

Women in Leadership
Reversing Civic Recession by Addressing the Bottom Line:
Take Public Funding of Elections Statewide

Sponsored by the Committee for Economic Development, Americans for Campaign Reform, NY LEAD, and the
Brennan Center for Justice

Monday, March 3, 2014
12:00 p.m. - 2:00 p.m.

Statement by Maria Cilenti
Legislative Director
New York City Bar Association

Thank you for giving me the opportunity to speak about the NYC Bar Association and our longstanding support for bringing public campaign finance to New York State.

The New York City Bar Association was founded in 1870 in response to growing public concern over corruption in the justice system in New York City. Several of its early officers were active in seeking the removal of corrupt judges and in leading prosecutions of the Tweed Ring. Today, it is a voluntary association of over 24,000 members. We are nonpartisan; our committees that engage in analysis and produce our policy reports are comprised of diverse groups of attorneys from law firms, nonprofits and the public sector, as well as academics and law students. One of our core missions is to address legal and public policy issues in ways that promote law reform and ethics, including ethics in government, the legal profession and the courts.

And that is what brings me here today. The City Bar's 2014 state legislative agenda represents a diverse array of issues, covering trusts and estates, criminal law issues, medical marijuana and women's equality. But at the top of our list this year is support for the enactment of a law to bring public campaign financing to New York.

The City Bar first voiced its support for campaign financing reform 28 years ago in a 1986 report that stated "[we] believe that excessive amounts of money injected into the electoral process distort that process in a way that threatens to undermine the principles of democracy. The appearance of impropriety that results from the contributions of large sums of money by persons and organizations to candidates who, once elected to public office, have the power to regulate and enter into business relationships with those very individuals and organizations which provided financial support is of great concern." We went on to support the NYC Campaign Finance Act when it was enacted in 1988.

In a 1997 report, the City Bar reaffirmed its commitment to public campaign finance laws in New York and, expounding on the earlier report, we stated: "The Committee agrees that avoiding the appearance of impropriety should be a significant purpose of campaign finance reform but that campaign finance reform can and should also be used to address other equally important goals and concerns, which include: (a) the prevention of actual corruption and graft; (b) encouraging competition in elections by creating a more level playing field between incumbents and challengers; (c) preventing voter cynicism arising out of a general impression that the process is corrupt and/or favors incumbents over challengers; and (d) a general concern that there is too much money in the political process."

In 1998 testimony to the City Council, then City Bar President Michael Cardozo underscored another important tenet of campaign finance reform, from the point of view of the candidate. He said, “a candidate should not have to seek enormous sums or risk the appearance of being beholden to special interests in order to run for office. A candidate should be able to run for office if he or she demonstrates a substantial base of support among the voters.” It seems to us that the goal of leveling the political playing field has become particularly important in light of the Citizens United decision. We cannot stop money from being spent, but we do need to ensure that legitimate candidates can contend for public office even if they are not well financed by interest groups or supported by large independent expenditures.

Guided by this long history of support, we reaffirm our belief that campaign finance reform would greatly benefit New York’s electoral and legislative processes, both in appearance and in practice. In addition to creating a voluntary public financing system, this reform should include: 1) stricter limits on political contributions; 2) enhanced disclosure of campaign contributions and expenditures; 3) more effective enforcement of campaign financing laws; 4) curbs on transfers by legislative party committees; and 5) effective regulation of so-called independent expenditures on campaigns that are coordinated with a candidate.

The City Bar applauds Governor Cuomo for raising this important issue in his 2014 State of the State Address, applauds the groups in this room for continuing to advocate for this reform, and looks forward to providing our continued support to this effort.