
THE BROADWAY DEMOCRATS

◆ District Leaders: Curtis Arluck, Paula Diamond Román ◆ President: Noah Kaufman◆

The Quality of Life In Manhattan Valley

A Town Hall Meeting

Invited:

Congressman Adriano Espaillat (13)

State Senator Brian Benjamin (30)

State Assemblyman Danny O'Donnell (69)

Manhattan Borough President Gale Brewer

Councilmember Mark Levine (7)

Police Department (24)

Sanitation Department

Con Edison

Speakers will make brief presentations and take your questions.

Thursday, March 14, 2019

7:45 p.m. registration

Meeting starts at 8:00 p.m. sharp!

Cathedral Parkway Towers

West 109th Street

(between Amsterdam and Columbus)

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March 2019

The Election for Public Advocate – We Didn't Lose

Daniel Zweig

Some friends and neighbors have said, "Sorry you lost." True, my candidate didn't win – I wanted Danny O'Donnell to be our Public Advocate – but I didn't lose. I got to know better a number of impressive people who ran for this office. That was good and a positive part of our democratic process.

I believe that Danny O'Donnell, Michael Blake, Jumaane Williams and maybe a couple others could all have been good Public Advocates. I'm glad I got to know more about all those candidates. I am hopeful that those who voted for Jumaane Williams are correct that he will be successful as our Public Advocate.

But I really thought that Danny O'Donnell was the best choice. At Broadway Democrats, we get to know Danny well. He is thoughtful, compassionate, caring, unafraid to speak truth to power, persistent and effective navigating the legislative process. Others in the race got important bills through the City Council; Danny got tough legislation through Albany despite having to deal with a Republican State Senate. Gay marriage and a 25 mph City speed limit were not easy sells in Albany. While others may have handled the City responsibilities of the office as well as Danny, it's clear to me that Danny would have been most able to get the State Legislature on board when needed.

But again, I didn't lose in this process. In campaigning for Danny I got to know him better and that continues to be a true pleasure. And in District 69, we all win because Danny continues to work on our behalf in Albany. I'm sure that some here voted to keep him working for us there.

Danny, I am proud that you ran for this office and I am glad that you continue to represent us. I hope you feel the same way.

The author is a 54-year resident of District 69 and a member of the Steering Committee.

Criminal Discovery Reform: At Least as Progressive as Texas ...

Mary Peppito

Is it morally ok for prosecutors to keep evidence from a defendant until the day of trial – thereby preventing the defense from investigating the government's case for months, or even years? Is it ok for the government not to share evidence with the defense *before* the defendant pleads guilty – even to felony charges? New York Law currently says yes to both questions and judges have no power to intervene.

This year we have the opportunity to change the injustices in New York discovery law regarding when prosecutors have to turn over police reports, witness statements, video & 911 calls. This year Democrats have the opportunity to make New York's severely outdated discovery laws at least as progressive as those of many red states, including Texas and Alaska. Governor Cuomo, Senator Jamaal Bailey (Bronx) and Assemblyman Joe Lentol (Brooklyn) have proposed legislation to do just that – and this potential game-changer is now possible only because we took control of the legislature and kicked out the IDC.

Currently New York's criminal "discovery" laws are among the most conservative in the nation. Only three other states – Wyoming, Louisiana & South Carolina – are as secretive as New York. For instance, under current law the DA can withhold discovery until the day the case starts trial. Under the new proposals, prosecutors would be required to disclose police reports within days of arrest.

Early discovery is *required* in civil cases – cases where only money or other property is at stake, not a person's liberty. In civil cases, there is mandated disclosure of evidence, depositions and examinations – and a party that fails to comply can be sanctioned. Such laws are recognized to encourage settlements and inform decisions to go to trial. But where one's liberty is concerned, New York

law currently denies such discovery, even though what's at stake is inarguably far more serious.

Early discovery is at least as important in criminal cases; it gives the defense attorney the opportunity to meaningfully investigate the case (as they are ethically required to do), and it preserves evidence that might be erased or destroyed otherwise. For example surveillance camera footage is often erased or overwritten within one month of arrest. It is imperative for the defense to be able to obtain footage to assist in the defense. Witnesses must also be located – the earlier the better, because memories fade. Phone records need to be subpoenaed within a certain time-frame. Without early discovery, many arrestees are required to decide whether to enter a guilty plea without ever seeing the prosecution's case against them or being able to investigate it themselves.

The editorial board of the New York Daily News recently declared, "One of the enduring shames of New York is that its laws, rare in the union, let prosecutors hide evidence from defendants until the eve of trial, which effectively means the 98% of defendants statewide who plead guilty on felony arrests do so with precious little knowledge of the case against them." <https://www.nydailynews.com/opinion/ny-edit-discovery-20190208-story.html>

In New York City, each of the five boroughs has a district attorney who has their own policy about when to turn over discovery. This means the law is applied differently depending on which borough one is arrested in. The DA in Kings County, now Eric Gonzalez, has an early disclosure policy: his prosecutors share discovery, police reports and evidence soon after arrest, and Gonzalez endorses discovery reform. He recently tweeted, "As a prosecutor, my goal is not just to secure convictions, but to do justice. I believe that early and open discovery is just and fair, and I look forward to publicly endorsing a discovery reform bill."

On the other end of the spectrum is our own DA in Manhattan, Cy Vance, who refuses to disclose any information to the defense until the law requires – usually many months or years after arrest. He opposes reform.

So here's the problem: we have a law that permits DAs to act imperial, deciding what their particular policy will be. Most (looking at you, Mr.

Vance) prefer to take full advantage of the current draconian statute and not share anything with the defense until trial. This deprives the accused of any opportunity to investigate or, at a minimum, review and understand the evidence prior to deciding whether to plead or go to trial.

To say that New York's discovery law is unfair to the defense is an understatement. Given that a person's liberty is at stake, New York's current law is contrary to due process and our fundamental understanding of fairness. It's time for New Yorkers to insist on [this essential notion of justice](#).

The author is a criminal defense attorney with the Legal Aid Society and a member of the Steering Committee.



**Petitioning for District Leader
and County Committee –
please pick up petitions
at the meeting on March 14.**



Activism and Libraries

Judy Wood

As many of you may know, the Bloomingdale library (our local branch of the NY Public Library) closed on February 15 for one year (at least). It had been open two nights a week til 7pm for the benefit of working people and others in the neighborhood. The next closest library is the branch at 113th and Broadway; however, that branch has just reduced *its* hours and now closes at 6:00 every night!

We need to right this wrong. I have written to our local electeds as a beginning, and will certainly write to our new Public Advocate. I urge you to do the same and anything else you can think of to add evening hours at Morningside as soon as possible.

If you're interested in working with me on this important local issue, please contact me at judithwood02667@gmail.com.



On Amazon and Ranters

James Behr

The Amazon move to New York failed – for the time being, anyway. It’s a warning to us Democrats. Negativity flows. It’s not smart policy.

I saw a thing or two as campaign manager for a Public Advocate candidate (not the one who won). I attended debates and heard candidates “discuss” Amazon’s proposed Long Island City complex. The reaction from virtually every politician was anger and ranting, not proposals to improve the deal. Just rants.

The deal would’ve provided an estimated 25-45,000 jobs, tens of billions in new tax revenue over the decades, a reimagined Long Island City, and an opportunity to bring a prominent internet-related industry to our city and retool schools to train the young for emerging jobs. My candidate supported the deal. He was heckled. Is this what it means to be a Democrat or Progressive?

As an observer I recently went to a Republican Club meeting. It wasn’t pretty. A conservative TV talk show host spoke against the president, pointing out negatives. God knows there are plenty to point out. The audience screamed and heckled. It was disturbing. I see the same at Democratic events. If someone dares to disagree, they fear being heckled. I’ve been one of them: sneered at, told clearly to shut up because I disagreed. Are we becoming the people we disapprove of?

That’s a warning. The divisiveness and anger defining our times made its way into how politicians approached the Amazon proposal. Politicians (and unions) complained the LIC complex would take away blue-collar jobs from New Yorkers. Really? This is not a warehouse. It’s back office – as in computer code writers with master degrees. Anger overwhelms facts. We should think about opening new schools to prepare the young for emerging jobs, but oh, that’s not what ranters do.

There are centrists in our party. Plenty. They liked the Amazon idea, understand business, risk-taking, investing. They also wanted to cut a better deal. Polls in New York showed strong support. How did politicians crash a deal the public supported? That’s the elephant in the room. We’re losing touch

with centrists, and centrist support is what wins elections.

Indeed, there were problems with the deal. As one commentator noted, that’s 25,000 people flushing the toilet three times a day, taking subways, needing resources. Infrastructure had to be built, sewage pipes enlarged. We never got to discussing solutions. People at those Public Advocate debates just yelled “corporations are evil!” Then they went home to buy things on Amazon or surf the net on their iPhones. Oh, come on...

I believe we must work to clean up the world. I am deeply concerned about global warming and the rising oceans. I’m a centrist. In fact, three years ago I published my book, “America on the Verge”, calling for a green deal (in similar words). I cited the World War II effort when government and industry cooperated. Some progressives act like they’re the first ones to think of this. Being vocal is one thing. Attacking is another. Good leaders understand corporations need to be enlisted, not attacked. It’s those same “evil” corporations that will build those solar panels and electric cars.

We need intelligent debate on making the Amazon deal work better for us. We don’t need misguided statements, as came from one well known Democratic congresswoman – spend the \$3 billion given to Amazon on New York. Excuse me? It wasn’t “given,” it was a tax break to compensate for the enormous costs of building a complex in Long Island City. You have to get that tax revenue first. That was lost on this politician.

The Amazon deal, over time, would’ve provided far more than that \$3 billion she referred to. Now we will get none of it. How could a politician ignore that obvious fact? If Amazon had moved here, they would’ve spent a huge amount putting up buildings, buying furniture, setting things up. That’s what the tax break was about: start-up costs. That’s reasonable. Good government thinks ahead. If you invest \$5,000 knowing it will bring \$50,000, you do it. That’s what politicians ruined with their rants.

The deal would have raised tax revenue needed to fund social programs and improve subway service. Billions in tax revenues – gone. Just how do you grow social programs when you scare business (and tax revenues) away? Keep it up politicians and you’ll scare away more “evil”

corporations. Look what happened to New York in the 1970s. Raise your hands if you want that again!

Our country is built upon capitalism. The phones we use, the computers and cars we desire – they come from large corporations. Let's not be so quick to jump on them. Corporations are not evil. They just need to be better regulated ... and better taxed.

The Amazon move is still possible if we act quickly. Negotiate a better deal. Welcome them, talk, solve problems! I saw a City Council event where politicians rudely harassed Amazon executives. Who should be surprised that the company walked away? We need progress, not hotheads.

There's a wise expression: God gave us two ears and one mouth for a reason. Listen twice as much as you talk. If we don't listen more and stop the ranting, Democrats may not like the result in coming elections, for the country is far more centrist and pragmatic than many recognize.

The author is a freelance writer on politics, a political consultant, and an adjunct at Manhattan College.

Disclaimer: unless otherwise indicated, items herein reflect the views of their authors only. They are published as a part of our club's commitment to the free and open exchange of ideas on topics of interest, but their publication should not be construed as an endorsement by the editor, the Steering Committee, or the Broadway Democrats club.

The Message from Iowa

Alec Barrett

I recently had the opportunity to hear from Abby Finkenauer, a first-term member of Congress from Iowa who turned a red seat blue last November. Rep. Finkenauer is the second youngest member of Congress – born a few months before Rep. Alexandria Ocasio-Cortez in 1989 – but she had already served two terms in the state legislature before being elected to Congress.

Rep. Finkenauer spoke on a number of issues, but what struck me most was her explanation of how she is approaching conversations about climate change in her district, which is largely rural, agricultural, and politically purple.

The people of the Iowa 1st, she explained, don't need to be persuaded of the truth of climate change. They see tangible evidence of it in their lives, as shorter growing and harvesting seasons put pressure on farms and farmers and livelihoods.

By starting the conversation where her constituents are, she can make the case to them for a turn toward renewable energy and reductions in carbon emissions. They may not be ready for the full scope of the Green New Deal, but convincing sensible Iowans to support environmental measures is well within reach of a savvy Congressperson, and a savvy party.

This is encouraging, first, because we desperately need action on climate change, and I can imagine no issue that should unite people more across geographic, demographic, and even partisan lines. But second, I was heartened to hear what our party has too often been missing in the Trump era: a strategy for adapting our message by connecting national issues to local problems.

I'm not talking about tacking to the political center, or the flimsy idea that the future of the Democratic Party depends entirely or even primarily on winning back Trump voters, which was debunked by the 2018 midterm results. Instead, we need to recognize that different messages and messengers will resonate in different parts of the country, and that we as a Party can accommodate a range of messages without compromising our principles.

With a new majority in Congress, Democrats represent a more ideologically diverse cross-section of our country than we used to (and the same is true for the state legislature). This is good: we're fortunate to have perspectives as varied as those of Abby Finkenauer and Alexandria Ocasio-Cortez shaping the Democratic message. One connects on soybean harvests while the other speaks to environmental justice. Their districts may have different priorities, but the shared underlying values show who we are as Democrats.

The author is a Democratic District Leader for the 69th Assembly District Part B. He was born in 1989.

(Almost) a Century in the Making: Democrats Take Control of the State Legislature

Daniel Marks Cohen

There has been a lot of (justifiable) excitement about the recent defeat of the so-called Independent Democratic Conference (the “IDC”) and the election of 39 Democrats to the 23 Republicans in the State Senate (Senator Simcha Felder, nominally a Democrat who frequently votes with the GOP, is isolated as a party of one, for now).

This is not the first time that Democrats have controlled the State Senate; as recently as 2009, the split was 32 Democrats to 30 Republicans, but that was under the tumultuous leadership of Malcolm Smith and then John Sampson, and it was very brief – the GOP recaptured control through the IDC in the following cycle (and both Smith and Sampson are now in prison for corruption).

If we go further back in time, the Democrats controlled the Senate in 1965, but again only for a year. In fact, you have to look much further back in history, to the year 1938, to find a time when Democrats controlled the Senate for a significant period – 5 years, but then they lost it for another 25 years. Then, as now, it was not just about absolute control – it was and is about the *margin* of control, and Democrats have not had the kind of margin we have now in over 80 years.

In the past the legislature just added another seat to preserve a majority (this has happened several times – there were 51 total State Senate seats in 1938, there are 63 now). Or a few senators could be persuaded to switch parties or alliances (the IDC being the most recent example but not the first in our history). But with the current difference of 16 seats between the Democrats and the GOP, adding another seat would have no impact, and a massive defection would be required to give the GOP control again, which seems highly unlikely.

Why is all of this important? Although control of at least one house of the federal legislature is of course crucial, our local and state legislatures often have an even greater and more immediate impact on our daily lives. Here in New York, the Reproductive Health Act, voting reform, LGBTQ rights, tenant protections and congestion pricing are just a few of the many issues that have languished for years, waiting for a Democratic majority to emerge so that meaningful legislation could be enacted. The *Albany Times Union* referred to this

new situation as the “Californication of New York” politics, where the west coast was the “left coast” on issues that mattered to progressives. Now with a Democratic-controlled legislature, New York State has a chance to be the *true* left coast of politics.

Electing just a handful of Democrats in a few key districts was enough to give us the majority. These victories were more than just an expression of rage against Trump’s GOP; they were also a reflection of demographic changes, particularly in the once-red counties of Long Island. In 2016, Republicans controlled seven of the nine State Senate districts in Nassau and Suffolk counties. But in the “blue wave” of 2018 Democrats flipped four of those seats from red to blue.

Half of our new majority in the State Senate comes from wins like these, in districts formerly held by Republican senators. And note that these wins were in a non-Presidential election year. History suggests that in 2020 – a Presidential election year – Democrats might not only hold their majority but, with the higher expected turnout, may also add a few more seats to the blue team, particularly in districts where the Democratic candidate just narrowly lost in 2018: the 41st (Dutchess County, 1% margin), the 50th (Cayuga County, 2% margin), the 4th (Suffolk County, 4% margin), the 55th (Monroe County, 4% margin), and the 43rd (Columbia County, 6% margin). In several other districts our party fielded no candidates to challenge the Republicans in 2018, but with the Democrats ascendant and now in the majority in the State Senate, no seat will go uncontested in 2020.

Adding this all together – the diminishment of Long Island as a GOP stronghold, the Democrats now holding a firm majority, and the possibility of an even larger blue wave next year – the potential for increasing the total number of Democrats in the State Senate seems strong, and this in turn would increase the probability that we could hold the majority longer than we have in the past. This would complete the progression of New York State from purple to firmly blue, and essentially extinguishes the Republicans from power in legislatures in New York, and with the exception of Pennsylvania, also the entire Northeastern United States.

We have a chance to make real change to positively impact people’s lives. This year and years to come will be about pushing for a Progressive agenda. We should celebrate our victory in New York State, but now the work truly begins.

The author is our Democratic State Committeeman.



The Korean Crucible

Edward Sullivan

When Donald Trump returned to America with his shirt still on his back, after the “summit” meeting in Hanoi with Kim Jong Un, the “Dear Leader” of North Korea, only one word describes the reaction of every sensible American:

“Phew!!!”

Weren’t we confident in the ability of Trump and his personally chosen military and diplomatic advisers to negotiate a new, reasonable status between North Korea and the United States in the western Pacific region? No.

We could be much more reliant on the military brass in those matters of foreign policy that involve the possible use of military force if we had not, in my lifetime, seen the misuse of such force by American Presidents (not Trump) and generals in Korea, Vietnam, Iraq and Afghanistan.

In each of these theaters, the sitting President went forward with a war, undeclared in each case, which killed thousands of American soldiers – respectively 36,000, 58,000, 4,000 and 2,000 – without a great deal of popular support, and in the case of the last three, with a large and vocal popular opposition.

Because of the built-in deadly effect of all war, our Constitution requires an Act of Congress before our government can go to war. But this “supreme law” of our country has been ignored lately, by Presidents who feel that their own whim is the supreme law of the land, and by generals who are glad to surrender to a reading of the Constitution convenient to the military. This is a thoroughly un-American attitude, but one which Donald Trump has adopted.

The last time war was declared by Congress was just after the Pearl Harbor attack, in 1941 – against Japan on December 8, and against Germany and Italy on December 11.

In publicly opposing the Vietnam, Iraq and Afghanistan wars, we protesters were often chastised for our lack of humility in criticizing our betters in military and diplomatic policy. We could have been more humble if it turned out that they (our “betters”) had been right all along, and that we protesters had been wrong. But humility has a hard

time breathing when we turn out to be right, again and again, and our “betters” turn out to be tragically wrong, again and again.

All this comes up because we are witlessly walking into a war on the Korean peninsula, and it’s clear that our current President can out-witless any recent President in foreign policy matters. For example, a few days ago, the President was asked if we would accede to North Korea’s request and withdraw United States Armed Forces from South Korea. “It’s not on the table,” replied the President. A few moments later he was asked what issues are, in fact, on the table. “Everything is on the table,” he answered. Now how’s that for witless?

The reason this is important is that the two main objectives of Kim Jong Un are (first) recognition by the United States that his country is a major power in world politics, and (second) the removal of American forces from South Korea.


The first objective has already been granted to North Korea in return for nothing of value. Nothing. Let’s see how granting North Korea its second objective might turn out. As this is being written, wheels are churning in Trump’s brain, making a foreboding sound.

The author is a former State Assemblyman. To receive his regular “IMADEMOCRAT!” columns, please write to him at edsullivan606@gmail.com.

RS

We want to hear what *you* have to say! Email submissions to the editor (in MS Word, please) at palmonrode@gmail.com.

Please note that we will consider all submissions, but we reserve the exclusive and final right to decide what to publish.



RS