

# Honestly, it's time for a change

*By The Editorial Board Updated January 6, 2018 6:02 AM*

*By not aggressively taking steps to end public corruption, state lawmakers have become part of a culture in Albany that allows those who are corrupt to operate.  
Photo Credit: Hans Pennink*

Corruption flows from Albany like the Hudson.

It never seems to end, a point that will be made often in 2018 as five high-profile corruption cases go to trial or retrial or produce plea bargains. They involve the former Assembly speaker, the former Senate majority leader, the governor's former closest aide, the former president of an upstate SUNY campus, and a former upstate county party chair.

No politician publicly supports corruption. When asked about it, elected officials like to point out that most of their peers are not corrupt. And they're right. But many of these officials have been complicit by their silence.

By not actively and aggressively taking steps to end public corruption, they have become part of a culture that allows those who are corrupt to operate. And they pay no price for their reticence — thanks to an electoral system that cocoons them in safe districts.

New York has some of the nation's worst election laws. They make it difficult for challengers to mount competitive primary and general election campaigns against entrenched incumbents. The state's rules also make it harder than it should be for citizens to register to vote, especially in party primaries. New York consistently has one of the worst turnout rates in the country.

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Just as it's impossible to remove only the red thread from a coat of many colors, corruption can't be purged from the system without changing the system of nominations, elections and anti-corruption laws. Without such a change, New Yorkers must rely on the priority federal prosecutors give to

making these cases — cases that are too dependent on how the Supreme Court interprets vague federal statutes on bribery and the delivery of honest services.

### **Stopping bad actors**

Opponents of change say new state laws won't stop bad actors. By that logic, why have any laws at all? But even if that contention is true, anti-corruption laws are meant both to make the consequences too steep to justify wrongdoing and to punish those who deliberately disregard the rules.

A full package of tough reforms would do something very important. They would set a bar for behavior. They would create expectations. And they would send a clear message rejecting Albany's culture of self-enrichment.

Passage would confirm that elected officials understand that voters want them to represent and work for voters, not themselves and their benefactors.

It's 2018, and all state elected officials are expected to be on the ballot this November — from Gov. Andrew M. Cuomo to Attorney General Eric T. Schneiderman and Comptroller Thomas DiNapoli to Senate Majority Leader John Flanagan and Assembly Speaker Carl Heastie. Most incumbent senators and Assembly members also are expected to seek another term. They ignore the demands for honest government at their peril.

Public polling consistently shows New Yorkers are fed up with corruption. But other than a constitutional amendment to strip pensions from public officials convicted of corruption, the governor and State Legislature have taken only small steps that did not address Albany's systemic muck. Heastie has blocked some legislation, Flanagan more. Cuomo has not pushed the issue as hard or consistently as he could.

In his State of the State address last week, Cuomo proposed only a modest package that included a ban on outside income for legislators and measures to make voting easier. Those would be good steps, but not sufficient.

### **Going forward**

Here's some of what's needed:



- term limits on leadership positions in the Assembly and Senate, to reduce the concentration of power in a few people.
- independently drawn election districts that more narrowly limit the legislature's role, to more accurately reflect voter composition.
- simpler laws to make it easier to get on the ballot, and a ban on cross endorsements by political parties to give voters real choices.
- automatic and same-day voter registration with tough verification, early voting, a simplified process for getting an absentee ballot, later deadlines for changing party registration, and combined federal and state primary dates, to increase participation in the process.
- public campaign financing, to make running more feasible for more people.
- closure of the loophole that lets secretive limited liability companies make huge campaign contributions, to get some of the money out of politics.
- a ban on elected officials using campaign contributions for legal defense funds, to ensure that it's officials, not voters, who are paying for high-priced defense attorneys.

It's a long list, but no one who believes in efficient and representative government could complain about these measures. They all know there is too much money in the system, too much power exercised by individuals and too little accountability.

It's long past time New York became known as a state that rooted out corruption, not a place that allows it to fester.