



THREE PARKS INDEPENDENT DEMOCRATS

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<i>President</i>	<i>Editors</i>	<i>District Leaders</i>	<i>State Committee</i>
Merle McEldowney	Lorraine Zamora lzamora245@gmail.com Jock Davenport Richard E. Luna	Bob Botfeld Cynthia Doty	Lynn Thomas Daniel Marks Cohen

Club Meeting, March 14, 2018, 8:00 pm
The Youth Hostel, 891 Amsterdam Avenue at 103 Street

What Is New York Doing About Guns?

Speaker: Jumaane D. Williams
City Council Member, 45th District
Candidate for NYS Lieutenant Governor

Candidates for 10th & 13th Congressional Districts

Nominations for Judicial Delegates

AGENDA

7:45 pm Sign-in
8:00 pm Call to Order
District Leader Report
Candidates for 10th & 13th Congressional Districts
Congressional Endorsement Vote*
Speaker: Jumaane D. Williams
Nominations for Judicial Delegates
Questions & Answers
Adjourn
* *Ballot Box for Congressional Endorsement Vote*
will be open from 8:15-9:15 pm

CALENDAR

Wednesday, March 28, 8:00 pm
Three Parks Board Meeting
Wednesday, April 11, 8:00 pm
Three Parks Club Meeting
Wednesday, April 25, 8:00 pm
Three Parks Board Meeting
Sunday, April 29, 1:00-4:00 pm
Three Parks Annual Fundraising Benefit
Wednesday, May 9, 8:00 pm
Three Parks Club Meeting
Wednesday, May 23, 8:00 pm
Three Parks Board Meeting

President's Report: What's Happening?

By Merle McEldowney

There is no way we can have our next monthly meeting without talking about the need for “common sense” gun regulations to protect our children while they are in school. After the Columbine shooting, we thought that there might be some regulations on the sale of automatic weapons at gun shows. How long ago was that and how many children have been killed in schools since then?

At our March 14 club meeting, Jumaane Williams, council member from the 45th district in Brooklyn, and candidate for NYS Lieutenant Governor, will talk about the problem in a broader way, and tell us about what is being done and where we fit in.

There will be a march in New York City on March 24. I hope you will join Three Parks when we will join other cities across the country in the March For Our Lives to demand comprehensive and common-sense gun legislation. Our club will bring a contingent of people to the march.

Our February 14 meeting focused on resisting the Trump administration's threats to the environment. The speakers were Alex Beauchamp, Northeast Region Director of Food & Water Watch; and Jonathan Smith, Associate Attorney for Earthjustice. Despite the current hostile political climate, Beauchamp called for “making the strongest (environmental) demands possible, not just what might be politically feasible.” He urged an active campaign to stop all new fossil fuel projects in New York State and move the state to 100% renewable energy by 2030. To start off, he asked Club members to call Governor Andrew Cuomo to demand that he stop construction of the so-called Williams pipeline, a facility that is planned to run beneath New York Bay from New Jersey to the Rockaways and carry fracked gas “that New Yorkers don't need and that would worsen climate change.”

Attorney Smith explained how the Trump administration weakens environmental safeguards by failing to promulgate Obama-era rules and by delaying compliance schedules. Earthjustice is fighting back by filing class actions in state courts, and it has won some important victories, such as blocking construction of the Constitution gas pipeline in upstate New York.

State Committee Report

By Daniel Marks Cohen

Last month the NYS Democratic Committee called for a special meeting to endorse Kristen Gillibrand for re-

election. Although she was unopposed, the rules require a vote by the body to nominate her for another full term. So we all hauled upstate to Albany to vote for her re-election. It was unanimous.

As I write this, the GOP has made Chele Chiavacci Farley their nominee to take on Senator Gillibrand in the November election. Farley is an investment banker with no previous election experience, but has deep pockets to fund her campaign. The Republicans have not won a statewide election since Pataki in 2002, so I don't see Farley as much of a threat.

The only drama, perhaps, is a resolution from the Progressive Caucus (I am a founding member and officer of the group) against State Senator Jeff Klein, who among other things, is the ring-leader of the GOP-leaning IDC in the state capitol. Our resolution was fairly benign: “... the NYSDC calls upon our Democratic leadership to ensure that JCOPE conducts a thorough and impartial investigation into the allegations of sexual misconduct by Senator Klein...” You would think this resolution would be a shoo-in, but there was some push-back from the Bronx (of course, since that is where Klein is based). After a hostile preemptive attack by Assemblyman Marcos Crespo, Bronx Party Chairman, it passed overwhelmingly. Not a good look in the era of #MeToo for the Governor and party leadership to oppose it, and so they backed the resolution.

Overall, this meeting felt pointless, and was made further so by the fact that we are going to have to meet again in three months to vote to endorse the rest of the statewide elected candidates. It should get a bit interesting since Brooklyn City Councilman Jumaane Williams has announced he will challenge incumbent Lt. Governor Kathy Hochul for her post. At the moment, the only Democrat considering a run against Cuomo is Stephanie Miner, Mayor of Syracuse. Cuomo had once appointed her co-chair of the State Democratic Committee, but she fell out of favor. She is term-limited as Mayor and, with Zephyr Teachout getting a third of the vote against Cuomo with no money and no name ID, Miner could be a real threat. Cuomo has \$26 million in the bank. Miner has a couple of hundred thousand. But she'd be compelling. What does she have to lose? If she runs and she wins, she'd be a giant killer.

Switching subjects, I imagine many of you have heard that the MTA plans to close down the entrances of the Central Park West subway stations at 110th, 86th and 72nd Streets for a few months to improve the stations. Much of the improvements appear to be cosmetic, including illuminated handrails. But they will not be

installing elevators, which those stations desperately need. There is no ADA accessible station on Central Park West between 59th Street and 125th Streets. The installation of elevators at those locations, especially since they are going to be out of service for upgrades, seems logical and necessary. Our Assemblyman Danny O'Donnell has been outspoken on this issue, and I encourage you to speak out on it as well. I plan on testifying on this matter at CB7's full board meeting on Tuesday, March 6; this newsletter will be delivered after then, so I will have a report at the Three Parks club meeting the following week, on March 14.

Join Our March 20 Phone Bank to Take Back Congress!

By Chuck Wall

The Three Parks "Take Back Congress" phone bank team is planning a busy spring before the coming midterm elections. We're laying the groundwork for Democratic victories in nearby swing districts. Join us for our next event on Tuesday, March 20, and keep the momentum going!

Through February, we have held eleven phone banks, reaching hundreds of voters with a message that we hope will make a big difference on election day. We called Republican senior citizen voters in the Hudson Valley 19th Congressional district. This district is considered a real opportunity for a Democratic pick-up in the midterms. In keeping with the latest news from Washington, we alerted those voters to the growing, undisguised threats from Republican legislators to Medicare and Social Security.

The goal is to warn those senior voters that they cannot count on Republican legislators, in general, and incumbent GOP congressman John Faso, in particular, to protect their interests. We are now urging those voters to call Faso's office and ask him to promise in public to oppose any cuts to seniors' benefits. Many voters we spoke with seemed especially dismayed to learn that Faso has already proposed cutting funding for elderly residents of New York nursing homes.

By their strong turnout for our February phone bank, our team members showed that they are ready and eager for more campaign activities in advance of the midterm elections. So let's keep the ball rolling! The March 20 phone bank will be followed by more phone banks this spring, and we'll be watching closely as the primary season gets underway in the 19th District and other nearby potentially "flippable" districts, such as the New Jersey 11th District, which has suddenly become a possible Democratic pick-up following the abrupt

retirement announcement of longtime GOP Congressman Rodney Frelinghuysen. Once Democratic candidates emerge in these districts at the primary election on June 26, we expect to work with local progressive groups to support those candidates.

We are also exploring ways for club members to help campaign in Westchester for Shelley Mayer, the Democratic candidate for New York state senator in a special election scheduled for April 24. Mayer has pledged to join the mainline Democrats who oppose the breakaway Independent Democratic Conference (IDC), whose power-sharing agreement with Republicans blocks progressive legislation. Her election is vital if mainline Democrats hope to regain a senate majority. We will keep club members posted as our plans develop.

So join your fellow TPID club members for the March 20 phone bank and help take back Congress! Watch for details in your email, or check the TPID website www.threeparksdems.org. We invite all interested club members to join us but remember to respond promptly, as space may be limited. No computers are needed, but please bring a cellphone. Scripts and training are provided.

The Second Amendment—Not What They Say

By Steve Max

The Heller Decision was the Supreme Court's addled 2008 flip-flop on the meaning of the Second Amendment. In it, the Republican-appointed justices affirmed that the Second Amendment guaranteed the right to individual gun ownership, but they also allowed for many types of gun control proposals being made today including banning assault weapons.

According to the Giffords Law Center to Prevent Gun Violence, the Heller decision (*see next page*) still permitted:

- Barring possession of firearms by convicted felons or the mentally ill;
- Barring the carrying of firearms in government buildings, schools and other, unspecified, sensitive places;
- Generally, laws imposing requirements on commercial sales of firearms;
- Banning possession of "dangerous and unusual" weapons that are not "in common use at the time"—specifically including machine guns; and
- Regulating the storage of firearms to prevent accidents.

To which should be added, bans on weapons the Court said were not typically possessed by law-abiding citizens for lawful purposes. Therefore, don't believe what Republicans are peddling now. There is no Supreme Court precedent standing in the way of an assault weapons ban; there's just the NRA's stranglehold on Congress.

Why was the Heller decision a Republican-inspired flip-flop? From the ratification of the Second Amendment in 1791 until 2008, courts, Congress and legislatures had agreed that it protected only guns for use in state militia—just as the Amendment says: *“A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”*

The Supreme Court said as much in 1934, when it upheld Jack Miller's conviction for possession of a sawed-off shotgun in violation of the National Firearms Act: *“In the absence of any evidence tending to show that possession or use of a shotgun having a barrel of less than eighteen inches in length at this time has some reasonable relationship to the preservation or efficiency of a well regulated militia, we cannot say that the Second Amendment guarantees the right to keep and bear such an instrument.”*

In 2008, with the help of two Bush appointees, the Court reversed decades of jurisprudence, ruling 5 to 4 that the militia phrase was just a sort of preamble and didn't matter. The right to individual gun ownership, the Court said, existed prior to the Second Amendment, which protects it from infringement. By one vote, the Court invented a whole constitutional history of individual gun rights that had never existed.

Here is a very brief account of the Second Amendment. The Constitution (1787) had created two institutions new to the United States; a standing army and a president who was also Commander-in-Chief. In this combination, many feared European despotism. What if the president made himself a king and used the army against the people? The answer was that the governors would call up the state militias to restore democracy. In those days, every militiaman was required to bring his own gun. But what if the President first took away all the guns, as kings had variously attempted in England and colonial America? The Constitution would have to say that he can't, hence the Second Amendment.

As always, nothing was simple. The Federalists (Hamilton) wanted a strong national standing army, and hoped that by guaranteeing the existence of state

militias, they could overcome popular objection. Many among the Jeffersonian Republicans didn't even trust the militia, and wanted to guarantee individual gun ownership without reference to militia service.¹

Here is Madison's 1789 first draft of what became the Second Amendment:

“The right of the people to keep and bear arms shall not be infringed; a well armed and well regulated militia being the best security of a free country but no person religiously scrupulous of bearing arms shall be compelled to render military service in person.”

To get his amendment through Congress, Madison linked armed citizens to militia service. Note that the connection led to a conscientious objector clause for Quakers, Moravians and others.

The bill went back and fourth between the two houses of Congress. The Federalist Senate took out the conscientious objection clause as it was well remembered that England had tried to exploit colonial era conscientious objection provisions to undermine revolutionary militias. During the debate, the anti-Federalists attempted to add amendments abolishing a standing army, but those were defeated. Clearly, the right to bear arms was connected to militia service. The idea that individual gun ownership should be guaranteed was much in the air at that time, but there were not the votes in either house to pass such a measure.

There never was a constitutional guarantee of individual gun ownership separate from militia service. And there still is no rational reason not to pass an assault weapons ban.

¹Strictly speaking, the terms Federalist and Republican weren't organized until 1795, and at this time (1789) they were less formal points of view in Congress, and were known as the pro and anti-Administration factions.

The Poisoned Water We Drink: A Case Against Dupont

By Wendy Dannett

We have heard about many cases of contaminated water in recent years, most notably in Flint, Michigan, where the town governor's office and State Department of Environmental Quality were to blame for poisoning the water with lead by switching the water supply from Lake Michigan to the Flint River to save money. And, in Pittsfield, Mass, water in the Housatonic River was polluted by General Electric dumping PCBs into that river. General Electric has only partially agreed to clean up the area.

But in Parkersburg, Virginia, water was polluted by the DuPont Company, which dumped toxic waste into the air and Ohio River. The DuPont plant, called the Washington Works Plant, was opened in the mid-20th century. The main chemical involved was a component of Teflon and stain and water resistant fabrics called C-8. Many toxic effects began to emerge which tied in with C-8 exposure: different forms of cancer (testicular, kidney and liver), high levels of cholesterol, thyroid disease, and cows dying painful deaths. One man was born with only one nostril and a deformed eye.

DuPont covered up the toxic effects of C-8. And because of how ineffectual the EPA has been, the only way people in Parkersburg, and several nearby towns, could get satisfaction was to file a class action lawsuit. They did so in 2004, and were awarded a settlement in 2005. But it took 12 years (until 2017) for DuPont to agree to pay a final settlement, for about \$670M. They have closed the plant due to public pressure, but opened one in China.

A movie called “The Devil We Know,” starring Erin Brokovich, was presented at the Sundance Film Festival this year and describes how former DuPont employees, residents and lawyers took on the chemical giant. It centers on how it came to light that DuPont had knowingly been pumping C-8 into the air and public water supply of more than 70,000 people for decades. C-8 has spread throughout the country through water and air, and it is estimated 99.7% of us have some level of C-8 in our bodies.

The EPA issued a health advisory in 2016 for C-8 levels, but a growing body of science has indicated the EPA advisory was not sufficiently protective of human health. Last year, a coalition of worldwide scientists called for limits on C-8 production altogether. Health officials in New Jersey are suggesting the C-8 levels should be five times lower than what the EPA advises in certain areas. Communities in Louisville, Kentucky, Gallia County, Ohio, and Parkersburg West Virginia are such places.

Save the Date

Three Parks 43rd Annual Benefit

Sunday, April 29, 2018

1:00-4:00 pm

Honoring

Gale Brewer, Manhattan Borough President

and

WE ACT for Environmental Justice

Mexican Festival Restaurant

2672 Broadway

On the SE corner of 102 Street

This year your participation matters more than ever. Three Parks needs your help to regain the State Senate for the Democrats and to restore our democracy. Please support this year’s fundraiser at one of these levels:

\$500 Benefactor *

\$300 Patron*

\$175 Sponsor*

\$150 Guest

\$50 Member

*If you would like to have your name listed on the benefit invitation as a Benefactor, Patron or Sponsor, please click on Fundraiser on the home page of ThreeParksDems.org by Friday, March 23, or call Lorraine Zamora at 917-348-5136.

March Miscellany

March For Our Lives

Saturday, March 24

Join Three Parks to demand comprehensive and common-sense gun legislation.

Details are still being finalized.

Contact Corinne Constantine, corinnecons@gmail.com

Hope for Lincoln Plaza Cinema

There is great concern on the Upper West Side about the future of the space formerly occupied by Lincoln Plaza Cinema and whether 1886 Broadway will remain a home for independent films. Milstein Properties, owners of the space, say that they will begin a long-planned renovation on both the outdoor plaza and the theater space this spring, with the specific intention of maintaining the space as film venue. Milstein says they have been approached by some independent film house operators who are interested in the space.

It Ain't Summer Yet

City law requires that residential apartments have a temperature of at least 68 degrees at night. Tenants without heat can file a complaint by phone at 311 (TTY 212-504-4115), on-line at nyc.gov/311, or via the NYC311 Mobile App. For more information, please visit nyc.gov/hpd.

Mail Box Fishing

The 24th Precinct reports a continuing increase in mail box fishing—where criminals remove letters from mail boxes on the street—on the Upper West Side. To protect your mail from going astray, they recommend the following:

- Drop mail, especially those containing checks, at the post office or hand to your mail carrier.
- If you use a mail box, deposit your mail as close to the scheduled pick-up time as possible.
- When writing a check, use a pen with pigmented ink that cannot be erased.

Composting, Anyone?

Are you interested in composting? The Citizens Committee for NYC is offering up to \$750 in grant funds to volunteer, school or community garden groups to start or expand composting projects. Deadline for applying is March 23. Contact Katie Grassle, kgrassle@citizensnyc.org.

Women's Empowerment Festival

Saturday, March 24 and Sunday, March 25

The Children's Museum of Manhattan, 212 West 83 St., is celebrating equality, empowerment and talent during Women's History Month. Activities include film and animation workshops, art installations, dance workshops and interactive story telling. For full schedule of activities, call 212-721-1223 or visit <https://cmom.org/calendar>.

Three Parks Independent Democrats 2018 MEMBERSHIP FORM

New Member _____ Renewal _____

Membership Category—Check One

Individual (\$25) _____

Family—two adults in the same household (\$40) _____

Low Income (\$15) _____ Low Income Family (\$20) _____

Sponsor (\$50) _____ Patron (\$100) _____

Name _____ Date _____

Address _____ Apt. # _____

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Check here _____ if you prefer to receive the newsletter **solely** by email.

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Three Parks Independent Democrats—Dues 2018.

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Next Meeting: Wednesday, March 14, 2018

What Is New York Doing About Guns?

Jumaane D. Williams, Council Member

Candidate for NYS Lieutenant Governor

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Nominations for Judicial Delegates