

# Exhibit B

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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Michael Williams, José Ramírez-Garofalo, Aixa Torres, and  
Melissa Carty,

Index No. 164002/2025

Petitioners,

-against-

**Rebuttal Report of Thomas J.  
Sugrue**

Board of Elections of the State of New York; Kristen Zebrowski Stavisky, in her official capacity as Co-Executive Director of the Board of Elections of the State of New York; Raymond J. Riley, III, in his official capacity as Co-Executive Director of the Board of Elections of the State of New York; Peter S. Kosinski, in his official capacity as Co-Chair and Commissioner of the Board of Elections of the State of New York; Henry T. Berger, in his official capacity as Co-Chair and Commissioner of the Board of Elections of the State of New York; Anthony J. Casale, in his official capacity as Commissioner of the Board of Elections of the State of New York; Essma Bagnuola, in her official capacity as Commissioner of the Board of Elections of the State of New York; Kathy Hochul, in her official capacity as Governor of New York; Andrea Stewart-Cousins, in her official capacity as Senate Majority Leader and President *Pro Tempore* of the New York State Senate; Carl E. Heastie, in his official capacity as Speaker of the New York State Assembly; and Letitia James, in her official capacity as Attorney General of New York,

Respondents,

-and-

Representative Nicole Malliotakis, Edward L. Lai, Joel Medina, Solomon B. Reeves, Angela Sisto, and Faith Togba

Intervenor-Respondents.

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**REBUTTAL REPORT OF THOMAS J. SUGRUE**

I, Thomas J. Sugrue, under the penalty of perjury, make the following declaration:

1. I previously submitted a report in this matter on November 17, 2025 (my “Opening Report”). My conclusions in the Opening Report concern the history of racial segregation, discrimination, and disparate treatment against Blacks and Latinos on Staten Island and the significant disparities that persist today between these groups and white residents with regard to housing, education, socioeconomic status, and policing — all of which are known to have a negative impact on political participation and the ability to influence elections.<sup>1</sup> I have been asked to respond to certain opinions offered in the December 8, 2025 expert report of Mr. Joseph Borelli (“Borelli Report”).

2. My qualifications and compensation as outlined in my Opening Report have not changed, and I have not served as an expert in any other case or authored any publications in the interim.

3. My work in this matter is ongoing, and I may review additional materials or conduct further analysis. I reserve the right to update, refine, or revise my opinions as set forth in this report.

4. I conclude that Mr. Borelli’s report contains errors of fact and interpretation that render many of his conclusions unreliable.

5. Mr. Borelli makes sweeping historical claims about the lack of discrimination on Staten Island that are belied by the island’s long history of public and private segregation, violations of civil rights laws, violent incidents targeting Blacks and Latinos, and disparate

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<sup>1</sup> Opening Report, ¶ 8. Borelli Report, esp. 9-11 and 18, discusses Asians on Staten Island, a group whose experience with discrimination and disparities is outside the scope of the conclusions of my report.

policing.

6. Mr. Borelli's presentation of U.S. Census data confirms and reinforces my findings that there are substantial and ongoing disparities between white, Black, and Latino residents of Staten Island concerning income, educational attainment, and housing.

7. Mr. Borelli does not provide evidence that counters my findings about residential segregation between whites, Blacks, and Latinos on Long Island.

8. Mr. Borelli relies on only one article to reach a conclusion about federal housing programs and racial segregation that is not sustained by the substantial body of scholarship on the history of housing policy.

9. Mr. Borelli's data on Black and Latino voter registration and voter turnout in nationwide and New York State elections offers evidence of substantial disparities in political participation between whites, Blacks, and Latinos that supports the conclusions in my Opening Report.

10. Mr. Borelli's list of civil rights organizations, advocacy groups, and social service agencies that work to advance the interests of minorities on Staten Island emphasizes the persistence of racial and ethnic disparities affecting non-white Staten Islanders.

11. Mr. Borelli's opinion about a lack of racial appeals in Staten Island politics is not sustained by his evidence. In fact, his own sources offer a textbook example of the use of racial appeals in the 11<sup>th</sup> Congressional District race between Nicole Malliotakis and Max Rose in 2020.

12. Mr. Borelli's discussion of the Staten Island secession movement misrepresents my report. Evidence of racial motivations by secessionists is affirmed in a wide variety of sources that I use from historians, political scientists, legal scholars, journalists, and observers across the political spectrum.

13. Mr. Borelli makes assertions about the relationship of education, socio-economic status, and homeownership to political participation without any citations, including the well-established scholarship by social scientists on the subject.

### STATEN ISLAND'S HISTORY OF CIVIL RIGHTS

14. Mr. Borelli disputes my analysis of the history of racial discrimination, segregation, and disparities on Staten Island, arguing that I offer “a dismal rendition of Staten Island’s history.”<sup>2</sup> He offers evidence of anti-slavery activism on the island in the early nineteenth century and highlights the role of Governor Daniel Tompkins in passing manumission legislation in 1817 and various Staten Island leaders who supported the abolition of slavery.<sup>3</sup> This is a laudable history, but it cannot explain how and why Staten Islanders experienced racial segregation, discrimination, socioeconomic disparities, harassment, and obstacles to political participation during the twentieth and twenty-first centuries.

15. Consider the fate of Sandy Ground, which both Mr. Borelli and I discuss.<sup>4</sup> Sandy Ground was indeed a thriving community of formerly enslaved people in the nineteenth century, but by the 1930s, when the Home Owners Loan Corporation surveyed it, the neighborhood suffered from neglect and the lack of basic infrastructure,<sup>5</sup> and its Black children attended a segregated school.<sup>6</sup> Such Jim Crow schools were increasingly commonplace in twentieth century New York, despite civil rights laws dating to the nineteenth century that forbade segregated public education.<sup>7</sup> Sandy Ground was also stigmatized by federal housing appraisers—even nearby

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<sup>2</sup> Borelli Report, 4.

<sup>3</sup> Borelli Report, 20-23.

<sup>4</sup> Borelli Report, 23-24; Opening Report, ¶¶ 9, 18, 38.

<sup>5</sup> Opening Report, ¶ 38.

<sup>6</sup> Staten Island, New York, Area Description, D-21, in Robert K. Nelson, LaDale Winling et al., “Mapping Inequality: Redlining in New Deal America,” in *American Panorama: An Atlas of United States History*, 2023, online at [https://dsl.richmond.edu/panorama/redlining/map/NY/StatenIsland/area\\_descriptions/D5#loc=12/40.5741/-74.1562](https://dsl.richmond.edu/panorama/redlining/map/NY/StatenIsland/area_descriptions/D5#loc=12/40.5741/-74.1562), cited in Opening Report, ¶ 38.

<sup>7</sup> Thomas J. Sugrue, *Sweet Land of Liberty: The Forgotten Struggle for Civil Rights in the North* (New York:

Rossville was rated negatively because of the presence of a small Black population.<sup>8</sup>

16. As evidence of Staten Island's supposed commitment to racial justice, Mr. Borelli offers a selective list of New York state civil rights legislation from 1877 to 1968.<sup>9</sup> The passage of civil rights laws in New York did indeed provide citizens and activists tools to fight racial segregation, discrimination, and inequality. But assessing those laws requires consideration of their reception, implementation, and enforcement.

17. In my report, I discuss civil rights laws passed in New York State and New York City between the 1940s and 1960s. But I provide evidence that undermines Mr. Borelli's argument that Staten Island was a bastion of support for civil rights. Staten Island was the only borough whose representative on the Board of Estimate opposed New York City's 1951 Brown-Issacs Law that forbade discrimination in all publicly assisted private housing.<sup>10</sup> The Staten Island Real Estate Board challenged the constitutionality of New York anti-housing discrimination laws and denounced civil rights organizations that called for integrated housing on the island. And I discuss forty years of complaints about inadequate civil rights enforcement on Staten Island spanning the 1980s to the 2020s.<sup>11</sup>

18. Mr. Borelli makes a remarkable and wholly unsustainable claim in his report: "There Is No History of Discrimination In Or Affecting The Political Subdivision."<sup>12</sup> He dismisses what he inaccurately calls "isolated incidents of racism."<sup>13</sup> He can only reach such a conclusion by ignoring large parts of Staten Island's history, discounting overwhelming evidence of racial segregation past and present, misrepresenting voting data, exaggerating the electoral success of

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Random House, 2008), chapter 6.

<sup>8</sup> Opening Report, ¶ 38.

<sup>9</sup> Borelli Report, 25-26.

<sup>10</sup> Opening Report, ¶ 48.

<sup>11</sup> Opening Report, ¶ 48.

<sup>12</sup> Borelli Report, 19.

<sup>13</sup> Borelli Report, 19, 29.

non-white candidates for office on Staten Island, downplaying both police harassment and hate crimes, and especially ignoring a long history of segregation that was created and maintained through public policy, discriminatory real estate practices, and overt violations of civil rights laws. all of which are documented at length in my report. This history has an ongoing legacy that impairs the ability of Black and Latino voters from electing their favored candidates to office.

#### **A. Housing Segregation**

19. My report offers extensive evidence of how Staten Island became a highly racially segregated borough over the course of the twentieth-century, including through discriminatory federal housing programs including redlining and public housing. I document how real estate brokers, landlords, and property managers flouted civil rights laws and explicitly discriminated against Blacks and Latinos, and I present evidence of recent violations of fair housing laws on Staten Island.<sup>14</sup> And I provide extensive empirical evidence of past and ongoing residential segregation by race and ethnicity on the island. This is a dismal history, but it is accurate. Mr. Borelli's report does not disprove any of the facts that I present on this matter.

20. In my report, I present HOLC redlining maps for Staten Island and discuss, in some detail, HOLC "area descriptions," which included the racial composition of neighborhoods and which gave low ratings to neighborhoods with any Black populations and even those that were perceived as possible future magnets for Black residents.<sup>15</sup> The vast majority of scholars who have studied redlining found a) that redlining maps were based on and reinforced pernicious racial stereotypes; b) that the association of race and property value in redlining maps shaped discriminatory real estate practices; c) that the history of redlining is associated with ongoing patterns of racial segregation and housing inequality, and d) that a host of neighborhood-based

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<sup>14</sup> Opening Report, ¶¶ 49-54, 58-62.

<sup>15</sup> Opening Report, ¶¶ 34-40 and figure 5.

disadvantages, including in public health and environmental disamenities, result from redlining. In my report, I cite a large body of scholarship that connects past segregative housing policies with racial inequality today, including on Staten Island.<sup>16</sup> Mr. Borelli does not provide any evidence to contradict those findings.

21. Mr. Borelli attempts to discredit my report by citing a single article by economic historian Price Fishback and his colleagues on Home Owners Loan Corporation (HOLC) and Federal Housing Administration (FHA) policies in the 1930s, through case studies of Baltimore, Maryland; Peoria, Illinois; and Greensboro, North Carolina.<sup>17</sup> Fishback et al. make two arguments: 1) that the HOLC provided loans to Black homebuyers in those cities, and 2) that the FHA devised its own maps and lending standards, independent from the HOLC.<sup>18</sup> Fishback et al. do not, however, dispute my central point. They state that when the HOLC issued loans, “it did so within the framework of segregation.”<sup>19</sup> And they affirm that the FHA designed and implemented “its own system of redlining that was racially discriminatory.”<sup>20</sup> The HOLC maps for Staten Island reflected and reinforced racial stereotypes that had direct bearing on the deeply-held assumption that the presence of even a few non-whites devalued properties and constituted a risk. Blacks could not get loans to finance or refinance, buy, or build in “white” neighborhoods. The FHA reinforced the notion that the introduction of “incompatible” racial groups into white neighborhoods would irreparably put the value of properties at risk of devaluation. The most pernicious long-term effects of redlining were limiting minorities’ housing choices, preventing the construction of integrated housing developments in nearly every major metropolitan area, and making segregation appear

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<sup>16</sup> Opening Report, ¶ 40.

<sup>17</sup> Borelli Report, 28. Mr. Borelli does not appear to have read or engaged any of the books or articles on federal housing policy that I cite or consulted any HOLC maps in Opening Report, ¶¶ 34-40.

<sup>18</sup> Price Fishback, Jonathan Rose, Kenneth A. Snowden, and Thomas Storrs, “New Evidence on Redlining by Federal Housing Programs in the 1930s,” *Journal of Urban Economics* 141 (2024), 103462.

<sup>19</sup> Fishback et al, “New Evidence,” 2.

<sup>20</sup> Fishback et al, “New Evidence,” 2.



natural.<sup>21</sup>

22. Fishback et al. are not primarily concerned with the pro-segregative consequences of FHA policy and do not write about the period after the 1930s in any detail. But throughout the period from the 1930s through the 1960s, the FHA expected that developers would abide by the so-called “neighborhood composition rule.” That rule extended to public housing site decisions as well, a topic that I discuss at length in my Opening Report that Mr. Borelli ignores, even though it, too, offers compelling evidence of how public policies furthered segregation and how those policies had very long-lasting effects on the racial geography of Staten Island.<sup>22</sup>

23. The neighborhood composition rule required that developers of both single-family and apartment housing maintain neighborhood patterns of segregation. As historians Brent Cebul and Michael Glass show in their nationwide study of FHA Section 608 backed apartment housing developments, “FHA underwriters still upheld strict redlining policies, denying insurance for any developments that disrupted segregation.”<sup>23</sup> The national database that underlies Cebul and Glass’s research includes two Staten Island developments—Carolina Gardens (on Hylan Blvd in Oakwood) and Grymes Hill Apartments.<sup>24</sup> Both were constructed as all-white developments in the early 1950s, when New York laws forbade racial discrimination in housing. Grymes Hill remained segregated even after the passage of federal fair housing law.<sup>25</sup>

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<sup>21</sup> See Opening Report, ¶ 34, note 30.

<sup>22</sup> Opening Report, ¶¶ 41-46.

<sup>23</sup> Brent Cebul and Michael R. Glass, “Mortgaging Out: FHA Credit, Segregated Rental Housing, and the Remaking of Metropolitan America,” *Journal of American History* 112 (2025), 64-91, quote 77.

<sup>24</sup> Brent Cebul, Michael R. Glass, and Robert K. Nelson, “Building Inequality: Mapping the Spatial and Racial Inequalities of FHA Section 608 Rental Housing, 1942-1950,” <https://buildinginequality.us>.

<sup>25</sup> See *United States v. Fred C. Trump, Donald Trump, and Trump Management, Inc.*, No. 1:73-01529 (E.D.N.Y. October 15, 1973), available at Civil Rights Litigation Clearinghouse, <https://clearinghouse.net/case/15342/>. The suit also included another Staten Island apartment complex, the Tysens Gardens Apartments. “Race Bias Suit Filed Against Management Firm of Island Apartments,” *Staten Island Advance*, March 7, 1978.

## **B. Historical and Ongoing Racial Segregation in Housing**

24. The best measure of segregation past and present is the index of dissimilarity. It shows that Blacks and Latinos on Staten Island are segregated today. Mr. Borelli offers his own calculations of the index of dissimilarity between whites and Latinos on Staten Island in 2010, 2020, and 2023. He finds a slightly lower index of dissimilarity than mine for 2010, but agrees with my finding that Latinos face moderate segregation.<sup>26</sup> The difference in our index number for 2010 is that I use Decennial Census data to calculate the index of dissimilarity, and Mr. Borelli uses five-year American Community Survey (ACS) data released in 2010.<sup>27</sup> The Decennial Census reports data for the entire population; the five-year ACS draws from a sample of about 3.5 million households collected monthly over a five-year period. Unlike the Decennial Census, the ACS is subject to sampling errors.<sup>28</sup> In any case, my finding that Latinos and Blacks are segregated on Staten Island stands.

## **DISPARITIES BETWEEN WHITES, BLACKS, AND LATINOS ON STATEN ISLAND**

### **A. Educational Disparities**

25. My report documents significant disparities in educational attainment between whites, Blacks, and Latinos.<sup>29</sup> Mr. Borelli attempts to discount these data by documenting very modest increases in high school graduation and college graduation within each group between certain years, but fails to account for the fact that the rate of increase for whites on Staten Island is greater than for Blacks or Latinos.<sup>30</sup> Mr. Borelli offers a useful index of disparities at each

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<sup>26</sup> Borelli Report, 13.

<sup>27</sup> Opening Report, ¶ 11; Borelli Report, 10.

<sup>28</sup> U.S. Census Bureau, The Importance of the American Community Survey and the Decennial Census, <https://www.census.gov/programs-surveys/acs/about/acs-and-census.html>. For greater detail, see U.S. Census Bureau, Understanding and Using American Community Survey Data (September 2020), [https://www.census.gov/content/dam/Census/library/publications/2020/acs/acs\\_general\\_handbook\\_2020.pdf](https://www.census.gov/content/dam/Census/library/publications/2020/acs/acs_general_handbook_2020.pdf)

<sup>29</sup> Opening Report, ¶ 77 and figure 7.

<sup>30</sup> Borelli Report, 38-39.

educational level between Latinos, Blacks, and whites in his columns labeled “percent of white.” That somewhat confusingly titled column is actually an index, using whites as the index baseline of 100.

26. I present Mr. Borelli’s index for whites, Blacks, and Latinos between 2015 and 2024 in a single table for clarity in Figure 1. The index shows that disparities in educational attainment between the groups have persisted over the last nine years, despite a mix of very modest gains that he shows and setbacks that he ignores. The table shows a small narrowing of the gap between Black and white high school graduates—3.5 points between 2015 and 2024—and Latino and white high school graduates—2.9 points between 2015 and 2024. One cannot make predictions, as Mr. Borelli does, about future trends from these current data. Indeed, as a reminder of the unpredictability of trends, the gaps between both Blacks and Latinos and whites who graduated from high school grew between 2015 and 2020.

*Figure 1: Index of Educational Attainment for Whites, Blacks, and Latinos on Staten Island, 2015, 2020, and 2024<sup>31</sup>*

	2015	2020	2024
White high school graduate	100	100	100
Black high school graduate	93.6	93.2	97.1
Latino high school graduate	86.2	78.4	89.1
White bachelor’s degree or higher	100	100	100
Black bachelor’s degree or higher	75.0	76.3	71.8
Latino bachelor’s degree or higher	54.9	56.1	52.6

27. The most substantial educational disparities between Blacks, Latinos, and whites on Staten Island are in college completion rates. Figure 1 shows that disparities between Blacks

<sup>31</sup> Borelli Report, tables, 38-39.

and whites who received bachelor's degrees are persistent and have widened over time. The gap between the two groups worsened by 3.2 points between 2015 and 2024. Likewise, the gap between Latinos and whites who have received bachelor's degrees widened by 2.3 points between 2015 and 2024.

28. Mr. Borelli's focus on small changes over time distracts from the most salient point. Vast educational disparities exist today. According to Mr. Borelli's own data, there is a more than 28-point gap between Black and white Staten Islanders with a college degree. A 47-point gap separates Latino and white Staten Islanders with a college degree. Mr. Borelli's data provide an independent confirmation of my finding that on Staten Island, "whites are far more likely than Blacks and Latinos to graduate from college."<sup>32</sup>

29. Mr. Borelli's data on per pupil funding at Staten Island high schools<sup>33</sup> says nothing about educational disparities. The data that he reports are inadequate to assess any possible relationship between the racial and ethnic composition of enrolled students and school budgets. School funding formulas in New York public schools are very complex. When determining budgetary allocations to individual schools, the district considers many factors, including the type of education offered (comprehensive, vocational, etc.), student registration figures (as projected and adjusted), measures of student attainment, including grades and test scores, the number of students who are English-language learners, the number of students in need of special educational

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<sup>32</sup> Opening Report, ¶ 77. Borelli Report, 13, also presents College of Staten Island, CUNY (CSI) enrollment and graduation rates for Latinos. These data represent only a subset of the college enrolled and college graduate population in Staten Island—CSI is, after all, only one educational institution; it educates a subset of island residents (as well as non-Staten Islanders); and Staten Island residents surely attend universities elsewhere. There are many lacunae in these data as well, including enrollment versus graduation rates. Educational disparities are best measured using the aggregate data on educational attainment reported by the U.S. Census Bureau that is the basis of my report. The Census data capture the entire population of Staten Island residents over 25, not just a few thousand enrolled at one college.

<sup>33</sup> Borelli Report, 39-40.

interventions, the percentage of students in poverty, the number of unhoused students, and more.<sup>34</sup> Those measures vary widely from school to school. As a result, school funding varies widely from school to school. Mr. Borelli seems unaware of the multiple factors that determine school funding allocations, even though the reports that he uses provide a detailed breakdown of budgets for every school. He also does not appear to have consulted the district's thorough explanation of funding formulas, which are conveniently posted on the school district website that he uses.<sup>35</sup> As a result, Mr. Borelli cannot and does not establish any relationship between school funding formulas and race or ethnicity.

30. Educational attainment is centrally related to groups' ability to participate in the political process and turn out to vote. The relationship between education and political participation is very well documented by social scientists.<sup>36</sup> Mr. Borelli does not challenge this finding.

## **B. Disparities in Homeownership**

31. Mr. Borelli discounts data in my report that show clear disparities between rates of homeownership between whites, Blacks, and Latinos on Staten Island, while providing no evidence to the contrary.

32. As my report shows, nearly 77 percent of whites on Staten Island are homeowners, but less than 36 percent of Blacks and less than 44 percent of Latinos are homeowners.<sup>37</sup> This enormous disparity belies Mr. Borelli's optimism about minority homeownership on the island.

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<sup>34</sup> New York City Public Schools, Division of Finance, Fair Student Funding Guide, FY 2024 (FSF Guide), [https://www.nycenet.edu/offices/finance\\_schools/budget/DSBPO/allocationmemo/fy23\\_24/fy24\\_docs/FY2024\\_FSF\\_Guide.pdf](https://www.nycenet.edu/offices/finance_schools/budget/DSBPO/allocationmemo/fy23_24/fy24_docs/FY2024_FSF_Guide.pdf).

<sup>35</sup> FSF Guide.

<sup>36</sup> Raymond E. Wolfinger and Steven J. Rosenstone, *Who Votes?* (New Haven: Yale University Press, 1980); Warren Miller and J. Merrill Shanks, *The New American Voter* (Cambridge: Harvard University Press, 1996), 51-56, 84-85, 87.

<sup>37</sup> Opening Report, ¶ 79 and figure 9.

Regarding housing, there are two Staten Islands: one of overwhelmingly white homeowners, the other of largely Black and Latino renters.

33. Mr. Borelli raises two other issues in his discussion of homeownership. He suggests that “Blacks and Hispanics have historically had, and will likely continue to have, a better chance of owning a home in Staten Island than they would elsewhere in the area, in the State, or around the country.”<sup>38</sup> But most relevant to analyzing impediments to voter participation by Blacks and Latinos versus whites on Staten Island are the huge disparities between homeownership between these groups *on Staten Island*, not the differences between homeownership rates by race elsewhere in New York or nationwide.<sup>39</sup>

34. Mr. Borelli also asserts that the high demand and high cost of housing on Staten Island “makes it more difficult for all on Staten Island to purchase a home.”<sup>40</sup> This assertion actually reinforces my report’s analysis of socio-economic disparities by race and ethnicity. Because whites on Staten Island have significantly higher income than Blacks and Latinos, they are far more likely to have the financial resources to put down payments on homes and meet monthly mortgage obligations than non-whites.<sup>41</sup> The large income disparities between whites, Blacks, and Latinos on Staten Island are a key cause of disparities in homeownership.

35. Disparities in homeownership and renting affect political participation. There is a broad consensus among scholars of citizen participation and voter behavior that there is a strong positive relationship between rates of homeownership, political engagement, and voter turnout.<sup>42</sup>

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<sup>38</sup> Borelli Report, 42.

<sup>39</sup> It should be noted that white homeownership rates are higher in Staten Island than nationwide; Latino and Black homeownership rates are lower on Staten Island than nationwide. For Staten Island, see Report, ¶ 79, figure 9. For national data, see U.S. Census, American Community Survey, 2019-2023, Tables B25003B, 25003H, and 25003I. For Staten Island data, see Opening Report, ¶ 79, figure 9.

<sup>40</sup> Borelli Report, 42.

<sup>41</sup> Opening Report, ¶ 79, figure 9.

<sup>42</sup> John I. Gilderbloom and John P. Markham, “The Impact of Homeownership on Political Beliefs,” *Social Forces*, 73:4 (1995), pp. 1589-1607; Paul William Kingston, John L.P. Thompson and Douglas M. Eichar, “The Politics of

Disparities in homeownership and renting on Staten Island have serious implications for the differential involvement of Blacks, Latinos, and whites in the political process. Mr. Borelli neither discusses nor disputes scholarship showing the relationship of homeownership and political participation.

### C. Income Disparities

36. Mr. Borelli's reporting of income data is muddled. It is not clear from his text and captions whether he is referring to median income (the most widely used measure of income disparity) or mean income. And it is not clear whether his data refer to per capita income or household income.<sup>43</sup> Despite Mr. Borelli's terminological confusion, his data unequivocally show that Blacks and Latinos on Staten Island earn substantially less than whites. Mr. Borelli's tables show that on Staten Island, Blacks and Latinos have incomes of less than two-thirds that of whites.<sup>44</sup> That is a stark disparity and is consistent with my findings.

37. The persistence of large income disparities on Staten Island matters because social scientists have long demonstrated the relationship between income and rates of political participation.<sup>45</sup> Mr. Borelli neither cites nor challenges this scholarship.

### RACIAL APPEALS

38. Mr. Borelli asserts that racial appeals are uncommon in Staten Island. He draws that conclusion from a newspaper database search using the words "racism" and "issues" during election years spanning 2000 to 2024. No professional historian could responsibly conduct

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Homeownership," *American Politics Research*, 12:2 (1984), 131-150; Kay Lehmann Schlozman, "Citizen Participation in America: What Do We Know? Why Do We Care?" in Ira Katznelson and H.V. Milner, eds., *Political Science: the State of the Discipline* (New York: W.W. Norton & Company, 2002), 433-461; Miller and Shanks, *New American Voter*, 86, 88, 195, 274-75.

<sup>43</sup> The three tables under the heading, "Median Income," in Borelli Report, 43-44, are sub-headed "Household Income." The income reported in each table is categorized as "Mean Income."

<sup>44</sup> See unnumbered tables, Borelli Report, 43.

<sup>45</sup> Wolfinger and Rosenstone, *Who Votes?*, 20-21, 25 and Steven J. Rosenstone and John Mark Hansen, *Mobilization, Participation, and Democracy in America* (New York: Macmillan, 1993).

newspaper research on a topic that touches on advertisements, media, campaigns, and racially charged language or images by using just two keywords. Vague terms such as “issues” are unlikely to yield accurate results. It is necessary to consider, test, and evaluate a variety of search terms when conducting a search. It is also necessary to search for variants of keywords, related terms, and synonyms.<sup>46</sup>

39. One of Mr. Borelli’s own sources—which he could not have found using the keywords “racism” and “issues”—offers a textbook example of a racial appeal. Citing an article in *The City*, an online publication based in New York, Mr. Borelli offers a brief and favorable account of the Young Leaders, a Black-led Staten Island youth organization. He includes the Young Leaders on a list of “various groups that support minority rights” that “held rallies around the borough in an effort to get voters engaged in the 2020 election.”<sup>47</sup>

40. As part of its efforts to mobilize voters in 2020, the Young Leaders held peaceful marches in different Staten Island communities, including Rossville, New Dorp, and Port Richmond. They also forged a coalition with other Black and Latino organizations on Staten Island, including La Colmena, a migrant rights advocacy group. The Young Leaders led a voter education campaign and sponsored voter registration drives to increase turnout among Blacks and Latinos on the North Shore. The Young Leaders described their mission as overcoming racial disparities in political participation between the North Shore and the overwhelmingly white South Shore.<sup>48</sup> They recognized and worked to reinforce a community of interest between Blacks and Latinos.

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<sup>46</sup> Bob Nicholson, “Digital Research,” in *Research Methods for History*, ed. Simon Gunn and Lucy Faire, Second Edition (Glasgow: Edinburgh University Press, 2016), 184-187.

<sup>47</sup> Borelli Report, 48, citing Clifford Michel, “Their Anti-Racism Marches Were Twisted in a \$4 Million GOP Attack Ad Campaign. Now, They Just Want to Get Out the Vote,” *The City*, November 22, 2020.

<sup>48</sup> Michel, “Their Anti-Racism Marches Were Twisted.”



41. During the 2020 11<sup>th</sup> Congressional District race, the Young Leaders were the subject of overt racial appeals in two pro-Malliotakis advertisements. *The City* article (cited by Mr. Borelli) reported: “Footage of one peaceful march — interspersed with doctored images of police cars ablaze — became the centerpiece of an attack ad touting Assemblymember Nicole Malliotakis and trashing Rep. Max Rose in her successful bid to oust the freshman Democrat from the [sic] Staten Island’s House seat.”<sup>49</sup> *The City* continued: “One Republican political action committee, the Congressional Leadership Fund, poured in at least \$4 million into televising ads focused on Rose attending the march...One of the spots showed some of the Young Leaders of Staten Island and footage of their June 3 march in New Dorp, spliced with violent scenes, while a narrator spoke of ‘criminals hailed as freedom fighters.’”<sup>50</sup> Linking candidates to Black criminality is a common strategy in electoral racial appeals. Contrary to how they were depicted in the advertisements, the Young Leaders called for better police-community relations, opposed calls to defund the police, and stated their concerns about crime.<sup>51</sup>

42. The political ads in the 2020 11<sup>th</sup> District Congressional campaign used footage of the Young Leaders to appeal blatantly to white racial fears of criminality, riotousness, and violence. Princeton political scientist LaFleur Stephens-Dougan defines racial appeals as “[n]egative stereotypical imagery that might activate voters’ negative racial attitudes includ[ing] depictions of African Americans as criminals...”<sup>52</sup> The ad featuring the Young Leaders explicitly deployed misleading and stereotypical imagery. The use of such racial appeals distorts the political climate, furthers racial polarization, and legitimizes racist sentiments.

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<sup>49</sup> The advertisement is available at <https://www.youtube.com/watch?v=lQDu5Ix7HYE>.

<sup>50</sup> Michel, “Their Anti-Racism Marches Were Twisted.”

<sup>51</sup> Michel, “Their Anti-Racism Marches Were Twisted”

<sup>52</sup> Opening Report, ¶ 91.

## SECESSION AND RACIAL RESENTMENTS

43. Mr. Borelli states that I “incorrectly frame the Staten Island secession movement solely in racial terms.”<sup>53</sup> This is a misrepresentation of the plain language of my report, in which I write: “Staten Island’s secession activists expressed many grievances, including longstanding opposition to the city’s massive Fresh Kills garbage dump on the island and resentments that ‘the city’ dismissed the needs and grievances of the Island. Many secessionists also held racial resentments, including ‘a complicated mix of race and ideology that is difficult to [u]ntangle.’”<sup>54</sup> Historical, political scientific, legal, and journalistic accounts, including those cited by Mr. Borelli, provide abundant evidence that white racial resentments or racial ideology played a role in the secession movement.<sup>55</sup>

## VOTING DATA AND POLITICAL PARTICIPATION

44. Mr. Borelli reports voting data by race and ethnicity for 2018, 2022, and 2024 for the entire United States and for the entire State of New York.<sup>56</sup> It is not sound methodology to extrapolate from these figures to Staten Island, for which he provides no data.

45. Mr. Borelli’s state level data are particularly problematic.<sup>57</sup> His Table 3, which reproduces a page from a pamphlet by a political advocacy organization published during the 2024 primaries, shows that the number of Latinos who voted in New York State increased in the entire state by about 5,000 between 2016 and 2020. The table also speculates about the “projected Latino vote 2024,” even though the general election was months away. Mr. Borelli does not provide actual

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<sup>53</sup> Borelli Report, 54.

<sup>54</sup> Opening Report, ¶ 93, quote from Kramer and Flanagan, 128.

<sup>55</sup> Opening Report, ¶¶ 93-97 draws from scholarship on Staten Island by political scientists, historians, legal scholars, journalists, and contemporary observers. Not every scholar or writer cited gives equal weight to every factor shaping the secession movement, but every one of them mentions the racial politics and/or consequences of the secession movement.

<sup>56</sup> Borelli Report, 34-37.

<sup>57</sup> Borelli Report, 34-35.

turnout data for the 2024 general election. In addition, we need more than raw numbers of voters to measure political participation adequately.

46. In Tables 4 and 5, Mr. Borelli presents 2018 and 2022 nationwide data showing Black, white, and Latino voter registration and turnout.<sup>58</sup> His tables show a modest gain in the percentage of Latinos and Blacks registered to vote between 2018 and 2022, but a decline in the percentage of Latinos and Blacks who actually voted. Crucially, the tables show very large disparities in political participation between white and Latino voters and white and Black voters. In 2022, white registration was 15 points higher than Latinos; white turnout was almost 20 points higher. White registration was more than 9 points higher than Blacks; white turnout was 19 points higher than Blacks. These are real, substantial disparities in political participation.

47. Mr. Borelli's tables 3–5 do not provide any evidence for his claim that “the data shows immense progress.”<sup>59</sup> In fact, the data provide evidence of significant disparities in political participation nationwide between whites, Blacks, and Latinos.

#### **BLACK AND LATINO ELECTED OFFICIALS ON STATEN ISLAND**

48. Mr. Borelli asserts that “Black and Hispanics Have Achieved Success in Being Elected to Office in Staten Island.”<sup>60</sup> Unfortunately, his evidentiary base is thin. Despite its long history of Black settlement and its rapidly growing Latino population, Staten Island has had only

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<sup>58</sup> Borelli Report, 35-36. Borelli, 35, also errs in referring to “Spanish-speaking voters.” The data do not report languages spoken. Latinos or Hispanics may or may not be Spanish speakers.

<sup>59</sup> Borelli Report, 36.

<sup>60</sup> Borelli Report, 29-31, quote 29. In addition to his discussion of Black and Latino elected officials and judges, Mr. Borelli also inaccurately asserts that Asian Americans have been elected to judgeships on Staten Island. None of the three Asian American judges mentioned by Mr. Borelli were elected to their posts. They have all held appointed positions. Staten Island does not have any Asian elected officials. Mr. Borelli also misspells Judge Alexander Jeong's name as “Jeung.” On Judge Jeong, who has held four different appointed judgeships, see [https://iapps.courts.state.ny.us/judicialdirectory/Bio?judge\\_id=QmrWtYwd4drz5cY6DIgi5A%3D%3D](https://iapps.courts.state.ny.us/judicialdirectory/Bio?judge_id=QmrWtYwd4drz5cY6DIgi5A%3D%3D); for Judge Koshy, who was appointed by Mayor de Blasio, see [https://iapps.courts.state.ny.us/judicialdirectory/Bio?judge\\_id=64SaWOTH9gJklfw71AzoWw%3D%3D](https://iapps.courts.state.ny.us/judicialdirectory/Bio?judge_id=64SaWOTH9gJklfw71AzoWw%3D%3D), for Judge Rajeswari, also appointed by Mayor de Blasio, see [https://iapps.courts.state.ny.us/judicialdirectory/Bio?judge\\_id=OUsyztCjU4WrgahUEku5eA%3D%3D](https://iapps.courts.state.ny.us/judicialdirectory/Bio?judge_id=OUsyztCjU4WrgahUEku5eA%3D%3D).

two Black city council members in its entire history: Debi Rose (the first Black elected official on the island, when she took office in 2010)<sup>61</sup> and Kamillah Hanks (who succeeded Rose in 2022).<sup>62</sup> Both were elected from the North Shore, the center of the island's Black and Latino population. Charles B. Fall, whose majority non-white district includes the North Shore and part of Lower Manhattan, was elected to the State Assembly in 2018. He is the first and only Black person ever elected to represent Staten Islanders in Albany.<sup>63</sup> The only elected official of Latino origin ever elected on Staten Island is Representative Nicole Malliotakis, whose mother immigrated from Cuba and whose father is Greek.<sup>64</sup>

49. Mr. Borelli incorrectly states that Staten Island has elected one Latino and two Black judges.<sup>65</sup> Judge Ann Thompson is the only Black or Latino person ever elected to the bench on Staten Island. She won her seat in an uncontested race in 2022: she was one of three candidates who ran for three open judgeships in the 13<sup>th</sup> Judicial District of the New York State Supreme Court.<sup>66</sup> She had run for another 13<sup>th</sup> Judicial District seat just a year earlier, coming in a distant third in a four-person race.<sup>67</sup> After she was elected, the *Staten Island Advance* reported that Judge Thompson “said it’s upsetting to her that it’s 2022 and we’re still grappling with ‘a first anything.’”<sup>68</sup>

50. Mr. Borelli wrongly asserts that the Honorable Tashanna Golden and the

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<sup>61</sup> Opening Report, ¶ 90.

<sup>62</sup> Kamilla Hanks, [https://ballotpedia.org/Kamillah\\_Hanks](https://ballotpedia.org/Kamillah_Hanks).. Council member Hanks was reelected to her North Shore district in 2023 and 2025.

<sup>63</sup> New York State Assembly District 61, [https://ballotpedia.org/New\\_York\\_State\\_Assembly\\_District\\_61](https://ballotpedia.org/New_York_State_Assembly_District_61); and Charles D. Fall, Biography, <https://assembly.state.ny.us/mem/Charles-D-Fall/bio/>

<sup>64</sup> Opening Report, ¶ 90.

<sup>65</sup> Borelli Report, 30.

<sup>66</sup> Municipal Elections in Richmond County, New York, 2022, *Ballotpedia*, [https://ballotpedia.org/Municipal\\_elections\\_in\\_Richmond\\_County,\\_New\\_York\\_\(2022\)](https://ballotpedia.org/Municipal_elections_in_Richmond_County,_New_York_(2022)).

<sup>67</sup> Municipal Elections in Richmond County, New York, 2021, [https://ballotpedia.org/Municipal\\_elections\\_in\\_Richmond\\_County,\\_New\\_York\\_\(2021\)](https://ballotpedia.org/Municipal_elections_in_Richmond_County,_New_York_(2021))

<sup>68</sup> Kristin Thompson, “First Woman of Color Elected to Staten Island Supreme Court: Ann Thompson Talks About the Road to the Bench,” *Staten Island Advance*, November 20, 2022, <https://www.silive.com/news/2022/11/first-woman-of-color-elected-to-si-supreme-court-hon-ann-thompson-talks-about-the-road-to-the-bench.html>

Honorable Raymond Rodriguez were elected by Staten Island voters. Judge Golden is a native of Staten Island, but she was neither elected nor serves as a judge on Staten Island. She was appointed to the Housing Court, Civil Court of the City of New York, Kings County. Her courtroom is in Brooklyn.<sup>69</sup> Judge Golden established her reputation in part as a critic of ongoing and persistent racial disparities on Staten Island. Before her appointment to the bench, Judge Golden served as an advisor for The Disparity Project, which “uses data to lay bare inequities on the North Shore and its communities of color, the project examines the roots of these disparities, the people they impact and the possible solutions.”<sup>70</sup>

51. Judge Raymond Rodriguez has never held an elected office or an elected judicial position on Staten Island. He was appointed to New York City Criminal Court. Judges on the Criminal Court are appointed by the New York City mayor. Later, Rodriguez was appointed—not elected—as an acting justice in the 13<sup>th</sup> Judicial District, New York Supreme Court.<sup>71</sup> When Rodriguez ran in the November 2025 election for the open position on 13<sup>th</sup> Judicial District bench, he lost overwhelmingly with only 37.1 percent of the vote.<sup>72</sup>

52. Given that Blacks have lived on Staten Island since the 1820s, it is noteworthy that it took nearly *two centuries* for Staten Islanders to elect any Blacks to office. It is telling that

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<sup>69</sup> New York State Unified Court System, Judicial Directory, Judges of the Trial Courts, Hon. Tashanna B. Golden, [https://iapps.courts.state.ny.us/judicialdirectory/Bio?judge\\_id=TvI\\_PLUS\\_Tuym2DunSBVlsozG7A%3D%3D](https://iapps.courts.state.ny.us/judicialdirectory/Bio?judge_id=TvI_PLUS_Tuym2DunSBVlsozG7A%3D%3D).

<sup>70</sup> “10 Outstanding Community Members Steer Advance/SI Live Project on Disparity,” *Staten Island Advance*, June 27, 2020. <https://www.silive.com/news/2020/06/10-outstanding-community-members-steer-advancesilivecom-project-on-disparity.html>

<sup>71</sup> Judge Rodriguez’s history of judicial appointments is available here:

[https://iapps.courts.state.ny.us/judicialdirectory/Bio?judge\\_id=Qczuel0ke3HxjZo7w9Rs3Q%3D%3D](https://iapps.courts.state.ny.us/judicialdirectory/Bio?judge_id=Qczuel0ke3HxjZo7w9Rs3Q%3D%3D)

<sup>72</sup> Raymond Rodriguez, [https://ballotpedia.org/Raymond\\_Rodriguez](https://ballotpedia.org/Raymond_Rodriguez). Judge Rodriguez was the target of a racial appeal advertisement during the 2025 election that blamed him for the release of Dantey Moore, a Black man convicted of murder on Staten Island in 2022. The ad blamed Rodriguez for the fact that Moore had been released after felony charges by another judge, on the recommendation of the district attorney. Judge Rodriguez had presided over earlier misdemeanor cases involving Moore, unrelated to his pre-murder release, and had given him an “enhanced sentence” in one case. See “Staten Island Murder Case Roils Judicial Race: GOP Says Judge Previously ‘Let Loose’ Suspect, Judge Slams ‘False Narrative,’” *Staten Island Advance*, October 30, 2025, <https://www.silive.com/politics/2025/10/judge-slams-false-narrative-as-2017-staten-island-murder-case-prompts-heated-exchange-in-election.html>

three of the four Black elected officials represent the North Shore (including, in one case, part of Lower Manhattan); and that the fourth was elected in an uncontested race. Also, despite the fact that Latinos make up nearly one-fifth of Staten Island's population, only one person with Latino heritage has been elected to office on the island.

### **HATE CRIMES, ANTI-IMMIGRANT HARASSMENT AND VIOLENCE**

53. Mr. Borelli also minimizes the impact of hate groups and what he derisively calls “purported hate crimes” on members of protected groups on Staten Island. His treatment of the Ku Klux Klan is contradictory: he discounts its importance but provides additional detail to my account, including the 1992 discovery of literature referring to the Staten Island chapter of the KKK and the presence of racist skinheads on the island in that period.<sup>73</sup> He also does not mention other KKK activities on Staten Island that I document in my report.<sup>74</sup> He cites a 2015 Southern Poverty Law Center (SPLC) database that shows no hate groups on the island, but does not mention the most recent SPLC report (2024) that identifies the Proud Boys as an active extremist group on Staten Island.<sup>75</sup>

54. The hate crimes that I document in great detail in my report cannot be callously dismissed as “purported” or trivial. They include the Klan's siege the Browne family, the arson attack on a Black family who tried to move into New Dorp, attacks on Blacks in schools, parks, and a shopping mall, the spraying of racist graffiti, brutal beatings of three Blacks and one Latino on the night of the election of Barack Obama, the blockading and stoning of a bus bringing refugees

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<sup>73</sup> Borelli Report, 27.

<sup>74</sup> Opening Report, ¶ 67.

<sup>75</sup> Borelli Report, 48. I cite 2024 SPLC report of the Proud Boys in Staten Island in Opening Report, ¶ 36, note 108. In Opening Report ¶ 36, I mistakenly stated that the Proud Boys attended the rally. Actually, John Tabacco, a Newsmax personality, raised the prospect of calling them to attend the rally. Paul Liotta, “‘We Are At War!’: Protestors Against Staten Island Migrant Shelter Pledge ‘Disruption’ Akin to COVID-19 Mayhem,” *Staten Island Advance*, August 14, 2023.

to a Staten Island shelter, and the defacing of Black candidates' posters.

55. The Lawyers Committee for Civil Rights Under the Law notes that “[h]ate crimes are ‘messaging crimes’—meaning that the target of any one hate crime is not just the direct victim, but also anyone who shares the victim’s targeted identity, whether that be race, gender, sexual orientation, or another protected category.”<sup>76</sup> Staten Island’s long history of hate crimes, including the two on Staten Island against Blacks as recently as 2025 that Mr. Borelli reports<sup>77</sup>, cannot be discounted for their impact on the victims and the wider community.

56. The Lawyers Committee also notes that hate crimes can hinder groups’ ability to participate in the political process: “When hate crimes or hate incidents occur during elections, they can send a message that it is dangerous to vote and deter members of historically marginalized groups from participating in the democratic process. By discouraging communities of color and others from voting, perpetrators of hate incidents attempt to stifle the voices of historically marginalized groups, resulting in skewed elections.”<sup>78</sup> The fact that hate crimes targeting minorities on Staten Island have occurred historically and in the very recent past, including around elections, can negatively impact voter participation.<sup>79</sup>

57. Mr. Borrelli describes Staten Island’s often disruptive and violent anti-immigrant protests in 2023 and 2024 as an example of “Staten Islanders’ active participation in the political process by exercising their First Amendment rights.”<sup>80</sup> It is incontrovertibly true that citizens have

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<sup>76</sup> National Lawyers Committee for Civil Rights Under the Law, *Hate and Elections: How Racism and Bigotry Threaten Election Integrity in the United States* (2000), 1–2, [https://lawyerscommittee.org/wp-content/uploads/2020/09/LC2\\_HATE-IN-ELECTIONS\\_RPT\\_E\\_HIGH-1.pdf](https://lawyerscommittee.org/wp-content/uploads/2020/09/LC2_HATE-IN-ELECTIONS_RPT_E_HIGH-1.pdf).

<sup>77</sup> Borelli Report, 48.

<sup>78</sup> National Lawyers Committee for Civil Rights Under the Law, *Hate and Elections: How Racism and Bigotry Threaten Election Integrity in the United States* (2000), quote 2, [https://lawyerscommittee.org/wp-content/uploads/2020/09/LC2\\_HATE-IN-ELECTIONS\\_RPT\\_E\\_HIGH-1.pdf](https://lawyerscommittee.org/wp-content/uploads/2020/09/LC2_HATE-IN-ELECTIONS_RPT_E_HIGH-1.pdf).

<sup>79</sup> For examples of hate incidents that occurred in and around elections, see Original Report, ¶¶ 57, 66-67, 72-74, 101-104.

<sup>80</sup> Borelli Report, 50.

the right to express legitimate differences over immigration policy or oppose the provision of housing and other services to support displaced families. However, the acts at issue here included protestors surrounding and blockading a bus carrying mostly immigrant women and children for more than seven hours, hurling objects at the bus, pelting migrants with rocks, and threatening to kill them.<sup>81</sup> Subsequent raucous protests at refugee shelters including blasting of loud music at night and flashing bright lights into the windows of rooms housing immigrant families.<sup>82</sup> These are pathological acts of harassment and violence directed toward innocent people, not benign expressions of political opinions.

### CIVIL RIGHTS, IMMIGRANT RIGHTS, AND COMMUNITY ORGANIZATIONS

58. Mr. Borelli provides an extensive list of community organizations, many Black and/or Latino-led, as putative evidence of “Staten Island’s clear commitment to supporting its minority residents and ending racism...”<sup>83</sup> The very existence of these organizations is testimony to ongoing racial discrimination, segregation, and disparities on Staten Island that Mr. Borelli ignores or downplays throughout his report. Consider several of the organizations that he includes on his list.

59. Mr. Borelli features the NAACP’s Staten Island branch, founded in the aftermath

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<sup>81</sup> “NYPD: Cop Injured, 48 Year Old Man One of Ten People Arrested After Protest at New Migrant Shelter on Staten Island,” *Staten Island Advance*, September 20, 2023, <https://www.silive.com/crime-safety/2023/09/nypd-cop-injured-10-people-taken-in-for-questioning-after-protest-at-migrant-shelter-on-staten-island.html>; Lauren Lovallo, “They Put Family First: Facing Misery or Death, These Migrants Say They Had to Flee,” *Staten Island Advance*, October 21, 2023, <https://www.silive.com/news/2023/10/they-put-family-first-facing-misery-or-death-these-migrants-say-they-had-to-flee.html>; Erica Brosnan, “Protestors Arrested Outside Staten Island Migrant Shelter,” NY1, September 20, 2023, <https://ny1.com/nyc/all-boroughs/news/2023/09/20/protesters-arrested-outside-staten-island-migrant-shelter>. Videos of the attack taken from migrants inside the besieged bus were posted by the *Staten Island Advance* on YouTube. See *Staten Island Advance*, “Migrants on Bus Film Anti-Migrant Shelter Protest on Staten Island,” <https://www.youtube.com/watch?v=W1EKnrhAFOU>. The comments thread following the video is also revealing of anti-immigrant sentiments.

<sup>82</sup> Eric Bascombe, “Island Shores Migrant Shelter Plagued by Protestors Flashing Lights, Blaring Megaphones,” *Staten Island Advance*, October 27, 2023, <https://www.silive.com/news/2023/10/island-shores-migrant-shelter-plagued-by-protesters-flashing-lights-blaring-megaphones.html>.

<sup>83</sup> Borelli Report, 45. Mr. Borelli also mentions “communities harmed by racism and social injustice,” even though he largely ignores or dismisses evidence of racism and social injustice throughout the report.



of the 1924–25 attacks on a Black family that I document in my report.<sup>84</sup> During World War II, it advocated on behalf of Black soldiers on the island who were the victims of discriminatory policing.<sup>85</sup> In the 1990s, the NAACP criticized the racial politics of Staten Island secessionists.<sup>86</sup> Today, the NAACP describes its mission as “confronting racial disparities in education, health, housing, criminal justice, or economic opportunity” on Staten Island.<sup>87</sup>

60. La Colmena, an immigrant rights organization, addresses economic disparities afflicting Latino immigrants on Staten Island by providing them with jobs and training.<sup>88</sup> La Colmena has also challenged hate and violence targeting migrants on the island, including the violent anti-immigrant protests in 2023. La Colmena provided journalists with videos depicting the “brutal treatment” of refugees at a violent September 2023 anti-immigrant protest that attracted nearly 1,000 people, including some of Staten Island’s most prominent white politicians.<sup>89</sup> And it partnered with the Staten Island Young Leaders, a Black-led organization, to increase voter turnout.<sup>90</sup> La Colmena’s work is necessary precisely because Staten Island’s Latino residents still face serious economic disparities, harassment and violence, and obstacles to political participation.

61. The Staten Island Urban Center brings together Blacks and Latinos to advocate for community development on the North Shore.<sup>91</sup> The Urban Center’s director has called for “a racial impact study” to “highlight the urgency for deeper affordable housing and the opportunity to address long-standing inequalities while advancing local initiatives.”<sup>92</sup> SIUC’s community

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<sup>84</sup> Opening Report, ¶ 33.

<sup>85</sup> Opening Report, ¶ 80.

<sup>86</sup> Julia G. Clarke, “Where Will We Turn?: Staten Island’s African-American Leaders and Anti-Poverty Advocates Fear the Consequences of Secession,” *City Limits*, February 1994, 22-23.

<sup>87</sup> Borelli Report, 46; Staten Island NAACP, <https://statenisländnaacp.org/>.

<sup>88</sup> La Colmena, <https://www.lacolmenanyc.org/>.

<sup>89</sup> Lovallo, “They Put Family First.”

<sup>90</sup> “In Staten Island, A Burgeoning Youth-Led Movement for Social Justice is Afoot,” <https://www.lacolmenanyc.org/jobs?lightbox=dataItem-kybwanh21>.

<sup>91</sup> Staten Island Urban Center, <https://www.siurbancenter.org/we-are-innovators--activists.html>.

<sup>92</sup> Kelly Vilar, “The City Must Incorporate Race into Land-Use Decisions,” *Staten Island Advance*, May 9, 2021.

development strategy responds directly to ongoing racial disparities on the island.

62. Mr. Borelli also mentions the Staten Island chapter of National Action Network (NAN). Founded in the aftermath of Eric Garner's death, Staten Island NAN has challenged police harassment and brutality targeting Blacks. NAN has called for the investigation of hate crimes, demanded stronger civil rights legislation, and continued to challenge policing disparities on the island through nonviolent protests.<sup>93</sup> And as Mr. Borelli reports, NAN worked to increase political participation among Black Staten Islanders.<sup>94</sup> NAN's ongoing work on Staten Island attests to ongoing and unresolved issues, particularly related to Staten Island's long history of racially disparate policing and disparities in political participation.

63. These and many other Black, Latino, and immigrant advocacy groups, civil rights organizations, and employment centers, currently exist on Staten Island precisely because of the long-standing inequalities and disparities that continue to exist on Staten Island—not because they have been overcome.

### CONCLUSION

64. Mr. Borelli's report is riddled with errors. Many of his sources, especially data on socio-economic, educational, and housing disparities, undermine his arguments and reinforce mine. He does not deploy standard historical methods for the research of historical newspapers and is not conversant in the large body of scholarship on housing segregation. He exaggerates rates of Latino political participation and makes unfounded claims about the success of Black and Latino

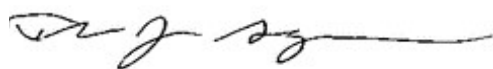
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<sup>93</sup> Borelli Report, 48. For National Action Network's mission and activities, see <https://nationalactionnetwork.net>. Tracey Porpora, "Rev. Al Sharpton Opens Staten Island Chapter of National Action Network," *Staten Island Advance*, May 16, 2015, [https://www.silive.com/northshore/2015/05/rev\\_al\\_sharpton\\_plans\\_opens\\_na.html](https://www.silive.com/northshore/2015/05/rev_al_sharpton_plans_opens_na.html); NAN, Statement by Rev. Al Sharpton On the Death of Staten Island Teenager Dayshen McKenzie Who Allegedly Died Fleeing a Racist Gun Wielding Mob, June 3, 2016, <https://nationalactionnetwork.net/featured/statement-by-rev-al-sharpton-on-the-death-of-staten-island-teenager-dayshen-mckenzie-who-allegedly-died-fleeing-a-racist-gun-waving-mob/>; Jason Paderon, "Staten Island's NAN Chapter Marches for Legislative Change," *Staten Island Advance*, June 8, 2020, <https://www.silive.com/galleries/OJGC3QZGCJD7RKKBP3Z3KOY/>.

<sup>94</sup> Borelli Report, 48.

candidates for office on Staten Island. He ignores extensive evidence of past and ongoing discrimination in housing and policing. He dismisses evidence of racial appeals, hate crimes, and whitewashes disruptive and violent anti-immigrant protests. His opinions are often not founded upon carefully adduced evidence, reliable data, or accurate reportage.

Dated: December 18, 2025



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Thomas J. Sugrue