Good evening. My name is Peter Forman. I served as a member of the full-time judiciary here in Dutchess County for 20 years in Family Court, County Court and as an Acting Justice of the Supreme Court until my retirement in 2020. I am a life-long resident of Beacon.

I begin by thanking each one of you for donating your valuable time to helping Dutchess County prepare a fair re-apportionment map for the next term of the County Legislature.

I am concerned about the map that the Commission has proposed because it seems to incorporate major changes to legislative district boundaries, when there has been little actual change in our county population since the current map was adopted 10 years ago.

When I began my research in this area, I located a website published by the National Council of State Legislatures entitled "Redistricting Criteria" (a copy of which is attached to my comments). Several of these criteria are referenced in the "Quick Reference Guide" prepared by your counsel, Assistant County Attorney Christian Cullen. Those criteria include: contiguity, protecting "communities of interest", compactness, respecting political and geographic boundaries and complying with the Voting Rights Act. Interestingly, there is one traditional districting principle that is absent from Mr. Cullen's memo, "preserving the cores of prior districts", in order, per the NCSL, to provide continuity of representation.

That is where, I believe, this map fails. Your charge, pursuant to the local law establishing this Commission, was to evaluate existing legislative districts and to reapportion them, <u>as necessary</u>, to meet the requirements of federal, state and local laws. So, instead of tweaking the existing district boundaries to balance the population densities that are at variance from the mean, the Commission has opted to take a sledge hammer to the existing maps.

I believe such a dramatic approach is beyond the scope of your legal authority. In making these determinations, I ask the members of the Commission whether there were any true negotiations regarding the placement of boundary lines for any legislative districts?

It appears from reviewing the proposed map that the Commission (or at least a majority of the Commission), has decided that it was more important to make balancing the size of the districts more important than "preserving the cores of the prior districts", protecting "communities of interest" or "respecting the political and geographic boundaries "of the towns and cities that exist throughout Dutchess County.

For example, many towns have been sliced into several new legislative districts, i.e. the Town of Poughkeepsie has increased from 6 legislators to 9; LaGrange has grown from 2 to 4: Fishkill from 2 to 5 and Wappinger from 3 to 4. District 21 currently represents just the Town of East Fishkill. The proposed plan draws it into 2 additional towns.

In Northern Dutchess, the "communities of interest" principle is completely ignored by the proposed map. Pine Plains and Dover, two very different communities- 30 minutes away from each other- are drawn into the same district. Milan and Clinton are rural towns without town centers, yet drawn together into a district that contains dense suburban towns.

The aggregation of the Vassar College campus into one district (6th) also makes no sense for two reasons: 1) such a map would require a polling location to be placed on campus where parking is already a premium, and 2) the residents of the balance of that legislative district who generally own their own homes and pay taxes to support the County government, will be reliant upon a transient student population when it comes to electing representatives to the County Legislature every 2 years.

However, the most egregious determination in the proposed map is the Beacon/Fishkill reapportionment. I believe the Commission is basing its decision to sever Dutchess Junction from the Town of Fishkill on a misinterpretation of a provision of the loca law. This law states that "a person should be able to travel across a district by a public roadway without crossing into another district." I contend that this clause applies to new districts created by the Commission out of necessity in order to comply with the law. Dutchess Junction has existed as a hamlet in the Town of Fishkill from time immemorial. It has never been part of the City of Beacon, which was created in 1913. It has been part of this legislative district for more than 20 years. The proposal set forth by Councilman Wrye, to move a few hundred residents from District 16 into District 18 and District 17, makes much more sense to achieve population balance in those 3 districts than your plan to carve Fishkill up into 5 legislative districts. I am curious as to how much time was spent discussing other options rather than the one which made it to this map?

In conclusion, I recommend that the Commission review their preliminary determinations, perhaps with a set of new eyes as a consultant. It is evident that the Benjamin Center agrees with this proposed map. It does not hurt to get a second opinion. The Empire Center for Public Policy in Albany has a state-wide reputation for fairness in designing neutral redistricting maps. That organization was involved in the litigation that voided the gerrymandered Congressional and State Senate maps that the State Legislature tried to manipulate into law. When a plan, such as yours, proposes that 6 GOP incumbent county legislators face off in 3 primaries and 0 Democrat legislators face off with each other, you open yourselves to the argument that this is just a partisan gerrymander in disguise.