



Wednesday, March 16, 2022

## Candidate Questionnaire - 2022 Primary

Dear Lowell D Kern,

Congratulations on your decision to run for a seat on the New York Legislature! Citizens Union appreciates your commitment to serve the public.

In the following pages, you will find questions regarding your positions on various reform issues and your plans for office.

Responses to these questions will be one of several factors Citizens Union uses to evaluate candidates running for office, and to issue our preference for the June primary. Read more about the method, principles, and criteria of the candidate evaluation process [here](#).

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**If you wish to be considered, please submit the questionnaire by March 16.**

If you seek our support, we will need to schedule an interview with you as part of the evaluation process. Given time constraints and the limited capacity of a member-based organization, we may not be able to evaluate all contests or candidates in this election cycle.

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If you cannot complete the questionnaire in one sitting, you can click Save at the bottom of every page.

Once you submit the questionnaire, you will receive a confirmation email with your responses. Citizens Union will not be able to see your answers unless you submit the form. We plan to make responses to this questionnaire public on our website, printed voters directory, and other appropriate venues (your contact information will not be published).

For any questions, please email [candidates@citizensunion.org](mailto:candidates@citizensunion.org)

We thank you very much for your response.

## GENERAL INFORMATION

### Name

Lowell D Kern

### Office Sought (New York State)

Assembly

### District Number

75

### In which primary

Democratic

### What party line/s are you running under?

Democratic

### If elected, which legislative conference will you join (e.g., Democrat, Republican, other)?

Democratic

### Age

58

### Education

BA, NYU; JD Cardozo

### Previous Offices, Campaigns and Community/Civic Involvement

Immediate past chair, Manhattan Community Board 4; Board Member, Hudson River Park Trust;

Former Board Member, Greenwich Village Little League; Former PTA President, PS 11. Past Executive Committee Member, Chelsea Reform Democratic Club.

**Website**            kernforny.com

**Twitter**            LowellDKern

**Facebook**

**AFFIRMATIONS**

**Have you completed the required campaign finance filings?**

Yes

**Are you willing to be interviewed by Citizens Union's Local Candidates Committee?**

Yes

(Please note: interviews are prerequisites for Citizens Union preferences and endorsements)

**Signature**

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke extending to the right.

# ETHICS

**Do you support replacing Joint Commission on Public Ethics with an effective and independent enforcement body, whose members are not appointed directly by elected officials?**

Yes

**Do you support the new independent ethics oversight agency to also replace the Legislative Ethics Commission (LEC)?**

Yes

**Do you support allowing the new ethics body to investigate misconduct more effectively by simplifying its voting rules, giving it the authority to subpoena testimony and documents, empowering it to suspend or terminate public officials (not elected officials), and increasing its transparency?**

Yes

**Do you support significantly limiting outside compensation earned by state legislators and eliminate stipends, while increasing their pay?**

Yes

**Do you hold financial interest or serve as an officer on an entity that receives funding from the state? If you do, how will you manage this conflict of interest?**

No conflict.

If needed, you may elaborate below on your positions on the previous questions. You may also provide additional information on any actions that you have taken or plan to take to advance your positions on these issues.

No conflict.

# ELECTIONS AND VOTING

## Election Administration

**How would you use your power as a legislator to improve election administration in New York? Feel free to add any policy proposals you support in regards to reforming the BOE.**

New York has a history of being one of the most repressive states when it comes to voter participation. Here are some specific areas of concern that need to be addressed:

- Same day voter registration and no excuse vote by mail should be made permanent.
- The Commissioners and Directors should include non-partisan professionals beyond the current bi-partisan political structure.
- Ranked Choice Voting should be instituted statewide.
- Early Voting sites should be open to all voters throughout their County without limiting voters to specific sites.
- Poll workers should be able to work split shifts just like the police to entice more Election Day workers.
- Voting machines and systems should be consistent throughout the State.

In order to achieve these goals, adequate funding sources should be made available in the State budget for the Board of Elections to ensure proper staffing and sufficient capital improvements for new machinery.

**Do you support removing the constitutional requirement in election administration that empowers the two major political parties to nominate and effectively control election boards?**

Yes

**Do you support reducing the party-based hiring in boards of elections to the minimum currently required by the constitution?**

Yes

**Do you support implementing an open, competitive, merit-based hiring process for all election administration staff and certain functions at polls?**

Yes

If needed, you may elaborate below on your positions on the previous questions.

## **Voting Rights**

**Do you support re-passing the constitutional amendment to enact same-day voter registration, and putting it on the ballot in 2024?**

Yes

**Do you support re-passing the constitutional amendment to enact no-excuse absentee voting, and putting it on the ballot in 2024?**

Yes

If needed, you may elaborate below on your positions on the previous questions. You may also provide additional information on any actions that you have taken or plan to take to advance your positions on these issues.

## **Open and Competitive Elections**

**Do you support easing access to the ballot for parties and independent candidates, by returning to the pre-2020 voting and signature thresholds? That includes reducing the voting threshold to become a registered party back to 50,000 votes in a gubernatorial election, and the petition requirement for independent candidates back to 15,000 signatures.**

Yes

**Do you support reforming the process of filling vacancies in the state legislature by implementing nonpartisan special elections or holding a primary election at least thirty days in advance of the special election?**

Yes

**Who do you think should draw new district maps every decade in New York? (e.g., the current Independent Redistricting Commission, the Legislature/LATFOR, a new body)**

A truly independent redistricting commission should draw the maps. The current commission was flawed from the outset by design and would never reach consensus. Commission members should be appointed by the Chief Judge of the Court of Appeals and should include legal professionals, not political partisans.

If needed, you may elaborate below on your positions on the previous questions. You may also provide additional information on any actions that you have taken or plan to take to advance your positions on these issues.

# CAMPAIGN FINANCE

**Do you support further reducing campaign contribution limits?**

Yes

**Do you support setting even lower contribution limits for registered lobbyists and those who do business with the state?**

Yes

**Starting from the next election cycle, New York will have a public campaign finance program, offering matching funds on small donations for candidates who opt in. If you decide to run again in the next election, do you intend to participate in the program?**

Yes

**Do you support moving the campaign finance matching program to be administered by an independent, nonpartisan body outside of the State Board of Election?**

Yes

If needed, you may elaborate below on your positions on the previous questions. You may also provide additional information on any actions that you have taken or plan to take to advance your positions on these issues.

Although trying for candidates (and their treasurers) the NYC Campaign Finance Board should be a model for a statewide board. They effectively administer a system which evens the playing field for everyone.



# COURT REFORM

**Do you support simplifying and consolidating New York State's court system - which includes 11 trial courts - by passing the Chief Judge's proposed constitutional amendment to modernize the courts?**

Yes

If needed, you may elaborate below on your positions on the previous questions. You may also provide additional information on any actions that you have taken or plan to take to advance your positions on these issues.

Although the Chief Judge's system isn't perfect, as it basically just re-groups the existing structure, it is a step in the right direction. Although specialization in the law is a good thing, it can't be at the expense of those who need to avail themselves of the system. Within each court, judges could develop specialties, much as the lawyers who come before them do.

# GOALS, PLANS, AND REPRESENTATION

**What are the top three campaign promises or goals, and what action will you take to achieve them if elected? Feel free to reference an answer above rather than restate it.**

First: Increase access to truly affordable housing, not controlled by developers

Second: Expand alternative adjudication systems such as the Midtown Community Court

Third: Provide more equity in education funding for public schools

**If elected, what is the first piece of legislation you would want to introduce? If you are an incumbent, what is the first piece of legislation you would want to pass?**

Expanding alternative adjudication systems

**In providing constituent service, what are the major needs of your district's constituents and how will you meet them?**

Constituent services are the most important job of a local elected official. I will prioritize hiring of people who are not politically motivated but simply want to serve their neighbors.

**What experience have you had, if any, with good government and reform issues? (e.g. voting and elections, campaign finance, ethics, government transparency and oversight, police accountability). If you've worked to advance these goals, we'd love to hear about it.**

Having served as a treasurer of political campaigns in NYC, I understand how effective the Campaign Finance Board is at providing equal access to the ballot to all candidates and that must be expanded statewide.

**How long have you lived in the district in which you are running?**

Since 1985 (37 years)

**Have you lived in the district before this year's redistricting?**

Yes

**For incumbents: If your district has changed significantly following this year's redistricting, how do you intend to run your office to serve the needs of the new constituents you now represent?**

# PATH TO VICTORY

**What is your win number (the number of votes needed to win this race), and what is your plan to achieve that number?**

There are approximately 27,000 voters who actively participate in Democratic primaries in the 75th Assembly District. With five candidates, and no ranked choice voting, it would be possible to win this seat with as few as about 5,500 votes. Doubling that number would mean gaining approximately 40% of the votes cast, which in a race like this is a more realistic path to victory. Our first targets will be people who are interested in electing someone with a proven record of delivering on affordable housing issues. There are thousands of advocates and activists living in five different housing complexes in the district that will respond well to my message of providing solutions to our affordable housing crisis. Our second tier will be to target newer voters who became engaged in electoral politics after the Trump election. These people are tired of politics as usual and looking to vote for someone who doesn't reflect the political machine, but rather someone willing to stand up to fight with an independent streak. My message will be delivered to these targeted voters through direct mail, phone calls, and small gatherings in each of the housing complexes.

**What are your current fundraising numbers, if different than the last campaign finance filing?**

\$50,000

**How many individual donors do you have?**

125

**Please indicate any endorsements that your campaign has received, if applicable (you can also share a link to a list of endorsements)**

## ADDITIONAL INFO

Please feel free to attach any additional information such as resume, campaign brochures, or issues statements.



### What else would you like us to know about yourself?

I have been a practicing attorney for 32 years. Community engagement has been my "night job" for years. With the retirement of Assembly Member Gottfried, I decided it was time to make more of an impact on my community than I already have.

**Please review your answers by clicking PREVIEW ANSWERS below. You can submit the questionnaire at the bottom of the preview page by clicking SUBMIT. Once you click SUBMIT, you will receive a confirmation email with a PDF file containing your responses. If you don't see the email, please check your spam box.**

If you have any further questions, you may contact us at [candidates@citizensunion.org](mailto:candidates@citizensunion.org)

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