



CITIZENS UNION ANALYSIS

2014 Election Outcomes Are In:

Rigged Redistricting System Will Re-elect Dozens of Legislators Before a Single Vote is Cast

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The effects of New York State's redistricting process – which shields incumbents and drives competition down at the polls – are in. Citizens Union has analyzed the upcoming state legislative elections, which will take place on November 4, 2014, and finds that the effects of partisan gerrymandering in New York State are deepening:

- 38 percent of the incumbents – 74 of 191 – running in the general election have in effect already won: they are running unopposed. This is up sharply from 2012, when 28 percent of the incumbents ran unopposed.
- 46 percent of incumbents – *almost half* – will face either no opponent or only token opposition on November 4. This is up from 42 percent in 2012.
- 66 of the incumbents running this year, *35 percent*, will be returned to Albany without opposition at all, either on the November ballot or in the primaries.

Even incumbents embroiled in scandal easily win re-election under this system. The result is a parade of long-time legislators forced each year to exit under a cloud. Since 1999, 28 legislators have left office or will leave by the end of this year due to criminal and/or unethical conduct, with another 3 under indictment. In the last two years, 11 legislators have been forced from office or indicted.

New York voters have a rare opportunity this November 4 to put a halt to this worsening problem by voting for Proposal on the ballot 1 and reforming the state's rigged redistricting system through a constitutional amendment. The amendment strips New York legislators of their unchecked power to protect incumbents by making it unconstitutional to draw lines for the purpose of favoring incumbents, candidates or parties, and by creating a politically balanced redistricting commission.

The following are Citizens Union's findings concerning the upcoming state legislative elections.

Lack of Competition in the 2014 General Election

This November 4th, 191 incumbents are running for re-election, out of a total of 213 seats in the two Albany chambers. This means 90 percent of races this year have incumbents running for re-election. As Citizens Union has documented, most recently in its October 2014 report, *Rigged to Maintain Power, How NYS' 2012 Redistricting Protected Incumbents and Continued Majority Party Control*, New York legislative incumbents are virtually assured re-election. In 2012, 97 percent of the incumbents or 182 out of the 188 who ran, won their races.

Victory is assured this fall in part because so many incumbents are running unopposed or with only token opposition. 74 of the incumbents, nearly 40 percent, are running completely unopposed on November 4. This is up sharply from 2012, when 28 percent of incumbents ran unopposed. 84 incumbents this year, 45.6 percent, are running with either no opponent or no major party opponent. This is also an increase over 2012, when 42 percent of incumbents ran with no opponent or no major party opponent.

Lack of Competition over Whole 2014 Election Cycle

When looking the entire election cycle – the Democratic and Republican party primaries as well as the general election – the result is even more troubling.

First, the primaries: 164 of the incumbents, 85 percent, have reached the ballot with no primary challenge at all. The absence of competition in Assembly primary races is especially pronounced. 120 of the Assembly incumbents, nearly 90 percent, are on the ballot without having been challenged in a primary.

Putting the primaries and general election together: 66 of the incumbents running this year, 35 percent, will be returned to Albany without opposition at all, either on the November ballot or in the primaries. 31 percent of *all candidates* – incumbents and those running for the first time – will be elected without any opposition, at either the primary or in the general election. They have already been elected without a single voter casting a vote.

How Proposal 1 Will Bring Us Fair Districts and Competitive Elections

The staggering lack of competition in the 2014 state legislative elections show more clearly than ever why voters need to vote Yes on Prop 1, the redistricting constitutional amendment. Prop 1:

- Creates a politically balanced map-making commission on which no legislator or lobbyist serves;
- Ensures that no one leader, house or political party can control the redistricting process;
- Bans partisan gerrymandering by requiring that districts shall not be drawn to favor or disfavor incumbents, challengers or political parties;
- Strip legislators of unchecked power to draw their own district lines;
- Respects communities and protects minority voting rights; and
- Requires ground breaking transparency with public access to maps, data and holding public hearings.