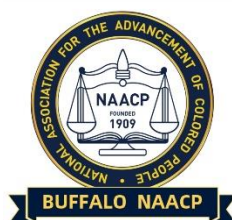


National Association for the Advancement of Colored People

REV. MARK E. BLUE
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May 2, 2022

Hon. Patrick F. McAllister
Steuben County Supreme Court
3 East Pulteney Square
Bath, NY 14810

Special Master Jonathan Cervas
Steuben County Supreme Court
3 East Pulteney Square
Bath, NY 14810

Dear Justice McAllister and Special Master Cervas,

As the leadership of the Buffalo, Niagara Falls, and Rochester Branches of the NAACP, we write in full support of the State Senate District plan that was passed by the New York State Legislature and signed by the Governor this year. Specifically, we support the Districts 56, 57, 60, and 63 maps as approved because they maintain communities of interest and correct a partisan gerrymander that exists in the current Senate District map.

The current Senate District 60 includes the Town of Amherst in Erie County and stretches across the New York Thruway (I-90) through rural communities and into the City of Rochester in Monroe County, more than an hour away from Amherst. The current partisan gerrymander intentionally dilutes the voices of Black voters by splitting the City of Rochester into three separate State Senate districts, creating an artificial rural majority between the Town of Amherst and City of Rochester. We strongly oppose dilution of the minority vote in violation of Section 2 of the Voting Rights Act.

In accordance with the redistricting criteria that we have received, it states that all states must comply with the federal constitutional requirements. "In addition to population equality, Section 2 of the Voting Rights Act of 1965 prohibits plans that intentionally or inadvertently discriminate on the basis of race, which could dilute the minority vote. Which we believe is what the current partisan gerrymander does in the current Senate District 60 and the current District 62 which separates the City of Niagara Falls from the City of Buffalo.

America has a long history of using redistricting as a device to exclude voters of color from politics and diluting our voting power. New York State and Michigan were the only two northern states named in violation of the Voting Rights Act. New York and Michigan were required to receive pre-clearance approval prior to changing a voting district. New York State has had a history of intentionally diluting the votes of

people of color which is currently being proposed now in the gerrymandered 60th Senate District and the current 62nd Senate District as previously mentioned.

Since 2011, after the separation of the City of Niagara Falls and the City of Buffalo, the City of Niagara Falls African American voting power went from approximately 17% of the voting population to 2%. We no longer had the ability to elect candidates of our choice in the New York State Senate. Whereas, when the cities were combined we were able to elect two persons of color as NYS Senators that responded to the needs of our communities. This region known as the Buffalo/Niagara Region and is marketed as such throughout the world due to the commonality and connection between the two municipalities as evidenced by the following: The Buffalo Niagara International Airport, the Buffalo Niagara Convention Center, the Buffalo Niagara Partnership – Chamber of Commerce for both cities, as well as the Buffalo Niagara Riverkeepers.

The newly configured districts that are proposed by the New York State Legislature and the Governor are compact, contiguous districts that unite our region's communities of concern and communities of color into appropriate districts which represents the interests of the Black communities of the City of Buffalo, the City of Niagara Falls, and the City of Rochester.

The State Senate maps passed by the Legislature and signed by the Governor this year will keep communities of interest together, protect the rights of racial and language minorities, and provide fair representation for our communities. The proposed 56th and 57th districts reconnect the City of Rochester and ensure voters of color in the City finally have the opportunity to be represented by someone living in the Greater Rochester area. The 60th Senate District protects communities of interest by connecting residents who live along the Niagara River, including the West Side of the City of Buffalo and the City of Niagara Falls, which share many commonalities. Finally, the 63rd Senate District corrects a blatantly partisan gerrymander, by placing the Town of Amherst, Buffalo's largest suburb, in the same district as the City of Buffalo and the City of Lackawanna.

For these reasons, we urge you to adopt the State Senate District map that was passed by the Legislature and signed by the Governor. This action would undo the 2012 gerrymander that split apart communities of color and disenfranchised Black voters in the City of Rochester. Connecting the Town of Amherst to the City of Buffalo and City of Lackawanna in the 63rd Senate District provides for the representation our communities deserve. Further, the 56th, 57th and 60th Senate Districts follow the state constitutional principles that ensure racial and language minorities are treated fairly, and communities of interest are maintained.

Sincerely,

Rev. Mark E. Blue

President, NAACP Buffalo Branch