



Testimony to the City Council Governmental Operations Committee Opposing Int. 34 of 2018

October 19, 2021

Good morning Chair Cabrera and members of the Governmental Operations committee. My name is Tom Speaker, and I am a Policy Analyst at Reinvent Albany. Reinvent Albany is a watchdog organization that advocates for open and accountable government.

Reinvent Albany strongly opposes this legislation because we believe it would unfairly benefit incumbents during elections. While we understand that elected officials may want more opportunities to notify constituents of important information, allowing for mailers so close to an election increases the chance that funding for constituent outreach will be improperly used to influence voters. We note that the current law restricts New York City incumbents from mailing their constituents for only six of the 48 months officials are in office (unless they run for other offices).

New York City prohibits sending mailers within 90 days of an election, but the New York State Legislature's limit, under the Assembly's Rules and the Senate's guidelines, is typically 30 days (the State Assembly's limit for general elections is 60 days).¹ ² Some localities have no limit.³ Because of these lax restrictions, there are countless instances of New York State elected officials deluging their constituents with mailers close to elections:

- This month, Nassau County Executive Laura Curran sent out a mailer notifying constituents about the upcoming Nov. 2nd election, when Curran's name will be on the ballot.⁴ The mailers noted Curran's name and title.
- In May, State Senator Kevin Parker flooded constituents with mailers prior to the June election, in which he was a candidate for City Comptroller.⁵

¹<https://www.democratandchronicle.com/story/news/local/2016/09/30/new-york-state-legislature-lawmaker-s-mailings-taxpayers-constituents-cost-funding-money/91321144/>

²<https://assembly.state.ny.us/Rules/?sec=r5#s10>

³<https://www.newsday.com/long-island/politics/curran-mailers-election-nicolello-1.50389283>

⁴<https://www.newsday.com/long-island/politics/curran-mailers-election-nicolello-1.50389283>

⁵<https://bklyner.com/senator-kevin-parker-floods-some-constituents-with-mailers-before-election-deadline/>

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- In March of 2020, constituents reported that former state legislators David Buchwald and David Carlucci were sending out large numbers of mailers prior to the June primary election for NY-17.⁶

It's clear that constituent mailers have been exploited prior to elections, and it's likely that this practice will only grow worse if this bill passes.

Some might argue that elected officials need more opportunities to contact constituents, but the law already provides plenty of exceptions – for example, officials may send mailers when there are public safety or health emergencies, or within 21 days after the passage of the city's budget.⁷ We therefore see no reason to change the law.

Thank you for allowing me to testify today. I welcome any questions you may have.

⁶<https://www.lohud.com/story/news/politics/2020/03/09/us-house-representatives-17th-congressional-district/4974182002/>

⁷<http://www.nyccfb.info/law/charter/prohibitions-on-the-use-of-government-funds-and-resources/>