

Race To Represent 2018 : Interview with State Senate District 30
Incumbent Brian Benjamin

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Moderator: Dr. Christina Greer

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Brian Benjamin: Manhattan Neighborhood Network in partnership with the League of Women Voters of New York State presents Race to Represent, an MNN election initiative.

Christina Greer: Hello, I am Dr. Christina Greer and this is Race to Represent. Today we're going to bring you an interview with New York State Senator Brian Benjamin. The New York State Senate is the upper house of the New York State Legislature. There are 63 New York State Senators representing districts across the state. Legislative authority and responsibilities of the New York State Senate include passing bills on public policy matters, setting levels for state spending, raising and lowering taxes, and voting to uphold or override gubernatorial vetoes. These officials serve a two year term and there are no limits on the number of terms they can serve.

Christina Greer: This year all 63 seats are up for election. State Senator Brian Benjamin is the incumbent, having been in office since he won a special election in 2017. He represents District 30 that covers Harlem, East Harlem, El Barrio, the Upper West Side, Washington Heights, Hamilton Heights and Morningside Heights. As of this interview, he's running unopposed. Today he joins us to discuss his freshman year in the New York State Senate and his vision for his next term. Welcome Senator.

Brian Benjamin: Thank you.

Christina Greer: Full disclosure, you are my State Senator. We're so happy to have you here. I just have some questions about Albany and, you're going to possibly, hopefully start a new full term. You've been pretty productive in the past year.

Brian Benjamin: That's very kind of you.

Christina Greer: Let's just start here. New York has a budget of \$168 billion. Do you think that your district which represents Harlem, East Harlem, Morningside Heights, as I mentioned before, do you think your district is getting a fair share of that budget.

Brian Benjamin: It's a good question. I think that we do have some concerns about how the budget is fully allocated. Part of this does come back to the fact that the Democrats do not control the New York State Senate, and so when conversations are being had about budgetary matters, we're not really part of the conversation, and it's unfortunate.

Brian Benjamin: One of the things that I've been fighting for so hard was to help get Andrea Stewart-Cousins made the majority leader of the senate, but at least be in a position where she can help negotiate on our behalf. It's very tough politics. Carl Heastie in the Assembly has a lot of power and resources on that front. On the Senate side we're kind of stuck.

Brian Benjamin: I like for us to have more resources, that's my intention. But right now I don't believe we have what we need to have. I believe on the education side, there is \$26 billion plus that is coming but I don't think enough is going to the districts that need it the most. That's one of the things that I want to fight for in the next session.

Christina Greer: You mentioned Andrea Stewart-Cousins. You're a Democrat, and right around the time you were elected, the Democrats in the state officially united when the IDC, the Independent Democratic Caucus dissolved. How's it been negotiated that dynamic with the IDC?

Brian Benjamin: Right around the end of session, the IDC did come back. To be frank, we were so concerned about Trump and all of the attacks he was bringing to our country and New York State, we just jumped right in and started working together. I think that they were humble, and they just came in and we said, "Wait a minute, now we've got 31 Democrats." Simcha Felder was also a Democrat but still caucusing with the Republicans, and then one of the Republicans left, Tom Croci, he just got on a Navy vessel and took off.

Brian Benjamin: We were literally in the situation where we had 31 Democrats, 31 Republicans, 30 plus one, Simcha being the 31. We were fighting tooth and nail everything together. Sometimes when you've had a fight with a family member, if there's a bigger threat, you forget about your fight to fight the bigger threat. That's kind of how we operated. I was not around for 2011 and 2012 and the promises of 2014 and 2016. I didn't have the same historical connections to how much the IDC disenfranchised the Democratic party.

Brian Benjamin: But for the year that I've been there and for what I was looking to do in terms of trying to represent our district, the last couple weeks of session were interestingly not dramatic in terms of our fights, or what could have happened. There were a couple moments that really could've gotten really problematic. But we kind of fought through those because there was a bigger issue at stake: stopping the Republicans from harming our state.

Christina Greer: Great. I think some of the viewers might be surprised to know that the machine was working as [crosstalk 00:04:57].

Brian Benjamin: I was one of the biggest anti-IDC members of my caucus. I got elected right after Trump, so my special election was the first real election in the state after Trump. So the anti-IDC fervor, helping Republicans and being part of any coalition with Republicans, really was part of my election. I came in saying, "listen, I'm swinging at them." We got into a lot of fights. There's was a lot of bad blood between.

Brian Benjamin: But I will say, the last couple of weeks when they came back, we did work well together. I was a little surprised, to be frank. But we worked well together. I'm not supporting any of them because I do have concerns with how this whole worked out. But obviously I'm part of the agreement that Senator Stewart-Cousins to not endorse anyone against them, and we're all abiding by that.

Christina Greer: We'll see what September 13 yields, because it seems like the eight members are in some pretty interesting and contentious primaries right now.

Brian Benjamin: Listen, all elections are local. I know it's like watching Congressional races. "Oh we believe these things should happen generally." But each district's going to make a decision about who's been representing them. As you saw with the Crowley race, people make their own decisions and we'll make whatever decisions the people make.

Christina Greer: I'm going to shift gears just a little bit and talk about school zone cameras. This summer, the school zone cameras program became a big issue in the State Senate. The laws permitting a program that placed 140 campus around school zones in New York City and it expired in July. I think a lot of parents are concerned about this, as they should be. It was a Department of Transportation program, and the report from the DOT claimed that it reduced speeding by 63% and it was actually working, and it had a lot of support. The session ended without a vote.

Christina Greer: The mayor and the governor and other state senators have been vocal about placing the blame at the feet of the Republican state senate, saying that the Republicans won't bring it to the floor. As you mentioned, Senator Felder, who is a Democrat but he conferences with the Republicans, didn't allow the bill to move beyond the city's committee. First question, where do you stand on the school zone cameras program? The second is, is the infighting affecting your body's ability to govern?

Brian Benjamin: I believe, obviously, we should have speed cameras. I don't think anyone who's concerned about kids, concerned about schools, concerned about community safety, we all know it's a good program. But, obviously, Simcha Felder, in my opinion, wants some things to happen for the Yeshivas. That's our big conversations right now, and has held the school cameras hostage.

Brian Benjamin: What has now happened is, I believe that Senator Marty Golden has got some concerns in his district, and he is more interested in it happening now for his own purposes. Hopefully, we'll get this done in a special session.

Brian Benjamin: When you say infighting what do you mean?

Christina Greer: I think the fact that Senator Felder's a Democrat but caucus with the Republicans and that creates tension with other Democrats.

Brian Benjamin: It's all who has power and who doesn't. John Flanagan can pull us into session or the governor can. We right now, neither side can get anything done without the other. 'Cause they have 31, we've got 31. We have to agree on it. I think if the pressure is put on some of the Republican colleagues who have their own special races to run, then we'll be back in special session to do it.

Christina Greer: Something you said when you were running last year was that you strongly support a woman's choice and make her own healthcare decisions.

Brian Benjamin: Correct.

Christina Greer: And that you will work to pass the New York Reproductive Health Act. Do you still support that bill?

Brian Benjamin: Yes.

Christina Greer: And what's the hold up in the Senate?

Brian Benjamin: You want me to come back to the same issue?

Christina Greer: Does everything essentially boil down this 31-31? Is that all [crosstalk 00:09:12].

Brian Benjamin: [crosstalk 00:09:12] Republicans control the floor. They control the locks to the doors. You hear about that three men in a room thing. It's really real. We can't have the Republicans control the State Senate and get any important bills passed. Mass incarceration. Any mass incarceration is near and dear to my heart. I want bail reform. I want speedy trial reform. I want discovery law reform. I want to close Riker's. None of that stuff can happen unless John Flanagan and his conference agrees.

Brian Benjamin: We have to take control of the Senate, at which point we can work with Speaker Heastie and the Governor to figure out the best way to pass progressive things, as opposed to having progressive issues blocked or being part of trade offs. They need to get this to give us that.

Christina Greer: So let's move away from Albany. Let's come back downstate. What are you hearing from your constituents? And do you have a constituents office, and if so-

Brian Benjamin: I hope so.

Christina Greer: I've never been there, so maybe I should just swing by. But can you tell the viewers where it is and what are you hearing on the ground? What are the primary concerns of the people in your district?

Brian Benjamin: Sure. My district office is located at 163 West 125th Street. I'm on the 9th floor. Suite 912. It's basically on the corner of 125 Street and the corner of Adam Clayton Powell Boulevard.

Christina Greer: Oh, wait I have been there.

Brian Benjamin: It's the big building. Just an office building. I have a great staff. Most of our issues that we hear about are housing. People worried about getting pushed out of their homes. People trying to find affordable housing right here in Harlem. It's a big issue. And we do deal with a lot of issues around incarceration. Families. Wrongful incarceration cases. People wanting to get their kids out of jail and prison. So we deal with those issues.

Brian Benjamin: But housing is the number one. It's the number one issue.

Christina Greer: You introduced the Neighborhood Integrity Act to help fight the rebranding of neighborhoods. Like calling Southern Harlem, SoHa. That's one of the first fights that you took on. Why was that the first fight? If housing is what you're hearing, what was that so important to you?

Brian Benjamin: When you rename parts of Harlem SoHa, part of the argument around that ... by the way this was done by a real estate broker.

Christina Greer: So it actually does tie into ...

Brian Benjamin: There we go. If someone believes Harlem stands for things that they find negative. For example, crime, the history of that. When you rename a part of it SoHa, that's a whole new name that sounds interesting, it's different. We were hearing from brokers that didn't like this happening that the prices of the apartments and condos in SoHa was getting higher numbers than Harlem.

Brian Benjamin: So that in and of itself had real economic issues in terms of facilitating gentrification. There's also an emotional issue around renaming blocks that are part of a history and culture. Who gets to decide that? Part of the reason why I'm creating the Neighborhood Integrity Act was to say, "Wait a second. If a neighborhood is going to get renamed, who gets to decide that?" There should be a community conversation that is embedded in that. Almost like you do for rezoning or [inaudible 00:12:31], land use issues.

Brian Benjamin: How can you rename a neighborhood and the community's not a part of that. And someone with a lot of money gets to just start naming something

something else. So we came up with this bill to do that. It was obviously spawned out of the effort to protect Harlem and the name Harlem and the culture and the history. But it was clearly around trying to make sure we don't have random brokers, who don't even live in the community getting to decide what the community is named.

Brian Benjamin: Why did I start with that? When I was Chair of the community board before I became Senator, and this was a hot topic at the end of my term. I was already in the fight as a community board chair, so when I became senator it just made sense to hit to the ground running. I knew the issue. I knew the concerns. There was a tangible thing that I can do. I Assemblyman Hakeem Jeffries 'cause he had a similar structure going on, a bill he was working on before he became a congressman, and said, "Hey, I'm concerned about this issue, I really want to focus on it." He said, "I've got the draft of something, maybe you can take that and work with that." That's what I did.

Christina Greer: Let's talk about another bill you introduce. This one would curtail the mayoral control over schools. And it would require formal-

Brian Benjamin: All the easy ones, you [crosstalk 00:13:45] into.

Christina Greer: Of course. Our viewers want to hit the ground running. You want to curtail mayoral control over the schools. It would require formal community input anytime the city wants to close or scale back a school. Can you tell us a little bit more about that?

Brian Benjamin: There is a school in our district called Wadleigh Secondary School. Very well known school at this point. There was a plan to truncate the school. Truncate out the middle school. Our concern, my concern was that when you talk about truncating schools in districts, I want to make sure these superintendents primarily and the DOE, that they are communicating with the local elected officials, the local community leaders. I want to make sure there's some kind of accountability as it relates to ... If you're truncating a middle school for example, did it have the right resources? Did you have the right leadership? What were the issues? What were the concerns? Why weren't we more part of the conversation in the beginning?

Brian Benjamin: That bill was basically to say, "Before you go and make these decisions, I want us to have a formal hand in it, which would force the communication that I found was lacking as a new senator." The premise of it is we want to make sure ... now the DOE can administratively have a process that requires some of the things in my bill that they can just decide to do. We don't need to have a bill to do that. But I want them to take us seriously as community leaders and elected officials, because guess what, if a school gets closed and it shouldn't have been closed, we can't go to the mayor. He's too big. And quite frankly, he's term limited.

Brian Benjamin: But local communities come to us and say, "What are you doing? What's going on?" And some schools should be truncated or closed or restructured. I am all for what's best for the kids. The process for that has got to be inclusive of the community stakeholders who are left with the schools in this community when the DOE and the mayor go on to other things.

Christina Greer: You mentioned before about prison reform. You're a sponsor of a bill to close Riker's in three years, whereas the mayor has proposed 10. That's much faster than the city's plan. You also cosponsored a bill to end solitary confinement.

Brian Benjamin: Correct.

Christina Greer: And you successfully pushed for New York State divestment from private prisons. You're doing a lot of work around the criminal justice system and bail reform. Do you see these issues as a matter of economic injustices, racial inequality or both? And where do your bills stand right now on the issues?

Brian Benjamin: One of the reason I introduced bills is to help to move the conversation where I believe the conversation should go. Someone said to me, "You're introducing a bill to close Riker's in three years. That's not realistic." I'm like, "Okay, is it? Why not? Let's have a conversation. I believe it is."

Christina Greer: My grandmother used to say, "We put a man on the moon. I think we can figure this out."

Brian Benjamin: I believe it is. I know land use. I used to build affordable housing before becoming a state senator. I know how long it takes to build buildings and the build jails and to build structures? Why can't we do it in this period of time. Then you start hearing all the mechanics, and by the time you get to the bottom of it, wait a minute, why does it take you a year and a half to think about what the jails should look like?

Brian Benjamin: I started playing with the math, and what we recognized is there are these baked in assumptions that are not necessarily based on what is best for the community. It's based on what some consultant said someplace. I want to challenge that. That's part of the reason. Maybe it's not three. Maybe it's four. Maybe it's five. But it's certainly not 10.

Christina Greer: It doesn't have to be 10.

Brian Benjamin: It's certainly not 10. That's my thought there. Where's that bill? That bill is stalled. Because the Republicans would never look to pick up a bill like that. On the divestment from private prisons, let's be clear, the New York State pension fund, public pension funds should not be facilitating private prisons. That was the moral stance that I took. The controller agrees and has made this decision. I believe morally we cannot be incentivizing private prisons when their whole business is predicated upon having people in prison.

Christina Greer: Largely from your district.

Brian Benjamin: Think about the business development arm of a private prison. What do you do to help drum up revenue at a private prison. I don't even want to talk about it. You're bribing judges. You're doing all kinds of nasty things that we should not be a part of as a society. We should be saying no to.

Brian Benjamin: That was my argument, and quite frankly these young kids who are coming from across the border, who are separated from their families, where are their families going? Private prisons. This is just heinous policy, and we don't want people making money off that stuff. I fought against that. The bill hasn't moved, but the conversation moved because the controller made a decision to stop the divestment, which is a wonderful thing.

Brian Benjamin: On some of our other bills, speedy trial, bail reform, and discovery law reform, they're stuck because we don't have a State Senate that will make the right decision. But the governor's on board, the speaker, Carl Heastie is fully on board. We just need a Senate to take hold and work together with those two partners. And when we get control of the State Senate, we'll be able to do that.

Christina Greer: We're almost out of time, so I'm just going to ask a few quick questions. You said one of your priorities is community based business. As in most neighborhoods in Manhattan, you can't help but notice all of these closed storefronts. In our district as well. Do you have any thoughts on how to attract and also keep local businesses and decrease some of these closings?

Brian Benjamin: Yeah, quite frankly, we have commercial gentrification as well. That's even more rapid than residential. We need to help fund and grow our local small businesses. I'm helping to do this with grants to non-profits to help build our local businesses, help some of our small businesses grow. Realistically, we need stronger local businesses that can compete in the marketplace, and that's the only way we're going to do it. 'Cause that's a private sector issue, and we can rant and rave all we want, but we have got to help our strong businesses grow.

Christina Greer: Let's talk about NYCHA. You have the most NYCHA developments than any state senator in New York. How do you even begin to deal with the state that your constituents are living in NYCHA housing, because we've seen the pictures, we've heard the stories. Some people know individuals who are in NYCHA housing. What do you think about NYCHA Next Gen Neighborhood Program. Recently the mayor's office said nothing's off the table, to chip away at the \$32 billion in funds it needs to repair some of these buildings throughout the five boroughs. Some people fear that the developments of parking lots in green spaces and public housing. There's some tensions as to whether or not these are good things or bad things. Can you just give us the landscape of NYCHA in your district and then what you're doing to think about that?

Brian Benjamin: First of all, I come from a world where I believe that you have to solve problems. You don't just complain about a problem. Try to solve it. My basic perception on the NYCHA issue is very simple: we have \$32 billion in repairs that need to get done across the NYCHA portfolio. Talking about half a million people. We don't have the resources allocated to that from a state and city level. We just don't have it.

Brian Benjamin: The federal government has walked away from its commitment. Fine. What we have to do is have a massive rehab program that ... they were doing some of that. But it's this program called RAD. We need to turbocharge this thing.

Christina Greer: Does RAD stand for something?

Brian Benjamin: I'm sorry. Rental Assistance Demonstration Program. Basically what it is, is federal funds that come in as sort of these project based financing structures that allow for significant renovations of buildings. We need to do it on 10. I just don't think there's a plausible political answer around building market rate housing on parking lots. We're not going to do it.

Brian Benjamin: Let's rehab the buildings that we have now and let's get the resources to do that. We've started to do that, but we need to do that on a much more aggressive basis. To me, that is the plausible answer, because we're not going to build market rate housing on it. And if you build affordable housing on those lots, it's not going to generate anywhere near the amount of money to deal with the repairs. By the way it's \$32 billion and growing. Because what happens is [crosstalk 00:22:45]

Christina Greer: It's not like we cap it here and we don't have winter coming.

Brian Benjamin: Because when you don't fix the holes in the roof, that creates other problems, right? It pains my heart, honestly. I don't think we have a real political answer that could make sense besides just massive rehab investments were you work with private and non-profit developers in collaboration with the city to rehab these apartments. It can be done, you just have to make the investment to do it.

Christina Greer: Think sometimes creatively about how to do it as well.

Brian Benjamin: But putting market rate housing on NYCHA land, no one's going to go for it politically. It's just going to be impossible to do structurally.

Christina Greer: In 2017, the Department of Aging report says New York City's senior population is growing bigger than ever, living longer than ever, and getting poorer than ever. Over 1.4 million New Yorkers are currently aged 60 or older. By 2030 that number will rise to 1.8 million. The Department for Aging estimates that in your district, roughly 37% of the people in your district are over 60 years old. How would you plan on supporting the needs of this growing number of senior citizens in your district?

Brian Benjamin: I think first of all, we need more affordable housing for our seniors. The demand is nowhere near what supply is providing. We need to deal with that. But we also need to really look at SCRIE and DRIE and expand that.

Christina Greer: What's SCRIE and DRIE?

Brian Benjamin: Sorry, good point. It's a Senior Citizen Rent Increase Exemption program. Basically what it says, when you reach a certain ... if you're under a certain income, your rent will only grow to you by a certain amount, 'cause we have a lot of seniors that are struggling with increasing rent costs. A lot of our seniors are in the private market, like many people are. And a number of them are the biggest targets of the landlords trying to push them out because their rents are so below market. As you know our awful rent laws that we're going to fix in 2019 with a Democrat Senate majority where you have incentives to push people out of their homes and raise the legal rent, and do all this terrible stuff. And preferential rents, which is a whole nother topic for another time.

Brian Benjamin: They are the most vulnerable to those issues. We need to change some of our laws in Albany that impact them the most. We also just have to provide more affordable senior housing. And the mayor is focused on providing more affordable senior housing, but we just need to turbocharge that as well and protect NYCHA.

Christina Greer: Before I let you go, there's two things that you are very proud of having accomplished in the last year, the SCAR Act, which is a bill to help children separated from their families and help in New York. And a methadone clinic on St. Nicholas, and you helped lead the effort to stop it from being installed in an inappropriate location. That's what you did last year, amongst all the other bill introductions. What's next?

Brian Benjamin: For me, Janus v. AFSCME has created significant implications for our public sector unions. I come from a union family. My parents worked hard, fought to build a life for our family. The union helped provide them with that lifestyle. We need to keep that going. That's how we're going to protect our working families. You talk about working families. Those are our working families. So the Janus has caused a problem for us. We need to come up with state solutions to make sure that our public sector unions can continue to collectively bargain on behalf of employees. We're going to do that.

Brian Benjamin: There's something I'm working with Senator Gottfried to help create a new structure whereby instead of having the union employee do the collective bargaining or facilitate that through union fees and agency fees, doing something with the state or the employer. Basically, having the union work with the employer who's the state or the authority, as opposed to having a contract with each of the employees as it relates to the collective bargaining and some of the various union organizing costs and matters.

Brian Benjamin: There are things that we can do to stop Trump locally. That's one of them. That's a big one because every public sector union is being impacted by what's going on with Janus v. ACFSCME.

Christina Greer: Great. Thank you so much.

Brian Benjamin: Thank you.

Christina Greer: All righty. And thank you for watching. Please remember to vote. A closed primary election will be held on Thursday, September 1, and the general election will be held on November 6, 2018. For more information on voting, locating your poll site and all the candidates, you can visit our website, RaceToRepresent.com or the League of Women Voters website LWVNY.org. Thank you for watching Race to Represent on Manhattan Neighborhood Network. Goodbye.