



Candidate Questionnaire
 Local Candidates Committee
 NYS Elections 2018

Citizens Union appreciates your response to the following questionnaire related to policy issues facing New York State, and our interest in reforming state government. **Please return the questionnaire to us as soon as possible, and no later than July 13th.** Responses to these questions will be one of several factors Citizens Union uses to evaluate candidates running for Attorney General of New York State, and to issue our preference for the Primary and endorsement for the General Election. Please feel free to affix any additional information such as a résumé, campaign brochure, or issue statements.

If you seek our support, we will also need to schedule an interview with you as part of the evaluation process. **Please contact us if you wish to be interviewed.**

We plan to make responses to this questionnaire public on our website, printed voters directory, and other appropriate venues.

We thank you very much for your response.

Biographical Information

Candidate Name: Michael "Mike" Diederich, Jr.

Party Affiliation(s): Democratic; Reform Age: 64

Education: LL.M. (environmental law); J.D. (law); B.S. (environmental science)

Office Sought/District: NYS Attorney General

Occupation/Employer: self-employed; lawyer

Previous Offices, Campaigns and Community/Civic Involvement: Democratic candidate for Rockland County

Legislature (lost by 9 votes); Democratic Candidate for Rockland County District Attorney (2003); and some local races. Former member of town planning board & ambulance corps. 29 years in Army reserves (w/ Iraq & Afghanistan tours.)
 (Please feel free to affix any additional information such as a résumé, campaign brochure, or issue statements.)

SEE ATTACHED RESUME AND COVER LETTER TO
 NYS LEGISLATIVE AG PANEL

Campaign Contact Information

Campaign Manager Name: Mike Diederich, Jr. (self)

Additional Staff Contact:

Address: 361 Route 210, Stony Point, NY 10980

Telephone: 845-942-0795

Fax: 845-942-0796

Website: www.Diederich4AG.com

Email: Mike@DiederichLaw.com

Twitter:

Facebook:

I. AFFIRMATIONS

Have you completed required campaign finance filings?

YES / ~~NO~~

Are you willing to be interviewed by CU's Local Candidates Committee?

YES / ~~NO~~

(Please note: interviews are prerequisites for Citizens Union endorsements.)

Signature of Candidate: /s/ Michael Diederich, Jr.

Date: 13 July 2018

9. 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?

We need an AG today who will help protect our democracy , as this is in peril, and to protect the paramount interests of the citizens of the State. The AG has a duty to protect the State, but in my view does NOT have any duty to incompetent, malfeasant, misfeasant or corrupt officials as individuals. Defend them if necessary to safeguard the public purse, but let justice be a guide in this regard. Bad officials must be held personally responsible for their own conduct or incompetence.

10. 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?

1. Safeguarding and protecting our democracy, and the people's trust in it.

2. Ensuring the sound, secular education of ALL children in the State, notwithstanding the desires of any religious group keeps its members uneducated and uninvolved in civics and democracy.

3. Diffusing the hyper-partisanship and tribalism that is infecting politicians and their supporters.

4. Forming alliances with other States' AG (Dem and Rep) to rationally advance the public interest (including human rights, education, health, environment) by collectively lobbying both the public and the federal government for such.

5. Educating the public as to matters useful to the body politic, so that the Public can better recognized when scare tactics and scapegoating are being used for selfish political gain, not the public welfare (e.g., handguns pose great risks; immigrants do not).

11. 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?

Adequate secular education of ALL NYS children.

Anything relevant to my many suggestions above.

Please use the space provided or a separate sheet of paper to elaborate on your positions on the issues contained in the previous pages. You may also provide additional information on any actions that you have taken or plan to take to advance your positions on these issues.

I spent 29 years in the Army Reserves, with active duty tours in Germany (3 years), Iraq (1 yr) and Afghanistan (9 months) and I have travelled around the country and around the world. I am a student of science, evolutionary psychology and of human nature. I have litigated in trial and appellate courts and have influence the US Supreme Court (favorably toward the public interest). My father served in combat in WW II, and from him I developed a strong sense of patriotism and of the vital importance of the Founding Father's (and Mothers') essential vision of democracy under the rule of law.

And I am terrified by what I see in our country today, with President Trump being merely a symptom of much deeper problems (well described, by the way, in Brill's book "Tailspin," which I just finished reading). The powerful have gotten much more powerful, and the people and their democracy are being left behind. In my view, as AG I could do much to help turn the tide, to empower the People to begin fighting to regain our democracy. I do not think any other AG candidate shares my broad vision, or has my breadth of expertise and experience. This is why I think I would make a tremendous NYS AG (even if my election is unlikely this time around, as I may only be on the Reform Party line).

III. CAMPAIGN PROMISES MADE TO VOTERS (PAST AND CURRENT)

In addition to evaluating their stances on the issues above, Citizens Union will assess candidates on the commitments they are making to voters during the campaign.

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 2018 CAMPAIGN PROMISES OR GOALS

1. Sound secular education of ALL NYS children.

2. Will not accept "block vote" or corporate money in this election.

3. Our democracy needs protection--the AG must serve all the citizenry, regardless of individuals political affiliation.

4. No one is above the law, not the governor, and not even the President of the United States, and the AG can and should prosecute either if sufficient, weighty evidence of violation of New York law is found. (I am not suggesting wrongdoing by either official.)

5. End gerrymandering, in the State and the nation; and get big money out of politics.

6. Respect the historical separation of Church and State, and keep religion out of politics.

MICHAEL D. DIEDERICH, JR.

Attorney at Law
361 Route 210
Stony Point, NY 10980
(845) 942-0795
(845) 942-0796 (fax)
Mike@DiederichLaw.com

*practice concentrating in employment law,
discrimination, civil rights & environmental law*

VIA EMAIL

counsel@nyassembly.gov

May 11, 2018

N.Y.S. Legislature
c/o Kathleen O'Keefe,
Legislative Counsel to the Speaker
New York State Assembly
Capitol Building Room 347
Albany, NY 12248

Re: Attorney General vacancy—application

Dear State Legislators:

I request your consideration for appointment to the position of Attorney General of the State of New York. Before you reject consideration of this application out of hand, for lack of political party support, I request that you consider the unique qualities I can bring to the job, including:

1. I am a Bronze Star recipient, for my military service as a U.S. Army lawyer and Foreign Claims Commissioner in Afghanistan, where I was deployed in 2012.
2. I am willing to take on the Hassidic religious leadership (and any other insular or organized religious group) on important matters. In particular, I refer to the refusal of some religious groups to permit their children a sound secular education. New York government must ensure that all children in this State receive a sound secular education, so that they can achieve their own individual potential and become contributing members of New York's and America's democracy. In my view, depriving children of a sound secular education deprives them of their own civil rights as American and New York citizens. And it undermines democracy itself, as democracy needs an educated and participating citizenry. This is a matter of State-wide concern, and is becoming urgently problematic in Rockland County, Orange County and in Brooklyn.
3. I am willing and able to take on other matters of great importance to our New York citizenry, and I have the background and experience to advance New Yorkers' interests in such matters as job creation and economic development, individual financial security, land use and quality of life issues, consumer protection, environmental issues,

public safety, energy issues, civil rights and regional planning. I am willing and able to help to help protecting New Yorkers against all sorts of outside threats, whether domestic or foreign, terrorist or otherwise.

4. I may be the most qualified person you will interview regarding the above matters, because I have a broad, multi-disciplinary background with a demonstrably public-interest oriented life experience as a lawyer and “citizen-soldier.” I am an independent member of the Democratic Party who has run for political office before (including as Democratic candidate for Rockland District Attorney). I have always welcomed and often received Republicans’ support. I will to run the Attorney General’s office in a nonpartisan manner, for the benefit of all. I am fiscally conservative and moderate on social issues.

5. In my law office, I focus on employment law and civil rights. I hold a Masters of Law degree in environmental law. I am a graduate of the U.S. Army Command and General Staff College, with tours of active duty as an Army “JAG” lawyer in Germany, Iraq and Afghanistan. I have prosecuted courts martial, and served as an Assistant County Attorney in both Westchester and Rockland Counties. In appellate advocacy, I have influenced the U.S. Supreme Court on several occasions.

6. Lastly, I am a student of the science of human nature, including its anthropological and evolutionary psychological underpinnings. My goal will be to use this knowledge to help facilitate cooperation between Republicans and Democrats, Conservatives and Liberals, the Religious and the Secular, in helping New York State and local government act on behalf of our People. I can help “Make New York Great Again!” And to do so in a manner that is fundamentally different from the political polarization employed in national politics today.

I am inclined to accept this position on an interim basis, with a promise not run in the General Election if that is the Legislature’s collective preference. Your consideration is appreciated.

Respectfully submitted,

/S/

Michael D. Diederich, Jr.

encl. – resume

cc: James Skoufis, Assemblyman

MICHAEL D. DIEDERICH, JR.
Attorney and Counselor at Law

361 Route 210
Stony Point, N.Y. 10980

(845) 942-0795/0796(fax)
email: Mike@DiederichLaw.com

Admitted to Practice: New York (1981), Massachusetts U.S. District Court (S.D.N.Y., E.D.N.Y. & N.D.N.Y.), Second Circuit Court of Appeals, U.S. Army Court of Military Appeals, and U.S. Supreme Court

PROFESSIONAL EXPERIENCE

Private Practice of Law, Stony Point, New York (1981 to present, excluding years in gov't service)

Private practice of law concentrating on employment law, environmental law, constitutional law, general litigation, trials and appeals in federal and state court. Public advocacy litigation including taxpayer and due process litigation. Experience in mediation.

In the past decade, successfully handled over 200 employment discrimination matters (e.g., gender, age, race, national origin, disability). I have successfully tried several civil rights cases to verdict. I have won appeals at the Second Circuit Court of Appeal, including a case of national importance, *Sherman v Town of Chester*, 752 F3d 554 (2d Cir 2014), and I have favorably influenced the U.S. Supreme Court through my amicus briefs in *United Haulers Assn., Inc. v. Oneida-Herkimer Solid Waste Mgmt. Auth.*, 550 U.S. 330 (2007).

Military Legal Advisor, Lieutenant Colonel (retired), U.S. Army Judge Advocate Corps

Command Judge Advocate: Anaconda, Iraq (November 2004-October 2005) and Kandahar Airfield, Afghanistan (February – December 2012). Mobilized as U.S. Army Reserve lawyer.

Foreign Claims Commissioner, Kandahar, Afghanistan (March – December 2012): adjudicated Afghan claims against the U.S. government. Extensive dealings with local citizenry and Afghan officials.

Awarded **Bronze Star Medal** in December 2012, for service in Afghanistan.

Rockland County Special Outside Counsel for Solid Waste and Assistant County Attorney for Solid Waste/Environmental Affairs (Part-time)(June 1992 to 1994) Advised on environmental, municipal law, governmental and general litigation matters.

Counsel to Westchester County (December 1989 to December 1992)

Special Counsel and Assistant County Attorney (Litigation Bureau), White Plains, New York
Special Counsel and Assistant County Attorney representing Westchester County in various affirmative and defensive litigation.

PROFESSIONAL WRITINGS

Treatise Chapter: Municipal Solid Waste Management, New York Environmental Law Series (Lawyers Cooperative, 1995).

Article: "Law: Can Municipalities Manage Their Own Solid Waste", ENVIRONMENT Magazine (May 1995).

Article: "Practitioner's Perspective: In Light of Carbone: Who Owns Municipal Solid Waste?", THE NEW YORK ENVIRONMENTAL LAW REPORT (April 1995).

Article: "For the Government Counsel--Keep Democratic Rule over Trash", ABA Section of Natural Resources, Energy and Environmental Law, Nov./Dec. 1994.

Article: "Garbage and the Constitution: Democracy Collides with the Commerce Clause", N.Y.S. Bar Association's Environmental Law Section Journal, May 1994.

Law Review: "Does Garbage Have Standing?--Democracy, Flow Control and Solid Waste Management", 11 PACE ENV'T'L L. REV. 157 (Fall 1993).

Article: "County Acquires Prescriptive Easement Over Runway Airspace", FOOTNOTES (July 1992) at p. 5.

Law Review: Law of War and Ecology--A Proposal for a Workable Approach to Protecting the Environment Through the Law of War, 136 Military Law Review 141 (Summer 1992)

Army Training Doctrine Is Insufficient for America's New World Role as Policeman and Prosecutor of Crimes against Humanity, May 1999 (On file, U.S. Army Command & General Staff College)

Biological Weapons-- Recognizing The Threat of a New Weapons Systems, February 1999 (On file, U.S. Army Command & General Staff College)

EDUCATION

B.S., University of Vermont, 1976 (Environmental Science).

J.D., Northwestern School of Law, 1980.

LL.M. Pace Univ. School of Law, 1992 (Environmental Law).

Advanced Course, Army Judge Advocate General's School, 1992

Command & General Staff College, U.S. Army, 1999

PROFESSIONAL ACTIVITIES

Associations: New York Bar Association American Bar Association, Orange County Bar Association, Rockland County Bar Association, National Employment Lawyers Association; Women's Bar Association of Orange & Sullivan Counties; Chartered Institute of Arbitration.

Judge, National Environmental Moot Court competition, Pace Univ. School of Law (1992-2013).

Judge, American Constitution Society, 2010 National Moot Court Competition in Constitutional Law

OTHER INTERESTS

Former Alpine Ski Coach, North Rockland & Clarkstown High Schools. Former member Stony Pt. Ambulance Corps. Formerly Masters alpine ski racing (competed on Army Ski Team, Europe); International travel (including train trip from Athens to Hong Kong, via Scandinavia, Siberia and China, 1987-88); environmental science and policy. Volunteer work in the Republic of Ghana (2013).