

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

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ANNE POPE, et al.,	:
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Plaintiffs,	:
	:
-against-	:
	:
COUNTY OF ALBANY, et al.,	:
	:
Defendants.	:
	:
-----X	

No. 11-cv-0736 (LEK) (DRH)

DECLARATION OF JANIS GONZALEZ

I, Janis Gonzalez, hereby declare the following:

1. I am a Hispanic woman over the age of eighteen residing in Albany, New York. I give this declaration based upon personal knowledge.

2. I am currently on the staff of the New York State Senate Democratic Conference. I am a registered voter and reside in the Sixth Legislative District under the redistricting plan recently adopted by the Albany County Legislature ("Local Law C"), and in the First Legislative District under the redistricting plan developed by Arbor Hill Environment Justice that is being proposed in this litigation by Plaintiffs ("AHEJ Plan"). I am a declared candidate for the County Legislature in the Democratic primary.

3. I am Hispanic and of mixed race origin. My ancestors include blacks.

4. On May 16, 2011 I attempted to contact the Democratic Committee about gaining the party's endorsement. I received a response from Kathleen Scales, the leader of the Seventh Ward, the same day, saying, in its entirety: "Good to hear from you we will be in touch!" I never received any further communication oriented toward a potential endorsement. I was never given

an opportunity to present my platform or credentials as a candidate. I believe that I was not even considered, despite my inquiry.

5. In the last month, after I raised concerns regarding the underrepresentation of minorities in committee seats with Kathleen Scales, she submitted resignations of committee members to the Democratic Committee and, upon information and belief, she inquired as to appointing substitutes to those committee seats. The Committee responded that no appointments could be made at this time. Upon information and belief, appointments have been made in the last month in other wards.

6. The Committee endorsed Noelle Kinsch, a white candidate, before the redistricting, and did not reassess this decision after the districting lines were redrawn, resulting in the shift of Ms. Kinsch from a different district into the Sixth District.

7. After the proposed redistricting plan was released, Noelle Kinsch raised her concerns about not being included in the Sixth District. The plan was then changed to include Ms. Kinsch in the Sixth District, my district. Upon information and belief, this was an effort by some to dilute the minority vote after I expressed interest in the race.

8. On or around May 17, 2011, I was present at a public meeting of the Redistricting Commission when Aaron Mair proposed an alternative redistricting plan containing five majority-minority districts. Elected officials were unresponsive and even disrespectful. Members of the Albany County Legislature questioned Mr. Mair's experience instead of the viability of his plan.

9. The Sixth Legislative District, in which I reside under Local Law C, includes communities both north and south of Delaware Avenue. The communities south of Delaware

Avenue are primarily black and Hispanic, whereas the communities to the north are primarily white.

10. I have lived in this community for four years. The Hispanic and black populations in my community continue to grow. The Hispanic and black communities are tightly intertwined in terms of their interests, their needs, and their demands, and are involved in many organizations together.

11. Black and Hispanics in Albany County organize with respect to community matters in a number of different contexts, including churches and Little League baseball.

12. New York Leadership, with which I am involved, is an organization dedicated to reporting on the political and governmental issues most important to the minority community in New York. The organization brings together and serves the minority community, including blacks and Hispanics.

13. Other organizations, including Centro Civico Hispanoamericano, Somos El Futuro, and the Pew Hispanic Center, that primarily serve Hispanics, frequently collaborate with community organizations serving primarily blacks.

14. On information and belief, there are no Hispanics in the City Council, the County Legislature, or the Democratic Committee leadership.

15. The race for District Six has already taken on a racial tone. The comments associated with a recent TimesUnion.com article about the candidates of the Sixth District discuss my race as a factor in considering my qualifications as a candidate. Attached hereto as Exhibit 1 is a true and correct copy of Jordan Carleo-Evangelist, *Albany's 6th Legislative District Race Takes Shape (Again)*, TIMESUNION.COM, June 17, 2011, <http://blog.timesunion.com/localpolitics/9320/albanys-6th-legislative-district-race-takes-shape-again>; *see also*, attached

hereto as Exhibit 2, *County Redistricting...Ulterior Motives?*, ALBANY CITIZEN ONE BLOG (May 24, 2011, 11:27 AM), <http://www.albanycitizenone.com/2011/05/county-redistrictingnext-steps.html>.

16. Blacks and Hispanics in Albany County generally vote together and support the same candidates.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on: July 14, 2011



Janis Gonzalez