








John DeFrancisco in the state Capitol building. | Emily Assiran

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John DeFrancisco, the underdog

People like the state senator. So why doesn't anybody want him for governor?

By JUSTIN SONDEL (/author/justin-sondel) | APRIL 1, 2018

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Sitting in his Capitol office, John DeFrancisco, the state Senate deputy majority leader, leaned hard to the left in his high-backed, red leather chair, right leg slung over the arm, as he reflected on the biggest challenge of his long political career.

After four decades in elected office, the Republican has set his sights on his highest ambition yet: unseating a two-term Democratic governor in a decidedly left-leaning state.

Blunt honesty, DeFrancisco said, has been the attribute that has served him best. The lawmaker, who is known for dressing down administration officials during budget hearings and needling Gov. Andrew Cuomo, hopes that the trait continues to help him as he embarks on this seemingly monumental task.

“I’ve had one rule in politics: Say what’s on my mind,” DeFrancisco said. “And if people like it, God bless them. If they don’t, they don’t have to vote for me.”

His tell-it-like-it-is style has put him at odds with more than a few Albany bigwigs, Cuomo chief among them. He has criticized the governor on his ties to recently convicted felon Joe Percoco, accused Cuomo of being a “bully” and attacked his economic development programs relentlessly, characterizing them as ineffective and vehicles for pay-to-play schemes.

“I don’t think too many people have given him money over the years that accumulated to that amount because of their love for the governor,” DeFrancisco told the New York Post in February (<https://nypost.com/2018/02/25/defrancisco-accuses-cuomo-of-enabling-pay-to->

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play-culture/). “I think it’s basically (for) the things that he’s done for various people.”



Emily Assiran

DeFrancisco’s forthrightness, indeed, has proved effective. The lawmaker, who was first elected to the Syracuse Board of Education in 1977, has won every public election he has ever entered, almost all by wide margins. He hasn’t even faced an opponent, in the general or primary elections, for the last two cycles. In 2012, he routed Green Party candidate Michael Donnelly, taking 86 percent of the vote. He beat each of his last two Democratic opponents, Carol Mulcahy in 2008 and Kathleen Joy in 2010, by almost 30 points despite a relatively even split between enrolled

Republicans and Democrats in the district.

In high school and through his college years, DeFrancisco worked with his father, a house painter who stopped going to school after 10th grade. The early lessons from his dad put him on a path that would make him a leader, he said.

“I never held a brush until I was going into my senior year of college,” DeFrancisco said of working with his father, who assigned him menial tasks like carrying equipment, washing brushes and steaming wallpaper off walls. “He wanted to make sure that I wouldn’t like it, that I’d make sure to go to college.”

Before becoming deputy majority leader, he had chaired the state Senate’s powerful Finance and Judiciary committees. Before that, he led both the Syracuse Common Council and the city’s school board. Before that, he graduated near the top of his class at Duke University’s law school. And before that – the accomplishment he is perhaps most fond of recalling – he was captain of the Syracuse University baseball team.

“If I was ever in a foxhole, I would want him next to me fighting a war.” – state Sen. John Bonacic

For years DeFran, as he is known around the state Capitol, has been building a reputation as a tough, well-versed legislator, garnering respect from politicians across the ideological spectrum.

Stephanie Miner – the former Syracuse mayor, a rising star in progressive circles and a potential gubernatorial candidate herself – rarely agrees with her fellow

Syracusan on policy. But the man has character, she said. Though she defeated his son for a spot on the Syracuse Common Council in her first bid for elected office, DeFrancisco was nothing but gracious and kind when she called his office for a consultation on state economic development programs a short time after.

“I really respected that,” said Miner, who is considering challenging Cuomo in the Democratic primary despite former “Sex and the City” star Cynthia Nixon entering the race last month.

It doesn’t hurt that DeFrancisco has a knack for making a room burst out in laughter. Miner recalled one of the diminutive jokester’s favorite punchlines whenever he would introduce her, also of a smaller stature, as a “normal-sized human being” at events.



For someone with such a long history in Albany, he is uniquely popular. Many legislators gain enemies the more time they spend there – and the more likely it becomes that they will become embroiled in scandal.

He has his rivals. There’s Cuomo, of course. State Senate Majority Leader John

Emily Assiran[/sites](#) Flanagan has

endorsed his No. 2 for the gubernatorial nomination (http://www.syracuse.com/politics/index.ssf/2018/02/ny_senate_leader_john_flanagan_endorses_john_defrancisco_for_governor.html) but while the two have not publicly traded barbs since the battle for the state Senate's top seat, as recently as last year GOP insiders were saying that DeFrancisco was working to undermine Flanagan, according to the Daily News. (<http://www.nydailynews.com/news/politics/senate-gop-deputy-undermining-boss-john-flanagan-article-1.3016914>)

DeFrancisco has also been criticized by good government groups for taking special interest money (http://auburnpub.com/blogs/eye_on_ny/common-cause-ny-defrancisco-nozzolio-among-top-recipients-of-pro/article_f4c934c0-f2fc-11e2-82ad-001a4bcf887a.html) and has been accused of voting for a bill that benefited his private law practice (<http://www.nydailynews.com/blogs/dailypolitics/sen-john-defrancisco-bill-lawyers-collect-medical-malpractice-suits-blog-entry-1.1683698>). And he was the man who swore in Pedro Espada Jr. as state Senate president during the infamous coup of 2009 that left the chamber paralyzed for a month.

Despite his biting criticisms and cutting wit – his subjects wilt under his questioning (<https://www.youtube.com/watch?v=vorUJiAkPuY>) – DeFrancisco's enemies are few and far between. Whether it's longtime Republican colleagues or far-left Democrats – even members of his own party standing in the way of his latest and grandest endeavour – most

insiders, at least outwardly, seem to like the guy.

Key to that respect is that, maybe saving some attacks on the governor, his critiques are policy-driven, not personal.

And if he is in your corner, DeFrancisco said, he is all in. “If I’m with ’em, I’ll run through a brick wall with them,” he said. “If I’m not with them, they’ll at least know ahead of time.”

Tough, honest, loyal, intelligent – these are attributes that are used to describe him again and again. State Sen. John Bonacic, a close friend who has served in the Republican conference with him for two decades, put it this way: “If I was ever in a foxhole, I would want him next to me fighting a war.”

And, there is perhaps no greater odd couple in all of the state Legislature than DeFrancisco and state Sen. Liz Krueger. He, a staunch upstate conservative who voted against same-sex marriage and gun control legislation, and she, a far-left Manhattan Democrat who has pushed to legalize recreational marijuana, brought together by their passion for debate and quirky sense of humor.

In 2015, they collaborated on one of the more memorable moments in recent Legislative Correspondents Association Show (<http://www.nystateofpolitics.com/2015/06/defrans-sax-play-krueger-smooching-lca-rebuttal/>) history, filming a skit in which Krueger pressures DeFrancisco into smoking a joint.

“I think it stands out right now because we are living in a world that is so partisan and negative,” Krueger said

when asked about their relationship. Like Miner, Krueger said she disagrees with him on any number of policies, but try to get her to say a bad word about him personally and you'll fail. "I feel that we both understand that being legislators means taking your job seriously, doing your homework, standing on principles for what you believe is in the best interest of the people of New York, being willing to go toe-to-toe with people who disagree with you," she said.

But now, all that respect seemingly has amounted to little.

For the second time in three years, it looks as though he will be passed over in his quest to move up the Albany totem pole.

Briefly the front-runner for the GOP nod in this year's gubernatorial race, DeFrancisco watched as county chairs from around the state organized an effort to find another candidate, eventually convincing Dutchess County Executive Marcus Molinaro, who had previously declined to run, to re-enter the race. Over the past month, Molinaro has all but secured the party's nomination, set to be consecrated at the May convention.

When asked about the move to block his run at the governor's mansion by his own party, DeFrancisco rarely seemed flustered or angry. He rattled off the scripted lines from the political playbook about respecting the process.

Despite his outward resoluteness, it must sting to have dedicated so much to an institution, only to be shoved

aside.

“It’s frustrating,” he told City & State. “But look, if I don’t get this nomination, the world’s going to continue to go on for me and I’ll go and do whatever the next thing in my life is.”



Emily Assiran

It all started to come undone for DeFrancisco on a blustery February morning in suburban Buffalo. Assembly Minority Leader Brian Kolb dropped out of the running for the Republican nomination the night before and did not show up to a GOP gubernatorial debate, organized by the Erie County Republican Committee. Up to that point it looked like Kolb and DeFrancisco would

battle it out for the Republican nomination, with the conventional wisdom pointing to DeFrancisco taking on Cuomo in the general election.

But at the debate, it felt as though all the oxygen had been sucked out of the room with no serious Republican rival to DeFrancisco remaining, Erie County Republican Party Chairman Nicholas Langworthy said.

“I took the pulse of my organization and witnessed that in person,” Langworthy said. “They were hungry for another face. They were hungry for another candidate.”

And so, he and other county chairmen around the state began the behind-the-scenes work of finding another candidate, ultimately luring Molinaro, who plans to officially kick off his candidacy on April 2.

“There’s a group of people that, for whatever reason, decided that he’s the guy,” DeFrancisco said in early March as GOP county chairs were flocking to Molinaro.

The reason, Langworthy said, boils down to a fear that DeFrancisco’s long voting record, which includes many votes tied to omnibus legislation like the budget and catchall legislative packages passed at the end of a session, termed “The Big Ugly.” That means a lot of “yes” votes on progressive policies that have been pushed through by Gov. Andrew Cuomo, who will likely head the Democratic ticket for a third time this fall.

Langworthy said he admires DeFrancisco, offering praise in the same vein as most people when asked about the deputy majority leader. But in this political moment, those attributes and accomplishments can actually be a hindrance, he said.

“I think what people were hungry for was really someone who could credibly speak as an outsider to the Albany culture,” Langworthy said. “How could someone credibly speak to the need to change the Albany culture if they’ve been on the scene for many years?”

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BY GRACE SEGERS (/AUTHOR/GRACE-SEGERS)



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Jeanne Zaino, a professor of political science at Iona College and longtime Capitol observer, agreed that DeFrancisco's record could be a political albatross.

"If you're going to argue to clean up Albany and that the governor hasn't done what he said he was going to do when he first ran, I think it's very tough to do if the person you put up is DeFrancisco," Zaino said.

Molinaro, who is nearly 30 years younger than DeFrancisco, was also a state legislator, but served only five years in the Assembly minority, where he was able to take political stands without affecting the outcome of a vote because of the Democrats' vast majority in the chamber. In addition, he has been away from Albany for most of Cuomo's tenure, resigning from the state Legislature to take his seat as county executive at the beginning of 2012.

For DeFrancisco, being part of a narrow majority with a governor of the opposite party has meant that he has had to vote for unpalatable items as part of legislative packages in order to keep the government functioning or as part of a deal to pass legislation he supported.

"At some point you've got to govern," DeFrancisco said.

Langworthy said that while he is sympathetic to

DeFrancisco's situation, Molinaro offers a fresh face that gives Republicans a better chance at taking down Cuomo. "I get how Albany works," he said. "I understand why someone sometimes in a tight majority has to vote for certain things. But, it doesn't put you in the best position to win and draw clear differentiation from the governor and his policies."

"If we were in the private sector we would look upon a guy like DeFran and say, 'My God, look at the experience this guy has.' He'd be hired as the CEO." – state Sen. Patrick Gallivan

While that strategy may prove a winning one – several sources pointed to the effect Donald Trump's outsider status during his campaign is having on the way the parties are approaching the election cycle – it baffles some.

DeFrancisco bristles at the idea that a former member of the state Legislature is considered an outsider by the party.

"You can spin it any way you want," he said. "But, to me, the most important thing is: Can the person run the state of New York?"

DeFrancisco, who has committed to running through the Republican convention in May, argues that his qualifications should make him the clear choice. A leader in the Senate who also founded a highly successful law firm and spent years as a respected litigator, he said that his public service and private sector experience make him uniquely cut out to beat Cuomo.

State Sen. Patrick Gallivan, a Republican colleague, agreed, saying DeFrancisco's resume makes him the best option for the party. "If we were in the private sector, we would look upon a guy like DeFran and say, 'My God, look at the experience this guy has,'" Gallivan said. "There's nobody who can hold a candle to this guy. He'd be hired as the CEO."

Zaino, too, questioned the growing trend of running outsiders.

"I will tell you as a political scientist and somebody who observes these things, I find it frustrating, not just in this race in New York, but in this time in U.S. politics, that we don't value expertise and people who have put in the long hours and the many, many years," Zaino said. "People are scrambling to find an outsider because they're looking for some kind of savior."



*Emily Assiran*

Late last month, the senator was still pushing to secure the nomination, despite the long odds. He sent out a letter to every Republican committee member, which detailed his accomplishments, asking them to consider bucking the recommendations from their county chairs and to vote with their guts.

“I ask that you vote your conscience regardless of any pressure you may feel to support one candidate over another,” he wrote. “The party must have the best candidate – one who can go nose to nose with Andrew Cuomo and soundly defeat him.”

And to this end, his colleagues in the Senate argue, his experience as a litigator and proven record of calling Cuomo out publicly make him better suited to confront the tough-talking governor.

Bonacic was reluctant to criticize Molinaro for being kind and polite, but questioned whether his personality would be well-suited for taking on Cuomo. “I think Molinaro is a nice guy,” he said. “There’s no way he matches up with DeFran’s ability to debate the governor.”

As the convention draws nearer, DeFrancisco continues to travel the state seeking support, despite his many responsibilities at the state Capitol. But even if he somehow pulls off the upset and gets committee members to go against their leadership by giving him the nomination, he still faces a herculean task.

"I like John DeFrancisco. But I would not vote for him." – state Sen. Liz Krueger

The governor has commanding leads over all potential challengers, according to a recent Siena College Poll (<https://www.siena.edu/news-events/article/by-2-to-1-new-yorkers-support-safe-act-banning-assault-weapon-sales-nationa>). Cuomo's campaign funds dwarf those of DeFrancisco and Molinaro. At last accounting, the governor had more than \$30 million on hand. DeFrancisco had \$792,000, money saved up over the course of many noncompetitive campaigns, while his recent note to committee members claims that total has since surpassed \$1.5 million. Molinaro had just \$100. Though both have undoubtedly raised more money since the January filing date, they won't be able to come close to competing with Cuomo's well-oiled fundraising machine.

Nonetheless, while the idea that Cuomo might see his massive leads slip away seems like a fantasy, he is as vulnerable as he has been since first winning the governor's office, beset with scandals and flagging economic development programs as well as the possibility of third-term voter fatigue.

Gerald Benjamin, director of his namesake Benjamin Center at SUNY New Paltz, said that Cuomo continues to have all the advantages of incumbency – name recognition, a massive war chest – but will not find the path to victory nearly as clear as it was four years ago.

"I still think he's the favorite," Benjamin said of the

governor. “But it’s not going to be easy.”

It’s hard to gauge just how sincerely DeFrancisco believes in his chances and how much is bluster, given the daunting realities. But his friends and colleagues maintain that, true to form, his words are sincere.

“He thinks there needs to be a vigorous discussion about public policy in New York state,” Miner said. “And I agree with him. The state has serious issues.”



Emily Assiran

Walking swiftly and steadily from a committee room to the floor of the state Senate, taking purposeful slugs of his flavored seltzer water along the way, DeFrancisco conveys a calm confidence.

After 26 years in the Senate, he seems as comfortable running the floor debate as he would be carrying on a conversation over the family dinner table. During a heated discussion on the Senate floor over a controversial gun legislation package being pushed by Senate Republicans, DeFrancisco rocked in his chair, oscillating between peeking at his phone and shuffling through a stack of paper as he carried out the rules of order, looking up only in brief spurts, like a litigator in a courtroom.

Despite his sometimes tough guy persona, DeFrancisco can bring levity in the most serious of situations. During the gun control debate in the wake of the school shooting in Florida, he had a Democratic legislative aide doubled over laughing, even as voices were raised and insults lobbed from one side of the Senate floor to the other.

With the writing on the wall, DeFrancisco seems to waffle between clinging to the idea that he can pull off a miracle and using this opportunity to push Cuomo's buttons one last time. He has made economic development projects and targeted tax breaks pushed by Cuomo, many of which have come under recent scrutiny for both pay-to-play scandals and unmet expectations, a key focus as he moves forward with what will likely be his swan song.

And, he admits, Cuomo's advertising buying power will likely drown out any press coverage DeFrancisco is able to garner in an effort to get his message out.

"No matter what I do, with \$30 million in the bank, the

fact of the matter is the governor is going to be able to say whatever the hell he wants,” DeFrancisco said.

The lawmaker is all but consigned to leaving politics if his gubernatorial ambitions are stifled.

Let there be no doubt, he has every intention of running the best race he can.

“My reputation and my nature is such that I’m going to go after this as hard as anybody can possibly do it,” DeFrancisco said.

But it’s also clear that he has considered the possibility of slowing down, something that seems incompatible with his nature. He jokes that an increased presence at home might cause his wife stress.

And he doesn’t seem to be a man well-adjusted to idle time.


Life at the state Capitol without DeFrancisco would take some getting used to, his old friend Krueger said.


“I do think he will be a loss to the Senate,” she said. “I like John DeFrancisco. But I would not vote for him.”


A presence in the grand halls of the state Capitol for a quarter century, the Albany institution is nearing the likely end of his public life in the same pragmatic manner that has garnered him respect throughout his long career. Maybe he’ll get more into fishing. He and his wife Linda would likely travel more.


“They want me, they want me,” DeFrancisco said. “If they don’t want me, I’ll survive. The world is not going to end.”


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