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Judge OKs Redistricting Suit

By Emi Endo
STAFF WRITER

A federal judge yesterday ruled that a lawsuit against new Suffolk legislative district lines can go forward, and said he would decide after a hearing on Friday whether to delay upcoming election deadlines.

U.S. District Court Judge Arthur Spatt in Central Islip found that a challenge to the redistricting map drawn up last week was appropriate now even though the plan has not yet become law.

Hispanic and black residents and the eight Democratic legislators who did not vote for the plan claim it violates the Voting Rights Act by diluting the voting strength of minority communities. The plan, supported by the legislature's 10 Republicans, would put two Democratic incumbents, Ginny Fields of Oakdale and William Lindsay of Holbrook, into the same district.

Spatt said that before he would consider postponing the period during which political parties must collect signatures to nominate candidates,

He delays ruling on election deadlines

June 3 through July 10, the plaintiffs must demonstrate a "substantial likelihood of success" on the merits of their case. The hearing is scheduled for Friday from 9 a.m. to 6 p.m., and will extend into Saturday if necessary.

"I think that this is a very positive determination by the court," said the plaintiffs' attorney, Frederick Brewington, of Hempstead.

But deputy county attorney Robert Cabble yesterday said it appeared that the court did not agree with the plaintiffs that the plan was illegal on its face.

County Executive Robert Gaffney's office held a public hearing on the plan yesterday in Hauppauge, but only one person spoke. Philip Goldstein, of the county Independence party, blasted

the plan as "the worst of partisan politics." He said, "Veto this ugly power grab."

Gaffney has until June 16 to decide whether to approve the plan. The measure would not become law if he vetoed it and the Legislature sustained the veto, or if residents challenged it through a referendum.

But citing case law and the fact that the parties must begin preparing for the primary election even before the plan becomes law, Spatt wrote, "Although the Court recognizes that it is possible — though highly unlikely — that Resolution 402 [the reapportionment plan] may not be formally enacted into law as a result of a potential referendum, the Court finds that the challenge to the validity of Resolution 402 is ripe for judicial review . . ."

To prepare for the possibility the court might suspend the political calendar, Spatt ordered the Suffolk Board of Elections to prepare a separate circulating petition for legislative candidates.

He also declined the plaintiffs' request to appoint a special master to assist the court in scrutinizing the plan "at this time."