuff.

It's important for you guys to recognize that I'm not up here complaining that I'm a black man and you're not giving me a break and you're turning me away. I'm not saying that, but I am saying this. I have experienced on a consistent basis, the inequity when it comes to voting in our communities. And I say that. Because I've seen from this past mayoral election: Closed polling sites to damage his opponent because that opponent, that was the area where their votes were. But he closed the polling site and he cited that, well, it's for COVID 19, but we're going to make you walk a mile and a half to the free rec

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center, get on public transportation and go vote. We're always struggling with this issue and it's and it's communities of color. Why? Why is it just us?

I'm afraid, literally afraid. After January 6th, I may wake up one day and you just say, the voting rights, nix that. We don't need it anymore. I'm afraid of that. Because it's true. After what we saw. After what we've seen. How am I to interpret this?

I believe in you guys. I believe you will do the right thing. Everyone should be able to participate and not feel that this right is taken away from them or they're going to be challenged.

I've seen at polling locations where the person didn't speak English and they made the person feel bad because they couldn't speak English. It's not their fault that they came to this country. We all came to this country. But let's just be fair. Stop being greedy. Both sides.

We want to participate. We want you

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to lead us there. But if you keep doing stuff like this -- and I'm sorry, walking out like that, that was just a childish move. That was just -- why? Because you want to go like, hey, guys, let's not listen to them. No, you sit there and take it because you're in that position. And we want to support you.

But as a black male in this country, I'm tired of this. Please understand. I'm not whining to you, but I'm tired of this. We deal with this every year. Why? I'm going to sit and listen and and debate and have conversations. Go out, have coffee. Come on. It's only voting. We all want to be counted, and when you're not counted, you can't participate (applause).

ACTING CHAIR ALFANO: Donovan Ligande.

MR. LIGONDE: Hi. My name is Donovan Ligonde. I am a senior in Freeport High School. And I just wanted to ask a question that I just feel like dying to

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answer. More specifically to the people that voted no for that hour versus one week. I just wanted to ask why one hour versus one week? I'm not really sure how it's fair to the public, how they only get one hour to look at the maps instead of more than one week even, more than one week, maybe two weeks or more time to like look at the maps and check them out. So can you just tell me why?

COMMISSIONER BEE: I don't know whether you were here for the entire evening, but I had mentioned before that all we're doing right now is saying that we don't want to fix any new timeline at this point in time. It has already been said that the tentative schedule is subject to change. So I'm expecting that there will be some modifications, but it's not the time to set a new schedule yet.

MR. LIGONDE: Okay. So, are you just saying that it's not the time to have the people use more time to look?

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COMMISSIONER BEE: Well, this is an overstatement to make the point. But remember, it's the County Legislature that draws the new maps, not us, the County Legislature. We're asked to give advice to the County Legislature on what we think the maps should look like. Once the County Legislature gets our advice, they hold more hearings and they ultimately can reject what we do. They can accept what we do. They can modify what we do. They're starting in a way, from scratch. They have our advice, but they are free to write whatever maps they feel are appropriate and they have their own hearing process, at which point in time, the public will once again be able to comment.

This process, again, I'm overstating it to make the point, is a process in which the Commission is supposed to give advice to the Legislature, and that advice in part comes from hearing from the public: What changes do you think

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ought to be made with the way things are currently? Do you want a particular village kept together? Do you want a particular line split apart? Should a line in a given district be moved more to the east, more to the west?

Once we hear from the public as to what changes you would like to see in the existing maps, then we do our own study, our own discussion, our own conversations, our own consultation with lawyers, mapmakers. And we ultimately say, all right, we've heard from the public. We've done our internal consultation: Legislature, here's what we think the maps ought to look like.

Then it's up to the Legislature again to take those maps and send them back out to the public for hearings and ultimately decide what map to adopt.

COMMISSIONER KASSCHAU: We can do better than that, I submit to you. If our job is to, as Mr. Bee had said, is to provide to the Legislature our

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recommendations with respect to the maps, our recommendations are best informed if the public has a meaningful opportunity to review the maps well in advance of the time that they're submitted to the Legislature.

So for my colleagues on the other side of the table to say that they're not going to vote today to afford the public more than one hour because they're not comfortable with the schedule, it should be at least more than one week. We should have that vote now so that the public is ensured that they are at least going to have one week to consider these maps. We can do better than simply saying, here, Legislature, do what you want.

I want us to come up with a bipartisan plan, if we can, that is well-informed, that includes all of the public comment that we can muster and present it to the legislature, because that is the best product that this board can produce. To just go through the

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motions and have one hour of  
contemplation over very important maps,  
as everybody here well understands, is  
ridiculous to me.

MR. LIGONDE: Thank you.

COMMISSIONER MEJIAS: Well, just  
just to say just to tell you how  
important it is. Why is your county  
legislature important? Because your  
county legislator is in charge of a lot  
of different stuff: Your roads, your  
parks, Nassau University Medical Center,  
Public Safety, and the police -- who are  
here tonight, by the way, and I just want  
to thank, you know, Nassau County finest  
for being here tonight. We haven't seen  
you at the meetings before, but we're  
glad you're here tonight. Thank you for  
coming tonight. We really do appreciate  
it. Hopefully, can come to the next  
meeting, too. You've been missing out on  
so much, I can't believe you guys haven't  
wanted to come down to more these  
meetings.

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So public safety is important, you know, whether or not your roads are paved and how they're patrolled and your public safety. Your county legislators have a big impact on that.

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So the difference of, you know, majority/minority communities having five versus three legislators out of 19 is a tremendous difference. It could mean bonding, borrowing money that you're going to have to pay back with your taxes when you get older.

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So we really do appreciate you coming down, you know, and hopefully you'll bring some of your classmates with you. It's probably I hope you did your homework, it's after 9:00 tonight. So thank you for coming down. I do appreciate it.

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COMMISSIONER PERNICK: I have a quick question for you. Did you did you say that you're a senior here at Freeport?

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MR. LIGONDE: Yes.

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COMMISSIONER PERNICK: And how old are you?

MR. LIGONDE: Seventeen.

COMMISSIONER PERNICK: So you're here at 17 years old, giving us your evening to testify. I just want to thank you for not only testifying, but hitting on one of the most important points in this hearing. Thank you (applause).

MR. LIGONDE: Thank you.

COMMISSIONER PERNICK: Thank you for being here. And it's especially important because this process is going to affect you and your generation more than anybody else here, because this is going to be a map that exists for a decade, for the next ten years of your life in everybody's lives. But it's your future. It's the future of the other 17-year-olds, 18-year-old seniors of Freeport and in high schools across the county. So thank you for speaking out for for for the next generation. I really appreciate it. And I think I speak for

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everybody when we thank you for your time today. Thank you.

ACTING CHAIR ALFANO: Thank you.

Is there anyone else who would like to be heard? Those are the only slips that we have.

MS. WRIGHT: Linda Wright. I just want to say this heartfelt thing. You know, January six changed me. I always felt there were two sacred things. The church we worship and our capital. For that to happen even now when I think about it, it brings me to tears because I've had military people in my family. The last one was my brother. The younger ones, you know how they are.

But anyway, I just want to say I would love and I would embrace New York if we would be the leaders. New York is extremely powerful. We here in New York can show the rest of the world how it's done, and it will truly change the way government is being run right now.

I'm begging you to stay away from

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the political mayhem that has occurred in  
this country. Thank you.

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ACTING CHAIR ALFANO: Thank you.

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Thank you. Is there anyone else?

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MR. BOONE: Hello. How are you? Good

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evening, everyone. My name is Kevin

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Boone. I'm a Village of Hempstead

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trustee. Nice to be here.

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I've been at maybe three of these

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meetings. We just keep hearing the same

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thing over and over again. It really

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seems like one side cares; one side

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couldn't really give, excuse me, a damn.

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And everybody keeps going back to

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fairness. And I hope you can sleep with

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yourselves at night with one group of

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people trying to do the right thing. It

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seems like some of you may be on the

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fence. Some of you may want to do the

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right thing because a part of you don't.

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Again, I hope you just do this with

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fairness in the way the lines are drawn,

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because it affects everybody. And it

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affects you. It affects your kids, like

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you said, ten years from now.

So really think about what you're doing because what you're doing could backfire and backfire on your own, your own children, your own relatives when you go against doing the right thing.

So, again, I'm just coming here and asking and praying that you work together and doing the right thing for everybody in this room, everybody in Nassau County. All right. Thank you very much.

ACTING CHAIR ALFANO: Thank you.

MS. PIERRE-JOHNSON: My name is Mimi Pierre-Johnson from Elmont. And I wasn't going to say anything because I can't wait. I'm salivating when you all come to Elmont. But when I saw Tom Alfano sitting there. I was actually very happy because for those of you who don't know, Tom Alfano, you used to be my assembly person. Have you seen Elmont? You seen what happened to us? You left right before I think the Republican Party went crazy. And I just need you to tell your

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party how wonderful of representation we used to have in Elmont before you left.

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You used to speak to Democrats, Republic -- It didn't matter. The thing that was important to you was your district. How are the schools? Used to bring us a lot of money, a lot of funding for our schools. When you left, they took us to Queens. You used to care about our roads; have you seen our roads? Used to care about the garbage; have you seen the garbage? We used to have this street sweepers come twice, at least. I barely see one. Last time I saw one, I took a picture.

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Things have gone really badly because our parties have decided that there are going to be partisan. I hope that seeing you here means that there's a glimmer of hope that you said. Uh-uh. We're going to start working the way when I was a politician.

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I don't know where you have been, but it was really better when you were

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around. So as your former constituent, please speak to that side. I don't know them, but I know you, and I appreciated the way Elmont was.

And I hope, I sincerely hope, the the first Republican that invited me as a Democrat to Women of Distinction at Clara Carlson's Cafeteria. You did that. You didn't care whether I was or not. Things changed when you left. And what we see here, that's what we get all the time.

I'm a little older, a little bigger, but a little wiser. And I'm telling you, I know my stuff now. And I'm asking you to please, to talk to them. Look at Scottie. Do you remember Scottie?

ACTING CHAIR ALFANO: Of course I.

MS. PIERRE-JOHNSON: Do you remember her?

ACTING CHAIR ALFANO: Of course I do.

MR. BOONE: So the next time this happens, I'll be 70. So that's why when a previous speaker said that he doesn't

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want -- this has to stop. And I shouted

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out. I said, Yeah, it is going to stop.

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Because I don't intend to do this again

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when I'm 70. The young people, we're

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teaching them now to do this.

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But I have hope seeing you sitting

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there. So please don't act like them.

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That was not the elected official you

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were. I loved you then as my

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representative. You were one of the

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reasons why I got involved in community

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work and bipartisan work. Until this day,

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I still work bipartisan. But what I'm

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seeing here and what I'm seeing across

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this country now, that's garbage. And

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we're not going to stand for it anymore.

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We're wiser and we understand

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redistricting.

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So I thank you. And I hope, I hope

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you remember the day's back and bring it

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back to your party because they need you.

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Thank you.

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ACTING CHAIR ALFANO: Thank you.

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COMMISSIONER MEJIAS: Thank you. And

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for the record, I was surprised that I was happy to see you too, Tom.

ACTING CHAIR ALFANO: I'm an accidental participant as as you all know, the chairman is ill.

But is there anyone else who would like to be heard? And by the way, Miss Johnson, I really appreciate those kind words. And I wish my sainted mother was here to hear it. And I'm sure she is. Within the with the number of reverends in this room and people of faith. I'm sure she is here. But thank you.

MR. ROBBINS: My name is Charles Robbins. I'm from Roosevelt, a little small town, one square mile. And we suffer all the time. Everything that other communities have, we don't have. Because the way how you got that map, we can't vote. Our vote don't mean nothing. Don't mean that one thing.

Well, anyway, listen. What I'm saying to you is that young man that we see, that 17-year-old, he's the one that

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going to be ruled by the decision that you make. Now, I don't know. Maybe you don't have children. The black, the brown, white, they all together now. And they talk. They do not want to be given anything. They want to earn it.

I coached football for 20 years. And the black teams and the white teams come together. First down, second down. I don't want you to give me anything. I want to earn it. Don't make these maps where you would embarrass your children later on in ten years because they're going to see. Daddy did this because of my color. Daddy did that because of my color. You're talking black and white.

Listen, these kids are not separated anymore. So now you don't do the right thing. They're going to let you know. You know, when your kid goes in his room closes door and you ask him, no, Daddy, you can't speak to me because you did this. You make my friend angry. He told me about it. I couldn't get this because

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of that.

    Come on, now. This not the 1920s.  
You. This is not the 1962. You got to be  
fair. If you don't be fair, you're going  
to pay. Now. I mean, you can look at me  
and think I'm crazy if you want to. I'm  
telling you, your daughter might marry  
one of the black friends. I'm telling  
you, that's that's the way it rolls now.

    So now you can act like this is not  
-- you have the power to change all of  
this? The young man came here preaching.  
God is real. And he worthy to be praised.  
If you don't see it -- I mean, you could  
stand on the other side of the fence if  
you want to, but he's real.

    Now, if you don't believe that your  
child and my child and all the rest of  
the children, they are not like the 1962  
and the 1970 children. They are  
different. They don't want you to give me  
nothing. I want to earn it. They don't  
want you to build a map where all of  
these people over here get it and all of

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these people don't. They don't want that  
no more.

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The ones that has the responsibility  
of setting this straight, take that  
responsibility. Stick to your chest out  
and say, I did that. Don't hide behind.  
This type of situation is because this is  
not right. Make a map where it'll be fair  
to everybody.

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The voters. Our people died to vote.  
I remember my father -- I'm from Georgia  
myself. My father used to come home told  
me, hey, you know, he gave me a bushel of  
apples, man, to vote this way. I mean,  
what is this? Come on. This is not like  
that. No more. Everything is gone.  
That's over. We are educated people  
today, and we can earn our living. Give  
us an opportunity and you'll see. I mean,  
the world is turning. Thank you.

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ACTING CHAIR ALFANO: Thank you.

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COMMISSIONER MEJIAS: Thank you.

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ACTING CHAIR ALFANO: I think that  
closes our public hearing of for tonight.

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I want to thank everyone for being here and braving the elements and being heard. And believe me, you were heard, each and every one of you. And I think I speak on behalf of all the members up here when I say thank you, truly thank you for lending your opinions to this very important process.

If there's no other business, I move to adjourn.

COMMISSIONER BEE: Well, I'm not sure you could make the motion, but I'll make the motion. And I believe it's going to be seconded.

COMMISSIONER MEJIAS: Seconded.

COMMISSIONER BEE: And all those in favor?

(Whereupon, all members of the Commission respond in favor.)

(Whereupon, the above matter is adjourned, 9:18 p.m.)

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C E R T I F I C A T E

STATE OF NEW YORK            )  
  :  SS.:  
COUNTY OF NASSAU            )

I, KAREN LORENZO, a Notary Public for and  
within the State of New York, do hereby  
certify:

That the above is a correct transcription  
of my stenographic notes.

IN WITNESS WHEREOF, I have hereunto set  
my hand this 13th day of October, 2022.

Karen Lorenzo

KAREN LORENZO

| <b>\$</b>  | <b>3</b>  | <b>A</b>  |  |
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