

# MULTISTATE

Lobbying | Tracking | Compliance | Consulting

## [Ex-McConnell staffers lobbied on Russian-backed Kentucky project](#)

Two former top staffers to Senate Majority Leader Mitch McConnell have lobbied Congress and the Treasury Department on the development of a new Kentucky aluminum mill backed by the Russian aluminum giant Rusal, according to a new lobbying disclosure.

The disclosure comes as Democrats are pushing the Trump administration to review Rusal's \$200 million investment in the Kentucky project — concerned that the mill will supply the Defense Department — and as McConnell weathers criticism for helping block a congressional effort to stop the investment.

The Russian firm was only able to make the investment after it won sanctions relief from penalties the Treasury Department initially imposed in April 2018 on Rusal and other companies owned by Oleg Deripaska, a Russian oligarch and Kremlin ally [accused](#) of facilitating Moscow's nefarious activities, such as seizing land in Ukraine, supplying arms for the Syrian regime and meddling in other countries' elections.

Treasury Secretary Steve Mnuchin announced in December that the department would lift the sanctions on Deripaska's companies, which had roiled global aluminum markets, if the oligarch agreed to drastically reduce his stake in the businesses. The deal was [reportedly potentially beneficial](#) to Deripaska, however. Deripaska himself still remains under U.S. sanctions.

Attention over the sanctions relief deal has focused on McConnell, given his role in halting a bipartisan congressional effort in January to stop the penalties rollback. McConnell told reporters in May that his support for lifting the sanctions was “completely unrelated to anything that might happen in my home state.”

“A number of us supported the administration,” McConnell said. “That position ended up prevailing. I think the administration made a recommendation without political consideration. And that's — that was how I voted — the reason I voted the way I did.”

Oregon Sen. Ron Wyden, the top Democrat on the Senate Finance Committee, has been pushing the the administration to review the Rusal investment.

In a statement, Wyden said: “Rusal's proposed investment in a Kentucky rolling mill is deeply concerning. The deal was announced just three months after the Senate voted to lift sanctions on Rusal, and now we learn that Majority Leader McConnell's former staff have been lobbying for the project. The American people need to have confidence that this deal is in the country's best interest.”

It's unclear whether the former staffers — Hunter Bates, a former McConnell chief of staff, and Brendan Dunn, who advised the Kentucky Republican on tax, trade and financial services matters before heading to K Street last year — directly lobbied McConnell's office over the

aluminum mill project. Akin Gump Strauss Hauer & Feld, the law and lobbying firm where Bates and Dunn work, and McConnell's office declined to comment on whether they had done so.

In Washington, it's common for congressional staffers to lobby their former colleagues.

Former Sen. David Vitter (R-La.), who's now a lobbyist representing Rusal's parent company, EN+ Group, gave McConnell "a heads up" on the Rusal deal prior to its announcement, according to a disclosure [filing](#) first [spotted](#) by The New York Times.

The lobbying push by McConnell's former staffers, one of whom left his office in 2002 and the other who left a year ago, also comes as McConnell is being criticized for blocking election-security bills in the wake of Russia's interference in the 2016 presidential election. McConnell took to the Senate floor earlier this week to rebut accusations that he's kowtowing to Russia, prompting the hashtag #MoscowMitch to begin trending on Twitter.

The lobbying disclosure, made last week, shows Bates, Dunn and three other Akin Gump lobbyists are working for Braidy Industries in the new Ashland, Ky., aluminum mill. Rusal holds a 40 percent stake in the project.

Democratic lawmakers have called for an investigation of the project by the Committee on Foreign Investment in the United States, an interagency body that can recommend the cancellation of foreign financial arrangements with U.S. firms over national security concerns.

A spokesman for Braidy told POLITICO in a statement that the company "has never negotiated or signed any contract to supply aluminum to the U.S. Government, including the DOD," and noted that Braidy first "engaged" Akin Gump on May 20, months after the decision to lift the sanctions was made.

"We are thankful for the support provided by Rusal, the world's second largest aluminum company and largest supplier of low-carbon aluminum," the spokesman added. "Leading the rebuild of Appalachia is not easy. Unemployed coal miners, steel workers, and railroad workers in Appalachia need new advanced manufacturing jobs."

---

### **[Michigan Republicans sue to block redistricting commission](#)**

Republicans sued Tuesday to block the creation of Michigan's new, voter-approved redistricting commission, challenging eligibility guidelines that prohibit politicians and others from serving on the panel.

The lawsuit, filed in federal court and backed by a national GOP group whose finance chairman is former Wisconsin Gov. Scott Walker, says the provisions violate potential applicants' rights to free speech and equal protection under the law.

The 2018 constitutional amendment requires that a commission of four self-identified Democrats, four self-identified Republicans and five unaffiliated members draw congressional and legislative lines instead of the Legislature, starting in 2021. It was a bid to curtail gerrymandering in a state where the GOP has had one of the largest partisan legislative advantages in the country after controlling the once-a-decade process in 2011.

Michigan is among five states where Republicans retained control of the state House even though Democratic candidates won more votes statewide last fall.

Those excluded from serving on the panel include people who currently are or have in the previous six years been elected partisan officials or candidates, their paid consultants or

employees, legislative workers, lobbyists and their employees, or political appointees not subject to civil service classification. Also barred are those individuals' parents, children and spouses.

"In excluding certain categories of citizens from eligibility based on their exercise of core First Amendment rights, including freedom of speech, right of association, and right to petition the government, the State has unconstitutionally conditioned eligibility for a value benefit on their willingness to limit their First Amendment right to petition government," says the suit, which was brought by 15 Republicans including state Sen. Tom Barrett and various party officials with financial support from the National Republican Redistricting Trust. They say there is no "compelling explanation" as to how limiting participation would result in a more impartial panel.

They want a judge to declare the law unconstitutional and prevent Democratic Secretary of State Jocelyn Benson from selecting commissioners, which are to be chosen randomly by September 2020 following a multi-step process.

"Voters spoke loud and clear last November that they want an independent, citizen-led commission — not partisan politicians — responsible for drawing district lines," she said in a statement. "My office will stay focused on engaging the public and encouraging full participation in a transparent application and random selection process for this commission, which has the opportunity to map Michigan's future."

Voters Not Politicians, the group that spearheaded the ballot measure, criticized the suit but called it no surprise that politicians want to hold onto their power.

"Michigan is one of the most gerrymandered states in the nation, but voters pushed back by overwhelmingly supporting the new redistricting amendment so voters choose their politicians — not the other way around," said Jamie Lyons-Eddy, the organization's director of campaigns and programs. "We're confident that the proposal will survive any and all legal challenges, just as it did from many of these same politicians on the way to the ballot."

---

### **Cap and trade's fate was sealed by dissent within Senate Democrats, not fleeing Republicans**

Sen. Laurie Monnes Anderson pulled away from her party in the month leading up to a vote on the keystone environmental policy after airplane manufacturer Boeing expressed concern over the financial impact of the bill.

A retired nurse, not fleeing Oregon state senators, doomed Gov. Kate Brown's keystone environmental policy that had been in the works for more than a decade, according to interviews and public records.

When Senate President Peter Courtney announced in June that his chamber didn't have the votes to pass cap-and-trade legislation, the credit for its failure fell to 11 Republican senators and a boisterous Capitol rally by the timber industry.

But state Sen. Laurie Monnes Anderson, a Gresham Democrat, had already quietly told Courtney she wasn't the expected yes vote supporters had counted on. Her defection meant Courtney couldn't field enough Democratic votes to pass the ambitious legislation.

Her little-known role reveals the power of the lobby and the nitty-gritty of state politics that turns on one-on-one dealings more than public statements and committee hearings.

This account was the result of interviews with Monnes Anderson, other legislators and lobbyists and public records such as emails and text messages.

Monnes Anderson is a 73-year-old retired nurse who won a House seat in 2000, then moved to the Senate in 2004. She's long been a reliable vote for Democrats, though lobbyists say she also has a reputation for being easily swayed.

"Boeing came to me," Monnes Anderson said. "People think I am easily swayed. I think I am objective and opened minded about the pros and cons about important legislation."

That reputation made her a political target as the cap and trade plan appeared headed for legislative approval.

Democrats had been pursuing the cap and trade program for years, acting out of concern that Oregon play a role in reducing greenhouse emissions and finance environmental innovation. Legislation encapsulating the idea had failed in one legislative session after another, but the 2019 Legislature offered hope the plan would finally become law. Brown won re-election in part based on promising to pursue the program and Democrats won enough seats in the House and Senate to push through new laws over the Republican minority.

That didn't mean House Bill 2020 was easy going. An interim committee spent months working up the proposal. During the session, legislators conducted 23 hearings and considered 116 amendments. On June 17, the House passed the measure 36-24 after a floor debate that exceeded six hours. Its passage in the Senate was considered inevitable by even some of its most vigilant foes.

Courtney needed just 16 senators to say yes. He had 18 Democrats to work with.

Two Democrats already publicly declared they would vote no – Sen. Betsy Johnson of Scappoose and Arnie Roblan of Coos Bay.

That left Courtney the 16 Democrats he needed to move ahead, but Monnes Anderson in May started voicing concerns, triggering an intense lobbying effort by industry, environmentalists, and the governor's staff. Monnes Anderson was emerging as the critical vote.

Her concern was focused: She didn't want the legislation to hurt a major employer in her urban district, Boeing. Monnes Anderson acknowledged in an interview that she didn't have a great understanding of the dense policy, but was given pause when Boeing approached her with concerns.

Boeing's Gresham factory employs 1,600 workers. The facility gets its electricity from a wholesale supplier rather than a public utility. Public utilities got free allowances in HB 2020, in part because of a state mandate forcing them to move from coal power and also because the state has oversight of them. The state has no way to see how private suppliers rely on clean or dirty energy production, or ensure free allowances would go toward stabilizing energy rates rather than profiting shareholders.

Boeing produced an analysis that determined HB 2020 would increase the Gresham factory's energy costs by \$1 million per year. But text messages acquired by Salem Reporter show when the governor's staff asked for that analysis in an attempt to address the matter, company officials declined, saying it was proprietary information.

Emails between Brown's chief of staff, Nik Blosser, and Boeing representatives show the company shifted its requests as the governor's office tried to placate Boeing – and Monnes Anderson.

Rich White, Boeing's government relations manager, identified in a June 10 email that the company's concern with House Bill 2020 was that its industrial classification wasn't included in the bill. Adding the code assured Boeing it would be included in the program, therefore receiving benefits to lessen the blow of cap and trade. Blosser agreed to add it.

The next day, Boeing's lobbyist emailed Blosser, saying that including the code wasn't enough to get the company on board. The company now insisted that other amendments proposed by industry allies be adopted.

The amendments Boeing asked for would have gutted the program and went far beyond Boeing's initial focus on energy costs.

The change left Blosser befuddled.

"Are you saying now that you don't want the Boeing NAICS code added to the bill through amendment -110? Your lobbyist, JL Wilson, seems to be saying that," Blosser wrote to White. White and Blosser declined to comment.

About that time, Monnes Anderson met with Paige Spence, an Oregon League of Conservation Voters lobbyist.

The senator reiterated what she had said for months, though she never wanted to discuss the policy in detail, and didn't understand it, Spence said.

"She always said she was going to be a yes," Spence said.

In the version that went to the House for a vote, Boeing got its classification amendment and nothing more.

By then, the governor's office understood that Monnes Anderson had emerged as a pivotal vote in the Senate.

The day the measure passed the House, the Gresham senator met in her office with Blosser to negotiate over what it would take to get her to vote yes. They met again the next morning and then that afternoon.

Opponents to the legislation also recognized that Monnes Anderson had become key to killing cap and trade. On the same afternoon she met with Blosser, Monnes Anderson also met with industry lobbyists Shaun Jillions, Paul Cosgrove and Kevin Campbell. The two Democratic senators already committed to voting no – Johnson and Roblan – sat in as well.

Jillions, a business lobbyist who heads Oregon Manufacturing and Commerce, led industry opposition to the bill and he focused on Monnes Anderson when he heard she was on the fence. She said she found the industry pressure off-putting.

"I just wanted to be separate from that group," she said of Jillions and his industry associates. Monnes Anderson only recalled one such meeting, but Jillions said they were weekly in June. Jillions said Monnes Anderson was one of five moderate Democrats in the Senate, along with eight in the House, he had been working for months. The notion that he suddenly turned her against cap and trade is wrong, he said.

“Of course it’s ‘Shaun Jillions uses misinformation to get one senator,’ and that’s simply not true,” he said. “We had targeted her from the beginning. I wouldn’t say there was a shining light moment.”

Monnes Anderson met with Brown’s staff again over the next two days but her concerns about Boeing remained. Boeing stayed in close touch, with its government relations manager checking in with Monnes Anderson by phone on June 19 and June 20.

She said she never told Boeing directly how she would vote.

During this period, Monnes Anderson also met with environmental groups, Senate Majority Leader Ginny Burdick, D-Portland, and Courtney. She said since she was negotiating with Blosser, she never told Burdick and Courtney that she was a hard no and they never pressured her to support the policy.

She also met with Rep. Karin Power, D-Milwaukie, who championed the bill for House Democrats. In that meeting, House Speaker Tina Kotek participated via phone, but none were able to persuade her to commit to supporting the legislation.

“I kind of stuck in my heels and said ‘this is not fair,’” Monnes Anderson said.

Monnes Anderson finally went for a private talk with Courtney. There, she said, she told the Senate president that she would vote against House Bill 2020.

Courtney had lost his crucial 16th vote, but few knew it.

Tuesday, June 25, was a key day in the bill’s fate. By then, 11 Republican senators had left the state, blocking Senate action in what they hoped was a political roadblock to stop the legislation.

That morning, at 9:43 a.m., Monnes Anderson emailed an advocate for Renew Oregon, an advocacy group lobbying for the bill, as she had most weeks.

“I hope to support this bill if it comes to the floor,” she wrote.

Seventeen minutes later, Courtney walked into the Senate and surprised his colleagues by announcing the votes weren’t there. He didn’t explain.

Monnes Anderson’s actions stirred accusations that she was bought by Boeing, but campaign records showed the company had been a relatively minor donor. There was talk of challenging her in the 2020 election – but Monnes Anderson said she doesn’t plan to seek re-election.

Some in her party accused her of telling all sides what they wanted to hear.

“That’s what they say, but I was open,” she said. “I was very open about what I needed. I get blamed for a lot of stuff but that doesn’t bother me.”

Monnes Anderson said she repeatedly made her concerns known to Sen. Michael Dembrow, D-Portland, a chief architect of the bill. Dembrow recalled one formal meeting that lasted about 10 minutes, but a handful of conversations conducted on the Senate floor or in hallways. She never directly told him how she would vote, just that she wouldn’t support an unfair bill.

Dembrow and Spence believe Boeing was being less than forthcoming in the process, and was working to make the bill softer on industry overall, not just better for itself.

“If Boeing used renewable energy, they wouldn’t be affected by the bill at all,” Dembrow said.

Boeing’s media director, Paul Bergman, declined to be interviewed and didn’t respond to a list of written questions.

Spence said she believes Boeing used Monnes Anderson to tank the bill.

“I think the industry folks found her easy to pick off, knowing she hadn’t really dived in,” Spence said. “I think there is a reason she was targeted.”

On June 29, Monnes Anderson sent an email explaining her dissent to media and constituents. It was a more detailed attack of HB 2020 than Monnes Anderson had ever given, leading some to believe Jillions wrote it.

Monnes Anderson said that wasn’t true.

She said did have help drafting the explanation – from [Jennifer Dresler](#), a lobbyist for several industrial organizations that would be impacted by cap and trade.

---

### **[Iowa 1 of 3 states praised for strict 'revolving-door' laws prohibiting lawmakers from lobbying](#)**

Nebraska state officials who want to profit off their government experience and connections after leaving office face virtually no obstacles in becoming lobbyists, unlike most other states — including Iowa — that bar their leaders from immediately switching roles, according to a new national report.

Nebraska is among seven states with no restrictions on former lawmakers, governors or other elected officials working to influence their former colleagues, according to the analysis by Public Citizen, a consumer-rights advocacy group.

The result is clear during the legislative session, when on most days, a dozen or so senators-turned-lobbyists gather outside the chamber, ready to talk with lawmakers about bills that could help or hurt their clients. Nebraska also stands in sharp contrast to neighboring Iowa, which Public Citizen praised for having one of the nation's toughest "revolving door" laws.

"These folks were elected to serve the public. They're not elected to serve private interests," said Jack Gould, issues chairman of Common Cause Nebraska, a group that has fought for years to impose so-called revolving door restrictions. "For them to immediately leave office and sell their experience and connections to the highest bidder is not in the public interest."

#### **ADVERTISING**

At least 20 former elected officials have registered as lobbyists with the Nebraska Legislature since 2000, and half of them started within the last five years, according to Common Cause Nebraska's annual lobbying report released last month. Of those who were listed, 14 registered within a year of leaving public office, the report found.

Nebraska lawmakers have typically rejected restrictions, arguing that former lawmakers and state employees should be allowed to take their skills into private-sector jobs.

Public Citizen, which is based in Washington, maintained in its report released last week that public officials could be swayed by the possibility of a lucrative job from an industry that wants special treatment from the government. The group also argued that public officials who become lobbyists often have access to lawmakers that isn't available to others.

"If you allow public officials to immediately leave office and work as a lobbyist, it raises the potential for corruption," said Craig Holman, Public Citizen's government affairs lobbyist. "You have lawmakers who are looking at their own bottom line."

Public Citizen praised three states — Iowa, North Dakota and Maryland — for enacting polices that make it more difficult for public officials to cash in on their government service by

becoming lobbyists. All three states have enacted "cooling off" periods and prohibit any "lobbying activity" during that time.

Most other states require cooling-off periods, ranging from six months to two years, but only prohibit "lobbying contacts," such as a phone call to try to influence a former colleague in the legislature. Those laws contain loopholes that still let former public officials join lobbying firms and organize lobbying campaigns. Florida recently passed a minimum six-year cooling-off period that will take effect Dec. 31, 2022.

Iowa's revolving-door law was approved in response to a scandal in the 1990s involving an investment scheme known as the Iowa Trust that promised above-average interest payments to local governments that deposited their property tax revenue with the organization.

The group got into financial trouble when the market shifted, drawing scrutiny from Iowa lawmakers. It also called attention to the fact that then-Senate President Joe Welsh had been hired as a salesman for the Iowa Trust and had been heavily involved in passing the law that allowed the trust to operate in Iowa. Other ex-lawmakers began lobbying as soon as they left office, annoying some of their former Statehouse colleagues.

"It just kind of looked bad," said Mike Gronstal, a former Iowa Democratic Senate Majority Leader who now works as a lobbyist.

Gronstal said the two-year waiting period gives former legislators time to consider their options and helps avoid conflicts of interest. He said he considers the law a good policy, even though it forced him to delay his lobbying work.

"It's not like it completely stops you from using your legislative skills," he said. "It reassures the public without being an absolute ban."

Other than Nebraska, the other states with no restrictions are Idaho, Illinois, Michigan, New Hampshire, Oklahoma and Wyoming.

Speaker of the Nebraska Legislature Jim Scheer said he doesn't see a pressing need to change the current system.

Scheer said Nebraska's term limits make it difficult for ex-senators to exploit their relationships with former colleagues in the Legislature because a new crop of lawmakers arrives after every election. Nebraska legislators can serve up to two consecutive four-year terms, but can return to office after a four-year waiting period.

"The advantage of being a legislator is very short-lived because we have so much turnover," Scheer said. "The people you've dealt with in the past move out pretty quickly. Who are you going to influence?"

Scheer said he doesn't begrudge former lawmakers and staffers who want to convert their state government experience into a lobbying or consulting job. He noted that Nebraska state senators earn \$12,000 a year, placing them among the nation's lowest-paid legislators, and many aren't able to work full-time, regular jobs while in office.

He also argued that lobbyists who served in the Legislature provide valuable information to current lawmakers, even when they're pushing an agenda. In an era of term limits, Scheer said lobbyists offer experience and historical knowledge that many sitting senators lack.

---

## JCOPE pursues lobbying case against alleged rape victim

New York's ethics watchdog agency is doggedly pursuing a case of alleged unregistered lobbying. The subject of its inquiry has received multiple calls and emails demanding a response and threatening large fines, even criminal sanction.

But the target of the state Joint Commission on Public Ethics isn't a high-profile professional lobbyist. Instead, the panel's attentions are trained on Kat Sullivan, a woman best known for publicly alleging in 2016 that she had been raped by a history teacher at Troy's Emma Willard School almost two decades earlier.

Sullivan reached a confidential settlement with the prestigious all-girls school in 2016 related to the alleged assault and what she described as Emma Willard's efforts to cover up the incident. She spent a portion of those funds pushing for passage of the Child Victims Act, legislation that extended New York's statute of limitations for claims of child sexual abuse.

The measure passed this year, and the first suits made possible under the one-year "look-back" window opened by the law can be filed next month. Because Sullivan settled in 2016, she never stood to benefit financially from the law she fought to pass.

During its eight years of existence, JCOPE has not gained a reputation for aggressive enforcement of the laws within its purview: The agency has rarely brought cases against prominent elected officials, their top staffers or prominent lobbyists. Its performance on cases involving alleged sexual harassment by public officials has also faced criticism.

But in its pursuit of Sullivan, JCOPE has been energetic: Since June 2018, she has received a steady stream of phone calls, emails and letters from investigators, who allege that during the 2018 legislative session Sullivan failed to register as a lobbyist after exceeding the \$5,000 spending threshold for advocacy.

Her efforts consisted of taking out a rotating ad on a billboard near the state Capitol urging lawmakers to pass the CVA, and getting a plane to buzz the building while towing a banner. Sullivan insists she did not spend \$5,000 on her advocacy in New York, and has refused to register.

Asked about its pursuit of Sullivan, a JCOPE spokesman said the agency was simply enforcing the lobbying law, and treated "all people and entities" in the same way.

### **'To the wolves'**

Sullivan's activism was spurred by her personal trauma. She alleges that as an 18-year-old Emma Willard student in 1998, she was bound and gagged in the apartment of her history teacher and soccer coach, who proceeded to sodomize her. She never filed charges, and the criminal statute of limitations has run out.

After reporting the episode to school officials, Sullivan said, she was effectively banished from campus.

In April 2017, about a year after Sullivan came forward publicly, Emma Willard released a comprehensive report — assembled by an outside law firm — excavating credible reports of sexual misconduct by faculty members spanning almost seven decades. The report showed that while Sullivan's teacher had been fired, he was given letters of recommendation that enabled him to find new teaching posts.

JCOPE staffers have left eight voicemails for Sullivan over the past year. She has taken part in often lengthy phone calls with investigators more than a dozen times, and has received three official letters. She's been part of a dozen more email threads with JCOPE staff, totaling 65 pages. She paid a lawyer \$1,900 to speak to the agency.

JCOPE has even called Sullivan's boyfriend, who was not involved in her CVA advocacy, after apparently learning his phone number from caller ID. On a June vacation to San Francisco, both Sullivan and her boyfriend got daily calls at 5 a.m. Pacific time (8 a.m. in Albany) from JCOPE staffers, she said.

Sullivan said being targeted by another powerful institution has been stressful and brought back feelings from her past.

"You are harassing a rape survivor that NY state threw to the wolves to die," Sullivan wrote to a JCOPE staffer in June. She described herself as someone who "is spending her settlement money for social justice and donating to nonprofits. A person who wanted to warn the public about her rapist and about laws that prevented her from police helping her."

According to Sullivan, JCOPE staff has threatened her not only with large fines, but a criminal Class A misdemeanor.

On July 12, JCOPE sent Sullivan what's known as a "15-day letter" threatening her with the launch of a formal investigation that could result in fines of up to \$25,000 per violation — and there could be many. While the letter says she has until Monday to respond in writing, commissioners "may vote to commence an investigation prior to receiving your written response."

"We cannot comment on anything that is or may be an investigative matter," said JCOPE spokesman Walter McClure. "However, the law requires disclosure to the public about who is lobbying their lawmakers and how much is being spent on those lobbying efforts."

McClure added that JCOPE has procedures for "handling potential unregistered lobbying" and treats all people and entities "allegedly involved in that unregistered lobbying the same way."

"We will enforce the law and pursue the required disclosure," McClure said.

### **Three billboards**

According to JCOPE's letter to Sullivan, the agency "received information" — the source is never identified — about possible legal violations Sullivan had committed; state law then "requires" JCOPE to send Sullivan a letter notifying her of possible violations and giving the 15 days to respond in writing.

JCOPE reacted very differently last year, however, when the very same legal requirement touched the Executive Chamber of Gov. Andrew M. Cuomo's administration and alleged misconduct by his former top aide Joe Percoco. JCOPE did not send a 15-day letter to the Executive Chamber in response to the filing of those complaints.

Cuomo appoints six of JCOPE's 14 commissioners, while state lawmakers get the eight other appointments. Under state law, a small minority of the 14 commissioners can spike any probe.

Sullivan spent a total of \$14,000 for digital billboard ads in three states, including one along I-787 near the Capitol. (The tactic was inspired by the film "Three Billboards Outside Ebbing, Missouri.") While the billboard had rotating ads with varying messages, one called on legislators

to "Pass the Child Victims Act." The out-of-state ads would likely not count towards her New York lobbying spending total.

Sullivan also rented a plane that buzzed the state Capitol in June 2018, on a day the state Senate wasn't in session. A trailing banner bore the hashtag #NYPassCVA.

The flight's main purpose that day was to fly over Emma Willard, which was honoring several administrators that Sullivan says were involved in covering up sexual misconduct. Sullivan declined to reveal how much the flight cost.

Another possible lobbying expense cited by JCOPE was the creation of a website, SexualPredatorSouthHadley.com, that included passages promoting the Child Victims Act. A friend from Emma Willard volunteered to set up the website for free, Sullivan said.

"I shouldn't have to prove myself ... or spend money on a lawyer to correspond with you," she recently wrote to JCOPE staff, "BECAUSE YOU JUST AREN'T RESPECTING MY RESPONSES TO YOU."

"But if you insist ... FINE ME and we will continue this discussion publicly," she added.

"Because what you are doing is why society is in the state it is. Good people, doing good works should not have to suffer from bureaucracy to be able to even compete/try to compete with well-funded, lobbying corporate machines and agendas sweeping through this country."

Sullivan's newly hired attorney in the matter is David Grandeau, the state's former top lobbying official and a frequent JCOPE antagonist. He called the agency "incompetent, insensitive and incapable of doing their jobs."

"This is a huge waste of taxpayer money," he said.

Grandeau, who took the case pro bono, questioned why JCOPE wasn't similarly concerned about lobbying by Archbishop Timothy Dolan, who directly engaged with Cuomo, Senate Republican Leader John Flanagan and other elected officials in opposition to the CVA. Dolan is president of the New York State Catholic Conference, which has spent heavily on Albany lobbying; a spokesman said he did not meet the requirements requiring registration.

'Jarring' approaches

While JCOPE has completed investigations of sexual misconduct by lawmakers including former Assembly members Vito Lopez and Dennis Gabryszak, its staffers have taken criticism for what victims have described as heavy-handed tactics.

At a legislative hearing in February focusing on sexual harassment in the Legislature, one described JCOPE's investigative process as "jarring." Others said its staff interrogated them as if they were the ones accused of wrongdoing, and never provided updates on whether their cases had been resolved or discontinued.

"The JCOPE process feels very much like you are on trial," said Elias Farah, who testified about reporting harassment by his former boss, ex-Assemblywoman Angela Wozniak.

Eliyanna Kaiser, who worked for former Assemblyman Micah Kellner, said that she learned JCOPE was investigating her claims when she received a subpoena after "a 7 a.m. knock on the door."

"I was home with my twins. I literally had to hand (a JCOPE staffer) a baby to sign some things," she said.

At the hearing, JCOPE Executive Director Seth Agata — who last month left the panel for a private law firm — acknowledged that more "mindfulness" was needed in JCOPE's handling of victims, and pressed lawmakers to pass measures that would add a degree of transparency to the ethics panel's investigations.

Though JCOPE's operations are opaque, the few investigations that are known to the public include two that appear to have languished.

In March 2018, Cuomo asked JCOPE to examine the state Department of Criminal Justice Service's response to allegations of sexual harassment, which had been filed against the director of the agency's forensic science unit.

Initially, a letter from the state Inspector General had recommended that the unit director and two top DCJS officials be sanctioned. But the agency rejected the IG's findings, and then allegedly took professional reprisals against two female staffers that testified in the IG's probe.

The matter has resulted in federal lawsuits from both women. But so far, there have been no findings from JCOPE.

In January 2018, former state Senate staffer Erica Vladimer accused her former boss, Bronx state Sen. Jeff Klein, of having forcibly kissing her outside an Albany bar in 2015. Klein, who lost his seat last year, vehemently disputes the allegations.

Vladimer said she hasn't heard from JCOPE in almost six months, and has no idea of the investigation's status.

"The last time I did hear from them, there was no definite timeline provided on when any next steps will take place," she said via email. "The fact that they are so quick to threaten a survivor with legal action, while clearly dragging their feet on numerous harassment and assault allegations, is just more proof that JCOPE is not equipped to handle these types of investigations."