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# THE BROADWAY DEMOCRATS

◆ District Leaders: Curtis Arluck, Paula Diamond Román ◆ President: Pat Almonrode◆

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## **Annual Club Elections**

Please join us to elect club officers and twelve Steering Committee members. Nominees are listed in this newsletter, but nominations can also be made from the floor at the meeting.

To be eligible to vote, you must have attended at least one of the previous nine meetings and you must be current on your dues (seniors \$10; \$25 all others). Votes may be cast in person or by proxy.

**Club elections will be followed  
by reports from elected officials:**

Councilmember Mark Levine  
State Senator Brian Benjamin  
Assemblymember Danny O'Donnell

**Thursday, January 18**

7:45 p.m. Sign-in

Meeting starts at 8:00 p.m. sharp!

**Bank Street College**

610 W. 112<sup>th</sup> Street (between Broadway and Riverside Drive)

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## Annual Club Elections

The following club members are running for seats on the 2018 Steering Committee (in alphabetical order):

Pat Almonrode  
Willie Mae Anderson  
Grechen Borges  
Susan Crawford  
Norman Levine  
Zoila Marte  
Joe Nunley  
Mary Peppito  
Luis Román  
Richard Siegel  
Dan Zweig

**At least one more nominee for the Steering Committee is needed for a full slate of twelve.**

The following club members are running for Steering Committee executive offices:

### ***For President: Noah Kaufman***

Noah is a longtime club member, and served on the Steering Committee last year. He was also Chair of the 2017 Spring Fundraiser. He is an officer and delegate of Local 375 CSTG, AFSCME; a member of the steering committee of the West 113th Street block association; and he served two terms as a member of the Citywide Council on High Schools.

### ***For Vice President: Amy Porter***

Amy has served as a judicial delegate, a member of the County Committee, a volunteer campaign worker for Hillary in the last presidential election, and as a member of the Steering Committee for the last two years. She has worked as an administrative law judge with the city and the state, a solo practitioner representing criminal defendants, and a staff attorney representing psychiatric patients.

### ***For Treasurer: Katie Hanner***

Katie has been an active member of the Broadway Democrats for many years, and is seeking a second term as Treasurer. An urban planner by training, she is interested in housing, transportation and "green issues" and is a member of the Manhattan Solid Waste Advisory Board. She was also one of our most active political button salespersons during the 2016 campaign!

### ***For Secretary: Barbara Trelstad***

Barbara is seeking a second term as Secretary. Before moving to the Upper West Side in 2014, she served for six years as a member of the governing body of the Borough of Princeton, New Jersey, and was the President of that body for her last year.

Nominations may also be made from the floor, at the Annual Meeting:

**Thursday, January 18  
8:00 p.m. (7:45 p.m. registration)  
Bank Street College  
610 W. 112<sup>th</sup> Street**

**Remember:** in order to vote in club elections, you must have attended at least one of the previous nine meetings, and you must be current on your dues:

**\$10 seniors  
\$25 all others**

Club elections to be followed by reports from our electeds:

**Senator Brian Benjamin,  
Assemblymember Danny O'Donnell,  
and Councilmember Mark Levine**

***We look forward to seeing you all!***

## District Leader's Report

### Paula Diamond Román

The #metoo movement in social media has created an impression that, at its core, “sexual misconduct”, from harassment to rape, is a relatively simple problem, both practically and ethically. Accusers who come forward are to be believed and to be supported; those accused of “sexual misconduct” are to be shunned and to be punished, regardless of gender.

Unfortunately, “sexual misconduct” cases have fallen into a quandary of ethical conflict. We have a history of disbelieving and mistreating those who accuse someone of a form of “sexual misconduct”, especially powerful men, but, now, we’re making a sincere and genuine effort to avoid even an appearance of doing that now. However, we also have an ethical obligation to provide all with due process. Now, these two obligations are coming into conflict.

While the percentage of people who lie about being sexually assaulted is relatively low, there have been documented examples of those who have lied or exaggerated. In some cases, especially those involving children, accusers and witnesses have had their narrative shaped to fit suspicions. Many of us remember the McMartin Preschool case in the 1980s; it was the first daycare abuse case to be completely debunked as moral panic, a combination of a mother with paranoid schizophrenia and a public witch hunt re-shaping both staff’s and children’s testimony. Cases like the McMartin Preschool case and the 2006 Duke lacrosse case, with its divisive issues of race, gender, politics and privilege, received inordinate amounts of attention, first, because they had so many sensational elements and, eventually, because they fed a narrative of those who would like to see more of these cases dismissed.

However, even if every single one of the accusers were sound, honest, and accurate, even if every single one of the aggressors were clearly guilty, our system of justice gives the accused a right to a trial at which his guilt must be proven. In most jurisdictions, even an accused person pleading guilty to a crime must publicly accept responsibility, during an allocution, describing what they have done, followed by a judge imposing a sentence.

While the words “presumption of innocence” don’t appear in the Constitution, *Coffin v. United States* (1895) confirmed that it is implied as the law of the land, especially as it reflects English common

law. When we demand that the voters of Alabama not vote for an accused aggressor, when we demand that an elected member of the government step down after accusations of “sexual misconduct”, we aren’t applying the presumption of innocence to these public figures. However, we aren’t legally punishing them by imprisoning them; we’re merely punishing them in the court of public opinion, so we haven’t crossed a legal line. Have we crossed an ethical line?

This brings me to those sensational cases I mentioned in my previous paragraph. Judge Roy Moore who is a reprehensible human being and a Republican was accused by someone of sexually assaulting her, followed by several other women coming forward. The ick factor of these accusations was magnified by the women being high school students at the time of the assaults. Senator Al Franken who is a die-hard progressive who has historically supported issues of concern to me and a Democrat, was accused by several women of groping, originally while he worked as a stand-up comic and, then, after he was elected to the Senate. There were no accusations of penetration; there was no accusations of the use of public funds to cover up the scandal; there were accusations of “sexual misconduct”. Women stood up, pointed at Senator Franken, and said #metoo.

The accusations against Senator Franken, however, weren’t made in an otherwise neutral context. Democrats weighed the excellent chance that a Democrat would be selected for the seat by the Democratic governor of Minnesota against the damage overlooking these accusations would have in the campaign against Judge Moore and began leaning towards asking Senator Franken to fall on his sword for the Party.

And, then, Senator Kirsten Gillibrand of New York spoke up. Senator Gillibrand has a history of speaking up against “sexual misconduct,” including shining a very unpopular spotlight on the rape of both women and men, especially gay men, in the military, which was followed by attempts to bring media and legislative attention to the ever-present problem of rape on college campuses. As a college student, I knew girls who were raped or who just inexplicably disappeared from school; we all knew the places to only go in pairs. As an adult, I have friends who sent their daughters away to college only to have them returned to them with their confidence and hopes shredded by sexual assault. It wasn’t unexpected that Senator Gillibrand, followed by most of the Senate, should call for Senator Franken’s resignation.

“I think when we start having to talk about the differences between sexual assault and sexual harassment and unwanted groping you are having the wrong conversation,” Ms. Gillibrand said Wednesday at a Capitol Hill news conference when asked about calling on Mr. Franken to resign. “You need to draw a line in the sand and say none of it is O.K. None of it is acceptable.”

And we, as elected leaders, should absolutely be held to a higher standard, not a lower standard, and we should fundamentally be valuing women, and that is where this debate has to go,” she added. (NYT 12/6/17)

We need to do is hold elected officials we like to the same ethical standard that we hold those we do not, or to misquote my father, it cannot depend on whose cow is gored.

We’re left with two conflicts. How do we balance the ethical concern of supporting survivors of “sexual misconduct” with the ethical concern of protecting the accused but not convicted? How do we avoid the hypocrisy of seeking the downfall of accused aggressors who we already abhor, while seeking to protect accused aggressors who otherwise are pretty good people? The only answer I have is to continue open and honest dialogue and to avoid demonizing those who merely seek justice.



## The Governor’s “State of the State” – A Response

Richard A. Siegel

During his 2018 State of the State speech, Governor Cuomo asked how the state could help NYC get sick people off the streets and into the healthcare they need. While this was meant as another “dig” at our Mayor, it is a question that deserves an answer.

It is also a complicated question, with many components. The problem of homelessness traces back in large part to the closing of most State Mental Institutions in the mid-late 1970s, along with the development and continued expansion of the rights of an individual to accept or *refuse* care. Meanwhile, community based mental-health care was **not** developed as promised and planned, and the number of treatment centers was not increased as was (and still is) needed.

Another source of our homelessness problem has been the housing situation in NYC.

There is a significant lack of affordable housing. We have also lost SROs – a source of housing for single adults with low income.

Yet another contributing factor has been the increase in substance abuse – from the crack epidemic of the ’80s and ’90s to different drugs (PCP, opioids, heroin) today.

Finally, there is the move to managed care which shortens hospital stays so much that it is often nearly impossible to begin to address the many issues that cause a person to end up homeless. Managed care also covers only a limited number of outpatient mental health sessions in a given year.

So Governor Cuomo, what can the State do?

Increase the number of supportive housing beds. Facilities that have supportive services (counselors, mental health treatment, vocational training, social workers) assist people in adhering to their medical care, but there are so few such placements that today there are probably ten applicants for each available slot. Too many hospitalized patients get frustrated waiting for a place to open up, and choose instead to return to the streets, where they often stop taking their medications – and the cycle begins again. Our State Office of Mental Health spends more than most others on this type of support, but the supply does not meet demand. We need to be able to transition people from inpatient psychiatric wards to this type of supportive housing much more smoothly.

Increase the number of homeless shelters that have supportive staff on-site. Too often, patients are discharged back to the shelter system and can’t find anyone at the shelter who can help make sure they get to their follow-up appointments.

Provide incentives for some nursing homes to accept younger individuals who are in the shelter system and need diabetes management, wound care, and other medical treatment – and, at the same time, get the insurance companies to approve short-term stays. We must acknowledge that this population has needs that go beyond the needs of those who can return to stable housing. We should use the same standard to qualify for nursing home care, for both a person who can return to an apartment and a person who has only a shelter to go to.

Finally, healthcare professionals should be able to step in when a person is making a terrible decision. This is extremely controversial, and many will argue that rights should never be rolled back. But a

homeless person should never die on the street from a treatable condition. As a society we must at least try to prevent such tragic deaths. Perhaps the governor could create an ethics panel to look at this issue.

What are some other ideas? Let's start the conversation.

*RL*

**Disclaimer:** items herein reflect the views of their authors only. They are published as a part of our club's commitment to the free and open exchange of ideas on topics of interest, but their publication should not be construed as an endorsement by the editor, the Steering Committee, or the Broadway Democrats club.

*RL*

## The Housing Crisis and Airbnb

Noah Kaufman

Our club supports genuine efforts to assure decent housing for everyone. In this, the largest and richest city in the nation, affordable decent housing can be an elusive goal, and that goal has been impeded in recent years by computerized rental systems that allow anyone with a key and email to turn an apartment into a money-making short-stay hotel. The incentive exists for property owners to make lots of money with tourist dollars, while removing the apartment as a home for a New Yorker.

In October 2016 New York enacted A08704C/S6340A, which prohibits both renting a home for fewer than 30 days and advertising a listing to do so. This law instantly made illegal listings where the homeowner/tenant is not present, with fines rising to \$7,500 for posting on computer short-stay rental websites.

The advent of the computer and the creation of so-called "home-sharing" websites has allowed landlords, big and small, to turn apartment units into unregulated (and untaxed) hotels. The profit incentive to turn an apartment for a working family into a "bed and breakfast" accommodation for transient tourists threatens to further reduce available housing for New Yorkers. And the transformation of an apartment into an unsupervised short-term motel can imperil the safety and quality of life for those who live next door.

The issue is not just whether I or my neighbor should be able to rent an "extra" bedroom

to an out-of-town visitor. On the local level, it has been a common practice for tenants of record to take in a paying boarder. In the college towns of Morningside and Hamilton Heights there are many students who seek an affordable safe and quiet room to rent off-campus. "Shares" are common among unrelated workers who need housing. Some people enjoy a succession of house guests, paying or otherwise. There are interesting and enthusiastic people everywhere.

The issues begin where a property owner makes more money in a week of short-term rentals than in a month of rent. The property owner can be enticed to pull that unit "off the market" reducing the number of apartments available for rent. And worse is when a neighbor with a spare bedroom starts making so much money the neighbor moves out to some other residence. Converting that first apartment into a "swinging party pad" in oh-so-cool New York City inevitably has negative impacts for the neighbors.

I know some people who had just that experience. The rental apartment next door was advertised as a "groovy get-away" in the Big Apple. The tenant of record – who was never seen – advertised wedding and honeymoon packages, and could provide tickets to all the Broadway shows. A cleaning firm would arrive as soon as the tourists packed out to ready the unit for the next transient guests. And while many of the paying guests were quiet and no doubt pleasant, some were unwilling or unable to accommodate to the close quarters of a multi-unit residential building. Drunk strangers piling into and out of the elevator was very disconcerting.

State Attorney General Schneiderman released a report in 2014 of computer records from a large computer room/apartment rental website. The AG indicated a full third of the listings on the website were for apartments illegally converted to full-time hotel/guest house businesses. With every such underground hotel room rented via the Internet, the City and State lose revenue from uncollected hotel taxes, and New York families don't get a shot at an apartment.

The computer age has allowed everyone with a 3 x 6 day-bed to entertain paying guests. The unscrupulous landlord may be enticed to work the corners of the market to make a buck at the expense of working families. The big websites can work to make our world better, or to disrupt our way of life. We should keep our eyes open, and continue to advocate for decent housing for everyone.