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

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

I know residents throughout New Jersey are disappointed that due to the new Census numbers, we are being forced to lose one Congressional district. This loss could potentially hurt our state’s influence in Congress and reduce federal support for our great state. This commission has a tough task ahead of it as it crafts a map that is fair and is in the best interests of the people of New Jersey.

Clearly, there are basic tenets that must be followed as you design a new map. One-person-one vote will ensure that congressional districts are divided according to population, so that each person has an equal amount of representation in their government. I understand that compactness of districts and contiguous borders are also standards the commission will look to utilize. Continuity of representation will help ensure that people can continue to feel connected to their elected officials. And a politically fair map, that represents the political leaning of the state, has historical precedence and just makes common sense. After all, fairness is why our state has a non-partisan commission, rather than an executive or legislative driven process as other states have.
The reason I have come to speak to you today is to speak about another significant criterion the commission should look to: "communities of interest." As the Mayor of Prospect Park, I can attest that our town, along with others including Haledon, Woodland Park, Totowa, Paterson, Clifton and the City of Passaic, all in the heart of Passaic County, are communities closely related in many aspects. These towns are closely aligned and are populated with working class New Jerseyans in a historically industrial area. This "Greater Paterson/Clifton/Passaic" region is a contiguous and united community which should not be split up as the new map is designed for New Jersey.

I believe that Passaic County does not get the respect it deserves for its history, culture and natural beauty. Too many people forget that Paterson, Clifton and Passaic are in fact the 3rd, 11th and 15th largest cities in terms of population in the State of New Jersey as measured by the latest Census figures. Furthermore, those three cities and the surrounding community have a burgeoning and interrelated minority population. The total population of this urban center is over three hundred thousand people. Approximately twenty percent of the Greater Paterson/Clifton/Passaic population is African American. Much of the population are immigrant communities, either first, second or third generation. About half of the Greater Paterson/Clifton/Passaic population is of Hispanic origin. New Jersey is regarded as perhaps the most diverse state in the nation and our shared community in the heart of Passaic County exemplifies this ideal.
Clearly this commission must consider the Voting Rights Act in its deliberation especially in regard to majority-minority districts. But I believe strongly that even if any one ethnic population cannot create a majority of one district -- that we must have a new map that holds intact diverse populations within a clearly shared community. As I stated, our community in the heart of Passaic County is closely related in many of the aspects that you will take in to consideration and should not be divided.

Let me conclude by mentioning that among this “community of interest” is my own community, composed of hundreds of thousands of Arab and Muslim Americans living in the State of New Jersey. The Arab and Muslim population in the Greater Paterson/Clifton/Passaic region is in fact one of the largest in the entire country. Whatever the commission decides on final borders, I would implore you to keep us together in the same Congressional district so that our community of interest can speak as one.

Our Arab and Muslim American community, made up of more recent immigrants and their families, is just now becoming more active and engaged in the political process. Diluting that voice would certainly hurt our effectiveness and take away from the diversity we so proudly uphold in New Jersey.

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

Thank you for your consideration of these points.
STATEMENT OF JERRY VATTAMALA

ASIAN AMERICAN LEGAL DEFENSE AND EDUCATION FUND

TO THE

NEW JERSEY REDISTRICTING COMMISSION

Public Hearing, October 11, 2011
Robeson Campus Center, Room 255-257
Rutgers University-Newark
350 Dr. Martin Luther King Boulevard
Newark, New Jersey

Good morning. My name is Jerry Vattamala, and I am a staff attorney with the Asian American Legal Defense and Education Fund. AALDEF is a 37-year-old nonpartisan organization based in New York City that protects and promotes the voting rights of Asian Americans through litigation, advocacy and community education.

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

Asian Americans in New Jersey

Asian Americans are one of the fastest growing racial groups in New Jersey from the period 2000 to 2010, now comprising of 725,726 people or 8.3% of the total state population. South Asian Americans, Chinese Americans, Filipino Americans and Korean Americans are the largest groups within the Asian American community in New Jersey. At a time when New Jersey is growing slower than other states, or losing population, New Jersey’s Asian American community has been rapidly expanding over the last ten years.

Asian American Barriers to Voting

Asian Americans in New Jersey have been the victims of targeted attacks affecting their right to vote. Asian Americans in New Jersey have been painted as perpetual foreigners
and outsiders and have been intimidated and threatened at poll sites and through the local media. Examples of recent Asian American intimidation and barriers to voting include:

↓ Efforts to intimidate, threaten, and coerce Korean American for voting in the 2007 Fort Lee School Board elections.

↓ In the 1999 City Council elections in Palisades Park, New Jersey, then-mayoral incumbent, made racial appeals and warned voters against Korean Americans “attempting to take over our town and change it inside out.”


↓ Numerous reports of rude and racist poll worker conduct, violations of the Help America Vote Act, violations of Section 208 of the federal Voting Rights Act (assistance by a person of the voter’s choice), inadequate number of or no interpreters, missing translated materials and disproportionately requiring Asian American voters to provide identification.

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

**Severe Underrepresentation of Asian Americans**

Despite the rapid growth in population, Asian Americans are vastly underrepresented in New Jersey’s congressional delegation. There are currently no Asian American members of New Jersey’s congressional delegation.

Since Asian Americans are a protected minority group under the federal Voting Rights Act, districts must be drawn so that Asian Americans can elect candidates of their choice. While the United States Supreme Court has held that the consideration of race may not “predominate” in the redistricting process, the court has also held that a paramount districting criterion is to include “communities of interest” in districts\(^1\). While the court has defined this concept as groupings of people with “actual shared interests,” social scientists have found communities of interest to exist when individuals share significant cultural, economic, political, and social ties\(^2\).

Several Asian American communities throughout New Jersey share common concerns and socioeconomic characteristics, but they have been divided between two or more

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districts. We urge this Commission to take a closer look at these neighborhoods and ensure that Asian American communities are kept together and not splintered among newly-drawn districts.

**Asian American Communities of Interest – Proposed Congressional Districts**

**Bergen County**

Bergen County represents one of the fastest growing areas of the state for the Asian American community. The four municipalities of Palisades Park, Leonia, Fort Lee, and Edgewater are an Asian American community of interest sharing characteristics of racial composition, ethnicity, language, high limited English proficiency, immigration experience, settlement pattern, voter registration, health and social services, health care, schools, and dependence on bilingual services. Palisades Park, Leonia, Fort Lee, and Edgewater are the core of the Korean American community in Bergen County. The four municipalities have high concentrations of Asian American population. 57% of Palisades Park, 38% of Fort Lee, 35.5% of Edgewater, and 35.1% of Leonia residents are Asian Americans.

<table>
<thead>
<tr>
<th>Total Population</th>
<th>Percent of APA</th>
</tr>
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<tbody>
<tr>
<td>Palisades Park</td>
<td>19,622</td>
</tr>
<tr>
<td>Fort Lee</td>
<td>35,345</td>
</tr>
<tr>
<td>Edgewater</td>
<td>11,513</td>
</tr>
<tr>
<td>Leonia</td>
<td>8,937</td>
</tr>
</tbody>
</table>

2010 Census Redistricting Data

Due to the proximity to New York City and convenient public transportation, Fort Lee, Leonia, Palisades Park and Edgewater have been major destinations for new immigrants. According to AALDEF’s 2008 exit poll report, which was conducted in Palisades Park and Fort Lee, 62% of Korean voters were limited English proficient and 22% of them used interpreters at the poll.

Asian American communities also reside north of Fort Lee in Tenafly and Bergenfield. The ninth congressional district should be expanded northward to include common communities as shown in the attached proposed congressional district for Bergen County. The fifth congressional district currently unites the eastern and western regions of Northern New Jersey, which are not similar communities and extremely difficult to travel between. The commission should adopt the proposed congressional district for Bergen County and not divide the Asian American community.

**Middlesex County**
Currently, the county is divided among three congressional districts, CD6, CD7 and CD12. Middlesex County represents the largest concentration of Asian Americans in New Jersey. The Asian American community is active and votes. Edison Township elected the first Asian American mayor of a large New Jersey municipality (Former Mayor Jun Choi) and two Asian American councilmembers (Councilman Dr. Sudhanshu Prasad and Former Councilman Parag Patel).

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

Hudson County

Hudson County is currently divided among three congressional districts, CD9, CD10 and CD13. The highest percentage of Asian Americans in Hudson County is in Jersey City, consisting of mostly Indian Americans and Filipino Americans. Jersey City is a regional South Asian cultural and commercial hub, similar to New York City’s Jackson Heights, Queens, and should not be divided into numerous congressional districts, as it currently is. The Asian American vote should not continue to be diluted – Jersey City should be kept whole in one congressional district.

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

Conclusion

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

OCTOBER 11, 2011

Good Morning! Thank you for the opportunity to propose the Korean American community’s opinion pertaining to the Congressional Redistricting. The Korean American Voters’ Council (“KAVC”) is a community-based non-profit organization devoted to educating Korean Americans about the importance of exercising their voting rights and to increasing accessibility in exercising the right by removing language barrier. KAVC assisted more than 7,000 Korean Americans to register to vote since 1996.

On behalf of the Asian Americans in Bergen County, New Jersey, Korean American Voters’ Council urges the Redistricting Commission to recognize the north and eastern parts of Bergen County as a “Community of Interest” for the Asian American community; and keep them in Congressional District 9. The proposed district map of the Asian American Legal Defense and Education Fund (AALDEF) outlines municipalities in the community of interest. Our testimony will be limited to the Congressional District 9 map proposed by AALDEF today.

The Asian American community is one of the fastest growing ethnic communities in the State of New Jersey for the last thirty years. The Asian immigrants, especially Korean Americans, settled in the eastern part of Bergen County and formed a large Asian American community. Soon, it became a highly concentrated community of interest. When the Congressional District maps were drawn 10 years ago, most parts of the Asian American community were included in the 9th Congressional District. During the last 10 years, Asian Population dramatically increased by 39.2% in Bergen County. And the community was geographically expanded.
<table>
<thead>
<tr>
<th></th>
<th>2000 Census</th>
<th>2010 Census</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bergen Co Total</td>
<td>884,122</td>
<td>905,116</td>
<td>+20,994(2.4%)</td>
</tr>
<tr>
<td>Asian in Bergen</td>
<td>94,336 (10.67%)</td>
<td>131,329 (14.5%)</td>
<td>+36,993(39.2%)</td>
</tr>
</tbody>
</table>

**Community of Interest**

Keeping a “community of interest” together is one of traditional districting criteria. A community of interest is where residents have “actual shared interests” or some “common thread of social, economic or political interests.” Under this definition, the municipalities in northeastern New Jersey are a community of interest sharing immigration experience, settlement pattern, health and social services, and dependence on bilingual services.

**Economic Pattern**

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

Also those commercial districts provide most of Asian American jobs for the resident of northern and inland municipalities. Many Asian Americans are owners or employees of small businesses located in the area near the George Washington Bridge.

**Immigration Pattern**

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

**Language / High Limited English Proficiency**

Since Asian Americans’ immigration history is relatively short, limited English proficiency is the major challenge for the Asian American community. For example, most Korean Americans in the north eastern New Jersey speak Korean as their primary language at home and business. According to the Asian American Legal Defense and Education Fund’s 2008 exit poll report, which was conducted in Palisades Park and Fort Lee, 62% of Korean voters had limited English proficiency and 22% of them used
interpreters at the poll. The high rate of limited English proficiency among Korean Americans made the Korean American community dependent on social and health services in Korean.

**Bilingual Health/Social Services**

Many organizations located near Fort Lee, Englewood, and Teaneck provide bilingual health and social services for the Korean Americans in the north eastern New Jersey:

**Holy Name Medical Center**, which is located in Teaneck, is acclaimed for its Korean Medical Program. The Korean Medical Program offers Korean-speaking customer representatives who greet patients as well as translate and coordinate with physician offices. It offers Korean menu selections, television channels, newspapers and magazines for inpatients, and a free community shuttle van service. The program also actively provides community outreach initiatives such as health fairs, education programs and physical lectures.

**Asian Women’s Christian Association**, which located in Teaneck, is providing important social services for the Korean American community in the north eastern New Jersey. Their program includes counseling services to support their psychological, mental and emotional well-being.

**North Eastern New Jersey: a Community of Interest**

There are many more characteristics that are shared among the municipalities in the north eastern Bergen County. By simply taking into account the characteristics we discussed above, the Redistricting Commission may be able to recognize the municipalities as a community of interest.

On behalf of the Asian Americans in Bergen County, the Korean American Voters’ Council strongly urges the Redistricting Commission to recognize north eastern Bergen County as a community of interest and keep them together in the 9th Congressional District.

Should you need more information or have any questions, please feel free to contact me at 201-488-4201 or kavcny@gmail.com.

Thank you again for this opportunity to deliver Korean Americans’ opinion.

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Contemporary politics in the United States is historically distinctive in at least two respects. The first is the ever increasing polarization of political elites. As my collaborators and I have documented, partisan differences in congressional voting behavior have grown dramatically to levels not seen since the early 20th century. The second distinction is the historically low levels of competition in congressional elections. This is especially true of the House of Representatives where 99 percent of incumbents standing for reelection were successful in the 2002 and 2004 elections. In the swing to the Democrats in 2006, no individual Democrats were defeated and even 89 percent of standing Republicans were reelected.

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

Is there a link between increased polarization and declining competition? Scholars have yet to establish a compelling causal relationship. Some scholars (as
well as pundits) claim that the link between polarization and declining competition is rooted in the increasingly sophisticated techniques deployed during the congressional redistricting that follows each decennial census. Pundits proclaim that we are in “the age of gerrymandering.” Many observers argue that redistricting increasingly produces districts that are homogeneous with respect to partisanship and voter ideology. Consequently only conservative Republicans can win in conservative Republican districts just as liberal Democrats dominate liberal Democratic districts. Because redistricting no longer produces moderate, bipartisan, or heterogeneous districts, moderates cannot win election to the House.

This narrative is attractive not only because of analytical elegance, but because it suggests a single, perhaps even feasible, solution to what ails the American polity -- draw districts heterogeneous, competitive, and politically moderate. Appealing to independents would become the key to winning election, and polarization would become a thing of the past.

Unfortunately, although elegant in description and prescription, the story may not be true. There is little empirical support for the claim that districting has had a substantial impact on polarization.
• That the U.S. Senate has experienced an increase in polarization at the same time as the U.S. House suggests that gerrymandering plays at best a modest role. In addition to this historical claim, my research (published in the *American Journal of Political Science*) has three findings that also undermine any such link.

• First, a very large fraction of the polarization in the U.S. House is the result of what we call within-district divergence between the voting records of Democrats and Republicans. In other words, for a given type of district (in terms of partisanship, demographics, etc), a Republican representative compiles an increasingly more conservative record than a Democrat does. This effect has been the overwhelming source of the increase in polarization since the 1970s, Gerrymandering cannot account for this form of polarization.

• Some of the increase in polarization is due to an increase in the congruence between a district’s characteristics and the party of its representative. Republicans are more likely to represent conservative districts and Democrats are more likely to represent liberal ones. Such an effect is
consistent with the gerrymandering hypothesis but it is also consistent with a general geographic polarization of voters along ideological and partisan lines. Moreover, we find that the timing of this sorting effect is inconsistent with the gerrymandering story. It occurs in the 1980s and early 1990s, relatively early in the upswing of polarization. This is well before the most recent decline in electoral competition in the House.

- Third, we simulate the expected polarization following various districting procedures. The difference between the actual polarization and these simulated procedures allows us to estimate the effects of gerrymandering on polarization. Our upper bound estimate is very small and realistically can account, at most, for 10-15% of the increase in polarization since the 1970s.

- True, electoral sorting has increased over time, as shown in table 2. But the secular increase in sorting does not appear to be linked to census triggered redistricting that would reflect gerrymanders. A good deal of the increase reflects the gradual disappearance of the one-party South and
increased geographical sorting on political and social attitudes. Moreover, the secular increase in polarization is not primarily a phenomenon of how voters are sorted into districts. It is mainly the consequence of the different ways Democrats and Republicans would represent the same districts.

Our simulations further demonstrate that the levels of polarization we observe are quite consistent with congressional districts representative of the states for which they are drawn. Thus, the scope of districting reform to eliminate polarization is extremely limited. Even if we eliminated districting all together and elected candidates statewide, we could only roll polarization back to the level of the mid-1990s.

Indeed, if anything, we underestimate the ability of redistricting to reduce polarization. Redistricting with an eye to increasing electoral competition will create a large number of districts that are heterogeneous with respect to income, race, ideology, and other characteristics. Recent research indicates that legislators from these heterogeneous districts are likely to deviate, in a polarized fashion, from the “average” preferences of the constituents.
So I conclude with two pieces of general advice for the commission.

- It's important not to overemphasize the creating electorally-competitive districts for the sake of reducing legislative partisanship and polarization. Doing so is unlikely to have the desired effects, and artificially heterogeneous districts may be counterproductive.

- The normatively desirable approach to districting in my view is to have the distributions of districts look like the distribution of voters. So the number of conservative districts should reflect the percentage of conservative voters, the number of moderate districts should approximate the distribution of moderate voters, and the number of liberal districts should reflect the number of liberal voters. Legislatures should be representative of the voters.