

## 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: Zephyr Teachout

Party Affiliation(s): Democrat      Age: 46

Education: BA from Yale and graduated *summa cum laude* from Duke Law School

Office Sought/District: Attorney General of the State of New York

Occupation/Employer: Professor of Law, Fordham Law School

Previous Offices, Campaigns and Community/Civic Involvement:

Previously ran for Governor of New York in 2014, and for Congress in District 19 in 2016

I am a State Committee Member

*(Please feel free to affix any additional information such as a résumé, campaign brochure, or issue statements.)*

### **Campaign Contact Information**

Campaign Manager Name: Daniel Torres Additional Staff Contact:

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## I. AFFIRMATIONS

Have you completed required campaign finance filings? In the process. Will officially be filed on 7/16/18

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

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

Signature of Candidate: /s/ Zephyr Teachout Date: 7/13/18

## II. CANDIDATE QUESTIONS

### 1. What will be your top priorities if elected Attorney General?

I began my career representing people on death row, and have been unwavering in my fight for justice, which has meant speaking up for the voices that are silenced by big money.

My top priorities as Attorney General are:

1. Go after Trump's businesses. Just like when you take on the mob, you have to take on the money, you have to go after the money.

Three days after Trump took office, I filed a lawsuit against him. But we could be doing so much more. While it is important to take these defensive measures against the Trump administration, like pushing against the Muslim ban, it is imperative that we also take proactive litigation, like AG Underwood's lawsuit against the Trump Organization. As AG I would investigate Trump's businesses, whose epicenter lies in New York, putting it squarely under the New York AG's jurisdiction. I have also called our governor to make a referral to the AG's office to investigate Trump's taxes, but he, unfortunately, has not answered that call to action.

2. Go after corruption and sexual harassment in Albany

The culture of corruption and secrecy is deeply ingrained in the way politics is conducted in our state. You see it in the recent string of guilty verdicts in cases dealing with bid-rigging and pay-to-play politics from the Buffalo Billion deal. You see it in the guilty verdicts from the leaders of our two legislative houses, Sheldon Silver and Dean Skelos. You see it in the way this culture of corruption has enabled the rolling scandals of sexual misconduct, and repeatedly silenced the victims. I will be independent in taking on the corruption in Albany, unafraid of any of the political power brokers that are so determined to conduct business behind closed doors.

3. Take on corporate consolidation and lawlessness that is hurting New Yorkers

There is a direct line between corporate corruption and poverty. Corporate profits are favored over the interests of the people, allowing for an imbalance in wealth and resources. I will be independent in taking on the corporate corruption that is making healthcare costs skyrocket, polluting our environment, and suffocating the small businesses that are so integral to the success of our communities.

I am the only candidate who is not accepting LLC money because I work for, and answer to, the people alone.

#### 4. Make the AG's office the leader in ending mass incarceration and criminal justice reform.

According to the Bureau of Justice Statistics, 70 percent of people in jail are innocent in the eyes of the law -- men and women awaiting trial -- a majority of whom are young men of color, caged up because they cannot afford to post bail. This policy of cash bail serves to criminalize poverty, and often ensures inmates suffer further abuse and violence within the system. As the top prosecutor for the state, the attorney general has a moral obligation to play a leadership role in reforming a system that infringes on the basic human and legal rights of our citizens.

Mass incarceration is the legacy of slavery and it is inextricably linked to the system of oppression that locks black people behind bars, and out of jobs, schools, and markets. As Attorney General I will advocate several necessary reforms to ensure a moral and just criminal justice system including discovery reform, speedy trials, legalization of marijuana, reentry programs, and changing the culture of prosecution.

#### **2. How would you address fraud and public misconduct of elected officials? Do you believe that greater responsibility should be given to the office to investigate corruption and how would you achieve that?**

Though Governor Cuomo abruptly shuttered the Moreland Commission in 2014, Executive Order 106 creating the Commission was never formally rescinded by the Governor, meaning the power to investigate corruption still lies with the Attorney General's office. I would use that power given to the office to investigate any public misconduct of elected officials. JCOPE, the commission that is meant to investigate official misconduct fails to find any maleficence because its officers are appointed by the governor himself. This was most recently seen with their ruling that there is no conflict of interest with the head of the MTA, Joe Lotta, being on the board of Madison Square Garden because he is technically a "per diem" employee of the MTA. In the absence of true accountability from JCOPE, it is the responsibility of the Attorney General to step in and investigate fraud without fear or favor.

**3. What do you think the role of Attorney General should be in enforcing election and campaign finance laws? Would you publicly ask the governor to empower you with greater authority to oversee public corruption and enforce related laws, particularly in those areas?**

I believe that the office of Attorney General has broad authority in enforcing election and campaign finance laws. New York has one of the worst voter turnout rates in the nation, all due to archaic laws that work to discourage participation in our electoral system. I support same day voter registration, lowering the voting age to 17, consolidated election days, automatic voter registration, and pushing for Election Day to be a statewide holiday. As the Attorney General I will vigorously pursue all claims of New Yorkers being denied free access to the polls, including any instances where ballots and voter rolls were dismissed. I would ask the Governor to grant the Attorney General's office additional authority when it comes to overseeing public corruption.

**4. 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? If elected, would you set an example on campaign finance reform by voluntarily limiting the size of campaign contributions you receive by an amount significantly less than the current limit, should reforms not be enacted?**

Yes, I have spent my whole professional career discussing the role of money in our elections and politics. I was cited in dissent in *Citizens United*, and published a book on corruption in America. We have system of legal corruption. I strongly support publicly financed election. Moving our elections to this system would lead to a more diverse candidate base, and less influence of wealthy and corporate funders.

**5. 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?**

Absolutely. This is particularly problematic in the case of the office of the New York State Attorney General, who is tasked with oversight and prosecution of those doing business in the state. That is why I have pledged not to take corporate PAC and LLC money. I am the only candidate in this race that has pledged not to take any LLC money or corporate PAC money, and have encouraged all of my opponents to do the same. All have unequivocally stated that they would be accepting LLC money. I will use my influence as the Attorney General to push New York State legislators to close the LLC loophole.

**6. What do you believe is the proper role of the Office of Attorney General in monitoring the financial industries and ensuring Wall Street's compliance with finance regulations, as well as any**

**related criminal laws? If elected, would you push to reform legislation regarding oversight of financial industries?**

The Martin Act is a crucial tool to police Wall Street abuses and lawlessness. Financial crash reform has left us with giant loopholes in Dodd-Frank, too big to fail banks, and the CFPB being defanged.

Now more than ever, the NYS AG's unique power to police Wall Street is essential.

I would use the Martin Act aggressively, and use the NY AG's *parens patriae* power to protect the people of New York against unregulated derivative swaps, which present a similar threat to the bubble that led to the financial crisis in 2008.

**7. The previous Attorneys General have given priority to litigating against federal action that they deemed harmful to the state. What would be your approach to addressing such federal policy?**

The role of the Attorney General is fluid over time given what is confronting the people of New York. Right now, the EPA is openly hostile to the health of our environment, and the DOD has polluted in Newburgh, destroying its water supply. The Trump administration presents a variety of threats to the rights of immigrants. All of these require immediate attention by the office of the Attorney General, including potentially lawsuits.

**8. If elected Attorney General, what organizational changes would you make to the Department of Law, if any?**

I would create a flat structure, which would allow for quicker turnaround with cases, and a reduced bureaucracy. I would set aside a specialized unit for the investigation and prosecution in all levels of New York State government.

**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?**

It is necessary to set up a structure that fully separates the dual roles of investigating fraud and corruption, and representing the state's officials. The role of the Attorney General as the State's legal counsel would be a separate and independent unit of the office, strictly prohibited from interaction from other units of the office.

**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?**

If I were to ascribe one guiding principle to my mission as Attorney General it would be fighting injustice. Injustice takes many forms, and has embedded itself in so many of our systems. We see injustice in the way that money and corporate power has distorted our democracy. We see injustice in the

unequal ways we punish certain illegal behavior, often punishing young men of color and overlooking the far more insidious white collar crimes committed by those who can buy their freedom. We see injustice in the growing wealth gap, and stagnant incomes. We see injustice in our treatment of marginalized groups, including women, people of color, LGBTQ, and people with disabilities. The social issues that I have been addressing, and will continue to address as Attorney General would be those that put a spotlight on injustice. This includes our mass incarceration epidemic, the affordable housing crisis, environmental justice, pay inequity, rising healthcare costs, and the privatization of our educational system.

**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?**

My main legislative priorities as your next Attorney General would be criminal justice reforms, ethics reforms, and reeling in Wall Street. We need an Attorney General who is fearless and independent, as your next Attorney General I will be transformative in how we examine injustice in the system. I will issue comprehensive reports at every stage of contact with the criminal justice system, from policing in schools to recidivism rates. I will also use Executive Order 106 and use the Moreland Commission to investigate state officials and lobbyists. In addition, I will use every power of the office to reel in Wall Street excess.

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.

### **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. I promise to be fully independent, I will never accept LLC money or corporate PAC money
2. I will defend the people of New York against the lawlessness of our Federal government
3. I will lead the fight to end mass incarceration
4. I will root out corruption in New York state, and end the revolving cycle of pay-to-play and sexual misconduct
5. I will fight corporations because they have too much power in our democracy

#### IV. ETHICAL REPRESENTATION OF CONSTITUENTS

Citizens Union believes that all New Yorkers deserve to be represented by officials who work for the public interest and honor the public trust. With the corruption conviction of recent legislative leaders, we seek to endorse a candidate who will demonstrate that she/he will honor the full commitment of the oath of office, and always represent the public interest above all else.

Please tell us how you have and would continue to conduct the political affairs of this office in an upright manner, and maintain the public trust.

My career has been defined by the fight against corruption and for good governance. I was cited in the dissent for Citizens United, and wrote the book on corruption in America. I was the national director of the Sunlight Foundation, and have fought outside corporate power in our democracy. I relish the opportunity to use the powers of the NYS Attorney General to continue that fight and defend the rights of the people of New York.

Please return to: Citizens Union, Local Candidates Committee, 299 Broadway, Suite 700 New York, NY 10007 Via email to [candidates@citizensunion.org](mailto:candidates@citizensunion.org) or fax to 212.227.0345 • Call us at 212-227-0342 with questions