



February 23, 2012

The Honorable Andrew M. Cuomo
Governor, State of New York
Executive Chamber
State Capitol
Albany, NY 12224

Dear Governor Cuomo:

With the proposed new maps for state legislative lines released but not finalized, it is time for tough decisions to be made and our decades-long redistricting reform effort to be brought to as successful an outcome as is politically possible. These partisan-drawn gerrymandered maps demonstrate precisely why we have to forever change this process. We need to create lasting reform – which Citizens Union has long been seeking - so never again can the majority parties use the power of the pen to advantage themselves in the process of redistricting.

Your veto threat and our advocacy have helped focus public discussion on the need to end once and for all the self-interested, legislative-driven process of partisan gerrymandering in New York State, and achieve our shared goal of replacing it with an impartial process that creates fairer lines and more representative districts.

The threat of your veto is a very powerful weapon. But it must be exercised wisely to ensure satisfactory change to the maps for 2012 and secure needed reforms to the redistricting process for the long term. In acknowledging that the political process has not yet produced final maps, the judiciary has already stepped in to do the job. Though maps will soon be sent to your desk, a veto would keep the matter in the sole domain of the courts with the outcome unclear. It also will remove you from brokering an effective and acceptable political solution that includes lasting reform, which is our main interest as a nonpartisan organization working for political reform without regard to the interests of either political party. Unknown is how a court in New York will draw maps when courts both here and across the country have repeatedly affirmed and shown deference to the legislature's traditional role and rights in this process of legislative line drawing. A court may simply make some tweaks to the most egregious problems in the proposed maps to ensure their compliance with the state and federal law while not producing the enduring structural reform that a constitutional amendment would accomplish.

Citizens Union believes your veto threat provides you with valuable leverage because it poses the threat of uncertainty: the last thing the legislature can tolerate, particularly with regard to their own districts. We respectfully request that you use your veto threat - unlike any other governor before you - to achieve two important goals: secure lasting and permanent redistricting reform through statutory change and a constitutional amendment; and pursue meaningful changes to this

year's lines by holding direct negotiations with the legislature. We urge you to seek districts that reflect as best as possible the criteria outlined in your program bill on redistricting. Should this approach fail to produce needed changes to the 2012 maps and bring about lasting reform, we call on you to exercise your veto.

We believe that the testimony from the second round of public hearings on the legislature's own drawn lines for 2012 provide you with important guidance in negotiating better districts where needed and appropriate. Like many organizations, Citizens Union twice presented testimony before LATFOR and laid out a spirited analysis of these district maps, urging changes where suitable based on the criteria outlined in your program bill.

Never before has there been such a convergence of opportunity and support to end partisan gerrymandering. Redistricting reform in our country has largely been accomplished through citizens rising up and achieving it through voter initiative and referendum. We cannot do that here in New York State, but instead we face the difficult challenge of working with the legislature to accomplish any reform over which it has control. To be this close in having the legislature give up power it has long held would indeed be monumental. It is why we must seize this critical moment in our state's history to fundamentally and permanently change the redistricting process by amending our constitution to take the pen out of the legislators' hands and place it with an independent commission for future redistricting cycles. To not do so would leave unfulfilled the promises made by you and 184 pro-redistricting reform legislators to end politics as usual in our state capitol and achieve redistricting reform. Citizens Union stands with you in making sure that does not happen.

Sincerely,



Dick Dadey
Executive Director

cc: Senate Majority Leader Dean Skelos
Assembly Speaker Sheldon Silver