

VOTE ON TUESDAY, SEPTEMBER 14

Attorney General's Actions Affect Our Daily Lives

New York's primary election seems lost in the furor over whether a Moslem community center and mosque should be built a couple of blocks from ground zero. But there is a primary election on Tuesday, September 14. And there is a Democratic primary race worth a trip to the polls – state attorney general.

The incumbent attorney general, Andrew Cuomo, is running for governor. There are five candidates for the Democratic nomination for attorney general: Nassau County district attorney Kathleen Rice, State Senator Eric Schneiderman, Assemblyman Richard Brodsky, former state insurance superintendent Eric Dinallo, and trial lawyer Sean Coffey.

Their responses about the office of attorney general can be found online on each of their websites. The primary winner will face the Republican candidate, Staten Island district attorney Daniel M. Donovan, Jr.

New York's attorney general is considered the most influential state attorney general in the nation. This is partially because of the fact that Wall Street is located within the attorney general's jurisdiction. But it is also because the New York attorney general has often taken the lead in organizing other state attorneys general to take on national investigations, provide important congressional testimony, and instigate far-reaching U.S. Supreme Court cases.

New York's attorneys general have recently taken on such national issues as Wall Street fraud and corrupt practices in the student loan industry. An attorney general also has the capability to affect and influence many issues that are meaningful to the state's working families, especially in African American and Latino communities. These include civil rights enforcement, voting rights, labor laws, and judicial decision making. Some of these areas are within the attorney general's jurisdiction; others depend on an attorney general's influence with state legislators and the governor.

Stop & Frisk

Governor Paterson recently signed a bill that banned the use of a computerized database to track the names and addresses of people in New York City who were stopped by the police but not arrested. But the police continue to keep paper records of these activities.

This policy, referred to as "stop and frisk," mostly targets black and Latino youths. It is a wasted effort – nearly 90 percent of stops do not lead to arrests for anything – and it is unconstitutional, a threat to civil liberties. The potential abuse of this type of information is too great to allow a police force to accumulate it. In fact, it has been reported that this policy is used by the police to simply fill a quota.

Several of the candidates for attorney general have expressed the opinion that "stop and frisk" is unconstitutional. It is a policy that they would move to end completely if they were elected.

Counting Prisoners

Another issue that has been partially dealt with recently is the tactic of "prison-based gerrymandering," whereby the state prison population – all in upstate areas – are counted as "residents" of the districts where the prisons are located for the purposes of representation. This has the effect of shortchanging New

York City, especially black and Latino areas, in favor of upstate districts both in representation and in public funding outlays.

The governor, in signing the state budget bill, ended this type of chicanery, but only for state legislative and local redistricting. An attorney general could have great influence in drafting legislation that corrects inequitable state funding as well as the population count in drawing the state's districts for the U.S. House of Representatives.

Voting Rights

The attorney general could also take the lead in proposing that the Legislature confer voting rights on parolees. Under the current law, inmates of New York's prisons – convicted of a felony – as well as those on parole are barred from voting. Considering that many parolees work – and pay taxes – they should be allowed to regain their voting rights.

Labor Abuses

The Office of Attorney General possesses the threats of subpoena and prosecution. These weapons have been especially important in cases concerning labor abuses. There have been numerous instances of firms paying employees – often immigrants – less than minimum wages where the office of the attorney general has forced compliance with the law. And there have also been unfair and illegal tactics used by corporations to deter unionization of employees. These are areas that get little coverage in the media, but they play a large part in determining whether working families in New York are paid a legal wage and get decent job-related benefits.

Other areas where the attorney general has jurisdiction are in cases where vulnerable populations are defrauded or intimidated. These include tenant harassment, predatory lending practices by mortgage lenders, and consumer rights, including discrimination by health care providers.

Most of the candidates for attorney general have focused on cleaning up corruption in Albany and concerns about Wall Street fraud. They should also be focusing on issues that affect the daily lives of many New Yorkers. When you go to the polls on September 14, remember that you are choosing the state's top lawyer, one who should be tough enough to fight for the rights of all New Yorkers and be flexible enough to know that the law must move with time and circumstances.

Find out about where these candidates stand on issues that affect us all, and don't forget to vote on Tuesday, September 14.

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