

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA *ex rel.* :
ANTI-DISCRIMINATION CENTER OF :
METRO NEW YORK, INC., :
:
Plaintiff/Relator, :
:
-v- :
:
WESTCHESTER COUNTY, NEW YORK, :
:
Defendant. :
-----X

ECF CASE

06 CV 2860 (DLC)

DECLARATION OF ANDREW A. BEVERIDGE

1. I am Professor of Sociology at Queens College and the Graduate Center, City University of New York. My primary responsibilities at the college and Graduate Center are teaching statistics and research methods at the graduate and undergraduate level and conducting quantitative statistically based social research. Trained at Yale University, I have been employed in such a capacity since 1973, first at Columbia University until 1981 and since then at Queens College and the Graduate Center of CUNY.

2. My areas of expertise include demography, the statistical and quantitative analysis of social science data sets, most particularly including Census data, survey data and administrative records.

3. I have previously submitted two expert reports in this case.

4. Based on an analysis of 2010 Census data, it is clear that Westchester County continues to be highly segregated.

5. Note that all references in this Declaration to “African-Americans,” “Whites,” and “Asians” are meant to mean “non-Hispanic, single-race” members of those groups. All references in this Declaration to “Hispanics” are to Hispanics of any race. Dissimilarity and isolation were analyzed as between single-race non-Hispanic African-Americans and Hispanics with regard to single-race non-Hispanic Whites.

6. The dissimilarity index is a widely used measure of segregation. Technically, it is the proportion of a minority group that would need to move to make the distribution of that group the same over all units. It thus can vary from 0.0, representing no segregation at all, to 1.0, representing total segregation.

7. For 2010, the dissimilarity index based upon Census blocks for African Americans in relation to Whites is .730 (often described as 73.0). For Hispanics in relation to Whites, it was .607 (often described as 60.7). Both results reflect high levels of segregation.

8. The isolation index is another widely used measure of segregation. The isolation index gives the proportion of one’s own group (*e.g.*, non-Hispanic black or non-Hispanic white) that live in the neighborhood (*e.g.*, Census tract or block) that is inhabited by the average member of the group. Here, too, results can theoretically vary from 0.0 to 1.0.

9. With respect to African Americans in relation to Whites, the isolation index based upon Census blocks was .650 (often described as 65.0), and the figure for Hispanics in relation to Whites was .595 (often described at 59.5). Both of these results reflect high levels of segregation.

10. Another way to illuminate segregation is to look at the extent to which individual Census block groups are similar in racial and Hispanic composition to the composition of the County as a whole. For the purposes of this analysis, I allowed substantial leeway in defining

that which would be called “similar,” by allowing a variation of 20 percent of the group’s countywide percentage (either higher or lower).

11. Thus, for example, the White population of Westchester is 57.38 percent. Applying the definition from the preceding paragraph, any Census block group that had a non-Hispanic, single-race White population of anywhere from 45.90 percent to 68.86 percent would be considered similar in that population to the County as a whole.

12. I used Census block groups for this analysis, because Census block groups are the smallest areas approximating neighborhoods that are defined by the Census Bureau. Westchester County has 704 Census block groups, of which 700 have population. I only considered those that had population.

13. Only 13.57 percent of Census block groups had Hispanic population similar to Westchester as a whole.

14. Only 9.86 percent of Census blocks groups had African-American population similar to Westchester as a whole.

15. Only 8.14 percent of Census block groups had both Hispanic *and* White population similar to Westchester as a whole.

16. Only 4.71 percent of Census block groups had both African-American *and* White population similar to Westchester as a whole.

17. Only 1.43 percent of Census block groups had African-American, Hispanic, *and* White population similar to Westchester as a whole.

18. Only 0.57 percent of Census block groups had African-American, Hispanic, Asian, *and* White population similar to Westchester as a whole.

19. Almost 40 percent of all populated Census block groups in Westchester¹ (38.55 percent) had African-American population of less than 3.0 percent. 28.59 percent of populated Census block groups had Hispanic population of less than 7.0 percent. And almost a quarter of all populated Census block groups in Westchester (23.76 percent) had *both* African-American population of less than 3.0 percent and Hispanic population of less than 7.0 percent.

20. When looking at just the populated Census block groups in the “eligible municipalities” under the Consent Decree, the results are even more striking: 75.97 percent had African-American population of less than 3.0 percent. 53.71 percent of populated Census block groups had Hispanic population of less than 7.0 percent. And more than half of all populated Census block groups in eligible municipalities (51.24 percent) had *both* African-American population of less than 3.0 percent and Hispanic population of less than 7.0 percent.

21. In eligible municipalities, populated Census blocks with African-American population of less than 3.0 percent and Hispanic population of less than 7.0 percent comprise 115,306 acres and have 190,850 people living in them.

22. There are 25 municipalities in Westchester² with African-American³ population of less than 3.0 percent when excluding estimated population in “group quarters.”⁴

¹ In a few cases, populated census block groups spanned two municipalities. In those cases, each municipality’s portion of the Census block group was treated as a separate Census block group.

² Ardsley, Bedford, Briarcliff Manor, Bronxville, Buchanan, Croton-on-Hudson, Eastchester, Harrison, Hastings-on-Hudson, Irvington, Larchmont, Lewisboro, Mamaroneck Town, Mount Pleasant, New Castle, North Castle, North Salem, Pelham Manor, Pleasantville, Pound Ridge, Rye Brook, Rye City, Scarsdale, Somers, and Yorktown.

³ As elsewhere in this Declaration, “African-American” refers to non-Hispanic, single-race African-Americans.

⁴ Though the Census Bureau has released 2010 data on the *number* of people living in group quarters by *type* of group quarters, a *compositional* breakdown that specifies non-Hispanic, single-race African-Americans (to be contained in Summary File 2) will not be released for a considerable period of time. However, from the Public Law 94-171 (Redistricting Data) already

23. The property known as 15 Edgar Street and 42 Cottage Street in the City of Rye is on Census block 1012 in Census tract 77. The Census block has a combined African-American and Hispanic population of 50.87 percent (17.54 percent African-American and 33.33 percent Hispanic). Just beyond the property to the south are two major roads: I-95 and I-287. The property abuts the Port Chester village line. Indeed, it is not possible to get from the property to the nearest public street (Cottage Street) without crossing into Port Chester. Port Chester is 5.3 percent African-American and 59.4 percent Latino.

24. The property known as 2101-2105 Palmer Avenue in the Village of Larchmont is located within Census block 2008 in Census tract 71. The Census Bureau reports the block to have only seven inhabitants. The block fronts on Palmer Avenue, and backs to the railroad tracks. The third of the Census block's boundaries is less than 500 feet from the New Rochelle city line. New Rochelle has a combined African-American and Latino population of 45.9 percent.

25. The property known as "Roundtop" in the Town of Cortlandt is located within Census block 1002 in Census tract 9840, and abuts Veteran Administration hospital facilities,

released, it is possible to ascertain the racial and Hispanic composition of each specific block where group quarters are located. The estimates made here treated the racial and Hispanic composition of each such block as the same as that of the group quarters population living in that block. The method has good practical utility: in blocks where there were a large proportion and number of group quarters residents, such residents usually constituted a very large fraction of the residents of that block, often the entire block. At the same time, where there were only a few group quarters residents, such residents usually constituted only a small fraction of the specific blocks. For these reasons, I have a high level of confidence in the estimate of the composition of group quarters residents where they are a significant fraction of the population (e.g., Bedford, Town of Mount Pleasant, Village of Ossining). Less confidence can be ascribed to the composition of group quarters population where group quarters residents are only a small part of the municipality's population, but, in the latter case, the impact of removing the group quarters population on the racial and Hispanic composition of the municipality would be *minimal* no matter what the composition of the group quarters population. Ultimately, therefore, the municipal level compositional estimates can be relied upon.

along with railroad tracks and Route 9A. The block's population is reported to be 245 people, made up entirely of hospital group quarters population. That is, no people other than those living in hospital group quarters are reported by the Census Bureau to live on the Census block.

26. The property known as 22 Old Route 22 in Armonk is located within Census block 3010 in Census tract 123.03. The Census Bureau reports that no people live on that block.

27. Using the group quarters estimation technique set forth in footnote 4 of this Declaration, I have determined that, pursuant to 2010 Census data, Larchmont and the City of Rye are demographically "Tier A" jurisdictions (African-American population under 3.0 percent and Hispanic population under 7.0 percent); Yorktown is "Tier B" (because its Hispanic population falls into the 7.0 - 9.9 percent range); Pelham is "Tier C" (because its African-American population falls into the 7.0 percent or higher range and because its Hispanic population falls into the 10.0 percent or higher range); and Cortlandt is also Tier C (because its Hispanic population falls into the 10.0 percent or higher range).

28. I also examined Census data for the property located at 330 Riverdale Avenue in Yonkers. The property is located on Census block 3005 of Census tract 2.01. It currently has 377 residents, who are 11.4 percent African-American and 70.2 percent Hispanic, while the tract is 17.8 percent African American and 66.9 percent Hispanic.

Executed on May 30, 2011.

A handwritten signature in black ink that reads "Andrew A. Beveridge". The signature is written in a cursive, flowing style.

Andrew A. Beveridge