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— Redistricting Task Force —



MINKWON CENTER
For Community Action



Caribbean
EQUALITY PROJECT
ADVOCATING FOR CARIBBEAN LGBTQ+ VOICES IN NYC



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THE HOPES AND
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Academy of Medical
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Asian American
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CACF
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WOM | Woodside
ON THE MOVE



May 18, 2022

By Electronic E-Mail

Honorable Patrick McAllister, Acting Supreme Court Justice
Dr. Jonathan Cervas, Special Master
Steuben County Supreme and County Court
4 East Pulteney Square
Bath, New York 14810

RE: *Tim Harkenrider et al v. Kathy Hochul et al*
Index #: E2022-0116CV

Comments to Special Master Draft Congressional and State Senate Maps

Dear Judge McAllister and Special Master Cervas:



We have extensively reviewed the Special Master's draft Congressional and State Senate maps and appreciate the limited opportunity the Court is giving the public to comment on them. We recognize that the Special Master has in certain districts kept Asian American communities of interest together. In other districts, we have important concerns and suggested changes that we hope the Special Master will seriously consider and deem reasonable in order to keep our communities as whole as possible and to be compliant with the Voting Rights Act.

Special Master's draft Congressional Districts

With respect to Brooklyn and Manhattan:

Our major concern is the way in which CD 11 and CD 10 are drawn that will dilute the voting power of the poorest and most vulnerable Asian American communities in Manhattan and Brooklyn. Since 1997, Manhattan Chinatown and Sunset Park have long been recognized by the federal court as a community of interest. See *Diaz v. Silver*, 978 F. Supp. 96 (1997). Ample evidence and expert testimony in that litigation and before the recent Independent Redistricting Commission maintained that these two neighborhoods are a strong community of interest. Indeed, it is well documented that Sunset Park's Asian American enclave was an outgrowth of Manhattan's Chinatown with immigrant jobs, culturally sensitive services, a shared culture and the "N" subway transportation lines connecting the two neighborhoods. Indeed, it was the "N" subway train filled with Sunset Park residents, many high school students, traveling to Manhattan that was the target of the recent shooting, injuring 23 passengers. The majority of New Yorkers do not own cars. Indeed, for the recent ½ day hearing this Court held on May 6th, four of our task force members rented a car to travel 12 hours round trip and another task force member took public transportation to Bath, New York because none of us own a car. The subway IS the major mode of transportation for New Yorkers who don't have a car and it IS the various subway lines that connect us to the many neighborhoods in New York City.

Moreover, according to the 2000 Census and American Community Survey (2015-2019), Sunset Park in 2019 had a poverty rate of 18.1% in stark comparison to Staten Island's 8.3%. Add to that major differences in languages predominantly spoken, educational levels, immigration history, and cultural practices, Sunset Park and Staten Island are polar opposites. Less integrated into mainstream society than those residing in Bensonhurst, we urge you to keep Sunset Park and Manhattan Chinatown together in CD 10 and move more of Bay Ridge and Bensonhurst into CD 11.

We had a long and protracted fight in the courts to successfully keep Manhattan Chinatown and Sunset Park together as a community of interest. With the economic impact of Covid-19 and



the glaring and fatal rise in hate crimes against Asian Americans in these two communities, it is imperative that they remain together.

With respect to Queens:

We support Woodside, Jackson Heights, Elmhurst, and Flushing in CD 6, and ask the Special Master to please seriously consider including more of the middle of Bayside into CD 6 and move the section of Queens Village/Bellerose in CD 6 to CD 3. This is a win-win situation. Queens Village/Bellerose will be kept whole and that section of Bayside which has multiple shared interests with Flushing can be kept together. Those shared interests include family, work, jobs, places of worship, food, and shared culturally sensitive services. The testimonies before the Independent Redistricting Commission of Kevin Cho, Assistant Director of Korean Community Services, John Park, Executive Director and Sandra Choi, Civic Engagement Director of MinKwon Center for Community Services highlight these shared interests.

We support Richmond Hill being kept whole in CD 5.

Special Master Draft State Senate Districts

With respect to Manhattan:

We support the Special Master's creation of SD 27 that keeps Manhattan Chinatown and the Lower East Side whole.

With respect to Queens:

We recognize that the Special Master has kept SD 16 a majority Asian American district, but we are concerned that SD 11's voting age population has decreased from the current lines especially given the documented 29% increase in the Asian American population in Queens. We ask that the Special Master please consider including more of Bayside above Oakland Gardens into SD 16 as this area has more shared interests with Flushing. To offset this change, we suggest moving the Hillside corridor in SD 16 back into SD11 if doing so would not decrease the Asian American population in SD 11.

We support the Special Master's creation of SD 15. We recognize the Special Master's effort to keep Richmond Hill/South Ozone Park community of interest whole. To minimize the impact of Richmond Hill being divided into three districts, we ask the Special Master to please consider including more of Richmond Hill to the east and less of Maspeth into SD 15.

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We support the Special Master's creation of SD 12 that keeps the Asian American communities of interest in Woodside and Elmhurst whole.

We support the Special Master's creation of SD 13 that keeps the Asian American community of interest in Jackson Heights whole.

With respect to Brooklyn:

While we do believe the historic creation of the first ever majority APA State Senate District in Brooklyn given our increased population and the Voting Rights mandate is doable, we support the Special Master's creation of a strong plurality SD 17. However, we ask the Special Master to include more of Sunset Park and less of Bay Ridge into the district. Sunset Park has much more in common with Bensonhurst than Bay Ridge for the reasons articulated in the testimony before the Independent Redistricting Commission of Dr. Wah Lee; Mon Yuck Yu, co-founder of Academy of Medical and Public Health Services; and Karen Zhou, Executive Director of Homecrest Community Services. These commonalities include shared transportation lines, language needs, public safety concerns, culturally sensitive services, and affordable housing, to name a few. Moreover, by doing so, the district will mirror the Unity Map, both maps submitted by the Independent Redistricting Commission, and the New York State Legislature.

Even with the Court's tight deadlines, we believe all of the suggested changes above are important, reasonable, and doable to make especially because of the documented 43% and 29% growth of the APA community in Brooklyn and Queens respectively and expected continued concentration in these areas with each subsequent year. The stakes are enormously high and these lines could be in effect for the next ten years. As history has shown, a LOT can happen in ten years where the power or lack thereof to have our voices heard can have life altering consequences.

Sincerely,



John Park, Executive Director
Sandra Choi, Civic Participation Manager
MinKwon Center for Community Action
133-29 41st Avenue, Suite 202
Flushing, New York 11355



Wayne Ho, President & CEO
Chinese-American Planning Council
150 Elizabeth Street
New York, New York 10002

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— Redistricting Task Force —



Sudha Acharya, Executive Director
South Asian Council for Social Services
143-06 45th Ave
Flushing, New York 11355



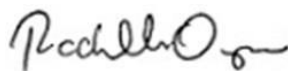
Thomas Yu, Co-Executive Director
Asian Americans for Equality
2 Allen Street
New York, New York 10002



Kevin Cho, Assistant Director
Korean Community Services of Metropolitan New York, Inc.
203-05 32nd Avenue
Bayside, NY 11361



Aminta Kilawan-Narine, Founder & Director
South Queens Women's March
84-39 153rd Ave, Unit 6A
Jamaica, New York 11414



Rachelle Ocampo
National Federation of Filipino American Associations
New York Chapter



Mon Yuck Yu
Co-Founder
Academy of Medical and Public Health Services
5306 3rd Avenue, 2nd Floor
Brooklyn, New York 11220



Mohamed Q. Amin, Executive Director
Caribbean Equality Project
P.O. Box 200248
Queens, New York 11420



Jaclyn Reyes, Organizer
Little Manila Queens Bayanihan Arts
Queens, New York

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— Redistricting Task Force —



Annetta Seecharan, Executive Director
Chhaya Community Development Corporation
37-43 77th Street, #2
Jackson Heights, New York 11372



Jerry Vattamala, Director of Democracy Program
Asian American Legal Defense and Education Fund
99 Hudson Street, 12th Floor
New York, New York 10013



Mae Lee, Executive Director
Chinese Progressive Association
230 Grand Street, Room 504
New York, New York 10013



Don Lee, Executive Director
Homecrest
1413 Avenue T
Brooklyn, New York



Brianna Cea, President
OCA-NY Asian Pacific American Advocates
P.O. Box 3233
New York, New York 10008



Beatrice Chen, Executive Director
Immigrant Social Services
137 Henry Street, 4th Floor
New York, New York 10002



Anita Gundanna and Vanessa Leung, Co-Executive Directors
Coalition for Asian American Children and Families
50 Broad Street, 18th Floor
New York, New York 10004

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— Redistricting Task Force —



Jagpreet Singh, Interim Political Director
DRUM - Desis Rising Up & Moving
72-18 Roosevelt Avenue
Jackson Heights, New York 11372



Victoria Leahy, Chief of Staff
Woodside on the Move
51-23 Queens Boulevard
Woodside, New York 11377



Ansen Tang, Executive Director
United Chinese Association of Brooklyn
1787 Stillwell Avenue
Brooklyn, New York 11223



Yang Chen, Executive Director
Asian American Bar Association of New York
45 Rockefeller Plaza, 20th Floor
New York, New York 10111