



2010 QUESTIONNAIRE FOR CANDIDATES FOR THE
OFFICE OF ATTORNEY GENERAL

Citizens Union would appreciate your responses to the following questions related to policy issues facing the State of New York and our interest in reforming how state government operates. Responses to these questions will be one of several factors Citizens Union will use to evaluate candidates running for office in order to determine our “Preferred Candidates” for the primary election and “Endorsed Candidates” for the general election.

We plan to make public your responses to this questionnaire in our Voters Directory and in other appropriate venues.

We thank you very much for your response.

Candidate Name: Sean Coffey Age: 54

Campaign Address: 60 E. 42nd Street, New York, NY 10017

Campaign Telephone Number: (212) 557.6100 Fax: (212) 557.6102

Party Affiliation(s): Democrat Campaign Manager Name: Van Parish

Website & Email: www.coffey2010.com / seancoffey@coffey2010.com

Education: Chaminade High School, Mineola, NY (1974)
 United States Naval Academy, Annapolis, MD (1978) (B.S. In Ocean Engineering, with merit)
 Georgetown University Law Center, Washington, D.C. (1987) (J.D., magna cum laude)

Occupation/Employer (or years in currently held elected office): Criminal prosecutor (Assistant U.S. Attorney for the Southern District of New York (1991-95); defense lawyer (Paul, Weiss, Rifkind Wharton & Garrison (1987-91) and Latham & Watkins (1995-98) (as counsel and partner); and affirmative litigator (Bernstein Litowitz Berger & Grossmann (1998-2009) (as partner and eventually co-managing partner).

Previous Offices and Campaigns: I am the only Democratic candidate running for Attorney General who is a true political outsider having never run for or held political office.

Are you willing to be interviewed by CU's Local Candidates Committee? YES X NO ___
(Please note: Citizens Union can grant its "Preferred Candidate" and "Endorsed Candidate" rating only to candidates we have interviewed.)

Have you completed requisite campaign finance filings? YES X NO ___

Signature of Candidate: _____ Date: 07/30/10



POLICY ISSUES

1. What would be your top priorities if elected to the Office of Attorney General?

1. Getting the political branches of our state government working again for the people of New York by advocating for the passage of necessary legislation which includes passage of Gianaris bill to ensure more competitive elections by providing for nonpartisan redistricting, lower barriers for candidates in terms of petition signatures for more open elections, full disclosure of outside income and clients by legislators with no swiss cheese loopholes (e.g., trial lawyers), reform of member item system to deter self dealing in allotting discretionary funds, merit selection of judges, and the public corruption equivalent of the Martin Act to enable AG's to proactively root out and deter corruption.

2. Continuing the NY Attorney General's critical role in ensuring transparency, integrity, and accountability throughout our financial system. In my view, the best way to ensure that New York's most important industry continues to grow is to keep it honest. In many areas of the financial market regulation it is the federal government that must take the lead, but where there is overlap – or when the federal authorities fail to take action when necessary to protect the interests of New Yorkers – I will step in as Attorney General to fill that gap when the same tenacity and effectiveness that marked my tenure as an investor advocate.

3. Bringing my broad experience as a prosecutor, defense lawyer, and plaintiffs lawyer to bear in efficiently and proactively running what is essentially the nation's largest and most critically important public interest law firm.

2. How would your approach to the position and priorities while in office differ or resemble that of your predecessor?

Given the acute crisis in government at present, I would focus first and foremost on public corruption (with or without passage of the additional legislation I would seek). I would likely seek more personal contributions from corporate officers and focus more on “gatekeepers” such as audit firms, rating agencies, directors, and lawyers. Among other things, I would take more cases to trial, be

more proactive on affordable housing issues, and establish an intellectual property protection unit, and increase the level of attention given to veterans.

3. What are your thoughts on striking the appropriate balance between the attorney general's role as the lawyer representing the state's officials, and as an independently elected government official?

The fundamental responsibility of the OAG is to defend the state when it is sued. There is a constitutional obligation when one seeks the Office of AG to honor that obligation. But AG's enjoy the opportunity to enter the bully pulpit and can use the Program bill process to put forth an independent view, working with advocates to make sure the laws of New York are fair, just and continually improved. AG Cuomo did this is pushing through landmark legislation on government consolidation, I will do my duty if elected in defending the state, but I will bring a Brandeisian approach to bully pulpit via AG program bills. The net effect will serve the state and make my OAG, if I am lucky enough to get elected a voice of independence and reform.

4. If elected, how would you leverage the Office of the Attorney General to protect the public from fraud and/or the misuse of taxpayer funds in the public or private sector?

I will use existing laws to do this such as the Tweed Act and False Claims Act to bring transparency and accountability to Albany. With regard to fraud I will vigorously use the powers under consumer fraud and investor protection laws. For example, one of the key elements of my reform agenda is full disclosure of outside income by legislators, meaning the public should know what they are paid and who their clients are.

Second, I will seek the enactment of reform proposals that will fight political corruption. This includes amending the state Executive Law to grant the Attorney General the power to independently decide when and where to investigate and prosecute public corruption.

5. What, if any, are the key social issues of the state that you would address should you be elected to the Office of Attorney General. How would you address them?

I will fight for the passage of marriage equality in New York, repeal the Defense of Marriage Act, and will file suit against the federal government and support any action to repeal DOMA.

I will protect immigrants from those who would otherwise treat them unfairly while purporting to help them navigate the American legal system as an issue of worker and human rights. I will maintain and enhance AG Cuomo's path breaking unit to protect immigrant rights.

I will steadfastly protect a woman's right to choose which means not allowing entities like Planned Parenthood to be victims of intimidation and violence.

I also believe women are entitled to be free of gender discrimination and the glass ceiling is not a benign cap but something that laws must help shatter.

Finally, racial discrimination is still a plague on our society in terms of employment and housing and I will maintain the OAG as a place where victims of racial discrimination come for redress and change.

I also have also released a robust and comprehensive plan to crack down on mortgage foreclosure scams in New York which has disproportionately impacted lower and middle income minority families.

6. What, if any, would be your top legislative priorities to pursue should you be elected to the Office of Attorney General. What specific solutions would you put forward?

Refer to attached reform agenda. I will also work towards ending the regional voting rights discrimination on primary polling hours in Upstate New York. I will present a written report on this issue at the Citizen Union's candidate interview.

REFORM ISSUES

7. How would you address public misconduct of elected officials and what novel approaches would you use to reform state government? How would you use the enforcement mechanisms provided to the Office of Attorney General in pursuing violations of the state's campaign finance and ethics laws? Do you believe that greater responsibility should be given to the office to investigate corruption and how would you achieve that?

Yes, I do believe that greater responsibility should be given to the OAG to investigate corruption. I will seek the public corruption equivalent of the Martin Act to go after public corruption in Albany. As I know from over a decade of prosecuting securities claims against companies whose fraud has harmed investments, New York pension funds and institutional investors are protected under existing law.

8. Do you support measures to limit the role of money in elections and politics, such as substantially reducing contribution limits and/or instituting a matching public campaign financing system at the state level? Absent a change in the law, what would you do as a candidate, or attorney general, to set an example in diminishing the influence of money in campaigns?

Yes. New Yorkers rightly sense that much of the dysfunction in state government can be attributed to an electoral system that protects incumbents, stifles fair and competitive elections, suffers from lack of voter participation, and is unduly influenced by campaign contributions. As Attorney General, I will vigorously support legislation to reform our election laws reduce the influence of money in the political process, make it easier to replace elected officials who fail to put New Yorkers' interests ahead of their own, increase voter participation, and help restore public faith in our state government. Given the understandable lack of confidence that New Yorkers currently have in our state government, I believe that the following steps must be taken: **Public Financing of Campaigns for all State Offices, Starting with the Attorney General and Comptroller.** Consistent with the need to reduce the influence of money in state politics – and to begin to restore public confidence in state government - I support public financing of campaigns for Governor, Lieutenant Governor, Attorney General and Comptroller. At a minimum, New York should put in place for the 2014 elections a program for public financing of the two state-wide offices that the public believes should carry out their duties with the least influence of campaign contributions – Attorney General and Comptroller. **Reform of Campaign Finance Laws.** The Board of Elections, which has responsibility over campaign finance violations, lacks sufficient power and resources to ensure fair and honest elections. Its staff is small, its resources are scarce, and its investigatory authority is weak. New York needs much more aggressive enforcement of its campaign finance laws. I will seek concurrent enforcement authority for the Office of the Attorney General and a requirement that the Board of Elections publish the names of violators.

9. What role do you see the Office of Attorney General playing in monitoring non-profits receiving member items funds?

The “member item” process is susceptible to abuse due to inadequate oversight and accountability. While many member items ultimately go to worthy causes like charities, many go to less deserving entities or projects. The current system also requires charities and other worthy organizations to curry favor with individual legislators in order to keep their funding. I support the legislation introduced by Senator Serrano and Assemblywoman Galef, which empowers state agencies to oversee and publicly report on the use of allocated funds and requires equitable distribution of member item funds among all New York districts. Among other things, that legislation provides that any group which wants to receive member items must be pre-certified by the Attorney General, who will verify the organization’s tax status and compliance with reporting requirements on previous member items. I believe that if member items are to remain in the budget, the allocation process must be transparent, fairer, and accountable. Then, and only then, can New Yorkers be sure that organizations that are

delivering important services to our communities will be funded through an impartial and consistent process.

10. Do you support stricter limits on gifts and other benefits, such as honoraria, public officials may receive from lobbyists, contractors and others attempting to influence the political process?

Yes. And I attend to be an active partner with Citizens Union, The Brennan Center, NYPIRG, the League of Women Voters and other good government organizations that have been key players in highlighting the effect that stricter limits have on curbing the influence of gifts and benefits political process.

11. Do you believe there is a conflict of interest in raising funds from companies you may regulate and have to take action against? Are there parameters you set or you believe should be established in statute to limit potential conflicts of interest?

Yes, there is a distinct appearance of impropriety at the base of the question you pose. That is why I am in favor public financing for all statewide officials. But given how difficult that is to achieve, I'll begin with the offices of AG and Comptroller.

12. Do you support a system of selecting Supreme Court judges through an appointment process where candidates are recommended by citizens' committees on the basis of merit and qualifications? If not, what judicial selection mechanisms do you support?

Yes. The fair administration of justice through our court system is critical to honest government, a functioning economy and a just society. No part of that system is more important than the judges who preside over disputes affecting New Yorkers and New York businesses. Unfortunately, confidence in the judicial system is increasingly imperiled by the growing influence of money and political influence in the election of judges in New York courts. I propose that every judge in the state of New York be selected by merit, not by politics, connections, or money. As demonstrated in the recent litigation over the failure to make adjustments to judicial salaries for far too many years, I also believe that it is past time to pay judges the salaries they deserve. New York has a long tradition of excellence on the bench and, in addition to converting to full merit selection we must increase the salaries of these critically important public servants. I commend Mayor Koch for keeping the issue of judicial selection alive and well in the discussions for real reform.

13. What do you believe is the proper role of the Office of Attorney General in overseeing public authorities?

The next AG has to conduct a thorough review of the recently passed authority control bill and become a potent instrumental for making sure the purposes of that landmark legislation are fully realized. There is likely to be some backsliding from the compliance from this law and it is my sense that the AG office could be a useful prod to uphold the passage of this legislation.

Please provide any additional information about your positions as well as actions that you have taken or plan to take to advance your positions on the above issues either below or on a separate sheet of paper.

I believe that in order for the winner of the Attorney General primary to have a chance to win a statewide general election he or she must put together a broad coalition that cuts across regional, racial, religious ethnic gender and sexual orientation lines. To win this primary, candidates must be able to win upstate and suburban voters of all backgrounds. One cannot win, nor should one try to win with a narrow demographic or gender profile. This race will be won by the best "knitter" in the race: the candidate who can knit a true quilt of Democrats across our state. I would be honored to have the endorsement of Citizens Union.

**Please return to: Citizens Union, Local Candidates Committee
299 Broadway, Suite 700 New York, NY 10007
Or via fax at 212.227.0345**

CAMPAIGN PROMISES MADE TO VOTERS (PAST and CURRENT)

In addition to evaluating their stances on the issues above, Citizens Union will assess incumbents on how well they kept the promises they made to voters during the previous election.

As an elected official who currently holds an office other than the one for which you are running,

- a. what were the top five promises or goals you made to your constituents when you ran for your current seat and what progress has been made in keeping those promises, and
- b. what are the top five promises or goals you are making to the voters during this campaign?

We thank you very much for your response. Please feel free to use additional paper if the space provided is not sufficient.

TOP FIVE 2010 CAMPAIGN PROMISES OR GOALS

1. Restore the faith that New Yorkers have in their state government by seeking greater authority to fight political corruption.
2. Pass legislation that seeks the public corruption equivalent of the Martin Act to go after political wrongdoing.
3. Pass a responsible ethics bill that includes full disclosure of outside income by legislators and who their clients are.
4. Support legislation to reform our election laws to reduce the influence of money in the political process.
5. Fight for lower and middle class families like the one I grew up, enforcing labor laws and protecting worker rights in the work place.

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