



City of Rochester, NY

Legislative Task Force on Demographic Research and Reappointment

Monroe County Legislature Chambers

Testimony by
Mayor Thomas S. Richards
February 15, 2012





As Mayor of the City of Rochester I am compelled to offer testimony in opposition to the Senate redistricting plan. The six districts proposed for Monroe County disregard the community of interest that is Monroe County and the City of Rochester. They dilute the ability of the significant minority community residing in the City of Rochester to influence the outcome of Senate elections and to gain the attention of those who would be elected in the proposed districts. Furthermore, they water down the impact of our regional economic development identity. I believe that the approval of these districts will significantly dilute the interest of the City and its residents.

Legislative redistricting is not intended to be a free hand exercise. We know that you have spent considerable time working on this. But I must ask you to carefully reconsider the districts as proposed and make adjustments that will best serve the interests of the City and the Region.

State and Federal Law establish the ground rules and the ground rules have a purpose. They were designed to protect the community interest and rights of all voters. Applied properly they will and they must achieve those goals for Rochester and other communities in New York State.

A handwritten signature in black ink, appearing to read "Thomas S. Richards".

Thomas S. Richards, Mayor
City of Rochester

CONSTITUTIONAL ISSUE- COMMITMENT TO COMMUNITY OF INTEREST

The New York State Constitution addresses redistricting criteria to preserve communities of interest and prevent manipulation of the redistricting process. Federal rules necessitate compliance with equal representation through the "one person, one vote" requirement and the Voting Rights Act.

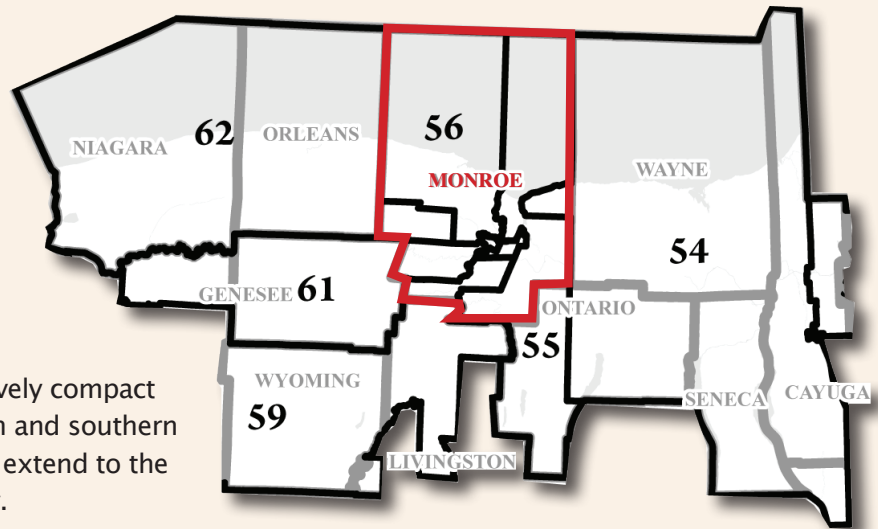
I want to emphasize the importance that the drafters of the Constitution placed on protecting the interest of local communities. I am afraid that the proposed districts, at least as they impact Monroe County and the City of Rochester, fail to meet Constitutional standards and put the interest of our community at risk. The proposed redistricting of several Senate Districts in the Rochester area violate one or more of these Constitutional requirements.

Monroe County's population has been recorded by the Census Bureau as 744,344 people. Assuming 63 Senate Districts, each District should include approximately 307,600 people. Based on the

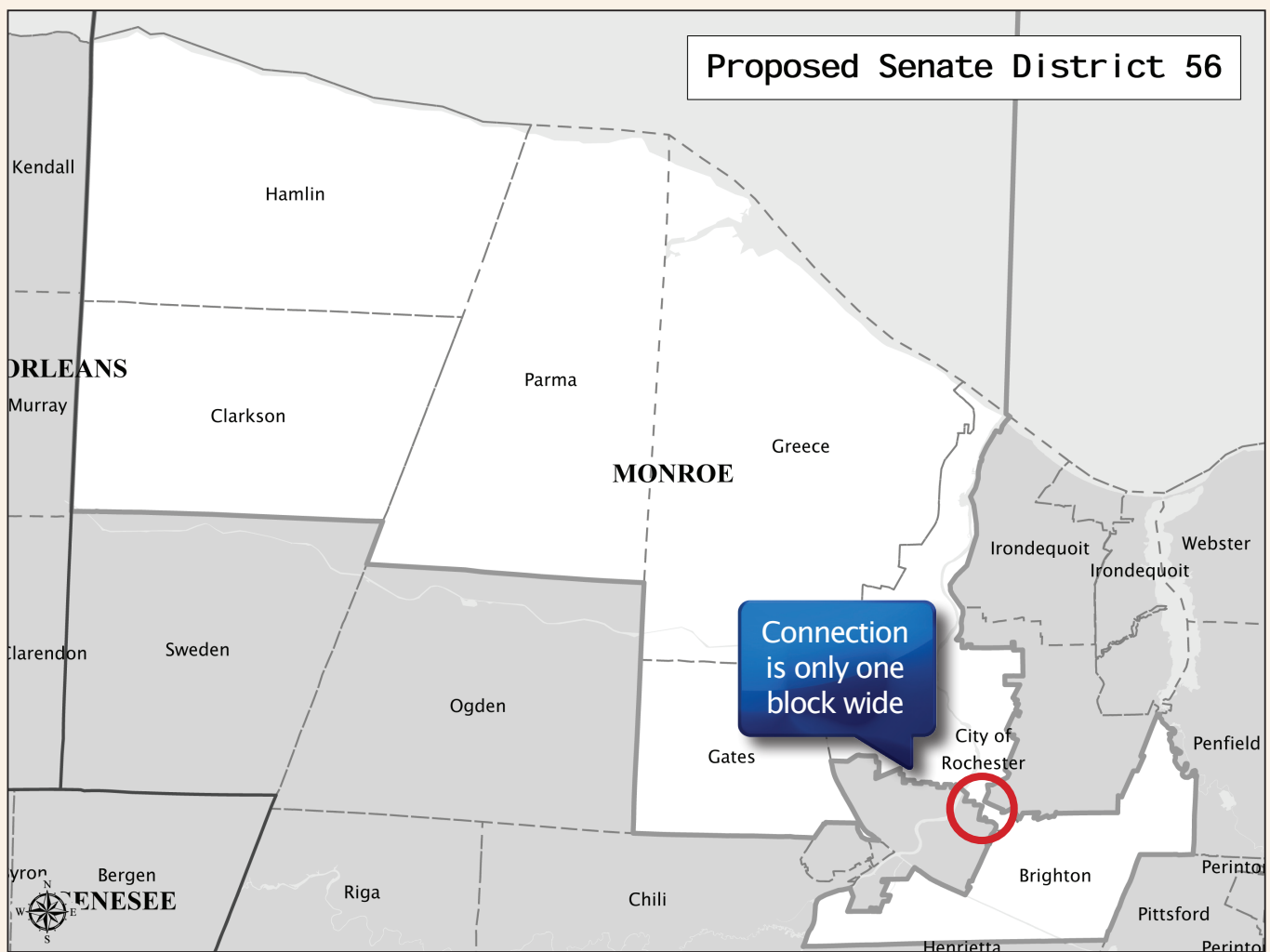
Constitution's mandate, Monroe County should include no more than 2.4 Senate Districts and not portions of six Districts with only one being wholly within the County.

As drawn, the proposed Rochester-area Senate Districts violate the Constitutional requirement that "no county shall have four or more senators unless it shall have a full ratio for each senator." The proposed six-district formula violates the Constitution and is not in the best interest of the community.

The requirement that Districts be as compact as possible has clearly been violated in Districts 59 and 61, already long narrow districts, where District 59 has been extended substantially farther north, for the first time into Monroe County to include the towns of Wheatland and Henrietta and District 61 has been extended eastward, also for the first time into Monroe County to include the towns of Riga, Chili and a portion of the City of Rochester.



In addition, District 55 which is relatively compact and comprised of most of the eastern and southern towns of Monroe County, would now extend to the southernmost part of Ontario County.



Proposed District 56 clearly violates the spirit of the compactness requirement. The District is comprised primarily of the northwestern towns of Monroe County and the northwestern section of the City

of Rochester and would be connected through the southeast portion of the City by a tiny sliver of land, at one point about a block wide, to the southeastern Town of Brighton.

ADEQUACY OF REPRESENTATION OF MINORITY POPULATION AND CRITICAL EDUCATIONAL INSTITUTIONS

Senate District 61 is being redrawn to include a substantial portion of the 19th Ward of the City. The 19th Ward is a recovering, predominantly minority neighborhood. It is also home to the City's largest employer and economic driver, the University of Rochester. This section of the City and two towns in Monroe County—Riga and Chili—will now be added to a District which begins in Amherst, Erie County and includes all of Genesee County. The Senator representing the current 61st District resides in Amherst, practices law out of offices located in Erie and Genesee counties and was an Erie County legislator for nine years. The Senator's personal, professional and legislative connections and interests are so rooted in the western portions of this district that the interests of the City of Rochester and its citizens will inevitably receive less attention and commitment from the Senator.



Of particular concern are the interests of our vibrant minority community in the 19th Ward, which is now experiencing a revitalization of both its

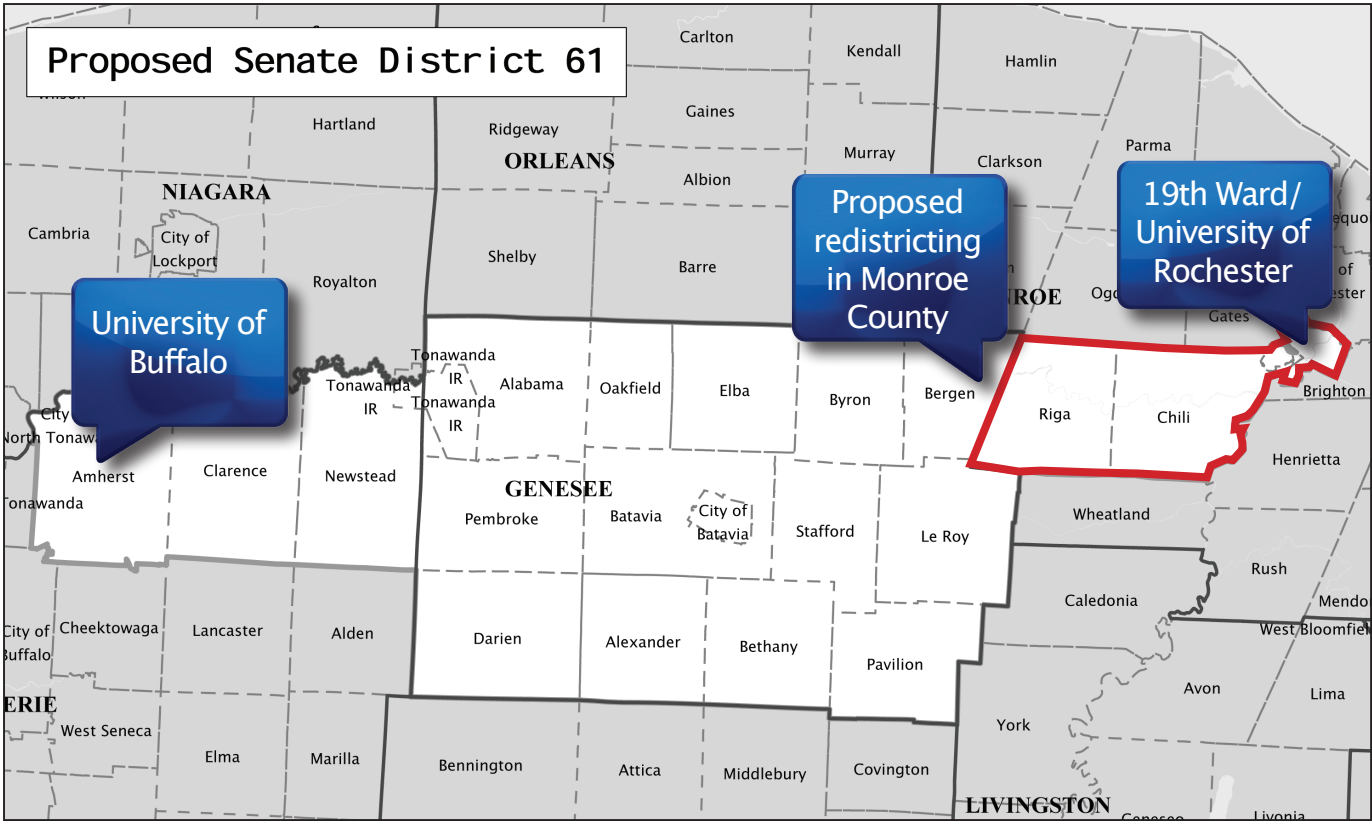
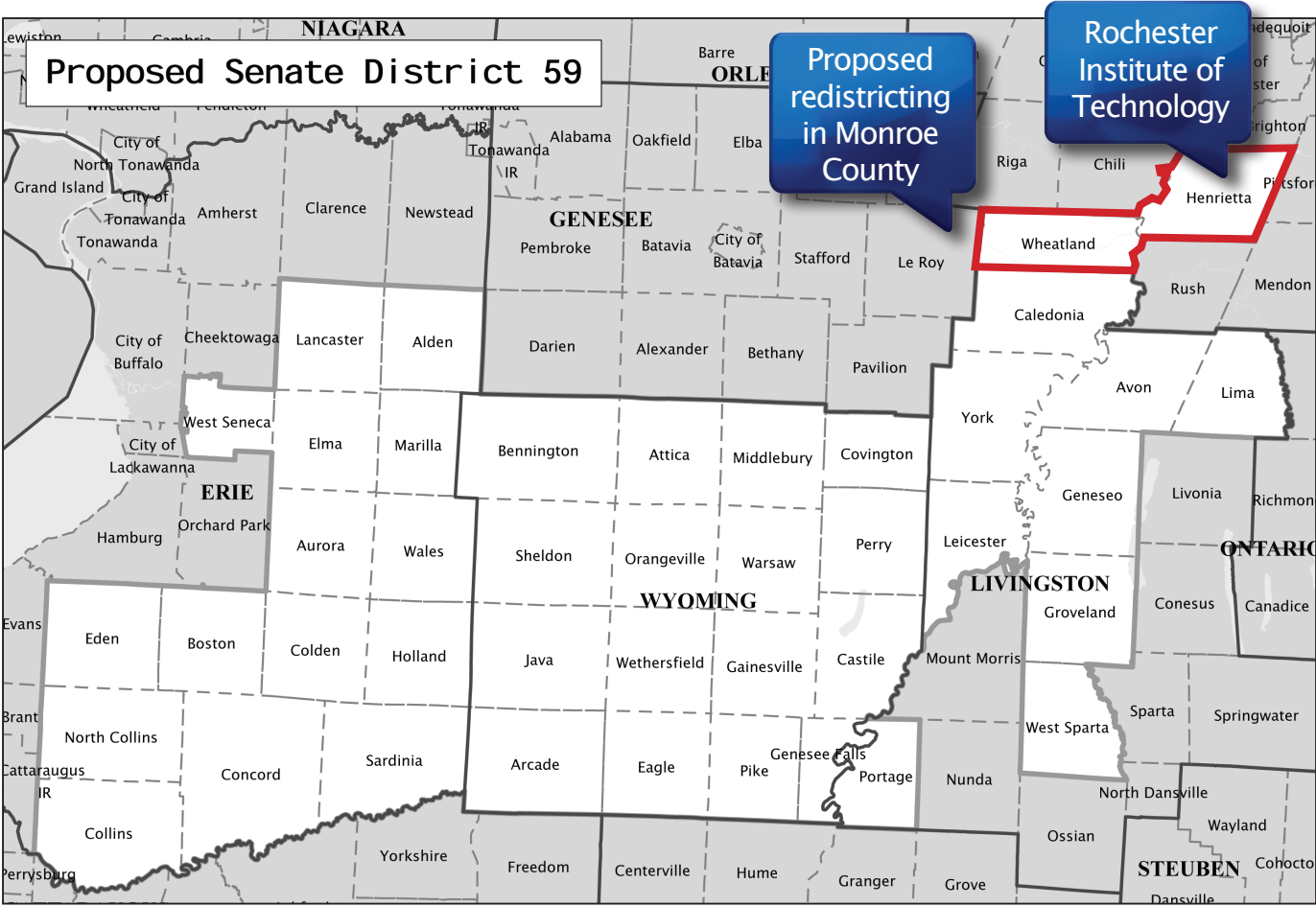
residential and commercial areas. The interest of this community will certainly be weakened. I will come back to this subject.

The proposed District 61 includes the public University of Buffalo and Erie Community College. Adding the private University of Rochester to this district presents a major concern. One Senator will be asked to shoulder the responsibility for two major universities and a major community college. Each of these universities has major initiatives underway and some of those initiatives may be competing for resources. With the heaviest population concentration in the western part of the proposed district, we are justifiably concerned that Rochester will be neglected.



As the area's largest employer and the entity responsible for generating much of Rochester's new businesses and entrepreneurs, it is imperative that the University of Rochester and the City be represented by a Senator with an understanding of the University's critical importance to the City of Rochester and the region. We do not believe that the most well-intentioned State Senator can meet the challenges presented by the proposed 61st District.

Senate District 59 is being redrawn to add the Monroe County towns of Wheatland and Henrietta for the first time. The current district includes towns in Erie, Wyoming, Livingston and Ontario counties. Similar to the situation in the 61st District, the incumbent Senator has strong ties to his western New York community, including long term law enforcement experience in Erie County that included serving as the elected Erie County Sheriff, as well as his residency in Erie County. Given the District's population distribution, it is likely that any successor to the incumbent will also come from the westernmost portions of the district, again minimizing the influence of the greater Rochester community. The Rochester Institute of Technology, much like the University of Rochester, provides substantial employment and generates many important start-up businesses in the Rochester area. RIT would now be located in a Senate district with a core community interest in the extreme western part of the district.



Henrietta and Wheatland are now represented by a Monroe County-based Senator as part of District 55. The current District includes portions of the east side of the City of Rochester and towns on the east side of Monroe County. It is wholly within Monroe County. The proposed District 55 now includes towns stretching to the northern border of Steuben County.

SPECIFIC IMPACT ON MINORITY COMMUNITY

I mentioned Rochester's 19th Ward, with its significant minority population and its current revitalization. It is now part of Senate District 56 and is linked with other minority communities in the City also in the 56th District. These residents will now be moved to the proposed Erie county-based 61st District. Similarly, residents of the northeast part of the City will be moved from their current 56th District to the 55th District. This plan divides Rochester's minority population into three Districts.

The African-American constituency in District 56 will be reduced from 24% to 18%, a substantial watering down of this minority vote. The ability to influence state policy and elect minority candidates will be significantly reduced in this District.

Section 2 of the Federal Voting Rights Act protects minority voters from practices and procedures that deprive them of an effective vote. As drawn, the proposed 55th, 56th, and 61st Senate Districts represent a significant dilution of minority voters in the Rochester region.



REGIONAL IDENTITY ISSUE

The new districts do not consider, and in fact run contrary to the recognized development of regions in New York State. Soon after taking office, Governor Cuomo announced the creation of ten Regional Economic Development Councils as part of the plan to drive economic development in the State. The Regional Councils were based on



existing areas established by Empire State Development (ESD) and the New York State Department of Labor (DOL). When describing the benefits of this regional approach to

development, a Regional Councils' publication pointed out that the federal government is increasingly looking to regional strategies for its public programs and funding.

The regions established by ESD are based on several important factors. The State uses these regional designations to accept applications and coordinate state economic development programs.

The DOL uses these same regional designations, known as Labor Market Regions to develop data about wages, economic trends and labor availability in the region and provides this data to employers, developers and others. They also provide career and job information to job seekers.



While the State has clearly recognized that a regional approach ensures a targeted yet comprehensive way to govern, with a commonality of interests among the constituents of a region, the proposed legislative redistricting totally disregards these important principles.

The redistricting ignores the values and importance of regional identity. Both the 59th and 61st Districts, which commence in the Western New York ESD District, where both incumbent senators are based, currently extend into the Finger Lakes Region. However, the redistricting extends them farther into the Region by adding towns in Monroe County as well as part of the City of Rochester. Furthermore, those extensions into Monroe County extend to the heart of the Region to our acclaimed universities.

Rochester is an important community in this state. We are working hard at making a comeback. We cannot afford to have our community interests placed at risk and we are concerned that the proposed Senate Districts will do just that. We cannot expect our community to be adequately represented in the State Senate by legislators with little or no understanding of the needs and interests of the Rochester community. Urban minority neighborhoods deserve and require representation that has an understanding of unique urban problems and minority concerns. Major educational institutions of such critical importance to the economic health of the Rochester area also require proper representation that fully understands their role and will not have potentially conflicting interests.

Thank you. I would be pleased to answer any questions at this time.



For more information call 311.
Outside the city call (585) 428-5990.
Or contact Thomas S. Richards,
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