

**STATEMENT OF GLENN D. MAGPANTAY**

ASIAN AMERICAN LEGAL DEFENSE AND EDUCATION FUND  
TO THE  
NEW YORK CITY DISTRICTING COMMISSION

**Queens Public Hearing, August 21, 2012  
Flushing Library, Queens, New York**

Good evening. My name is Glenn Magpantay, and I am the Director of the Democracy Program at the Asian American Legal Defense and Education Fund. AALDEF is a 38-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 has documented Asian American voting patterns by conducting multilingual exit polls of Asian American voters, in every major election since 1988, surveying almost 17,000 Asian American voters in the 2008 Presidential Election.

AALDEF's exit poll results show that Asian Americans are politically cohesive and vote as a bloc on matters that transcend ethnicity or party affiliation. During the November 2009 general elections, John Liu won overwhelming support from all Asian ethnic groups--94% of Chinese Americans, 92% of Korean Americans, and 73% of South Asian Americans.<sup>1</sup> Election returns for elections in New York City also show that voting in New York City is racially polarized.

The New York City Charter requires this Commission to keep intact neighborhoods and communities with established ties of common interest and association, whether racial, economic, ethnic or religious.<sup>2</sup> The Charter also requires this Commission to ensure the fair and effective representation of the racial and language minority groups in New York City which are protected by the Voting Rights Act.<sup>3</sup> Keeping communities of interest together will ensure that Asian Americans will have a full and fair opportunity to elect candidates of their choice, in accordance with the Voting Rights Act of 1965<sup>4</sup> and the New York City Charter.

This Commission should superimpose or overlay the Asian American Neighborhood Boundaries over each proposed redistricting plan to determine if Asian American communities of interest are kept whole and grouped with other similar Asian American

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<sup>1</sup> AALDEF 2009 Exit Poll Results (Nov. 4, 2009), available at <http://aaldef.org/press-releases/press-release/first-asian-american-wins-citywide-office-and-two-asian-americans-join-city-council-in-historic-nyc.html>

<sup>2</sup> N.Y. CITY CHARTER, ch. 2-A, Section 52(1)(c) (2004).

<sup>3</sup> N.Y. CITY CHARTER, ch. 2-A, Section 52(1)(b) (2004).

<sup>4</sup> 42 U.S.C. § 1973(b).

communities of interest as detailed in our Asian American Community of Interest Survey.

**Unity Map**

AALDEF is working with other minority groups protected under the federal Voting Rights Act, to construct a Unity Map for New York City Council, as we did for New York State Assembly, Senate and Congress. The Unity Map will likely be the only submission to this Commission that complies with the one person one vote requirement of the U.S. Constitution, the federal Voting Rights Act and protects and preserves the communities of interests for all of New York City’s federally protected minority groups, as required by the New York City Charter.

The civil rights organizations representing members of federally protected groups under the Voting Rights Act of 1965 will submit one identical plan that protects and preserves the voting rights of racial minority groups in New York – the Unity Map. The Commission should adopt the Unity Map configuration, or at the very least, use the Unity Map as a benchmark to measure other proposals’ adherence to the Voting Rights Act and the degree to which minority voting strength and communities of interest have been respected.

**Asian Americans in Queens**

Asian Americans are the fastest growing racial group in New York City.

<b>CENSUS 2010</b>	<b>Total Population</b>	<b>Asian Population</b>	<b>Asian Percent of Total</b>	<b>Total Growth Since 2000</b>	<b>Asian Growth Since 2000</b>
New York State	19,378,102	1,406,194	7.3%	2.1%	35.7%
New York City	8,175,133	1,028,119	12.6%	2.1%	31.8%
- Queens	2,230,722	508,334	22.8%	0.1 %	30.6%
- Manhattan	1,585,873	177,624	11.2%	3.2%	24.0%
- Brooklyn	2,504,700	260,129	10.4%	1.6%	41.2%

\* Only includes those who checked “Asian” and no other race<sup>5</sup>.

In Queens, Asian Americans have grown over 300 times faster than the overall rate of the borough, numbering over half a million. Asian Americans now comprise more than 20% of the population of Queens. Of all the municipalities in the nation, New York has the largest Asian American population.

<sup>5</sup> This "Not Hispanic Asian alone" number should be taken as the bare minimum number of Asian Americans. In the 2000 and 2010 censuses, respondents were allowed to mark more than one race, yielding a race concept known as "alone or in combination", which includes people who reported a single race alone (e.g., Asian) and people who reported that race in combination with one or more of the other race groups (i.e., White, Black or African American, American Indian and Alaska Native, Native Hawaiian and Other Pacific Islander, and Some Other Race). In addition, race and ethnicity are considered separate and distinct identities, with Hispanic or Latino origin asked as a separate question. This means that all respondents are also categorized as either "Hispanic or Latino" and "Not Hispanic or Latino". Therefore, a more accurate and inclusive estimate of Asian Americans would be to aggregate both the Hispanic and Not Hispanic Asian alone or in combination populations (e.g., the maximum number of Asian Americans citywide should actually be reflected as 1,134,919 or 13.9% of the total NYC population).

Asian American communities of interest in Queens are divided in Richmond Hill/South Ozone Park, Elmhurst, Jackson Heights and Bayside.

The Asian American communities of interest in Queens that should not be divided are listed below:

### **Queens**

- **Flushing** - This community-defined area is substantially in City Council District (CD) 20 and part of CD19. Flushing is the cultural, economic and social hub of the Asian American community in Queens. It is imperative that Flushing, in particular, be kept whole. Asian Americans in Flushing are politically cohesive, especially between the two largest Asian ethnic groups, Chinese Americans and Korean Americans. During the November 2001 City Council elections, 94% of Chinese American voters and 90% of Korean American voters voted for John Liu.<sup>6</sup> Residents of Flushing share many common interests, such as the need for language assistance, immigration issues and reliance on public transportation, and they should be grouped together into the same legislative district when possible.
- **Bayside** - The community-defined area of Bayside is currently divided among CD19 and CD23. Bayside is home to a large Korean American community. In the November 2009 general election, 99% of all Asian American voters polled by AALDEF voted for the Korean American City Council candidate for CD19, Kevin Kim.<sup>7</sup> Bayside is a residential neighborhood where most people own their homes. Bayside retains many close cultural and economic ties to neighboring Flushing. Bayside should not remain divided among multiple districts.
- **Elmhurst** - This community-defined area is currently divided among CD21, CD25, CD29 and CD26. Elmhurst is home to a large pan-Asian American and Latino population. Chinese, Indian, Filipino and Nepali Americans have settled in Elmhurst. Most residents rely on public transportation, including the E, F, M, R and 7 train subway lines. There is a lack of healthcare for many in the neighborhood. The neighborhoods of Jackson Heights and Woodside are similar to Elmhurst and should be grouped together into the same legislative district when possible because of the shared socio-economic status of the residents, need for language assistance and shared concerns. The

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<sup>6</sup> See also Jennifer Lee, *Poll Finds Asian Overwhelmingly Back Liu*, N.Y. Times City Room (blog) (Sept. 18, 2009), available at <http://cityroom.blogs.nytimes.com/2009/09/18/poll-finds-asians-overwhelmingly-backed-liu/>.

<sup>7</sup> AALDEF 2009 Exit Poll Results (Nov. 4, 2009), available at <http://aaldef.org/press-releases/press-release/first-asian-american-wins-citywide-office-and-two-asian-americans-join-city-council-in-historic-nyc.html>

neighborhoods of Maspeth and Middle Village are vastly different from Elmhurst and should not be grouped together with Elmhurst.

- **Jackson Heights** - This community-defined area is currently divided among CD25 and CD21. Jackson Heights is a diverse neighborhood of mostly South Asian and Latino residents. Many of the residents are limited English proficient and require some form of language assistance. Many South Asian residents have limited access to interpreters and face greater difficulties in applying for government entitlements. There are common concerns in this community including lack of green space and recreational facilities, high traffic congestion, insufficient number of parking spaces, overcrowding and congestion, and inadequate infrastructure to accommodate the growing population. Similar surrounding neighborhoods include Elmhurst and Woodside because of the shared socio-economic status of the residents, need for language assistance and shared concerns.
- **Woodside** – This community defined area is substantially in CD26 with some portions in CD25. Woodside is home to a diverse population comprised of Nepali, Korean, Filipino and Bangladeshi Americans. Many of the immigrant population are limited English proficient and there is a need for language assistance. The majority of the residents rent apartments or homes. The people are working class, working in nail salons, restaurants, construction, driving taxi cabs, working as domestic workers and entrepreneurs. Many of the residents share common interests, including: immigration issues, workers' rights, restaurant workers' rights, legal awareness, assistance in applying for and receiving public benefits that they are eligible to receive and health related issues.

The surrounding neighborhoods that are most similar to Woodside are Elmhurst and Jackson Heights. Residents in Elmhurst use the same hospital as residents in Woodside, Elmhurst Hospital, and many residents from both neighborhoods do not have health insurance. Residents often move between Woodside and Elmhurst and can move easily back and forth using the 7 train subway line. Woodside, Elmhurst and Jackson Heights should be grouped together into one legislative district when possible. The neighborhood of Maspeth is distinctly different from Woodside, in that it lacks diversity, and does not share common issues, such as the need for language assistance, immigrant issues or workers' rights.

- **Floral Park/Queens Village/Bellerose/Glenn Oaks** - This community-defined area is currently within CD23. There is a large concentration of South Asian residents in this neighborhood, mostly Indian American. Most of the residents are homeowners and are opposed to down-zoning, and want to be able to rebuild and renovate their homes to a larger size. Many of the men

work in civil service for the United States post office or Metropolitan Transportation Authority, while many of the women work in the medical field, mainly as nurses. Residents moved to these areas due in part to the proximity of local hospitals. The neighborhoods of Bellerose, Floral Park, Queens Village and Glenn Oaks share many common interests and should be considered as one neighborhood that should not be divided.

- **Richmond Hill/South Ozone Park** - The community-defined area of Richmond Hill/South Ozone Park is currently divided among 4 city council districts (CD28, CD32, CD29 and CD30). Most of the Asian Americans in Richmond Hill/South Ozone Park are Indo-Caribbeans or Asian Indians. Indo-Caribbeans share a unique diasporadic history, leaving India as indentured servants more than a century ago and arriving in Caribbean nations, most often Guyana, Suriname, and Trinidad. Their second migration was to the United States, specifically settling in Richmond Hill, Queens. Most residents are dependent upon public transportation and utilize the A train and J train subway lines for transportation services. There are a high number of senior citizens that reside in Richmond Hill, but the only senior center is in Ozone Park on Sutter Avenue. There is only one park in Richmond Hill, Phil Rizutto “Scooter Park” (formerly Smokey Oval Park). There is no other space for recreation in Richmond Hill.

The neighborhood of South Jamaica, east of the Van Wyck Expressway should not be grouped with Richmond Hill/South Ozone Park because the home property values are significantly less, the high school population is not comprised of students from any of Richmond Hill’s or South Ozone Park’s middle schools and the population in South Jamaica is not comprised of many immigrants like Richmond Hill/South Ozone Park. The population of South Jamaica is mostly African American who have settled in that neighborhood for a long time and they rely on different public transportation lines, mainly the E train subway line to Jamaica Center.

- **Ozone Park** – The community defined area of Ozone Park is currently in CD32. Ozone Park is also home to many South Asian Americans and Indo-Caribbeans, and shares many concerns with Richmond Hill/South Ozone Park, and should be joined with those communities into a single city council district if possible.
- **Briarwood/Jamaica Hills** - This community-defined area is substantially in CD24, with a portion in CD27. Briarwood and Jamaica Hills is home to a large Bangladeshi American population. Most of the residents are owners of either single family or multi-family homes. Many of the residents do their shopping along Hillside Avenue at ethnic stores, but they do not travel below Hillside Avenue into Jamaica. Most of the population are immigrants and rely

on public transportation, primarily the F subway line. Many of the residents are in favor of the rezoning of Hillside Avenue from six story buildings to fifteen story buildings. Briarwood and Jamaica Hills should be grouped together in a single city council district.

AALDEF submitted the Asian American Neighborhood Boundaries and Communities of Interest Survey for consideration by the Commission. AALDEF's neighborhood boundaries provide the Commission with the spatial boundaries of the Asian American communities of common interest – the Commission should adhere to these boundaries when drawing new legislative districts, in accordance with the New York City Charter. The Asian American communities of common interest, listed above, should not be divided.

### **Conclusion**

AALDEF's neighborhood boundary lines and communities of interest survey provide a guide to the Commission to ensure that new legislative districts will preserve the voting rights of Asian Americans and other racial and ethnic minorities, as guaranteed under the federal Voting Rights Act of 1965 and the New York City Charter. The right to vote is fundamental, and we must ensure that this constitutional right is protected for Asian Americans and all New Yorkers. The Commission is required to abide by the Voting Rights Act and the New York City Charter, and must ensure that racial minorities have a full and fair opportunity to elect candidates of their choice and not divide the submitted neighborhood boundary lines.