

THE SENATE  
STATE OF NEW YORK



**TIMOTHY M. KENNEDY**  
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**SENATOR TIMOTHY M. KENNEDY**  
**TESTIMONY BEFORE LATFOR PUBLIC HEARING IN BUFFALO**  
**February 16, 2012**

I start with a simple message in response to your recently proposed legislative maps: They simply won't do.

The district-drawing pen should be in the hands of an independent commission that will abide by the State Constitution and take politics out of the process.

When we all ran for election in 2010, most of us said we wanted an independent panel to take over redistricting duties before the 2012 election cycle. In fact, more than 85 percent of the State Senate signed a pledge to do so.

I was new to the Senate, but with 85 percent of legislators pledging support, I thought we'd quickly get to work and get the job done on independent redistricting.

Instead, Senate Republicans went back on their word and gave New York State a Senate map that reeks of political gerrymandering.

Rather than making compactness, contiguity and communities of interest the guiding principles of the redistricting process, it appears you have manipulated the map and carefully plotted districts with the goals of maintaining power and safeguarding vulnerable incumbents.

A recent analysis conducted by The New York World and the Center for Urban Research is particularly troubling. It provides hard evidence proving political gerrymandering.

They compared the results of the 2010 state legislative elections with your recently proposed lines to determine how those results might impact future representation.

They found that Senate Republicans devised their proposed lines with the partisan intention of preserving their power.

According to their analysis, if every voter cast their ballot for the same party as they did in 2010, the Senate Republicans would grow their majority to 34-29.

Considering the jagged-by-design district lines you've sketched, there's no way this is just coincidence. You searched out favorable election districts and drew the Senate lines accordingly to make them more friendly for the current majority.

For far too long, the redistricting process has been abused as the Albany incumbent protection program. Majority legislators pick and choose their voters, and if you don't fit their mold as a potential supporter, you're pawned off to a neighboring district. It's a backward system that breeds voter apathy and dysfunctional government.

In addition to their practice of political gerrymandering, Senate Republicans also manipulated the State Constitution for political purposes. You toyed with the Constitution in order to squeeze an additional Senate seat into the Capital Region – which will increase the size and cost of government at a time when we should be working on streamlining and reducing costs.

As many of my colleagues and good government groups have asked, I don't understand why you counted some counties one way, and others another way.

It appears Senate Republicans targeted 63 as the number of seats they needed to pad their majority and then conducted their math in reverse to determine how they needed to manipulate the Constitution.

New York State enjoys and celebrates a diverse culture and rich history of fighting for the rights of minorities. But the Senate Republicans' new map seems to constrict minority rights, rather than seeking to expand rights and empower communities.

The proposed map demonstrates the practice of "cracking" minority communities among several Senate districts to drown any attempt to gain political voice. We see it in the town of Hempstead. It's visible in the city of Rochester.

And locally, in Western New York, I think it's telling that the 60th Senate District, under this new remap plan, would see its demographic make-up shift from 54 percent white and 37 percent African-American to 85 percent white and 5 percent African-American residents.

To me, this demographic shift indicates a disinterest from the Senate Republicans to represent the needs of Buffalo's minority communities.

I will say this, regardless of how the process plays out, I will continue to be a representative for all of Western New York.

Although I feel any partisan-drawn lines should be vetoed, I would welcome more of the City of Buffalo to the district I represent, so that I can give city residents a voice in Albany. City neighborhoods are often referred to as underserved. They need effective representation in the Senate, and I would be proud to fight for these neighborhoods.

But I am not much concerned with how I'm impacted by the newly proposed map. I'm far more concerned with this flawed process, its gerrymandered product and how it impacts hardworking New Yorkers who deserve a government that works for them, not for political incumbents.

You can make claims that you drew the lines in accordance with the Constitution, as well as demographic and population shifts. But New Yorkers aren't buying it.

You've told your story. But the population deviations among districts, the "cracking" of minority communities, the "packing" of Republican-friendly voters, the expansion of the Senate – all of that tells a very different story.

It tells the story of a flawed process that enables Senate Republicans to serve their own political self-interest, rather than the public's interest. It tells the story of a broken promise that has kept the system secretive and kept New Yorkers in the dark.

I urge you to make significant changes to your proposed maps. Head back to the drawing board, and lay the politics aside to come up with a fair, non-partisan redistricting proposal.