

**TESTIMONY OF SEAN COFFEY, BOARD MEMBER OF COMMON CAUSE/NY
AND CHAIR OF CITIZENS REDISTRICTING COMMITTEE
BEFORE LATFOR, JANUARY 31, 2012, BRONX, NY**

My name is Sean Coffey. I currently serve as a member of the board of Common Cause New York. Thank you for the opportunity to testify today about a matter that goes to the core of how a representative democracy should operate: drawing districts that best serve the collective interest of our citizens and not the self-interest of politicians. I am here today because the district maps drawn by the LATFOR fall shockingly short of what the people of New York deserve – and represent a brazen broken promise by a majority of the Assembly and Senate.

I would like to begin by going back two years, to when I ran as a candidate for the Democratic nomination for Attorney General. Like many candidates for office in 2010, I was asked to sign the ReShape New York pledge that would commit me to support an independent redistricting process after the 2010 census. I had previously put out a detailed reform agenda that included that very point, so on one level agreeing to sign the pledge was a foregone conclusion. But I remember thinking long and hard about whether to put my signature on a written pledge that would create a solemn contract between me and the voters, a commitment that I, if elected, would be honor-bound to fulfill. I signed the pledge, as did the vast majority of other candidates eager to assure the voters that they understood the need to end the insidious practice of gerrymandering. I came up short in my campaign, so I never got the opportunity to fulfill my promise to the voters. But a healthy majority of those elected to each house of the Legislature had signed the pledge, and like other private citizens I looked forward to those majorities fulfilling their pledge to the voters. It was not to be. The failure of this Legislature to keep its members' sworn promise to refer the drawing of district lines to an independent, non-partisan committee was a cynical breach of trust, even by the low standards that New Yorkers have come to expect of Albany politicians. Having ignored their commitment to an independent commission and opted, yet again, to draw the lines themselves, one would have hoped that this Task Force would have mitigated the harm by drawing the new lines in a manner that at least approximated what an independent commission would have done. Unfortunately, the draft maps produced by this Task Force pour salt in the wound, because the lines are clearly the product of highly partisan gerrymandering of the worst degree.

Common Cause NY has been a strong advocate of establishing an independent redistricting commission in this state. When it became clear that members of the Legislature were intent on breaking this promise to the public, we at Common Cause NY decided to take matters into our own hands and draw independent, non-partisan redistricting plans for the entire state. Working with an advisory panel of distinguished academics and engaged citizens, and soliciting input from communities and organizations throughout New York, we have produced the Common Cause Reform Maps that clearly illustrate kind of non-partisan plan that the voters support, and that the Legislature promised to deliver when members signed that pledge.

We are not armchair critics; we know it can be difficult to balance the requirements of Federal law and State Constitution while maintaining low population deviations and keeping counties and political subdivision as intact as possible. With the Common Cause Reform Maps, we have proven that it can indeed be done.

The contrast with the incumbent and majority protection plans issued by LATFOR could not be clearer. On Long Island, our plan keeps communities of interest and minority communities that have been cracked and splintered for decades intact, while closely following village and school district boundaries that are largely ignored by the LATFOR plans. In New York City, the Common Cause Reform Plan keeps neighborhoods together while enhancing opportunities for minority representation in every borough. Upstate, the plan keeps regions, counties, and cities together – in stark contrast to the LATFOR drafts which appear to divide them whenever politically expedient. And looking at the state as a whole, the Common Cause Reform Plan corrects the regional malapportionment between New York City and Upstate that each majority party manipulates for partisan advantage.

This is the kind of fair, non-partisan plan that the citizens of this state envisioned when the majority of both the Senate and the Assembly pledged to support independent redistricting, and it is the plan that New Yorkers deserve.

I'd also like to remind this panel that Common Cause NY also drew a complete reform plan for Congress that we urge you to take into consideration. If LATFOR has not drawn a Congressional plan at this late hour, why not adopt the Common Cause Reform Plan? When LATFOR's Congressional plan is finally published, it is imperative that the public have an opportunity to offer input.

This hearing in the Bronx also offers an opportunity to compare and contrast the LATFOR drafts with the Common Cause Reform Plan at a more local level. And since the task force felt no need to schedule a public hearing in Westchester or the Hudson Valley, despite it being the fastest growing region of the state, this hearing is the best chance to discuss those issues as well.

First let's take a look at the Assembly. In both the Bronx and Southern Westchester, there has been hardly any change in these draft lines when compared to the existing districts. Common Cause NY is on record from the first round of LATFOR hearings recommending that AD 80 should not cut across Bronx Park to divide the Norwood neighborhood. That line has been left largely in place, despite testimony from that community last fall that pointed out this issue.

Another issue we've found in the Assembly is that the opportunities for minority representation can be significantly improved if the Bronx-Westchester county line is crossed. We do not take this lightly – counties should only be crossed with significant justification. But crossing the Bronx-Westchester line in the Mount Vernon-Wakefield area allows two majority Non-Hispanic Black Assembly districts to be drawn where currently only one exists. Like Ridgewood-Bushwick in Brooklyn-Queens, this is an area where a compact community of interest extends uninterrupted over the county line. Drawing AD 87 to cross the Bronx-Westchester line also allows the South Yonkers area to be wholly included within a

single AD which would be majority-minority at 39.3% Hispanic and 19.2% non-Hispanic Black voting age population.

Now to turn to the State Senate. We at Common Cause NY never thought that we would see a redistricting plan that makes the current lines look good in comparison. But in the Bronx and Southern Westchester, LATFOR has accomplished just that.

In the LATFOR Draft, SD 29 now runs from the South Bronx through East Harlem in a jagged shape that then extends across Central Park into the Upper West Side. In the Common Cause Reform Plan we provided a clear written justification for each district we drew. LATFOR did not do the same. What could possibly be the justification for this new SD 29 or SD 32, which extends four twisted appendages across the South Bronx with no regard for neighborhoods or communities?

Similarly the draft SD 34, a district which currently loops into Southern Westchester in a donut around SD 36, now instead jumps across Bronx Park to Riverdale in a narrow corridor, while still extending into Southern Westchester including a narrow panhandle into Northern Mount Vernon.

Let me offer as a comparison, the Common Cause Reform Maps. These districts are compact and based in neighborhood geography and communities of interest, while also recognizing the 23% growth in the Bronx Hispanic community that has taken place since 2000. Indeed, drawing a compact district wholly within the East Bronx – the Common Cause Reform SD 34 – creates a near-5th majority Hispanic district at 47.4% Hispanic voting-age population. This contrasts with the LATFOR Draft SD 34 which only reaches 35.4% Hispanic voting-age population. Moreover, the East Bronx is a clear community of interest, distinct from either the South Bronx, Central Bronx, or Riverdale in terms of median household income, educational attainment, homeownership, percentage of households with children, and immigrant population. Again, this is a fact we at Common Cause pointed out at the first LATFOR hearing in the Bronx last fall when we provided detailed maps of the socio-economic data for the borough.

Also, in recognition of the State Constitution's provision for Senate districts to avoid dividing counties whenever possible, the Common Cause Reform Plan's Senate Districts only cross the Bronx-Westchester line with one district, SD 36.

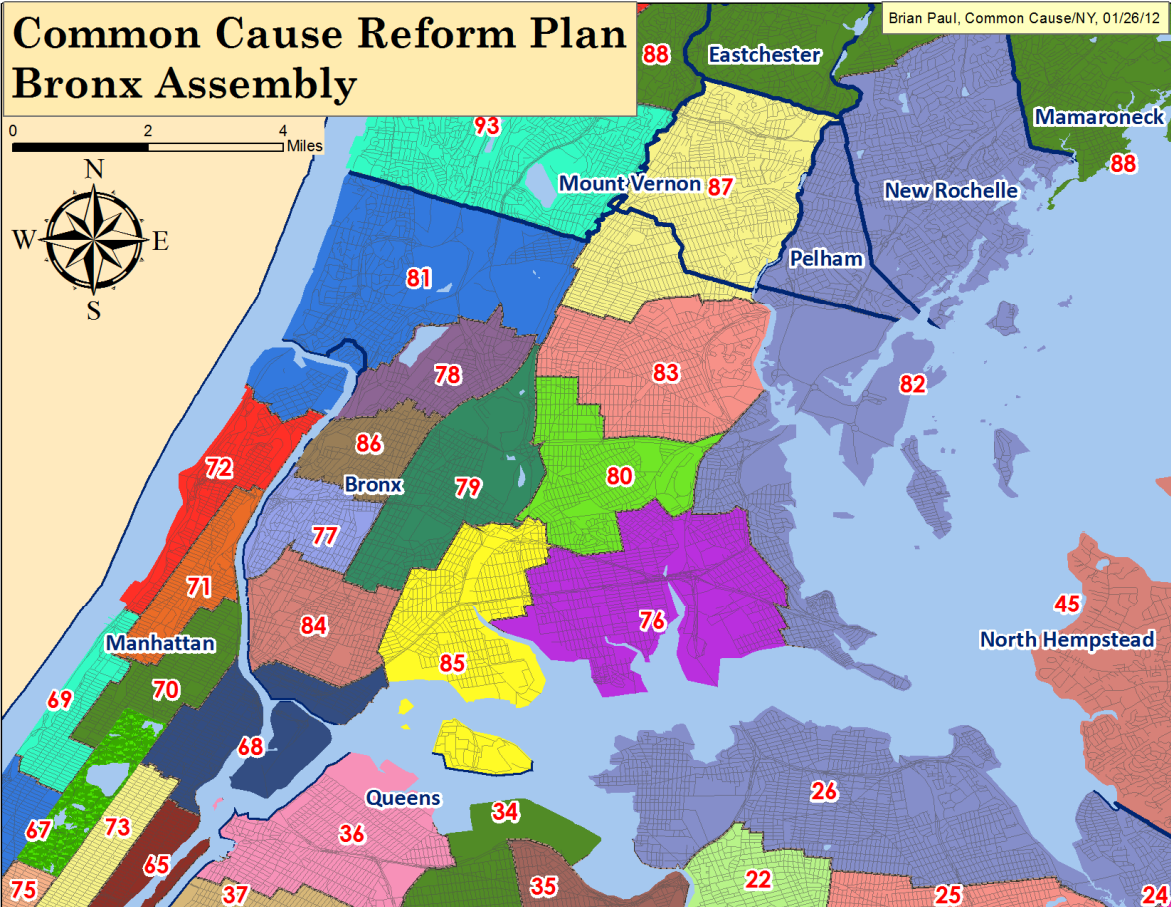
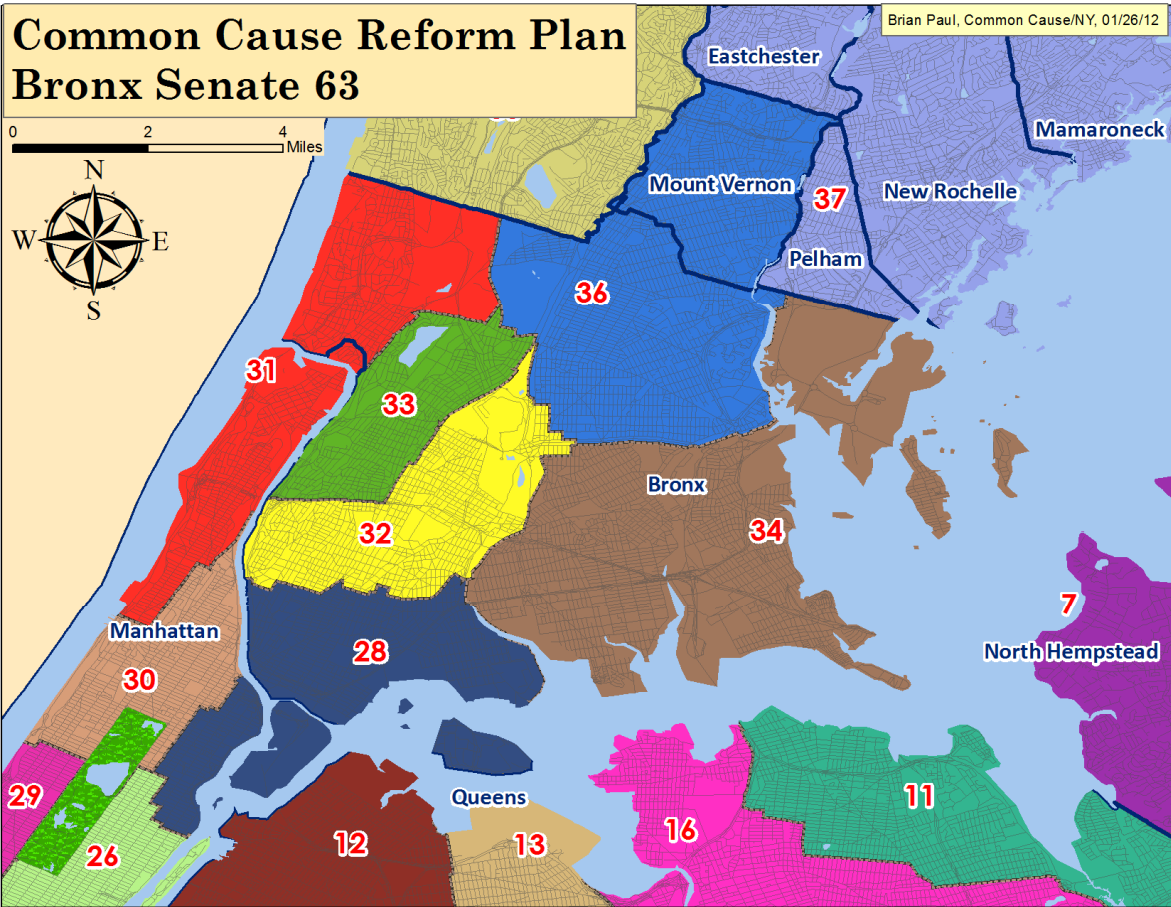
Across the county line in Westchester, the Senate draft as currently proposed is also a major step backwards compared with either the Common Cause Reform Plan or the existing districts. Both divide Southern Westchester roughly down the middle, with SD 35 as a compact Hudson River district, and SD 37 as a compact Long Island Sound district. As a resident of Westchester with knowledge of the communities there, this arrangement makes sense.

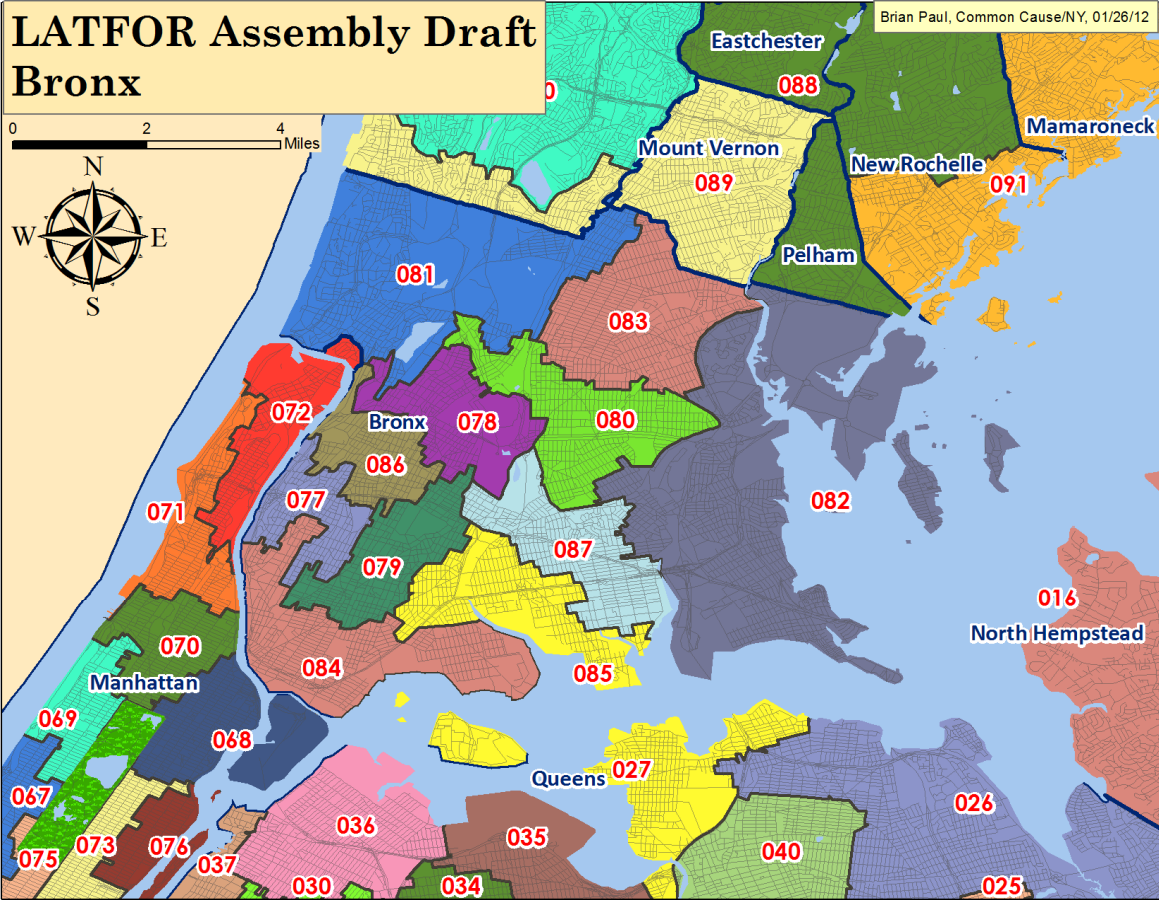
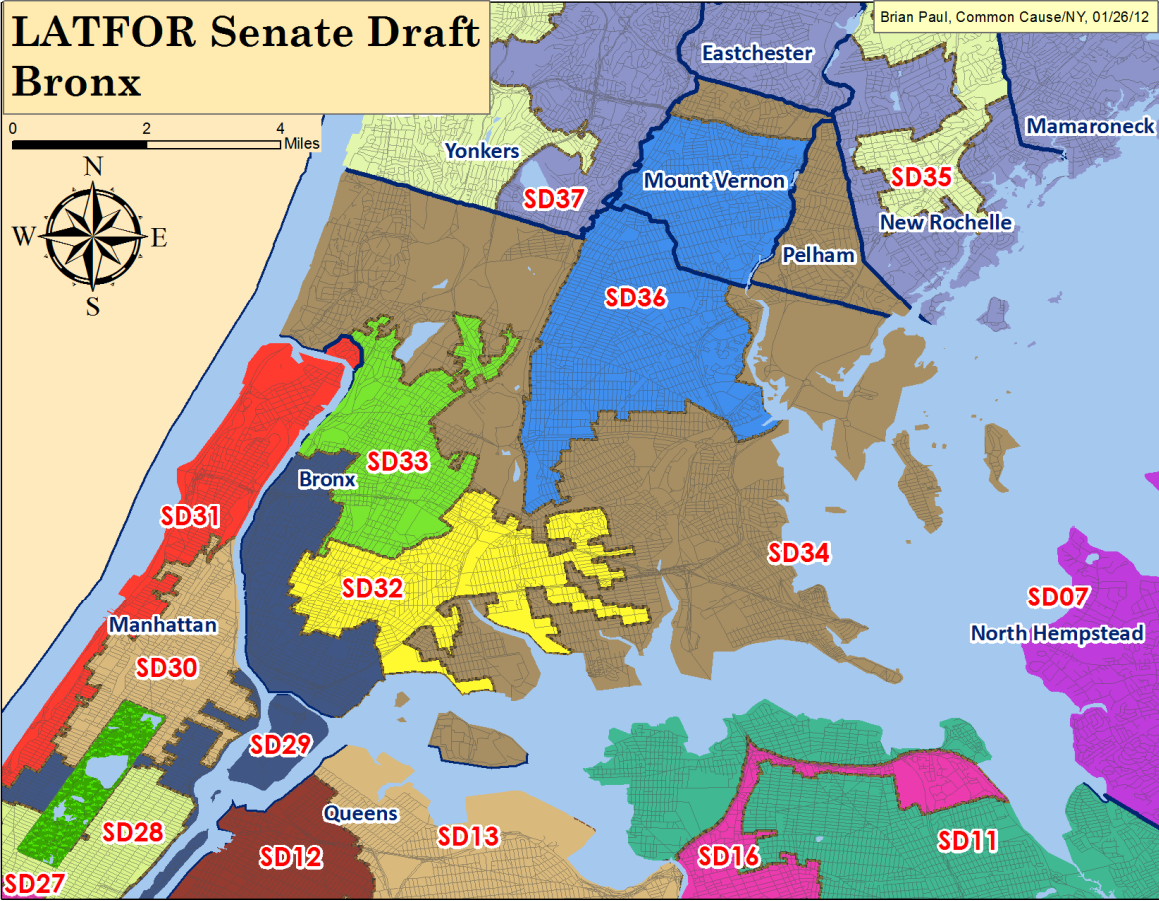
There is no objective rationale for the overt partisan gerrymander of Southern Westchester in LATFOR's current State Senate draft. As proposed, SD 35 will now contain only half of Yonkers and instead add Scarsdale and, most egregiously, a twisted appendage extending into New Rochelle. These lines are proof positive of a partisan gerrymander – we've looked at the Voter Enrollment, and these new Westchester lines are clearly designed to split the county politically, with nearly every possible

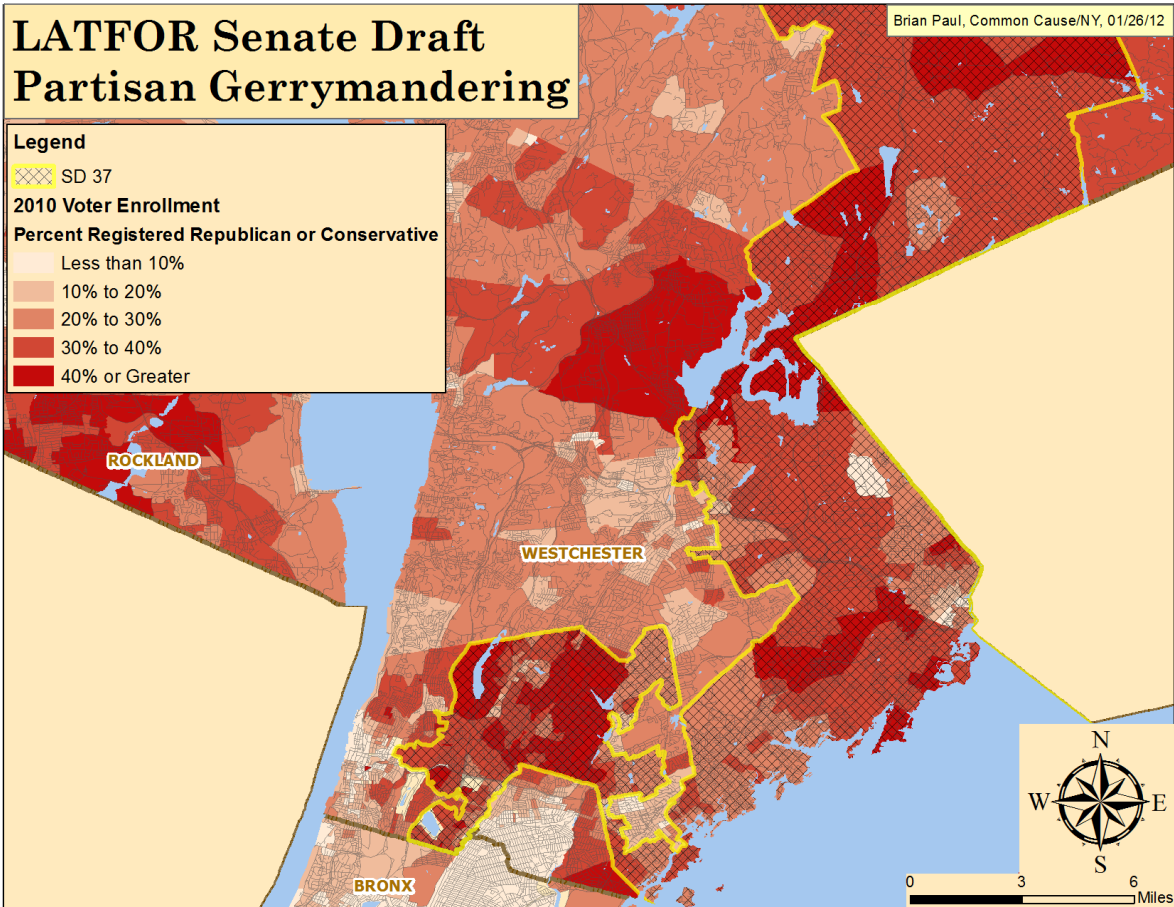
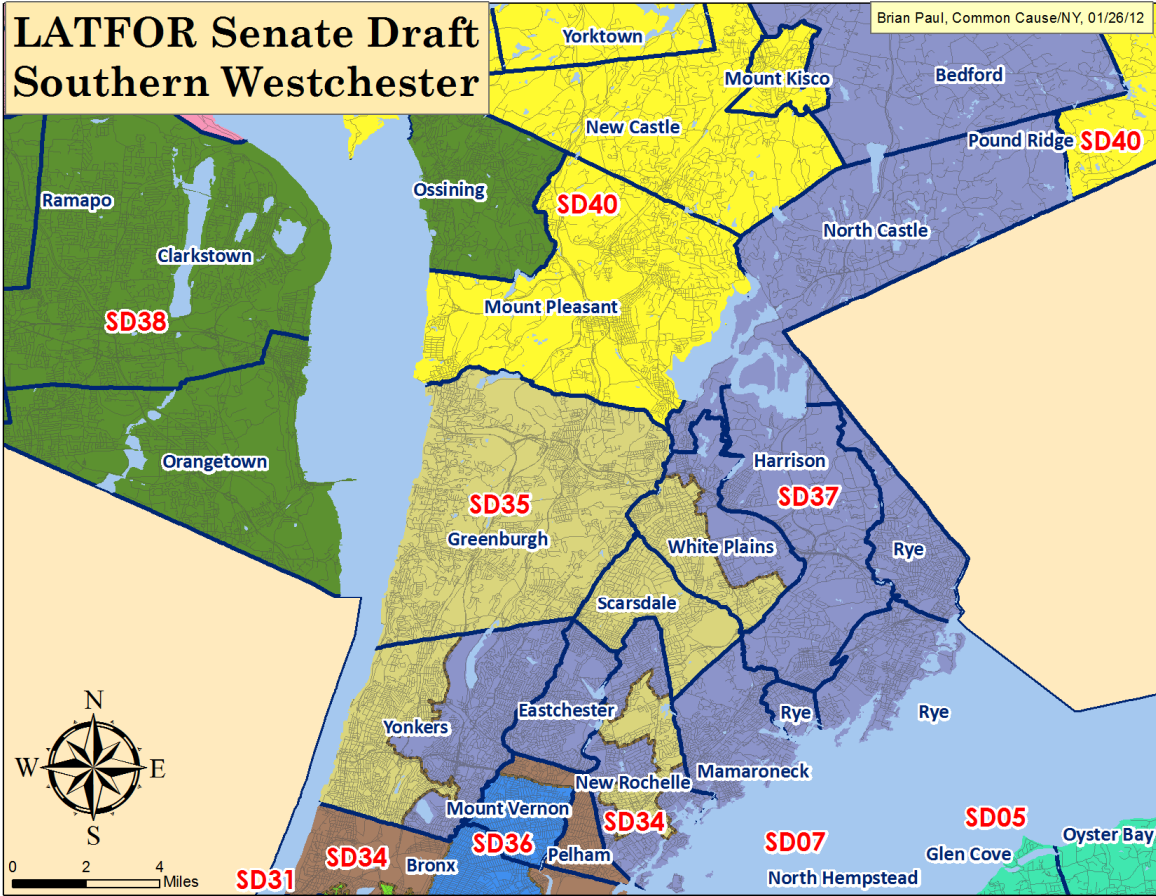
conservative voter carved into the new SD 37 which will be an open seat this November with Senator Oppenheimer's retirement.

Clearly these lines in Southern Westchester are a prime example of why Governor Cuomo has promised to veto this overtly partisan plan.

I thank you for the opportunity to testify, and hope that you take the opportunity to revisit the recommendations of the Common Cause Reform Plan for the Bronx and Southern Westchester, a plan which offers a clear vision of what non-partisan districts would look like for this region.







Common Cause Reform Plan Southern Westchester Senate 63

Brian Paul, Common Cause/NY, 01/26/12

