



**CITIZENS UNION CANDIDATE QUESTIONNAIRE
PUBLIC ADVOCATE
ELECTION 2009**

Citizens Union would appreciate your response to the following questions related to policy issues facing the City of New York that are of concern to Citizens Union and the citizens of the city. We plan to make public your responses to this questionnaire in our Voters Directory, on our website, and in other appropriate venues. Responses to these questions will be one of several factors Citizens Union will use to evaluate candidates who are running for office in order to determine our "Preferred Candidates" for the primary election and "Endorsed Candidates" for the general election. In order to receive Citizens Union's "preferred" or "endorsed" status, in addition to completing the questionnaire, candidates must participate in an interview with Citizens Union's Local Candidates Committee.

We thank you very much for your response.

Candidate Name: Norman Siegel_____ Age: 65_____

Campaign Address: 260 Madison Avenue, 18th Floor, New York, NY 10016_____

Campaign Telephone Number: (212) 448-6271_____ Fax: (212) 448-6271_____

Party Affiliation(s):Democratic__ Campaign Manager Name: _Bob Sann_____

Website & Email: www.normansiegel.com info@normansiegel.com

Education: New Utrecht High School; B.A. Brooklyn College; J.D. New York University School of Law

Occupation/Employer (or years in currently held elected office): Civil rights attorney/solo practice

Previous Offices and Campaigns: Previously candidate for Public Advocate in 2001 and 2005_____

Are you willing to be interviewed by CU's Local Candidates Committee? **YES**___ **NO**___

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

(Please note: Citizens Union can grant its "Preferred Candidate" or "Endorsed Candidate" rating only to candidates we have interviewed. We will make every effort to interview candidates in this race.)

Signature of Candidate: _____ Date: _____

Please state your position on the following issues by indicating whether you support or oppose each, where applicable. Please also use the space provided below each question or on a separate sheet of paper to elaborate on your positions on the questions which require a detailed answer. You may also provide additional information on any actions that you have taken or plan to take to advance your positions on these issues.

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| <p>1. What is your position regarding the creation of a Charter Revision Commission to review specifically the roles of the various offices of government and how well government has functioned since the 1988 and 1989 charter review commissions?</p> | <p>Support</p> | <p>Oppose</p> |
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I should note that I strongly feel we should not abolish the office of the Public Advocate, as it has vast potential to hold government accountable if used correctly. However, I do feel we should give consideration to amending the Charter so that the Public Advocate is not first in line of succession to the Mayor, as a Mayor and a Public Advocate require different skill sets. The 1988 and 1989 charter review commissions made positive improvements, for example, the creation of the Public Advocate's office. There are still improvements to be made, for example, requiring that term limits be approved only by the voters as mentioned in a question below. More important, however, is getting to the root of the self-serving political culture that created a situation where a mayor and twenty-nine council members voted to extend their own term limits. I have faith that the Public Advocate's office, used to its fullest potential, can provide oversight for more transparent, effective public service.

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| <p>2. What is your position on the passage of state legislation that would allow for other charter measures, such as those initiated by the City Council or by citizens, to appear on the ballot at the same time as when there is a charter reform proposal initiated by a charter commission appointed by the Mayor?</p> | <p>Support</p> | <p>Oppose</p> |
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| <p>3. What is your position on restructuring New York's current board of elections model to eliminate political party responsibility for overall election administration and replace it with a system that narrows political party involvement to certification of candidate petitions and the actual counting of votes?</p> | <p>Support</p> | <p>Oppose</p> |
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| <p>4. What is your position on having an election administration system where there is a local elections executive director appointed by the mayor upon recommendation by a new board that is chosen by the mayor and the city council?</p> | <p>Support</p> | <p>Oppose</p> |
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| <p>5. What is your position with respect to allowing voters who are registered as independents to vote in party primaries?</p> | <p>Support</p> | <p>Oppose</p> |
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| 6. What is your position on term limits for elected officials? | Support | Oppose |
| 7. What is your position on modifying the City Charter to require that changes to term limits may only be approved by the voters? | Support | Oppose |

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| 7. What is your position on the recent extension of term limits for the city’s elected officials to three consecutive four-year terms? Please explain your answer. | Support | Oppose |
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I opposed the legislative extension of term limits and spoke out against it along with The People Have Spoken Coalition. I also served as co-counsel in *Molinari v Bloomberg*, which challenged the legality and constitutionality of the extension from 2 to 3 terms. It is regrettable that the Mayor, the City Council Speaker and 28 other council members were willing and able to overturn the twice-expressed will of the people in order to so transparently serve their own political interests. It is actions like these that call for a more visible, outspoken and aggressive Public Advocate (though the current Public Advocate should be commended for opposing this bill and not taking advantage of it to run for a third term). Clearly we must amend the City Charter so that public referenda on this issue can no longer be violated.

How would you use the office of the Public Advocate to impact public policy in the City to serve the broad public interest?

The backbone of my campaign and my desire to serve as New York City’s Public Advocate is my vision for how this unique elected position – the only position in America that represents the people *against* the government – can operate as an example of democracy in action. No New Yorker would have to ask “what does the Public Advocate do?” if I were in charge of the office. The City Charter specifies in section 24g, “The public advocate shall establish procedures for receiving and processing complaints, responding to complaints, conducting investigations, and reporting findings, and shall inform the public about such procedures.” Accordingly, I’ve outlined fourteen procedures and approaches I would use to make the office more dynamic and accessible:

1. I will not only contact the appropriate city agencies when it is appropriate, but I will also connect concerned residents and community groups to the appropriate agencies, so they do not get the run-around when trying to deal with city bureaucracies.

2. The Public Advocate has access to the media, and he or she should use it. The Public Advocate's office will put pressing issues into New York's papers by writing letters to the editor and opinion editorials on a constant basis.
3. Similarly, our office will hold press conferences to keep New York's journalists apprised of the problems people are facing, and the work our office and our partners are doing to fix them.
4. A Public Advocate cannot understand the concerns of the City without going directly to the people. That is why we will hold public conferences/town hall meetings throughout the five boroughs to allow residents to give feedback about the difficulties they are facing.
5. Not only will I hold meetings in all five boroughs, but I will also decentralize the office. I would establish satellite Public Advocate offices in each borough, not just the municipal building in downtown Manhattan. No advocate waits for people to come with their problems; advocacy is about taking the first step by reaching out to people in their own neighborhoods.
6. Once a problem has been identified, the Public Advocate's office will designate a task force to speedily gather information, make recommendations, and if necessary, take action.
7. If a task force is insufficient, I will not hesitate to create Public Advocate Commissions that can hold hearings, issue reports, and bring additional media attention to an issue.
8. If our office identifies an issue that warrants substantial study, we will commission Special Reports and have experts look into those issues.
9. There will be times when new legislation will be required to solve the issues we face. Under my direction, the Public Advocate's office will be aggressive in recommending and supporting new legislation.
10. As Public Advocate, I will encourage and participate in all protected First Amendment action events, including marches, rallies and protests.
11. One of the most important features of the Public Advocate's office is its authority to hold public hearings. When dealing with City agencies accused of wrongdoing, one can be assured that holding hearings is a tool I will use liberally. Additionally, New York law allows the Public Advocate to petition for judicial public hearings when there has been any showing of government impropriety, which allows the public to hear the acts in a court of law. As a civil rights attorney representing taxpayers I used this process to bring public attention to the City Council "slush fund" that had been funneling city money to fictitious organizations. That case is currently on appeal in the New York Appellate Division. The incumbent has never asked for judicial hearings,

but I will show no such reluctance in exposing government improprieties, such as fraud and corruption.

12. I would create an Institute of Advocacy where the Public Advocate staff would quarterly hold weekend training sessions on the “art of advocacy.” The goal would be to create a citywide network of skilled advocates.

13. To this end, I would recruit, train and supervise hundreds of volunteers (assistant Public Advocates) to participate in weekly intakes at housing developments, public libraries, and senior centers, identifying the systemic issues and recurring grievances that are plaguing city government.

14. As a last resort, the Public Advocate’s office will engage in litigation. We will sue for declaratory judgments, injunctive relief, or, in state court, for a judicial public hearing.

I will employ all of the above energetically and forcefully, because I see the Public Advocate’s office as the culmination of a lifetime of work, not just a political stepping stone.

8. What would be your most important legislative and non-legislative priorities as public advocate?

My most immediate non-legislative priority would be to make the Public Advocate’s office more effective. By implementing the fourteen approaches listed above, we would give the office definition, visibility, and accessibility. I am confident that within the year nobody would have to ask “What is the Public Advocate?” and they would be aware of this great resource that exists in our city government. While the Public Advocate is not primarily a legislative position, I would recommend and support legislation to strengthen ethics in government (the above-mentioned charter revision to require voter approval for changes to term limits is a good example), to protect the civil rights of all New Yorkers, to protect small businesses in this time of recession, to provide for and incentivize more affordable housing, and to improve our environment and pursue green industries and jobs for New Yorkers.

9. What are the three most important oversight functions of the Public Advocate?

1. Protect and enhance the rights of all New Yorkers
2. The Public Advocate’s ability to hold public and judicial hearings and hold government and officials accountable to the people.
3. The Public Advocate’s ability, given a network of dedicated volunteers, to canvass communities and find out about lapses in government services straight from the people who have experienced them.

10. How would you leverage the office of the Public Advocate to address:

- a. Affordable Housing,
- b. Education,
- c. Budget and Fiscal Responsibility,
- d. Health and the Environment, and
- e. Economic Development?

Affordable Housing: One of my main goals as Public Advocate will be to support activist networks throughout the city. That could mean organizing NYCHA tenants to fight for better conditions and safety measures. That could mean speaking out when community plans call for more affordable housing, only to be nixed by the Mayor in favor of luxury development. And the Public Advocate should certainly be publicizing many of the scams and predatory lenders that have caused so much home foreclosure in our city. Once all of New York's neighborhoods are able to properly organize themselves, the ability of lower-income residents to make their concerns heard will be greatly improved. I will work every day in helping advocates/organizers make that a reality.

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Education: As Public Advocate I would actively solicit and address the concerns of parents, especially because the current implementation of mayoral control frequently seals them off from having input on the schools their children attend. The Public Advocate should also ensure that the Department of Education abides by all relevant city and state laws, including respecting the voice and input of Community Education Councils, School Leadership Teams, and complying with the state mandate to reduce class size. Recently the Comptroller's office released a report that made substantial criticism of the DOE's procedures regarding statistics. Regrettably, this immediately became a political battle between the Mayor and Comptroller, who happen to be opponents in the Mayoral race at this moment. As Public Advocate I would also release annual reports and recommendations to specific city agencies, and because I do not plan to run for any other political office other than Public Advocate, I sincerely hope I could avoid the political fallout and gamesmanship that so frequently accompanies such reports, no matter how well-intentioned.

Budget and Fiscal Responsibility: By canvassing communities and collecting complaints of residents, I believe I would be able to identify areas where government is operating ineffectively or wastefully, and this information would be invaluable to legislators as they plan the budget. In cases where there are serious budgetary red flags, such as the city council "slush fund" that was made public last year, I am willing to pursue public or judicial hearings.

Health & Environment: The Public Advocate can investigate and publicize health risks, whether they're environmental (asthma is a major concern) or infrastructural (the spat of falling cranes could well have been avoided if concerned residents had known about the Public Advocate and

taken their complaints there instead of to the unresponsive Department of Buildings). The Public Advocate can also publicize energy-saving measures and encourage residents to be more environmentally-conscious. I would advocate for legislation geared towards reducing carbon emissions, such as the retrofitting and energy-benchmarking of large buildings, setting an example with similar measures for city-owned buildings, and expanding bicycle lanes.

Economic Development: There are currently too few safeguards protecting small businesses from exorbitant rent or commercial tax increases, predatory out-of-state energy companies, or abuse of eminent domain. The Public Advocate's Office can play an important role in addressing these forces that threaten to put them out of business. Because 2/3 of our private sector's jobs come from our approximately 200,000 small businesses, I would launch a small business task force, consisting of prominent individuals and small business owners. They would identify problems, speedily gather information, and make recommendations to get our economy back on track.

11. What is your position on the role of the Public Advocate in addressing complaints on broad citywide issues versus limiting the Public Advocate's oversight to specific issues? The Public Advocate's responsibilities are outlined in the City Charter as including both broad and specific issues, and that's the way it should be. Martin Luther King Jr. said, "An injustice anywhere is an injustice everywhere." These are words to live by – especially when it comes to the Public Advocate's office. A lapse in city government that seems to affect only one individual is not something to be overlooked; it's exactly why we have a Public Advocate. By responding to that person's grievance, and then analyzing the patterns of all such grievances, we can identify the systemic issues in our government that certainly do affect everyone, directly or indirectly. To achieve analysis at this level, however, you need to establish an interface to actually collect those complaints; I believe the way to succeed is by decentralizing the office and actively reaching out to people in their own neighborhoods.

12. How would you publicize the Public Advocate's office and its role? Most of the procedures in my 14-point approach to the office either directly or indirectly boost the profile of the office; decentralizing the office, marshalling and dispatching volunteers across the city, holding town hall meetings across the city, speaking out vociferously and writing editorials on issues of public concern – all of these will make people aware that they have a Public Advocate to turn to. While campaigning I have made sure to publish the fourteen points that define how I

envision the role of the Public Advocate's office, and I'm confident that their implementation would give this office the definition that it has always lacked. _____

13. What would you propose the Department of Education do to increase the ability for parents and teachers to become more meaningfully involved in the education system? What other positive changes can be made to the New York City public school system?

There are many ways New York City schools can be reformed without centralizing power in the hands of the Mayor. While the old system had many serious problems, it at least allowed a public engagement, whereas the current system allows for more secrecy and political decision-making than ever before, leaving parents sealed off from having proper input on the schools their children attend. I underwent my own education on this issue during my tenure as attorney for The Association of New York Community Education Councils and as a lawyer for parents regarding the Department of Education's barring of cellphones.

I have heard from far too many parents that our schools increasingly over-emphasize standardized testing. I would set up a task force and public hearings into this allegation, since it is substantial. Teaching to the book may improve the appearance of city schools by boosting students' scores, but no approach to education should forget that our goal is not test scores, but rather teaching children how to think critically.□

As a civil liberties lawyer, I am troubled by the over-use of Police School Safety Guards in the schools. The resulting increase in student arrests, handcuffing, and harassment is teaching our children a fear of police.□

I personally believe that class size is one of the most important factors in a child's education. In 2008, under Mayor Bloomberg and Chancellor Klein, the student-teacher ratio or the average class size increased in 54% of New York City public schools. Reducing class size facilitates other needed reforms, such as improving teacher recruitment, retention, and the overall quality of instruction.□ While I was head of the New York Civil Liberties Union, we were actively involved with the Campaign for Fiscal Equity. The Mayor (and Public Advocate) should have been more vocal and engaged in order to get more funding for city schools.□ As Public Advocate, I would also push for expanding Pre-K programs, remedial education, and after-school hours. I would use my authority to hold hearings to ensure the Department of Education's programming and spending policies are being properly administered

14. Taking into consideration the lessons learned from the debates surrounding congestion pricing and the Ravitch Commission's recommendations to provide the MTA with long-term funding, what do you think should be done to address the MTA's fiscal solvency issues

and ensure that the burden for funding the MTA are equitably distributed amongst all stakeholders?

First off, I would like to commend the Ravitch Plan for holding public hearings in New York, Nassau and Westchester counties as a means of gathering information - an approach I would use as Public Advocate with regard to the MTA. I was grateful that the Ravitch plan realized that the initially proposed fare increases would constitute a “significant burden” to many New Yorkers, that it recognized the urgent nature of the crisis we faced and was forward-looking in terms of the MTA’s future capital needs, and that it gave strong consideration to the environmental necessity of having an effective public transportation system.

It is important that the Commission urged that the MTA “do everything within its power to control expenses”. My experience in litigation against the MTA on race and gender discrimination cases as well as whistleblower cases leads me to conclude that there is waste and unnecessary expense that should be cut or substantially reduced, for example, use of outside counsel. For this reason, I was hesitant to support levying new cashless tolls on bridges. Where its recommendations on revenue-raising measures are concerned, I support its proposal for a mobility tax to mitigate fare increases and service reductions, and promoting transparency of such revenue by creating the subsidiary Capital Finance Authority. The Ravitch Report’s recommendation that the MTA “develop a reporting methodology for its capital program that is consistent with the Guidelines of the Government Finance Officers Association” is a necessary first step, and the Public Advocate should be on the forefront of calling for transparency in its historically-opaque budget. I support the proposal to improve bus service to the outer boroughs, as many people in this city lack access to public transportation.

15. What would you propose to ensure that charter mandated elected offices receive equitable budget allocations?

With regard to the recent 40% cut to the Public Advocate’s budget, I am confident that this would not have happened to a Siegel Public Advocate office. If elected I will develop a constructive working relationship with the executive and legislative branches of government and prove the viability of the office so that its funding is restored. Even from a strictly budgetary perspective, the Public Advocate can, by identifying waste in city government and assisting individuals in applying for federal public assistance, actually save the city far more money than is expended on its budget. By proving this, we could render moot the arguments that its small budget constitutes wasteful spending. In case my confidence in my colleagues is overly-optimistic, I would propose that we set the Public advocate’s annual budget as a percentage of the overall budget. This would protect it against fluctuation based on the political interests of other elected officials.

16. How would you propose the city deal with the affordable housing?

As the former head of MFY Legal Services, I know all too well the difficulty low and middle-income New Yorkers have in finding affordable housing. You will be hard-pressed to find another candidate who has worked harder for tenants’ rights over the course of his or her career. Not only do I support repealing the current Vacancy Decontrol law, but I also support repealing the Urstadt law, which has done more to tie the city’s hands with respect to affordable housing than any other law on the books. There is no reason we should have to go to Albany every time we want to

improve the law for tenants, especially because Albany is a playing field progressives will very rarely win on. The people of New York City need the right to control their own rent stabilization laws, and not leave it up to state legislators, many of whom lack affordable housing concerns. Should we take the necessary first step by repealing the Urstadt law, our work will not be finished, but our goals will become attainable. To see what I will do as Public Advocate to work on this issue, one need only look at the agenda I have laid out for the office. The Public Advocate's ability to generate media awareness and support grassroots organizing in this area is particularly critical, as most New Yorkers do not make the immediate connection between the need for affordable housing and a Rockefeller-era state law. As Public Advocate I will call upon the Mayor and the City Council to sign a Home rule message formally calling upon the legislature for action. Additionally, to further relieve affordable housing difficulties I will support zoning plans which include the creation of 35% affordable housing in all new developments. □ The physical conditions and safety standards in much of NYCHA housing is far below what it needs to be. We need to change the status quo. If the residents who live in NYCHA housing could be properly organized and politically mobilized, they could become a potent force whose concerns the City would have to take seriously. □ Finally, the issue of home foreclosure is a sad and urgent problem gripping many neighborhoods throughout the city. Political leadership on this issue has been weak, and what the City needs right now is a Public Advocate who will lead, someone who can bring both a new approach and a lifetime of experience working with community organizations. The next Public Advocate must be effective at educating the public. For example, new state legislation requires in-court settlement conferences for homeowners with sub-prime loans – a good law. However, individuals in foreclosure receive so much spam mail that they often do not get their court notice, and fail to appear for the conference. Homeowners should be educated on the need to be on the lookout for their court notices. I also believe the Public Advocate should be in the forefront of alerting the public to scammers. One current scam is fraudulent companies sending homeowners a chance to get low-interest loans in exchange for a certain amount of money up front (\$3,000, in one example), then disappearing with the money. In addition to educating the public, our office will move swiftly to alert state and federal prosecutors to scams such as this one.

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17. What would you propose to further enhance transparency regarding the relationships between elected officials, their families, and nonprofits that receive funding from New York City?

Clearly there needs to be more disclosure and accountability. While family members of people who run for office have a right to privacy, when they find themselves in a position to seek and/or

obtain public funds for any cause, no matter how noble, they should realize that they are entering testy ethical territory. They should have to disclose their relationship to the elected official in concern and that official should clearly disengage from any process whereby the family member receives or directs funds to any organization. When the Democrats won back Congress in 2006 in the wake of many Republican ethics abuses, they quickly passed new ethics legislation addressing the out-of-control, Abramoff-style lobbying that had come to typify federal government. Given the widespread nature of ethical lapses, especially related to member items, I look forward to debating new ethics legislation on the local level when I am Public Advocate.

CANDIDATE ACCOUNTABILITY QUESTIONNAIRE

Citizens Union is adding a new element to its evaluation of candidates running for office. As a candidate who presently does not hold elected office, CU is interested in knowing your top five campaign promises you are making to the voters during this campaign for this position.

If elected, Citizens Union will use these promises to evaluate your performance while in office, as well as, to evaluate your candidacy in the future.

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

TOP FIVE 2009 CAMPAIGN PROMISES

1. Decentralize the Public Advocate's office by opening a satellite office in each borough.
2. Create an Institute of Advocacy to train active community members in the art of advocacy.
3. Recruit and dispatch a citywide network of volunteers to speak with concerned New Yorkers at public venues all over the city.
4. Appoint a Deputy Public Advocate for equality issues as they relate to race, gender, sexual orientation, age and disability.
5. Focus on my priorities of revitalizing our economy, improving public education, and creating more affordable housing.