



New York
COMMON CAUSE
Holding Power Accountable

THE ACTIVIST

Winter 2011
 { Volume 13, Number 1 }
Inside This Issue...

Update New York's Election Law
 Governing Recounts to Gain the
 Full Benefit of Using Paper Ballots...1

Political District Lines Drawn to
 Return Power to the Voters.....2

Redistricting Reform in
 New York State.....3

Enfranchising the Electorate:
 Bringing a System of Voter Owned
 Elections to New York State.....4

The Role of Performance Metrics
 in Government Administered
 Programs: Developing Performance
 Evaluation Models for TANE.....5

Legislative Priorities for Common
 Cause/NY in 2011.....5

A Message from
 Our Executive Director.....6

Meet the Board.....7

Board Spotlight-Sean Coffey.....7

Who Supports Common Cause NY?.....6

Activist Corner.....8

Common Cause/NY
 74 Trinity Place, Ste 901
 New York, NY 10006
 nyoffice@commoncause.org
 www.commoncause.org/ny
 212.691.6421
 1.800.300.8707

**Update New York's Election
 Law Governing Recounts**

Gain the Full Benefit of
 Using Paper Ballots

By Susan Lerner

Now that New York has modernized its voting machines, it is time to modernize our election laws to catch up with the new technology. Adoption of the new system that uses paper ballots read by optical scanners was the culmination of many years of advocacy by Common Cause/NY and other good government groups. One of the reasons we argued strenuously against computer systems that recorded votes directly without any paper ballots, was the fact that it is impossible to conduct a reliable audit or recount of systems that use computers without paper ballots. Experience in the three state senate races that were undecided for months after Election Day because they were so close has revealed the problems that can occur when election law written to deal with the old lever machines is applied with few, if any changes, to the new system.

New York's election law empowers a trial judge to exercise discretion on whether or not to conduct an election recount. This leads to bad results, like the Court of Appeals decision which ended the contested race for New York State Senate District 7. In its decision, the Court of Appeals sided with those who hold it is more important to have a final count than an accurate count. Allowing closed contests to be decided in court turns resolution of close races into a highly partisan battle where no one speaks for New York voters. Completely overlooked in the protracted courtroom battles was the public's interest in being sure that votes that were properly cast are actually counted. We believe it is essential that the voice of New York voters be heard above all else.

continued on page 2

Political District Lines Drawn to Return Power to the Voters

By Susan Lerner

The gerrymander has been the object of ridicule for nearly two centuries, since Massachusetts drew a legislative district twisted to look like a salamander in 1814. New York State has many egregious examples of distorted district maps drawn by legislators to ensure that they remain in office. Small areas are carved out of contorted districts to exclude potential challengers and clusters of the opposition party's voters.

The 2011 redistricting cycle provides an opportunity to set up a redistricting process that will result in political boundary maps drawn to serve the people's interest in fair representation and not the politicians' interest in re-election and

consolidation of existing power. In order to help achieve that goal, in tandem with efforts by others to get the Legislature to adopt an independent redistricting commission, Common Cause/NY is working to implement a Blue Ribbon Citizens' Redistricting Committee.

The Committee will be comprised of citizens who reflect the diversity of New York State, and are respected both within and outside their communities for their integrity, fairness and knowledge of their communities and of the political process. The Citizens' Committee will have as its primary focus analyzing any redistricting legislation or maps drawn according to objective, non-political criteria

to advise Governor Cuomo as to whether the legislation or maps are likely to result in gerrymandered politically determined districts or not. The Committee will urge the Governor to veto any legislation which enshrines political criteria as part of the redistricting process and its members will work with demographic, mapping and legal experts to develop alternative, non-politically drawn maps in a transparent process to illustrate that such a procedure is possible.

Our goal is to have the Citizens' Committee provide an independent voice to advocate for truly non-politicized redistricting and illustrate the alternatives available to the Legislature.

Update New York's Election Law continued from page 1

In an election in which the margin is small, New Yorkers should not be forced to accept a possibly flawed election result for the sake of speed or convenience. New York wisely chose a system that records the voters' intent plainly and permanently on paper ballots. It is important that New Yorkers have confidence that our voting system will accurately and faithfully represent the choice of the voters.

We need to make sure that where there is a very close margin in legislative races, the will of the

people should always be determined by a hand count. A complete hand recount would take only a few days and would eliminate any doubt that the machines may have miscounted. And it would serve the voters above all else.

Common Cause/ New York is drafting proposed legislation to require a mandatory hand recount of the paper ballots when the winning margin is .05% or less. We'll provide you with more information as we move forward. Please email NYOffice@commoncause.org if you are interested in receiving updates

go green with Common Cause/ new york

- Receive the latest issue of the Newsletter before Others
- Save Trees and Help the Environment

Get your next copy of the Common Cause/New York Newsletter via email.

Go Green with Common Cause/New York by providing your name and email in the space below and send us the whole page (with the mailing label) either by fax to (212) 807-1809 or mail to Common Cause/New York Go Green, 74 Trinity Place, Suite 901, New York, NY 10006. To be really green, simply send an email to NYOffice@commoncause.org, letting us know that you want to Go green and receive future newsletters by email.

Name: _____

Email: _____

Yes, I want to also receive emails from Common Cause/NY.

Thank you for helping Common Cause/New York Go Green!

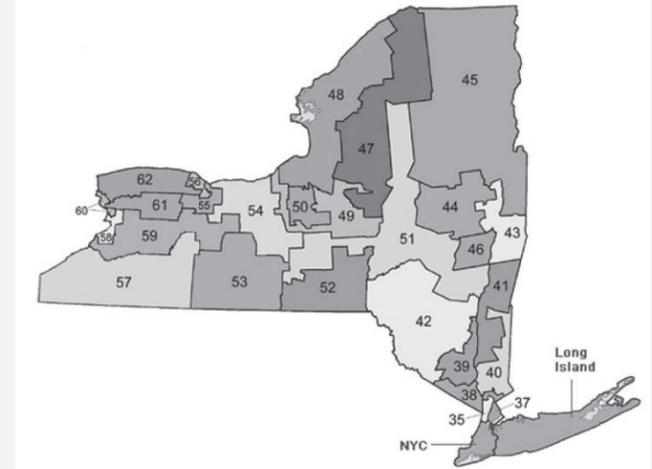
Why Reform Redistricting?

Congressional, state, and local districts are drawn every 10 years to reflect population changes.

When legislators draw district lines to prioritize incumbent and partisan interests, voters lose. Election outcomes are rigged and voters have little voice in choosing our representatives. Communities are cut up and lose their voice with elected officials.

Redistricting reform would give voters the power to participate in the creation of political districts and ultimately to choose our representatives. Call for a New York Citizens Redistricting Committee to monitor the legislative map drawing.

For more info, contact Susan Lerner: slerner@commoncause.org



What Reforms Does Common Cause Support?

1. Fair Criteria For Drawing Districts

Fair criteria ensure the process of drawing districts will be more transparent to the public, the media, and courts. We recommend that any line-drawing body abide by the following principles in drawing district lines:

- Respecting one-person, one-vote
- Compliance with the Voting Rights Act
- Respecting communities of interest
- Traditional redistricting factors, like contiguity
- Following an "incumbent blind" process

2. Public Participation and Transparency

The line-drawing body should conduct truly public and open hearings. Other principles include:

- All maps, data should be available quickly and for free.
- There should be public sites for the public to see maps, submit comments and proposals.

- All communications should be on-the-record.
- Before a vote on any proposed map, the line-drawing body should display and receive public comment.

3. Citizen Participation

We can achieve more citizen participation with:

- Parallel Citizen Advisory Boards to propose political maps based on community input and established criteria. These maps would serve as a baseline for the public and news media to compare against the maps proposed by the legislature.
- Full Citizen Access. Citizens should have the tools to present where their communities are and why they should not be split by district lines. Citizens should have the tools to monitor and give input on the process.
- Nonpartisan Independent Redistricting Commissions. Instead of state legislators drawing their own lines, citizen commissions can be a more fair alternative.

Pushing Back Against Big Money: Bringing a System of Voter Owned Elections to New York State

By Deanna Bitetti

Common Cause/New York has been a long-standing advocate for innovative campaign finance and ethics laws in New York, as well as throughout the country. Nationally, Common Cause has been involved in crafting, and ultimately passing, virtually all of the public funding systems that are functioning at the state and national level, as well as numerous municipal level systems, including the highly regarded public funding of elections system in New York City.

On January 24th, 2011 we were joined by assembly members and advocates in Albany to encourage Governor Cuomo to stay true to his pledge to bring publicly financed, voter owned elections to New York State. New York's political landscape, with its sky-high campaign contribution limits, is easily dominated by big money contributors – a situation compounded by the U.S. Supreme Court's Citizens United decision, as we saw in last year's election. Governor Cuomo has recognized that we must take immediate action to halt the pernicious pay-to-play environment that currently overshadows the democratic process in our state. In his State of the State speech, he pledged to make campaign finance reform a main tenet of his legislative priorities and to support public financing of elections.

We have, over the years, in study after study detailed a deeply

disquieting situation. It is one that causes the public to perceive that special interest campaign dollars and not the public interest are a controlling factor in Albany. There is constant pressure on elected officials to raise money for their campaigns, forcing even the best elected officials into impossible situations. Without comprehensive campaign finance reform in the form of a voter owned, publicly financed election campaigns, our system will be plagued with not only abuse, but the perception of abuse. This will lead to a continuation of the widening disparity between the amount of dollars contributed by special interests and those given by small contributors. We need to put elections back into the hands of voters. This disillusionment with the political process has fostered great momentum for making this pledge for public financing a reality, now.

A robust public financing system will accomplish the following in New York:

- Emphasize and amplify the impact of small dollar donations
- Encourage district and voter directed campaigning over “dialing for dollars” and special interest fund-raising
- Decrease significantly the amount of time candidates must spend fund-raising
- Increase the involvement and

“investment” of small dollar donors and grassroots participants in our state election campaigns

It is time for New York to take its role once again as a leader in the reform movement and pass a bill for voter owned, public financed elections early in the session.

what you Can Do to help:

- Call your representative in the state legislature and let him/her know that you are a member of Common Cause/NY and want the public financing of elections NOW
- Sign our petition to Governor Cuomo on our website urging him to make the voluntary system of public financing of elections at the top of his reform agenda this year. Please visit our website to add your name to the growing list of New Yorkers that support voter owned elections: <http://www.commoncause.org/siteapps/advocacy/ActionItem.aspx?c=dkLNK1MQIwG&b=6519279>
- Get in touch with Common Cause/NY to find out ways you can help on this important campaign.

Insuring Efficient Use of Tax Dollars: Developing Performance Evaluation Models for TANF

By: Deanna Bitetti

Common Cause/NY has been at the forefront of the fight for transparency and efficiency in government. From our work with the NYS Stimulus Alliance where we sought to ensure that the way in which stimulus dollars were allocated was done in a fair and accountable way, to our recent work hosting a series of roundtable discussions on performance metrics of the multi-billion dollar state administered program Temporary Assistance for Needy Families (TANF), Common Cause/NY remains a strong advocate for transparent and effective government. To help focus on the needs for accurate evaluations of large government programs, we brought together government officials, academics, and those who receive the benefits of, as well as those who advocate for, such programs, in order to share experiences and recommendations for best practices and to jointly develop performance measures that will be helpful in gauging and improving the efficacy of these programs.

To accomplish this end, we convened several Government Performance Roundtables in New York City and Albany with key stakeholders. These roundtables focused on reviewing best practices and performance-based standards as developed in other states and at the federal level and identifying specific

New York State government programs where such standards can be most readily implemented. Our recommendations for the TANF program stand as a high profile example of the feasibility and utility of implementing performance-based program evaluation and management systems for government programs in New York State. The long term goal is to significantly further efforts to implement a performance-based program evaluation and budgeting regime that is responsive to all New Yorkers by highlighting the success of such programs, as well as making recommendations for improvements in the way in which performance is measured.

Common Cause/NY will be issuing a White Paper for Government Performance reviewing best practices for performance evaluation in use at the state and federal level, discussing the benefits and advantages of performance-based program evaluation measures for a multi-billion dollar assistance program administered by the Office of Temporary and Disability Assistance (OTDA), and coordinate its finalization and approval by the Roundtable participants.



COMMON CAUSE/NY 2011 LEGISLATIVE PRIORITIES

CamPaIgn FinanCe

- Voter-Funded Fair Elections
- Improved Disclosure of electioneering, lobbying and, independent expenditure advertising
- Shareholder approval of political expenditures
- Include employer in required contributor disclosures

reDistriCting

- Non-Politicized criteria for drawing districts
- Independent commission to determine districts
- Public input into redistricting process

ethiCs reForm

- One independent agency with oversight over Executive and Legislature, as well as lobbying
- Disclosure of sources of grass roots lobbying expenditures for advertising
- Disclosure of legislator's outside income
- Pension Reform, including eliminating double dipping and pension padding

eleCtion reForm & aDministration

- Mandatory recounts and improved auditing

- Universal registration
- Improved ballot access for candidates

transParent & eFFeCtiVe goVernment

- Open budget process
- Considered and objective approach to natural gas exploitation in NYS
- Rules reform, including timely dissemination and disclosure of committee activities and bill amendments through the Internet
- NY State C-SPAN

Executive Director's Message

By: Susan Lerner



Susan Lerner

Dear Common Causers, In this newsletter and on the Common Cause/NY website (www.commoncause.org/ny) you will

find information about who supports Common Cause/NY. Common Cause has always provided information about its supporters in its annual report. In states where Common Cause is required to disclose its donors, it does so. And, like most non-profits, Common Cause's Federal Tax Form 990 is publicly available. It identifies the various sources for the money that allows Common Cause to work to hold power accountable around the country.

The money which Common Cause/NY raises for its activities is included in the national totals shown on the 990. However, since we're

responsible for raising the budget for New York work here in the New York office, it seems only appropriate to provide information about where the money to support our New York work comes from.

Disclosing donors to non-profits and committees that seek to elect or defeat candidates has been in the news for some time. Now, in New York, we're looking at millions of dollars raised by committees with "vanilla" names (The Committee to Save New York or A Good Economy for All) for advertising to convince us, the public, to support or oppose the Governor's budget. Aside from the fact that the budget is much too complicated to support or oppose *en toto*, many have raised the question of who is spending all that money to convince New Yorkers what should or shouldn't be done with the budget? Neither committee has to disclose the source of its funding. We think that's wrong. Just like committees that

advertise in support or opposition to candidates, committees which spend millions to influence public opinion for or against a specific bill or budget ought to disclose who is behind the ads.

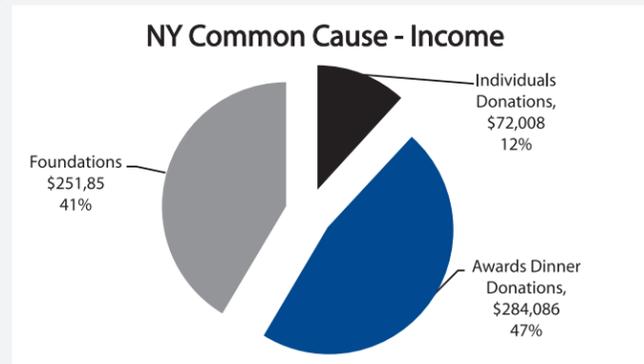
We believe in transparency and providing information. That's why we've included information about where we get the money to work on New York issues and keep the New York office of Common Cause going.

We're grateful for the support of so many individual New Yorkers who contribute to Common Cause/NY to allow us to continue to be the people's voice in Albany. Thank you. We hope to hear from each and everyone of you, to let us know what you feel we should be focused on for the coming year, to tell us when you like what we're doing and to advise us when you feel we haven't lived up to your expectations.

- Susan

WHO SUPPORTS COMMON CAUSE/NY?

Common Cause is financed, in large part, by the dues and contributions of our individual members. Because we are a 501(c)(4) lobbying organization, such contributions to Common Cause are not tax deductible. The Common Cause Education Fund, our 501(c)(3) affiliate, conducts research, education, and outreach activities and is supported by foundation grants and tax-deductible contributions from individuals and institutions. The graph below shows the sources of income received by Common Cause/NY in 2010:



For a full list of the foundations that have so generously helped support Common Cause/NY please see our website at:

www.commoncause.org/ny/supporters

To see who donated to our 2010 Annual Awards Dinner please see our website at:

www.commoncause.org/ny/Awards2010

Contact us, nyoffice@commoncause.org, regarding our \$500 and above individual donations.

MEET OUR BOARD

Common Cause/NY would like to give a special thanks to the dedicated Board Members that help make our work possible. Thank you Susan Rubinstein, David Spaulding, Eleanor Moretta, Thomas Bergdall, Sean Coffey, Evan A. Davis, Eric N. Gioia, William N. Hubbard III, Marianne Engelman Lado, and Benjamin Shuldiner.

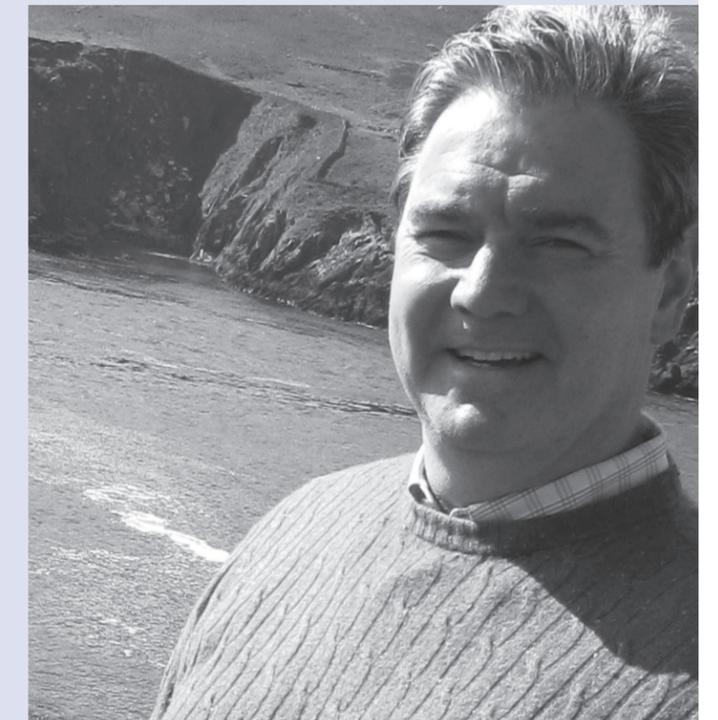
You can read the bios of our Board Members on our website: <http://www.commoncause.org/ny/boardbios>

Board Spotlight: Sean Coffey Why I Joined The Common Cause Board

When I told one of my former campaign staffers a few weeks ago that I would be joining the board of Common Cause New York, he laughed at the irony. "That makes sense," he wisecracked, "since your reform agenda was essentially cribbed from their website." While I would like to believe that my platform for Attorney General involved more original thinking than most, there is no denying the profound influence that Common Cause New York had on my views about the need for fundamental reform of our state government. Having come up short in my quest to pursue such change as an elected official, I am delighted to have the opportunity to help advance the reform agenda as a member of CCNY's board.

Travelling the state for almost a year confirmed that most New Yorkers finally believed what CCNY has been saying for years: Albany's dysfunction – and all too often, non-function – has descended to new lows and requires a major overhaul. CCNY has long been at the vanguard of reform, advocating persuasively on behalf of independent redistricting, campaign finance reform, transparency regarding legislators' outside income and clients, and ethics laws with teeth. I'm especially excited to take the lead on an a matter I pushed hard during the 2010 primary – rolling out public financing in 2014

in the races for Attorney General and Comptroller, the two state-wide offices that in my opinion ought to be the least influenced by campaign cash. Stay tuned for more on that in the coming weeks! I'm proud to be joining an organization that is not only committed to casting a bright light on what is wrong in state government, but also to offering sage, practical solutions to improve our democratic process.



"Citizen action is not only good for government, it is good for the citizens doing the acting. And good constituents tend to produce good leaders."

- John Gardner, Founder of Common Cause

Common Cause/New York
74 Trinity Place, Ste 901
New York, NY 10006
www.CommonCause.org/ny

NON PROFIT ORG
US POSTAGE PAID
NEW YORK, NY
PERMIT NO. 2621

ACTIVIST CORNER:

If you would like to find out how to get more involved with Common Cause/NY or for volunteer opportunities please call our offices at 212-691-6421 or email us at dbitetti@commoncause.org

MORE WAYS TO TAKE ACTION

- Sign Up for Email Action Alerts by emailing nyoffice@commoncause.org
- Join Common Cause/NY on one of our Lobby days in Albany by signing up on our website or contact Deanna Bitetti via email at nyoffice@commoncause.org or at 212-691-6421
- Call your representative in the state legislature and let him/her know that you are a member of Common Cause/NY and want the public financing of elections NOW
- Call your representative in the state legislature and let him/her know that you are a member of Common Cause/NY and you support mandatory recounts
- Become a fan of ours on facebook by looking up Common Cause/NY or follow us on Twitter [@commoncause/ny](https://twitter.com/commoncause/ny)