

**UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF NEW YORK**

NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE,  
SPRING VALLEY BRANCH; JULIO  
CLERVEAUX; CHEVON DOS REIS; ERIC  
GOODWIN; JOSE VITELIO GREGORIO;  
DOROTHY MILLER; HILLARY MOREAU;  
and WASHINGTON SANCHEZ,

Plaintiffs,

v.

EAST RAMAPO CENTRAL SCHOOL  
DISTRICT and MARYELLEN ELIA, IN HER  
CAPACITY AS THE COMMISSIONER OF  
EDUCATION OF THE STATE OF NEW  
YORK,

Defendants.

17 Civ. 8943 (CS) (JCM)

**DECLARATION OF ERIC GOODWIN**

ERIC GOODWIN, pursuant to 28 U.S.C. § 1746, declares under penalty of perjury as follows:

**Background**

1. I am a United States citizen. I am 46 years old. I am a black man.
2. My address is 87 Meadow Lane, Nanuet, New York 10954. I reside within the East Ramapo Central School District (“East Ramapo” or the “District”).
3. I have resided in the District since July 2011.
4. I currently work as a human resources specialist for the Department of Veteran Affairs and serve as an officer in the United States Army Reserve. My rank is Chief Warrant Officer 3.
5. I am a registered voter in the District.

### **Voting and Lack of Representation on the Board**

6. For the last six years, I have voted in each of the elections for members of the District's Board of Education (the "Board"), except in 2014.

7. Since I began voting in the District in 2012, none of the Board candidates who I voted for were elected except for Sabrina Charles-Pierre, who was an incumbent and ran unopposed in the 2016 election. In 2012, I voted for Hiram Rivera, Kim Foskew, and JoAnne Thompson, who all lost; in 2013, I voted for Margaret Tuck, Eustache Clerveaux, and Robert Forrest, who all lost; in 2014, I did not vote because none of the candidates represented my views; in 2015, I voted for Sabrina Charles-Pierre, Natasha Morales, and Steve White, who all lost; in 2016, I voted for Kim Foskew, Jean Fields, and Natasha Morales, who all lost; and in 2017, a year in which I ran for the Board, I voted for myself, Alexandra Manigo, and Chevon Dos Reis, and we all lost.

8. Of the three black Board members, I only voted for Ms. Charles-Pierre. I did not vote for Mr. Charles or Mr. Germain when they ran for office in 2013 or 2016. I do not know of any black or Latino voters who voted for Mr. Charles or Mr. Germain in 2013 or 2016. I do not recall Mr. Charles campaigning in minority neighborhoods or making any effort to appeal to black and Latino voters. I have been told that Mr. Germain attended the Spring Valley NAACP and JAMCCAR candidate forum in 2016, but I do not recall Mr. Germain campaigning in minority neighborhoods or making any significant effort to appeal to black and Latino voters.

### **Quality of the Schools**

9. My son, E.G., has attended public schools in the District since September 2015. Although I previously lived in the Bronx, I moved to the District because I thought my son would receive a better education than I expected he would have received attending public schools in New

York City. When we moved to Nanuet, I expected that my son would be able to attend school in the Nanuet Union Free School District; however, it turned out that our home actually falls within East Ramapo.

10. As a parent, I have paid attention to the problems with the quality of public school education in the District. For example, in some of my son's classes, the students have extremely old or no textbooks. My son often comes home with "worksheets" rather than textbooks, which makes it extremely difficult for me to help him with his homework because we do not have a textbook, which would serve as a reference.

11. My son's schools have not had enough musical instruments for all students to participate in music education, so only some students in his class were issued musical instruments this year. My son was not one of the students issued a musical instrument, so I have had to rent a musical instrument for him at my own expense. I am fortunate to have the financial means to make these additional expenses for my son's education, but I worry about other the children of other public school families who may not be as fortunate. I am not satisfied with the quantity or quality of music education that my son receives from the District's public schools.

12. The Board's recent decision to implement the use of metal detectors in public schools was a decision that other parents of public school students and I found racially insensitive. To the best of my knowledge, the public schools in the District do not have a significant problem with student violence. Instead, the metal detectors treat the mostly black and Latino children like criminals and makes their school environments feel more hostile.

### **Impact of Declining Schools on Property Values**

13. Some of my neighbors have had difficulty selling their homes because of the decline in the quality of the public schools. During an October 2016 meeting of the homeowner's

association for my subdivision that I attended, some residents spoke about the difficulty they were experiencing in selling their homes due to the declining quality of the District's public schools.

**The Board's Lack of Responsiveness**

14. Over the past few years, to express my concerns about the quality of public school education, I regularly attend Board meetings. At the May 8, 2017 Board meeting, I spoke about the Board's lack of responsiveness to the minority community. Specifically, I spoke on behalf of Lena Bodin, another public school parent in the District who could not attend the meeting that night. I read a speech that Lena prepared about the significant staffing cuts and lack of teachers in the District and described to the Board how important it is to restore school programs and services, like arts and music programs, to acceptable levels.

15. The Board has not been responsive to my concerns about the quality of the public schools. For example, when I spoke during the May 2017 Board meeting, I noticed that the Board members did not pay meaningful attention to my comments, ask any questions, or otherwise express any interest in my concerns. I witnessed this same behavior when other members of the community concerned about the public schools spoke at Board meetings. As a Chief Warrant Officer 3 in the United States Army, I frequently give reports to commanding officers about, for example, the medical readiness of soldiers in my brigade. My commanding officers ask numerous and detailed questions about my reports, which demonstrates to me that they have read my reports and thought critically about the information contained in them. Given the important issues at stake at Board meetings, I would expect greater engagement and responsiveness from Board members with regard to community concerns.

16. Ms. Sabrina Charles-Pierre is the only Board member who is responsive to my concerns and the concerns of my community. Unfortunately, the Board seems to isolate her from

its decision-making process. For example, at a Board meeting in April or May 2017, it appeared that the Board gave her background information needed to vote on a decision only as the vote was taking place.

### **Unsuccessful Run for Office**

17. In 2017, I ran for a seat on the Board. I ran because I believed that as a Board member, I could ensure access to a proper education for my son and for all children attending public school in East Ramapo. I ran on a slate with Chevon Dos Reis and Alexandra (“Allie”) Manigo.

18. I announced my candidacy at a Power of Ten forum in February 2017. Power of Ten published a call for candidates on its web site, [poweroften.us](http://poweroften.us), on January 31, 2017. The posting stated that “There are certainly many people in East Ramapo who are qualified to serve on the board.” The posting also stated: “The Center for Public Education says an effective school board member should [1] inspire parents and other stakeholders to have confidence in the local public schools; [2] enhance the mix of skills and backgrounds on the board and help represent the diversity of the community; [3] have the commitment to do what is right for all children, even in the face of opposition. ***Does this sound like someone you know? Or maybe you might be interested yourself?***” The post then encouraged those interested in being a candidate to fill out a questionnaire, which asked potential candidates about their reasons for running, their vision and goals for high academic achievement for all students, their skills and background, and about their community activities.

19. To campaign, the other members of my slate and I created a campaign web page, flyers, posters, yard signs, and t-shirts. We also knocked on doors in many culturally diverse communities throughout East Ramapo, including Spring Valley, Nanuet, Pomona, Chestnut Ridge

and Hillcrest. I attended a candidate forum hosted by the Spring Valley Branch of the NAACP and JAMCCAR. People in our community volunteered for our campaign, including by handing out campaign literature and providing transportation to the polls. We held a “Get Out the Vote Election Eve Party” at Memorial Park in Spring Valley and advertised the event in signs in both English and Spanish. We made a television commercial that aired on a local news channel. We also raised approximately \$20,000 in donations from our supporters to finance our campaigns.

20. I was not invited to any candidate forums in the predominantly white communities of the District, including New Square, Kaser, or Monsey. I recall that we were invited by two members of the white, private school community to speak at an event at the Green Meadow Waldorf School in Chestnut Ridge, which I accepted; however, almost no one from the white, private school community attended the event. Those two people also offered to hand out our campaign literature in predominantly white neighborhoods, but I did not campaign personally in these predominantly white areas because as a black man, I did not feel welcome there. I do not recall any other members of the white, private school community who engaged with our campaign. I do not otherwise recall any members of the white, private school community who supported or volunteered for our campaign or invited me to campaign in any of the predominantly white neighborhoods, villages, or hamlets in the District.

21. Shortly after I announced my candidacy, former Board member Aron Wieder approached me to discuss my campaign and the election. Mr. Wieder informed me that I should “not waste my time” campaigning in the predominantly white neighborhoods because the white community members would never vote for me.

22. I was not aware of who I was running against until 30 days before the election, when Harry Grossman filed his petition for candidacy with the Board.

23. I do not know which organizations or community leaders endorsed the slate on which my opponent ran. I was never offered an opportunity to compete for a position on that slate or for the endorsement of the community leaders who endorsed my opponent. I do not know what criteria those organizations or leaders used to slate or endorse their preferred candidates.

24. I never saw my opponent or other members of his slate campaigning, and he did not attend any candidate forums that I attended. For example, my opponent did not attend the forum held by the NAACP and JAMCCAR or the Power of Ten forum that I attended even though the organizers informed me that he was invited.

25. I did not see any campaign posters or flyers for my opponent or other members of his slate until the week before the election. I did not see my opponent or other members of his slate canvassing in any of the communities in which I campaigned. I did not hear about my opponent campaigning in any minority neighborhoods.

26. I was defeated by Harry Grossman in the May 16, 2017 election. Harry Grossman received approximately 5,000 more votes than I did.

27. When I campaigned in black and Latino neighborhoods, many black and Latino voters told me that they were going to vote for me. Leaders in the black and Latino communities strongly supported my campaign.

28. In a future election, I would prefer to run in a ward system, rather than in the current at-large system because I do not expect that I would have a meaningful chance to win under the current system, given that public school candidates have lost all recent contested elections for seats on the Board.

29. If the May 2018 election takes place under the current at-large system, I may nonetheless run because I recognize the importance of fielding candidates for the Board who support public schools to maintain public and voter engagement on public school issues.



I declare under penalty of perjury that the foregoing is true and correct.

Dated: Nanuet, New York  
November 16, 2017.

  
Eric Goodwin