Senate Dems Look to Nat'l Issues for Help

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Tuesday, May 15, 2012 12:00 AM

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On January 24, 2012, state Sen. Neil Breslin, the man tasked with reinvigorating the Democratic caucus, attended an open house for the future location of the only library in the small mountain town of Berne, outside of Albany.

At one point, Breslin says, a close colleague leaned over to him and jokingly said, “You know, this place might not even be in your district by next week.”

The joke wasn’t particularly funny to Breslin, the deputy minority leader, who over nine terms had become particularly familiar with the rural side of Albany County that includes Berne.

Two days after the library open house, the legislative taskforce appointed to redraw district lines posted its draft maps on its website. Berne and its library would no longer part of Breslin’s district.

“I was shocked,” Breslin said last week. “I thought it had to be a mistake.”

Redistricting was one more punch in the gut for New York’s Senate Democrats, which lost control of the chamber to emboldened Republicans. It followed a year of embarrassing corruption trials of party members and the rise of a breakaway faction of Democrats willing to put up candidates to challenge incumbents.

Meanwhile, the state’s popular Democratic governor, who might have been considered a natural ally to the Senate Democrats, has signaled he plans to stay out of fractious party politics and instead focus on his policy agenda.

“I want to do as little politics as possible because I don’t find injecting politics particularly helpful to the process of getting legislation passed,” Gov. Andrew Cuomo said on May 7, after announcing he would introduce legislation to create a new state agency to investigate and prosecute abuses against people with disabilities and special needs.

In spite of all the bad news, Breslin and other Senate Democrats said they plan to capitalize on national issues to compete with their Republican counterparts and recapture control of the chamber.

“All politics are local, but national issues impact voters,” said Democratic state Sen. Liz Krueger of Manhattan. “Yes, I am trying to highlight the difference between Republicans and Democrats in the national scene and in the state. Republicans are saying, â€ We are sort of Democrats, we work with the governor!’ But look at who they are supporting -- they support Mitt Romney, who does not support same-sex marriage and a party that is leading an assault on women’s rights.”

But Doug Muzzio, an expert on public policy at Baruch College, said the Senate Democrats’ strategy was doomed. “All together it’s a losing strategy conducted by losers,” he said.

Many factors were to blame for why the Democratic leadership has failed to control the chamber, in spite of the overwhelming Democratic registration of voters in the state, he said. Poor leadership and redistricting were just two of the main reasons, he said.

“If I were a betting man, even with overwhelming Democratic registration and [the] assumption of Obama winning the vote, I’m still not going to be betting on Democrats winning that body,” he said.

Utter chaos

State Senate Democrats didn’t get to this nadir overnight. They spent a good chunk of their two years in the majority, between 2008 and 2009, in utter chaos. At one point, two of their members â€“ Pedro Espada and Hiram Monserrate â€“ joined with the Republicans to create a new conference.

The two sides feuded about who actually had control of the Senate for months until Democrats lured the pair back with promises of perks and power. Espada was named Majority Leader of the State Senate.

The move left the conference fractured and deadlocked until the 2010 elections. While Democrats blame anti-incumbent sentiment for their woes, Republicans say voters saw the mess Democrats caused when they were in the majority.

It was also in 2010 that a group of four Democrats, led by state Sen. Jeff Klein, broke away to form their own faction. They have since worked very closely with Senate Republicans on votes essential to the Republican majority

Democrats are concerned that the Independent Democratic Conference, as it is known, may be looking at trying to expand their ranks against a few Democratic incumbents across the state—or at the very least distracting certain members from working on other campaigns.

Meanwhile, in the months and years since, Democrats have suffered scandals -- including the tabloid headline producing indictments and trials of Espada, Monserrate and Carl Kruger.

Monserrate was expelled from the Senate in February 2010 after he was convicted of assaulting his girlfriend. Kruger pleaded guilty in December 2011 to corruption charges and was sentenced to seven years in prison. Espada is on trial in Manhattan, accused of embezzling hundreds of thousands of dollars from a network of Bronx clinics.

A further embarrassment came in the winter of 2011, when state Senate Democratic Minority Leader John Sampson appointed Ravi Batra, a lawyer, to the Joint Commission on Public Ethics, causing consternation inside and outside the Democratic conference. Sampson had failed to disclose that he had worked as co-counsel with Batra and that the two shared business interests.

It also didn't help that the successful passage of probably the most significant civil rights legislation to be passed in a generation â€“ the legalization of same-sex marriage â€“ was attributed to the governor and the cooperation of the Republican conference, despite the fact that only 4 of their members voters for it.

Then redistricting happened. After months of negotiations among policymakers, the legislative task force overseeing the process put forward badly gerrymandered maps to protect incumbents in early 2012. One outcome was the enlargement of the Senate by one to 63 members. The governor approved the lines, and a deal was hatched to create a constitutional amendment that would revamp the redistricting process after the 2020 census.

Senate Democrats were dazed by Cuomo's approval of the lines, and then later by a judge's decision that the maps were constitutional.

If anything, the new lines have left Democrats in an even more tenuous position, said political analyst Muzzio. "The factor that has led Republicans to control the body in years past was even more egregious," he said.

Liz Krueger said Senate Democrats were accustomed to running in districts that have been drawn against them.

“The district lines were a disappointment,” she said. “Having said that, we are going to run strong candidates who can win despite bad district lines. We won the majority with bad district lines.”

Scott Reif, a spokesman for the Senate Republicans, said Democrats only had themselves to blame.

“All you have to do is look back at their time in the majority and look at the results,” Reif said. “We are going to grow our majority. We are going to tout our accomplishments to the voters.”

When Democrats were in the majority, there was talk of reforming the redistricting process. But when then-Majority Leader Malcolm Smith was caught saying that Democrats would district Republicans into "oblivion," it demonstrated that the party's leadership was not focused on a solution. Democrats never moved on redistricting reform.

A plan for success

Part of the equation for a success for the Senate Democratic Conference is connecting their races to national politics.

Krueger has been spending a lot of time lately alerting her constituents to conservative legislation that has been introduced by Senate Republicans. She also founded the No Bad Apples PAC in 2011 to recruit what she referred to as "good government" Democrats. They are expected to only get involved in two races and would not primary any sitting Democrats.

Krueger said she has been fighting to get votes on a number of women's bills she and her colleagues introduced this year. The bills include measures that would ensure fair pay for women, ensure access to contraception, amend the constitution to strengthen a woman's right to choose and mandate mandatory minimum Medicaid coverage. The Republican leadership has forced the bills into the rules committee, effectively killing them.

Krueger and her colleagues have also called attention to a “Stand Your Ground” bill introduced by Sen. George Maziarz—a bill that looks awfully similar to legislation being pushed by

conservative think tank The American Legislative Exchange Council, or ALEC.

ALEC advocates conservative legislation around the country and was recently a focus of major media because it pushed the Stand Your Ground bill that is at the center of the Trayvon Martin killing. Another bill that is similar to ALEC sponsored legislation is currently pending in the Senate—that would force voters to display their drivers licenses to able to vote.

Last week, Sen. Daniel Squadron, a Democrat from New York City, called for a hearing into whether ALEC had been behind legislation introduced in the Senate.

In a letter Squadron wrote to Senate Investigations Chair Carl Marcellino, Squadron said it appears as though ALEC is functioning as a lobbying organization despite not being registered as a lobbyist.

ALEC has trumpeted the introduction of 39 pieces of “model legislation” in the state legislature since 2010.

Reif, the spokesman for the Senate Republicans, said he didn’t know whether his conference had had any official interaction with ALEC. He said it wasn’t something he was “focused on.” Instead, he said his conference was focused on touting what he calls the conference’s successes over the past two years as well as its close relationship with Cuomo. “We worked with the governor and produced solid bipartisan results,” he said.

Senate Democrats said they were going to do their best to push a gap between Republicans and Cuomo -- by focusing on policy.

Sen. Mike Gianaris, head of the New York State Democratic Committee, said Republicans were going to find it a challenge to attach themselves to Cuomo’s wagon and points to the recent decision by Republican Sen. Jim Alesi not to seek reelection.

Alesi was one of the four Republicans who voted to legalize same-sex marriage and was facing a divisive primary by a more conservative opponent.

“Middle of the road Republicans are being replaced by Tea Party extremists. Look what happened in Rochester,” Gianaris said. “You cant change the facts -- this is a Democratic state and going into a national election with a Democratic incumbent as president.”

Holding onto hope

As bad as the last two years have been for the Senate Democrats, they said they believe they still have a chance to gain seats and even take the majority back in the chamber.

“The anti-incumbent sentiment from two years ago just isn’t there,” Breslin said. “Looking at polls back then you could see that Democrats were saying they weren’t going to come out to vote.”

Breslin said he thinks Obama will turn out the youth, minority and women’s votes in large numbers.

But this year, the incumbent faces a primary challenger—Shawn Morse, an Albany County legislator who is backed by Breslin’s county opponents and who has at least met with the the breakaway Independent Democratic Conference.

Eric Soufer, spokesman for the IDC, said no decisions on primaries have been made yet. “We are taking a wait-and-see approach. There is still a lot of work to be done, signatures to be collected and petitions to be filed,” he said.

However, when asked if Klein had met with potential candidates to represent the IDC in primaries versus Democrats, he responded: “There's no doubt that Shawn Morse is a hard-working and dedicated public servant. He seems to have a bright future. As for other potential office holders, Senator Klein and his IDC colleagues will always welcome the opportunity to work on policy initiatives with like-minded elected officials from around New York."

With June's filing deadlines still weeks away, both parties are scrambling to do their political math to come up with strategies to expand their conferences, while formulating strategy for those individual races.

Breslin said that even though the conference will be trying to capitalize on national issues, they will also be looking to tailor their messages.

"I'm not sure there will be one message for every race," Breslin said. "But there is no denying that our objective is to connect national issues to these races. We have the minimum wage debate, we have women's issues, we have campaign finance reform and transparency." He paused for a moment, laughed and said: "You know, we won the majority during a presidential election."

Before the Democrats won the majority in 2008, they hadn't held it since 1964 and then they only held it for one session -- a session that was marked by Democratic infighting.