

# The New York Times

---

## Behind N.Y. Gay Marriage, an Unlikely Mix of Forces

By MICHAEL BARBARO

June 25, 2011



*Gov. Andrew M. Cuomo at the bill-signing Friday with Thomas K. Duane, second from right, the Senate's only openly gay member*

---

### **A Persuasive Cuomo, Rich Republicans and a Shifting Political Dynamic**

---

In the 35th-floor conference room of a Manhattan high-rise, two of Gov. Andrew M. Cuomo's most trusted advisers held a secret meeting a few weeks ago with a group of super-rich Republican donors.

Over tuna and turkey sandwiches, the advisers explained that New York's Democratic governor was determined to legalize same-sex marriage and would deliver every possible Senate vote from his own party.

Would the donors win over the deciding Senate Republicans? It sounded improbable: top Republican moneymen helping a Democratic rival with one of his biggest legislative goals.

But the donors in the room — the billionaire Paul Singer, whose son is gay, joined by the hedge fund managers Cliff Asness and Daniel Loeb — had the influence and the money to insulate nervous senators from conservative backlash if they supported the marriage measure. And they were inclined to see the issue as one of personal freedom, consistent with their more libertarian views.

Within days, the wealthy Republicans sent back word: They were on board. Each of them cut six-figure checks to the lobbying campaign that eventually totaled more than \$1 million.

Steve Cohen, the No. 2 in Mr. Cuomo's office and a participant in the meeting, began to see a path to victory, telling a colleague, "This might actually happen."

The story of how same-sex marriage became legal in New York is about shifting public sentiment and individual lawmakers moved by emotional appeals from gay couples who wish to be wed.

But, behind the scenes, it was really about a Republican Party reckoning with a profoundly changing power dynamic, where Wall Street donors and gay-rights advocates demonstrated more might and muscle than a Roman Catholic hierarchy and an ineffective opposition.

And it was about a Democratic governor, himself a Catholic, who used the force of his personality and relentlessly strategic mind to persuade conflicted lawmakers to take a historic leap.

"I can help you," Mr. Cuomo assured them in dozens of telephone calls and meetings, at times pledging to deploy his record-high popularity across the state to protect them in their districts. "I am more of an asset than the vote will be a liability."

Over the last several weeks, dozens of lawmakers, strategists and advocates described the closed-door meetings and tactical decisions that led to approval of same-sex marriage in New York, about two years after it was rejected by the Legislature. This account is based on those interviews, most of which were granted on the condition of anonymity to describe conversations that were intended to be confidential.

### **'I Have to Do This'**

Mr. Cuomo was diplomatic but candid with gay-rights advocates in early March when he summoned them to the Capitol's Red Room, a ceremonial chamber with stained-glass windows and wood-paneled walls.

The advocates had contributed to the defeat of same-sex marriage in 2009, he told them, with their rampant infighting and disorganization. He had seen it firsthand, as attorney general, when organizers had given him wildly divergent advice about which

senators to lobby and when, sometimes in bewildering back-to-back telephone calls. “You can either focus on the goal, or we can spend a lot of time competing and destroying ourselves,” the governor said.

This time around, the lobbying had to be done the Cuomo way: with meticulous, top-down coordination. “I will be personally involved,” he said.

The gay-rights advocates agreed, or at least acquiesced. Five groups pushing for same-sex marriage merged into a single coalition, hired a prominent consultant with ties to Mr. Cuomo’s office, Jennifer Cunningham, and gave themselves a new name: New Yorkers United for Marriage.

Those who veered from the script faced swift reprimand. When Assemblyman Daniel J. O’Donnell, an openly gay Democrat from Manhattan, introduced a same-sex marriage bill in May without first alerting the governor’s office, he was upbraided by Mr. Cohen. “What do you think you’re doing?” the governor’s aide barked over the phone.

Mr. Cuomo’s hands-on management was a turning point not just for the marriage movement, but also for his long and fraught relationship with the gay community. Advocates grouched that he had waited until 2006 to endorse same-sex marriage, years after many leading New York political leaders did so. And many of them still remembered his work on his father’s unsuccessful 1977 bid for mayor of New York, which had featured homophobic posters aimed at Edward I. Koch.

Over time, however, championing same-sex marriage had become personal for Mr. Cuomo. He campaigned on the issue in the race for governor last year, and after his election, he was staggered by the number of gay couples who sought him out at restaurants and on the street, prodding him, sometimes tearfully, to deliver on his word.

The pressure did not let up at home. Mr. Cuomo’s girlfriend, Sandra Lee, has an openly gay brother, and she frequently reminded the governor how much she wanted the law to change.

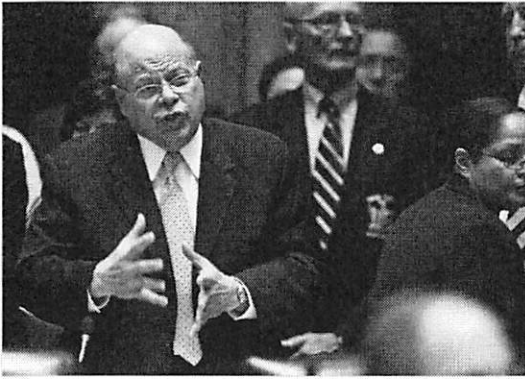
Something else weighed on him, too: the long shadow of his father, Mario, who rose to national prominence as the conscience of the Democratic Party, passionately defending the poor and assailing the death penalty. During his first few months in office, the younger Mr. Cuomo had achieved what seemed like modern-day miracles by the standards of Albany — an austere on-time budget and a deal to cap property taxes. But, as Mr. Cuomo explained by phone to his father a few weeks ago, he did not want those accomplishments to define his first year in office.

“They are operational,” he told his father. Passing same-sex marriage, by contrast, “is at the heart of leadership and progressive government.”

“I have to do this.”

## A Democratic Surprise

Nobody ever expected Carl Kruger to vote yes.



*Senator Carl Kruger explained his vote in favor of same-sex marriage on the floor of the New York State Senate on Friday*

A Democrat from Brooklyn, known for his gruff style and shifting alliances, Senator Kruger voted against same-sex marriage two years ago, was seen as a pariah in his party and was accused in March of taking \$1 million in bribes in return for political favors.

Some gay activists, assuming he was a lost cause, had taken to picketing outside of his house and screaming that he was gay — an approach that seemed only to harden his opposition to their agenda. (Mr. Kruger has said he is not gay.) But unbeknown to all but a few people, Mr. Kruger desperately wanted to change his vote. The issue, it turned out, was tearing apart his household.

The gay nephew of the woman he lives with, Dorothy Turano, was so furious at Mr. Kruger for opposing same-sex marriage two years ago that he had cut off contact with both of them, devastating Ms. Turano. “I don’t need this,” Mr. Kruger told Senator John L. Sampson of Brooklyn, the Democratic majority leader. “It has gotten personal now.”

Mr. Sampson, a longtime supporter of same-sex marriage, advised Mr. Kruger to focus on the nephew, not the political repercussions. “When everything else is gone,” Mr. Sampson told him, “all you have left is family.”

With Mr. Kruger suddenly a possible yes vote, the same-sex marriage organizers zeroed in on the two remaining Democrats who had previously voted no but appeared open to switching sides: Shirley L. Huntley and Joseph P. Addabbo Jr., both of Queens.

Senator Huntley, a close friend of Mr. Sampson, had privately assured him that she would support the marriage bill, largely out of personal loyalty to him and fellow Democrats.

Persuading Senator Addabbo proved trickier. Same-sex marriage advocates had nicknamed him the Counter, after he told them his vote would hinge entirely on a tally of his constituents who appealed to him for or against the measure. By mid-May, Mr. Addabbo sent word to Mr. Cuomo that the numbers were not there for same-sex marriage.

Until then, members of the same-sex marriage coalition had deliberately refrained from inundating Mr. Addabbo's office with feedback from supporters of the bill, fearing it might alienate and offend him. But now, the advocates received a message from the governor's office: Open the floodgates. Brian Ellner, who oversees the marriage push for the Human Rights Campaign, called the head of his field team, who had compiled an exhaustive list of supporters of gay rights in Mr. Addabbo's district.

"Bury him in paper," Mr. Ellner said.

Over the next week, the field team collected postcards signed by 2,000 of Mr. Addabbo's constituents who favor same-sex marriage, twice as many as he had received in the previous few months combined.

When his final tally was completed in early June, he had heard from 6,015 people — 80 percent of whom asked him to vote yes. "In the end, that is my vote," Mr. Addabbo said.

### **Republicans Resist**

In a private room at the Fort Orange Club, a stately brick manor in Albany where the waitresses still wear French maid uniforms, a pollster laid out the results of his research on gay marriage for Senate Republicans in early June.

There was little political rationale for legalizing it, the numbers suggested: statewide support did not extend deeply into the rural, upstate districts that are crucial to the state's Republican Party. And with unemployment at 9 percent, the issue was far down the list of priorities for voters.

Many of the Republicans wanted to avoid ever taking a vote on the issue — a simple strategy to carry out. As the majority party in the Senate, they could block any bill from reaching the floor.

But the caucus — a group of 32 senators who had seized control of the Senate in the elections last year but held just a single-seat majority — was far from unified. And, crucially for same-sex marriage advocates, the Republicans' relatively untested leader showed no interest in forcing them to reach a consensus. "My management style," the Senate majority leader, Dean G. Skelos of Long Island, had told lawmakers, "is that I let my members lead."

Mr. Cuomo was determined to exploit the leadership vacuum by peeling off a few senators from moderate districts.

A major target was James S. Alesi, a Republican from suburban Rochester, who seemed tormented by his 2009 vote. Cameras in the Senate chamber captured him holding his head in his hands as the word "no" left his mouth.

The coalition approached him from every angle. The Republican donors invited him to a meeting on Park Avenue, telling him they would eagerly support him if he backed same-sex marriage. “That’s not the kind of lily pad I normally hop on,” Mr. Alesi recalled.

The advocates collected 5,000 signed postcards from his constituents and nudged a major employer in his district, Xerox, to endorse the bill.

And Mr. Cuomo called him, over and over, to address his objections and allay his fears. He told Senator Alesi that as the first Republican to endorse same-sex marriage, he “would show real courage to the gay community.”

On June 13, aides to the governor left urgent messages with same-sex marriage advocates, who had just left a meeting in Mr. Cuomo’s office, to return there immediately, offering no explanation.

As the group assembled around a conference table, the governor opened the door to his private office and peeked in. “I want to introduce the first Republican to support marriage equality,” he announced.

Mr. Alesi walked into the room, which erupted into applause. In emotional remarks, he apologized to them for what he called his “political vote” against same-sex marriage in 2009.

The next day, Bill Smith, a lobbyist for Gill Action, a gay-rights group, turned to the governor and asked, “How many rabbits are you going to pull out of the hat?”

## **Outgunned Opponents**

It was befuddling to gay-rights advocates: The Catholic Church, arguably the only institution with the authority and reach to derail same-sex marriage, seemed to shrink from the fight.

As the marriage bill hurtled toward a vote, the head of the church in New York, Archbishop Timothy M. Dolan, left town to lead a meeting of bishops in Seattle. He did not travel to Albany or deliver a major speech in the final days of the session. And when he did issue a strongly worded critique of the legislation — he called it “immoral” and an “ominous threat” — it was over the phone to an Albany-area radio show.

Inside the Capitol, where a photograph of Mr. Cuomo shaking hands with Archbishop Dolan hangs in the governor’s private office, the low-key approach did not seem accidental. Mr. Cuomo had taken pains to blunt the church’s opposition.

When he learned that church leaders had objected to the language of the marriage legislation, he invited its lawyers to the Capitol to vent their frustration.

Mr. Cuomo even spoke to Archbishop Dolan about the push for same-sex marriage, emphasizing his respect and affection for the religious leader. An adviser described the governor's message to Archbishop Dolan this way: "I have to do what I have to do. But your support over all is very important to me."

By the time a Catholic bishop from Brooklyn traveled to Albany last week to tell undecided senators that passing same-sex marriage "is not in keeping with the will of their people," it was clear the church had been outmaneuvered by the highly organized same-sex marriage coalition, with its sprawling field team and, especially, its Wall Street donors.

"In many ways," acknowledged Dennis Poust, of the New York State Catholic Conference, "we were outgunned. That is a lot to overcome."

With the church largely out of the picture, the governor's real worry was the simmering tension in the Senate Republican delegation. Its members met, for hours at a time, to debate the political and moral implications of allowing a vote. But each time new arguments arose. Some questioned whether homosexuality was genetic or chosen. Others suggested that the same-sex marriage legislation be scrapped in favor of a statewide referendum.

Mr. Cuomo invited the Republicans to visit him at the governor's residence, a 40-room Victorian mansion overlooking the Hudson River, just a few blocks from the Capitol.

There, in a speech the public would never hear, he offered his most direct and impassioned case for allowing gays to wed. Gay couples, he said, wanted recognition from the state that they were no different from the lawmakers in the room. "Their love is worth the same as your love," Mr. Cuomo said, according to someone who heard him. "Their partnership is worth the same as your partnership. And they are equal in your eyes to you. That is the driving issue."

In the late hours of Friday night, 33 members of the State Senate agreed with him.

*Danny Hakim contributed reporting.*