by Gotham Gazette Staff
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Â CANDIDATE BIOGRAPHIES

Roger Green (Democrat)
Susan Metz (Green)
Ric Ocasio (Republican)

CAMPAIGN FEATURE:

The Lingering Power of Incumbency

American politicians have won election while serving time in jail, facing criminal charges or even after dying. But Roger Green may be the first who ever won an election after a probation officer's report described him as "having limited mental capacity or ...being dishonest."

Green, a member of the New York State Assembly from Brooklyn, resigned his post in June after pleading guilty to three counts arising from charges that he took free rides from a state contractor and then got reimbursed by the state for the supposed cost of the trips. Green received three years probation and had to pay $5,000. The probation officer's report was intended to guide sentencing in the case.

But Green faces little competition in his bid to recapture the seat from Fort Greene and Prospect Heights that he held for 21 years. As the deadline passed for filing for the Democratic primary, Green had challenges from two little known Democrats: Tammy Meadows of Prospect Heights and Guillermo Filpotts. A Republican, Ric Ocasio, and a member of the Green Party, Susan Metz, had also declared their candidacy.

The arena for the Brooklyn Nets at Flatbush and Atlantic avenues and the accompanying development appear to be the most heated issues in the area. Meadows is backed by an organization called Community Leadership for Accountable Politics that supports the development plan, according to Erik Engquist, who writes the Brooklyn Politics column for Courier-Life newspapers. Green also supports the arena but has taken a low profile on it and, said City Councilmember Letitia James, backs some conditions on the development plan.

Metz's platform opposes the Forest City Ratner plan for the arena and surrounding area. She also is against other development plans, including housing towers or box stores and objects to taxpayer funding for private developers. But like Green, she supports funding for education and other social programs.

Another issue could have been Green's record and the recent charges against him. Along with the court action, the Assembly ethics committee investigated Green. It concluded that the Brooklyn Democrat had to resign or face what committee chair Mark Weprin has called "serious" sanctions. And so Green resigned - for a little while.

But many prominent politicians in the area chose to sit the race out even though the seat in the 57th District is technically "open." And as he announced he would step down, Green vowed to return. In his resignation letter, he reportedly wrote, "while I stand prepared to seek re-election to the New York State Assembly, I strongly believe that my resignation will enable me to reconnect with my constituents and those core values that I have always upheld as a public servant."

Green's hiatus from the state house seems barely noticed. Although the Assembly web site mentions that he resigned in June, recorded phone messages at both his Albany and Brooklyn office advise callers they have reached the office of Assemblyman Roger Green. (Green could not be contacted for an interview.)

And Green's absence has not cost him the backing of influential supporters, including Brooklyn Democratic Party chief Clarence Norman, who is also a member of the state Assembly and under indictment. "We're supporting Roger Green 1,000 percent and he will get re-elected, period," Norman told the New York Times.

The major rivals whose names popped up in political columns in the past months have faded away. Those not running in the 57th include lawyer Hakeem Jeffries, who had mounted spirited challenges to Green in the past; Eric Adams of 100 Blacks in Law Enforcement Who Care ; and Robin Brown, president of the United Parents Association of New York City.

Daniel McCalla, who had considered a run to challenge Green's support of the Nets arena, said he was not able to get enough signatures in time for the July 15 filing deadline for the

Democratic primary -- particularly since, he said, he figured the Democratic organization would challenge any signatures he did get. McCalla says he hopes to work for the election of Green Party candidate Metz in November.

The Working Families Party decided not to back Green's election, but also will not back any opponents to him, choosing to stay out of the 57th District race entirely.

In past elections, Green won support from a number of organizations, including Citizens Union, which praised his efforts to improve housing and education in his district. He has been active in the campaign to increase funding for New York City schools.

City Councilmember Letitia James, who used to work for Green, listed a number of things he has done for his district. He played a key role in the opening of Benjamin Banneker High School, has brought in money for efforts to combat AIDS, and won funding for programs to help high school students attend college and to promote youth entrepreneurship. He was instrumental in the founding of Medgar Evers College, she said, and is currently working to launch four new small high schools.

"When you read his biography, it's really impressive," she said. "All the good things outweigh that lapse of judgment" with the travel reimbursements.

That could explain the lack of heavyweight opposition to Green. But others offer a different explanation.

"It's a testimony to how effective Green and other long-term incumbents have been in discouraging young people from getting into politics," said Errol Louis , a Daily News columnist who has written frequently about the district. "They have planned to stay for their entire lives as if it were a tenured position. . . . This is the best example of that."

Rachel Leon, executive director of New York Common Cause , said it ultimately is "up to the voters if they want to elect him."

But she noted that the state legislature has refused to release the ethics committee report on Green, keeping from voters information they need. "If it's all on the up and up, people need that information to make an informed decision," she said.

When Green resigned, he avoided the sanctions reportedly recommended in the report, and the report remained sealed.

Journalists and good government groups have called for release of the report without success. And is it unclear whether its release could be required under the state Freedom of Information Act, according to Robert J. Freeman, executive director of the New York State Committee on Open Government.

Green concedes that, in 2001 and 2002, he took rides on a van owned by Correctional Services Corp., a private company that operated halfway houses for the state. Green then submitted mileage vouchers for the trips, many of them from Albany back home to his district, even though the rides had not cost him anything. The maneuver cost the state about $100 a week, according to an estimate by the Albany Times-Union.

Another state legislator, Gloria Davis of the Bronx, earlier was convicted of accepting bribes from Correctional Services, sentenced to three months in jail and gave up her seat. The state fined the company a record $300,000 for not accurately reporting to the state Lobbying Commission on gifts and services it gave legislators. According to Newsday, the company had more than $22 million worth of state businesses in the 1990s but no longer does business with New York.

In many interviews, Green leaves little doubt that he thinks he has been pursued by the legal system at least partly because he is black. In an interview with the Challenge Group of newspapers with a largely African-American readership Green said, that, in the current climate of "celebrity prosecutions," black are easier to go after than white because "we start off all already criminalized. This case is a prime example. The media criminalized me with a picture in handcuffs. They said that I should be thrown in jail."

And Green has reportedly said, that white politicians have committed similar infractions and gotten away with them.

While conceding he made "a mistake," Green has also sought to minimize his offenses. As he pleaded guilty, Green reportedly told the court, "This was done by me because of a longstanding unwritten policy that members who live at a distance receive travel reimbursement whether expenses were actually incurred or not."

In his attacks on the culture of state government Green may have an unlikely ally in Albany County District Attorney Paul Clyne. "My reaction is that they (the legislature) should stop assuming their membership is honest," he was quoted as saying.

7/16/04

CAMPAIGN UPDATE:

posted 09/09/04

Roger Green appears ever closer to regaining the Assembly seat he resigned from in June. He now faces no opposition in the Democratic primary. And the Board of Elections removed Green Party candidate Susan Metz from the general election ballot on the grounds that she had not filed a required form with the Board of Elections by the deadline. Metz unsuccessfully challenged challenged the decision, saying that she filed several hundred more signatures than the 1,200 needed. In a statement on her web site, she said she plans to continue to fight. For now, though, she is off the ballot, leaving only Republican Ric Ocasio to face Green in the overwhelmingly Democratic district.

And Green got additional help from his past and probably future colleagues in the Assembly who continue to refuse to release a copy of an ethics committee report on the filing of false travel expenses that led him to step down. The Assembly denied a Freedom of Information request from the New York Times to make the report public.

CANDIDATE BIOGRAPHIES:

Roger Green (Democrat): A former teacher and the founder of Vanguard Urban Improvement, Roger Green won election to the Assembly in 1981. He served as chair of the Black and Hispanic Caucus and of the assembly Committee on Children and Families. Green resigned in June after pleading guilty to petty larceny charges.

Susan Metz (Green): A community activist and former teacher, she is running on a platform opposing construction of a basketball arena for the Nets in downtown Brooklyn.

Ric Ocasio (Republican): He ran against Green in 2002, winning 4 percent of the vote.

CAMPAIGN TRAIL

09/22/04
A teacher from Brooklyn is mounting a write-in campaign for the Assembly against Roger Green, a veteran of the Legislature who is seeking re-election after pleading guilty to a misdemeanor and resigning earlier this year. The challenger, Susan Metz of Prospect Heights, submitted petitions to run as a Green Party candidate, but earlier this month the Board of Elections denied her a place on the ballot for technical reasons. Ms. Metz is due to announce today that she will run as a write-in candidate rather than drop out of the race. The only other candidate on the ballot is a Republican, Ricardo Ocasio, who lost to Mr. Green in 2002 by a vote of 700 to 18,023. Write-in candidates rarely win elections, but Ms. Metz wants to give voters of the 57th Assembly District another choice on November 2. (NY Sun)

09/07/04 Roger Green's resignation from the State Assembly appears to have had little effect on him. He has no opponents in the Democratic [primary, could make as much as $92,000 when â€“ as it now appears likely â€“ her returns to the state legislature in January and he even managed to collect state pay this summer. To some, the Green story seems to epitomize much that is wrong in Albany. "We have lost our ability to blush," Republican Assemblymember Thomas Kirwan of Orange County said. "As (former U.S. Sen.) Phil Gramm said, as long as you don't get caught in bed with a dead woman or a live boy, you'll get re-elected. I guess we could test the limits of that, too." (Associated Press)

08/30/04 Opponents of the proposed Nets arena are now seemingly without a candidate to oppose arena supporter Roger Green for the State Assembly. Opponents had rallied around Green Party candidate Susan Metz and collected thousands of signatures for her. But Metz reportedly left town without filing her candidate's statement of acceptance form with the Board of Elections and so did not make the ballot. Tammy Meadows reportedly withdrew her

candidacy and Guillermo Filpotts failed to make the ballot as well. (Courier-Life Newspapers, reprinted by Lambda Independent Democrats)

8/22/04 With sunshine peeking through the clouds onto a crowded street festival at a Baptist church in Clinton Hill, Brooklyn, Roger L. Green worked the crowd in typical campaign mode. He shook hands, slapped backs and spoke with nearly everyone along the way. But none of the voters questioned him about an issue that would normally draw intense scrutiny for a candidate seeking re-election: his resignation from the Assembly two months ago and his earlier guilty plea to charges that he billed the state for false travel expenses. In fact, his conviction will be little impediment to his returning to office, since he is running unopposed. As a New York State lawmaker running for office under a cloud of legal troubles, Mr. Green is hardly alone. (New York Times)

The State Assembly has refused to release an ethics committee report on Roger Green's filing of false travel expenses. The Assembly rejected a Freedom of Information request from the New York Times, citing Green's privacy and saying, in essence, it would not release the report because it did not have it. (New York Times)

7/12/04
Not Running -- Robin Brown, who had been mentioned as a possible successor to Roger Green, was appointed to the Commission to Plan for New School Funding Dollars by Council Speaker Gifford Miller and will not run for office this year. (Courier-Life Newspapers)

6/28/04
Daniel McCalla, a 29-year-old resident of Fort Greene and music director at a Bedford-Stuyvesant church, is preparing to challenge resigned Assemblymember Roger Green in the Democratic primary. McCalla, who has virtually no money for the campaign, will try to make the election a referendum on redevelopment plans, including the Nets arena. (Courier-Life Newspapers)

6/14/04
Roger Green told members of Lambda Independent Democrats that he would rather have not resigned, but he did so in a deal with Assembly Speaker Sheldon Silver to prevent (or at least forestall) the release of the Assembly Ethics Committee's report on his misconduct. Green, who is black, also said that at least two white politicians - Governor George Pataki and Borough President Marty Markowitz - had also committed similar ethics violation and not been forced

from office. (Courier-Life Newspapers)

6/9/04
In an extensive interview, Roger Green says he was hounded from office by Republicans and resigned as an act of "public contrition." (Challenge Group Newspapers)

6/1/04
Green Resigns Roger Green, a member of the State Assembly from Brooklyn, resigned his seat. Green has pleaded guilty to taking free rides from a contractor then billing the state, resigned Tuesday. The Brooklyn Democrat's resignation came after the chamber's Ethics and Guidance Committee reviewed the case. (Newsday/Associated Press)

5/24/04
Eric Adams, founders of 100 Blacks in Law Enforcement Who Care, said he would not run for the Assembly seat in the 57th district because he is afraid he would not meet the residency requirements. (Courier-Life Newspapers)

4/12/04
A number of possible candidates are trying to decide whether to run for the Assembly seat from the 57th District held by Roger Green. (Courier-Life Newspapers)

2/16/04
Roger Green's guilty plea to petty larceny charges ends his legal aspects of the case but raises a number of political questions. The guilty plea seems likely to derail any plans Green might have had to run for Congress and could affect his chance of being re-elected to the Assembly seat he has held since 1981. (Courier-Life Newspapers)

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