

CITIZENS UNION OF THE CITY OF NEW YORK

299 Broadway, Suite 700 ■ New York, New York 10007 ■ 212-227-0342

COMMON CAUSE/NY

74 Trinity Place, Suite 901 ■ New York, New York 10006 ■ 212 691-6421

LEAGUE OF WOMEN VOTERS/N.Y.S.

62 Grand Street ■ Albany, New York 12207 ■ 518 465-4162

NEW YORK PUBLIC INTEREST RESEARCH GROUP (NYPIRG)

107 Washington Avenue, 2nd Floor ■ Albany, New York 12210 ■ 518 436-0876

NEWS RELEASE

For immediate release:

Thursday, November 5, 2009

For more information:

Dick Dadey/ CU (212) 227-0342

Susan Lerner/Common Cause (917) 670-6421

Barbara Bartoletti/LWV (518) 469-8905

Blair Horner/NYPIRG (518) 436-0876, x257

**CIVIC GROUPS ONCE AGAIN FIND SCORES OF APPARENT VIOLATIONS OF THE \$5,000 LIMIT ON CORPORATE CAMPAIGN CONTRIBUTIONS FOR 2008
ANALYSIS ALSO IDENTIFIES SCORES OF POSSIBLE CAMPAIGN FILING FAILURES
VIOLATIONS DEMONSTRATE NEED FOR AGGRESSIVE ENFORCEMENT
GROUPS URGE PASSAGE OF S.6157, WHICH CREATES A NEW ENFORCEMENT UNIT AND ADDITIONAL CAMPAIGN FINANCE DISCLOSURES**

A review of campaign filings with the state revealed scores of potential violations of the \$5,000 limit on corporate donations for calendar year 2008 and failures to complete campaign finance filings, civic groups charged today. Citizens Union, Common Cause/NY, the League of Women Voters/N.Y.S. and NYPIRG compiled a list of corporations that apparently exceeded the legal donation limit. They called for the creation of a new enforcement unit within the Board of Elections.

In addition to the list of nearly 350 apparent violators of the corporate contribution limits for last year, the groups also identified 5,316 contributions of over \$100 whose donors' addresses were not disclosed in the state's campaign finance database, 473 "24 hour notices" that were not reported in the state's database, and 576 committees with over \$1,000 in the bank who have still yet to file July 2009 disclosure reports as disclosed in the state's database.

This is the third year these groups have examined possible corporate contribution violators. The groups cautioned that the apparent violations may be the result of bookkeeping entry errors by campaign staff. Moreover, the groups cautioned that under current Election Law, contributing over the legal limits is only a criminal violation if it was done "knowingly and willfully." Nevertheless, the groups strongly urge the Board of Elections to investigate these possible violations.

The civic groups are pressing for passage of legislation to strengthen campaign finance enforcement. Legislation to achieve those changes is under consideration in the State Senate (S.6157, Sampson). The bill or similar legislation would, among other ethics changes, create an independent enforcement unit at the State Board of Elections and make broaden disclosure requirements by requiring more information of contributors and "bundlers."

-30-

Attachments: Lists of apparent violations and groups' letter to state Board of Elections

CITIZENS UNION OF THE CITY OF NEW YORK

299 Broadway, Suite 700 ■ New York, New York 10007 ■ 212-227-0342

COMMON CAUSE/NY

74 Trinity Place, Suite 901 ■ New York, New York 10006 ■ 212 691-6421

LEAGUE OF WOMEN VOTERS/N.Y.S.

62 Grand Street ■ Albany, New York 12207 ■ 518 465-4162

NEW YORK PUBLIC INTEREST RESEARCH GROUP (NYPIRG)

107 Washington Avenue, 2nd Floor ■ Albany, New York 12210 ■ 518 436-0876

VIA FACSIMILE & MAIL

November 5, 2009

Todd D. Valentine
Co-Executive Director
New York State Board of Elections
40 Steuben Street
Albany, NY 12207-2108

Robert A. Brehm
Co-Executive Director
New York State Board of Elections
40 Steuben Street
Albany, NY 12207-2108

Re: Review of the State Board's campaign finance database identifies apparent corporate contribution limit violations, filings that do not contain donors' addresses, filers who do not have July filings reported in the database, and 24 hour notices that were not filed.

Dear Messrs. Valentine and Brehm:

Our groups have regularly sent you lists of corporations which appeared to have violated the five thousand (\$5,000) dollar annual aggregate contribution limit. We have submitted our reviews in 2007 and 2008. In addition to our corporate review, this year we examined the database for other possible violations.

Apparent corporate violations:

We identified 346 corporations that may have violated the state's \$5,000 corporate limit in 2008. Each of these corporations had contributions reported on candidates' "Schedule B" forms, but there is a chance some are actually LLCs, partnerships, or PACs that appear to be corporations due to sloppy filing by candidates. Those that were properly reported are likely violators of the state's election law.

Apparent failures to report donors' addresses:

Candidates are required to disclose the address of any donor who gives more than \$100. We have identified 5,316 contributions in calendar year 2008 where this requirement was not reported in the Board's campaign finance database.

Citizens Union/Common Cause/League of Women Voters/NYPIRG
Page 2

Apparent failure to file:

576 committees with \$1,000 or more had yet to file the disclosure reports due on July 15 of this year by October 15, as reported on the Board's database. Most of these committees did not submit any paperwork whatsoever. The rest filed "no activity" reports. The unlikelihood that committees with this much money in their coffers did not collect even a dime of interest or pay any bank fees over a six month period should prompt audits examining if these reports were correctly filed.

24 hour notices not filed

Candidates reported receiving 473 contributions in excess of \$1,000 in the ten days before the 2008 elections that they did not file 24 hour notices for.

The undersigned formally request that the New York State Board of Elections investigate these apparent violations, and if warranted, forward it to the appropriate district attorney or Attorney General for enforcement.

Enclosed with this letter, please find itemized lists of the apparent violations we identified. Please inform us via a written response of your plans for investigating these apparent overages and other apparent failures. If you have any questions, please contact us.

Sincerely,

Dick Dadey
Citizens Union

Susan Lerner
Common Cause/NY

Barbara Bartoletti
League of Women Voters/ N.Y.S.

Blair Horner
NYPIRG