

NEWS RELEASE

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For more information:
Blair Horner
Russ Haven
Dick Dadey
Susan Lerner
Barbara Bartoletti

GOVERNMENT WATCHDOG GROUPS CALL ON LEGISLATIVE ETHICS COMMISSION TO INVESTIGATE MONSERRATE LEGAL DEFENSE FUND

Government watchdog groups New York Public Interest Research Group (NYPIRG), Citizens Union, Common Cause/NY and League of Women Voters/N.Y.S. called on the Legislative Ethics Commission to investigate whether Senator Hiram Monserrate has illegally set up a legal defense fund. Allegedly a fund was created to pay Senator Monserrate's legal bills related to his recent criminal case, as well as the pending review by a special Senate committee regarding his fitness for office in light of his conviction on misdemeanor assault charges.

The groups filed a formal complaint with the Legislative Ethics Commission urging it to launch an investigation, require Senator Monserrate to direct the disclosure of the names of the contributors and amounts of the donations, and issue a binding opinion banning the creation of legal defense funds.

In the letter the groups stressed that the integrity of the state's ethics laws was at stake:

We file this complaint nearly two weeks after news articles first reported that Senator Monserrate had established a legal defense fund and in the absence of any evidence that the Commission has proactively begun a review of this matter. As organizations that have long advocated for closing gift loopholes and the establishment of vigorous ethics watchdog agencies, we are acting to preserve the integrity of the anti-gift provisions of the state's ethics laws, promote ethics oversight transparency and execute its mandate.

Simply stated, we believe the 2007 overhaul of the state ethics laws creates a bright-line standard: monies made available to benefit a public official are either campaign contributions, which are subject to limitations and disclosure requirements, or are gifts, which are illegal unless falling within the limited statutory exceptions, regardless of the mechanism for giving and receipt of such funds. The Commission should accept no departure from this standard and clearly state so in a binding, public opinion.