



Central Brooklyn Independent Democrats: 2024 State Candidate Questionnaire

Name of Candidate: Scott Budow **Office Sought:** NYS Assembly District 52

Email Address: scott@scottbudow.com **Phone Number:** 646-820-7541

Name of Person(s) completing the questionnaire: Scott Budow

Please answer each of the following questions to the best of your ability:

1) Why do you seek an endorsement from CBID?

While I explain my substantive priorities below and on my website, I am seeking CBID's endorsement because the group has demonstrated a commitment to a fairer form of politics. I share that commitment, and I publicly state as much on my website.

I believe that the goals of the organization as stated in its Constitution are especially important in this election year, where democracy itself is very much on the ballot. With CBID's endorsement and resources, our campaign could directly reach more voters in the 52nd Assembly District, with a seal of approval from a local group committed to reform.

There are many obstacles to meaningful civic participation and running for office for newcomers. Groups like CBID were created to reduce those barriers and level the playing field. The biggest change to those barriers at the state level is the creation of the small donor matching program, which encourages candidates to seek support from small donors in their own district rather than big donors out of the district. This system also opens the door for more candidates to run for office, even if they lack traditional prerequisites for political success, such as access to a wealthy donor pool, independent wealth, or a famous last name.

I was particularly encouraged to see that on June 8, 2023, CBID publicly rejected the proposed changes to New York's small donor matching system that Democrats in the Assembly and the Senate passed (and which Governor Hochul rightly vetoed). I am trying to qualify for public funding for this campaign, and as CBID noted in its letter, those changes were "undemocratic and anti-reform." CBID stated that it is committed to "reform and progressive governance" and that the proposed legislation would "roll back hard-fought reforms." Agreed. Without New York's small donor matching program, I'm not sure that I would have run for office in the first place, because of the money needed to run a competitive campaign. With it, I chose to do so.

Unfortunately, my representative voted in favor of the reforms that CBID criticized (A7760 - https://assembly.state.ny.us/leg/?default_fld=&leg_video=&bn=S07564&term=2023&Summary=Y&Floor%26nbspVotes=Y), and went to the floor of the NYS Assembly to describe the proposed changes as "very good" for challengers like myself. (page 255-56, <https://www2.assembly.state.ny.us/write/upload/transcripts/2023/6-9-23.pdf>).

I agree with CBID, the NY Times Editorial Board, the Brennan Center For Justice, Common Cause, the NY League of Women Voters, Reinvent Albany, Citizens Union, and NYPIRG that those changes are not "very good" for challengers. I do not believe that we should support legislators who supported that "undemocratic and anti-reform" bill, and I was encouraged to see CBID share my concerns.

2) If elected, what would be your top legislative priorities?

My top priority is addressing the cost of housing. It is simply too expensive to live here, and the largest expense for most people is housing. The main reason that housing is so expensive is that we have not built



enough of it for decades. To address our acute housing shortage and the corresponding unaffordable cost of housing, I would vote to support the New York Housing Compact (or something substantially similar), which would lead to the creation of 800,000 new units of housing over the next decade.

Additional top priorities include giving every child in New York an equally funded education, making New York the first state in the nation to eradicate hunger, and closing gun stores throughout New York.

New York has the most unequal education funding scheme of any state in the nation. As the U.S. Commission on Civil Rights explained in its February 10, 2020, report (*Education Equity: A Forgotten Dream*), students in the wealthiest localities receive approximately \$10,000 more per capita than students in the poorest localities. The basic reason for this is that we rely heavily on local property taxes to fund our schools (about 60% of education funding comes from local sources). This system essentially magnifies existing inequality. We need to move to a system where every child in New York has an equally funded education. There are various ways to get there, and I'm open to multiple options, but that aspiration should be the goal.

Next, we must address the fact that more than 2.2 million New Yorkers (including more than 600,000 children) experience hunger. New York is among the wealthiest states in the country yet we have no comprehensive plan to address this basic need. Feeding America estimates that it would cost approximately \$1.5 billion to eradicate hunger in New York, which is less than 1% of our state budget. We can make New York the first state in the nation to finally end an unconscionable outcome in a wealthy country, and we should do so.

Finally, I have a novel proposal to address gun violence that would essentially provide a choice to every corporate entity in the state: either stop selling guns, or stop doing business in our state. While I know this proposal would be challenged in court, I've written about why I believe it would ultimately be upheld. See *How States Can Limit Gun Violence*, Harvard Law Review (May 18, 2023). Preventing corporations from selling guns would limit the ease with which one could purchase a gun in New York, and it's my belief that that would limit gun violence (especially if other similar-minded states passed similar laws). We lose more than 1,000 New Yorkers every year to gun violence, which is the leading cause of death for children under the age of 18. We need to take bold measures to address this public health crisis.

While these are my top priorities, they're not my only priorities. I encourage this group to review my entire platform at www.scottbudow.com.

3) What measures would you support to improve educational opportunities for all students in New York State.

As I explain above, one of my top priorities is changing the way that we fund education. More than a half century ago, the U.S. Supreme Court permitted states to offer students unequal educations (*San Antonio v. Rodriguez*). This decision was wrong then and it's wrong now. But, just because states can offer students an unequal education does not mean that they must do so. New York can choose to provide an equal education to every student. We're never going to get there if we rely heavily on local property taxes. A fairer system would use a statewide property tax to replace local property taxes with respect to education funding. Nonetheless, I'm open to other systems that achieve the same outcome – providing an equally funded education for every student.

We also must address special education. There are systemic issues in special education in New York that make the system less successful and more confusing than it should be. As I explain on my website, I support



the Advocates For Children plan which would address early intervention, increase pay for special education teachers, and hire more adjudicators to address complaints. Right now, there is a federal right to a free and appropriate education, but that right is too difficult and confusing for too many families to access in reality. Implementing these reforms would improve the system.

4) NYS previously passed the Climate Leadership and Community Protection Act. What are your priorities and what level of funding would you support to continue to fund this Act? Do you support the Climate Corporate Accountability Act?

My top priority on climate change is enacting the Climate and Community Investment Act (CCIA). The CCIA would raise \$15 billion per year, which would be a significant source of new revenue.

I also support the Climate Corporate Accountability Act, but the most impactful legislation is the CCIA.

5) How do you propose getting same-day voter registration and universal absentee voting approved by voters in NY?

In 2024 in particular, democracy itself is very much on the ballot due to the presidential election. Regardless of the outcome, there are longer term threats to the viability of our democratic experiment that have emerged in the last decade.

We should emphasize to voters that New York can choose to improve democracy in this state even as we face threats to democracy throughout the country. These measures will increase the percentage of people voting, and that should be a goal that we all share, regardless of party affiliation.

6) What, if any, groups, corporations, or other entities will you not accept campaign contributions from? If so, please note whose money you will not accept.

I am not seeking and have not received any donations from corporations. I'm also not seeking contributions from any particular industry. Thanks to New York's new public matching program for small donors, I am seeking to heavily rely on public funding for my campaign. I do not intend to prohibit any eligible small donor (\$5-\$250) from donating, regardless of occupation.

7) How do you plan on supporting the NYS Equal Rights Act, which will be on the ballot in November 2024?

I plan to support this measure by voting for it and using the platform that I have to encourage others to do so as well. I believe that a majority of New Yorkers already get what's at stake, and that this measure will ultimately pass.

8) Do you support the Invest in Our New York set of bills? Are there some bills you support and others that you do not? If so, please explain.

Yes, I support the Invest in Our New York set of bills, available here:
<https://www.investinourny.org/2024agenda>.

I explicitly support several similar proposals on my website.



9) Now that the Reproductive Health Act has passed, what is your next priority in increasing reproductive healthcare access and gender equity, not only in NYS but nation-wide?

We need to continue to build upon our abortion medication stockpile here in New York. We should also build upon our current efforts to make abortion available in New York for out-of-state residents. I explicitly support these measures on my website. It's more important now than at any point in my lifetime to do everything that we can to expand access to abortion, and I will support measures that accomplish that goal.

10) What actions would you take to promote safer and more efficient transportation options for pedestrians, cyclists, mass transit users, and drivers in New York?

I support Sammy's law, which would reduce the speed limit for drivers in NYC. As someone who has lost a friend who was simply crossing the street in NYC, I care deeply about this issue. We should do everything that we can to prevent avoidable losses in the future.

I also believe that we should follow Finland's lead and create a system that issues speeding tickets based on income. Doing so will be more effective and more equitable than our current system, which imposes the same penalty for all drivers regardless of income.

I also support the Fix the MTA plan, which is an 8-part proposal that increases revenue for the MTA, while ensuring greater functionality and free busses.

11) What policies do you support to ensure fairness in employment and workplace conditions, as well as strengthening and increasing access to unions?

New York already has very strong employment laws, but I support whatever continued measures are necessary to eliminate bias and discrimination in the workplace. I also support raising the minimum wage in NYC to \$21.25 by 2026 (and \$20 outside of NYC).

Access to unions is largely governed by federal law, not state law. Nonetheless, I am open to supporting legislation in New York that relates to fair access to unions.

12) What would you do to ensure access to affordable and quality housing for everyone?

We must build more housing to ensure affordable and quality housing for everyone. Cities that built more housing have seen rents decline (Boise, Atlanta, Phoenix, Austin), or rents increase at a far slower rate than the national average (Portland, Minneapolis, New Rochelle, Tysons VA). We have an acute housing shortage, and building more housing is the most significant step that we can take to address this issue for all New Yorkers.

I will also support new housing in my own backyard. For example, the Gowanus rezoning will lead to approximately 8,500 new units of housing, almost 3,000 of which are affordable units. It is also likely to "meaningfully reduce segregation" according to an independent report commissioned for the NYC Council. Finally, there was an extensive environmental review process that culminated in a lengthy report explaining why environmental concerns related to the Gowanus Canal should not prevent the project from moving forward. Nonetheless, there was community opposition to this project, amplified by local representatives who repeatedly sought to delay it. If we are serious about ensuring access to quality and affordable housing for all New Yorkers, we should favor new housing (especially when it meets all of these criteria), not oppose it.



13) What are your views on criminal justice reform issues, such as (but not limited to) police accountability and ending solitary confinement?

As I explain on my website, we need a criminal justice system that starts with a fair legal fight, eliminates mandatory minimum sentences, permits greater flexibility for older inmates to exit prison, and allows inmates to earn time for good behavior. I support the following measures to achieve that:

A Fair Legal Fight: The vast majority of criminal cases - about 98% - end with a plea bargain. While plea bargains make sense in some cases, they're deeply troubling when they start with an unfair legal fight between an adequately resourced prosecutor and a poorly resourced indigent defense system, especially given that most prisoners enter prison as indigents. We need to adequately fund indigent defense to ensure sustainable workloads for attorneys, eliminate the defender-prosecutor salary disparity, and provide sufficient support staff for defense attorneys. A person's guilt or innocence and sentence should ultimately be determined by a fair process, which cannot occur without an adequately funded indigent defense system. I oppose efforts that only increase spending on prosecution without commensurate increases for defense.

Eliminate Mandatory Minimums (A2036/S6471): Judges should have discretion to determine whether individual mitigating circumstances warrant incarceration. Mandatory minimums take that discretion away, in turn driving mass incarceration. We should eliminate mandatory minimum sentences and permit judges greater discretion to determine whether incarceration is the most sensible path forward.

Second Look Act (A531/S321): It's clear that people age out of crime. Yet, "[t]he share of people 50 or over in New York state prisons has more than doubled from 2008 to 2021." New York judges should be able to reconsider excessive sentences once an individual has served 10 years. Right now, they cannot do so. The Second Look Act would change this practice, permitting judges to consider whether continued incarceration makes sense under a variety of factors.

Earned Time Act (A1128/S774): Incarcerated people should be able to earn "good time" and "merit time" if they demonstrate good behavior. Conservative states such as Alabama, Nebraska, and Oklahoma all endorse this practice. New York should follow their lead. Longer prison sentences do little to deter crime, especially when the offender has already demonstrated good behavior.

I also support police accountability. As I explain on my website, in New York, misconduct cases regularly go to the Civilian Complaint Review Board ("CCRB"), but their recommendations are not binding, and often rejected by the NYPD, who has the final say. There is not sufficient accountability, particularly where evidence establishes that officers engaged in egregious misconduct. There should be consequences for misconduct. I support legislation (previously S6247) which would give the CCRB concurrent jurisdiction over disciplining NYPD officers.

Finally, I believe solitary confinement should end, and I would support legislation to make that aspiration a reality.

14) Do you support the New York Health Act?

Yes, which I explain on my website.