



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

May 4, 2022

Honorable Patrick F. McAllister
Acting Supreme Court Justice
Steuben County Supreme Court
3 East Pulteney Square
Bath, NY 14810

Dr. Jonathan Cervas
Institute for Politics and Strategy
Carnegie Mellon University
Posner 388
5000 Forbes Avenue
Pittsburgh, PA 15213

Re: *Harkenreider v. Hochul*
Index No. E2022-0116CV

Dear Justice McAllister and Dr. Cervas:

I write to you on behalf of the residents of Monroe County. I recognize that you face challenging time constraints to produce final maps, but I feel it is important that I provide a local perspective to your deliberations concerning the State Senate districts for Monroe County.

As you know, redistricting is governed by the standards set out in Article 3 of the New York State Constitution. These standards require mapmakers to consider the maintenance of political subdivisions, including counties, cities, and towns, as well as communities of interest, within a district.

For the past ten years, Monroe County lived with gerrymandered New York State Senate lines that unnecessarily divided the County into six separate districts. The proposed districts adopted this year by the Legislature, consisting of two districts entirely within Monroe County and one additional district that includes all remaining Monroe County residents, better represent Monroe County and maintain communities of interest.

2012 New York State Senate Districts

Monroe County's population in 2010 entitled it to two and one-third Senate districts. The redistricting plan adopted after the 2010 census, however, divided Monroe County into six Senate districts, with only one fully within the County. This division of the County diluted the ability of

County residents to select candidates of their preference and to ensure their interests were represented in the Senate.

Current Senate Districts 59, 61 and 62 stretch west from Monroe County all the way to Erie and Niagara counties, with population centers based outside Monroe County. The Senators representing those districts reside in Erie and Niagara counties. Monroe County residents of those districts have little influence in the selection of these Senators. Current District 54 includes the Monroe County town of Webster, but most of the district is located in Wayne and Ontario counties, similarly diluting the ability of Monroe County residents to elect candidates of their choice. Current District 55 includes much of the east side of Monroe County, but then travels south to capture large portions of Ontario County. District 56 is the only district that is currently located entirely within Monroe County.

The districts enacted following the 2010 census unnecessarily divide Monroe County and are not compliant with Article 3 of the Constitution. Monroe County residents deserve districts that do not improperly and unnecessarily divide their community.

Proposed 2022 New York State Senate Districts

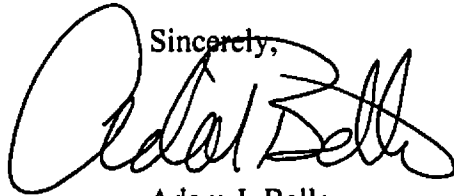
Based on the recent census, Monroe County is again entitled to two and one-third Senate districts. The Senate plan adopted by the Legislature in Chapter 14 of the Laws of 2022, as amended by Chapter 16 of the Laws of 2022, was held to be unconstitutional based on the procedure by which it was adopted. Substantively, however, the provisions of the Senate plan applicable to Monroe County unwound the improper lines created after the previous census.

Instead of dividing Monroe County into six Senate districts, the Legislature's 2022 plan would create two districts entirely within the County, with the balance of the County's population included in one additional district. With this plan, Monroe County residents would recover their ability to participate fully in the electoral process and the Monroe County border would be breached only once, and then only by necessity.

Under the plan adopted by the Legislature, Proposed District 56 would be entirely within Monroe County, including towns on the east side of the County and portions of the City of Rochester east of the Genesee River. Proposed District 57 would also be entirely within Monroe County, and would include towns adjoining the city of Rochester to the south and west, and the west side of the City of Rochester. Proposed District 62 would include the more than 100,000 residents of Monroe County not included in Districts 56 or 57. By virtue of their numbers, Monroe County residents of District 62 would be able to exert considerable influence in the selection of their Senator. The Legislature's proposed Senate Districts for Monroe County correct the flaws of the prior lines by keeping Monroe County communities together.

* * * * *

In conclusion, I respectfully urge the Court to incorporate Senate Districts 56, 57, and 62 as approved by the Legislature into its own redistricting plan. These proposed districts provide for appropriate representation of communities within Monroe County and remedy the improper division of the County under the previous district lines. Thank you for your consideration.

Sincerely,


Adam J. Bello
Monroe County Executive