

June 3, 2025

VIA EMAIL

New York City Campaign Finance Board
100 Church Street, 12th Floor
New York, NY 10007
complaints@nyccfb.info

To the New York City Campaign Finance Board:

Common Cause New York herein submits a formal complaint regarding potential violations of New York City's campaign finance rules involving the activities of Tusk Strategies and its Partners, Chris Coffey and Shontell Smith, in connection with Andrew Cuomo's mayoral campaign. The activities reported in Politico on May 23 appear to be in direct violation of local law and Campaign Finance Board (CFB) rules. We urge you to investigate these allegations immediately.

As reported in Politico, Tusk Strategies and its principals have been actively involved in promoting and supporting Andrew Cuomo's mayoral campaign in ways that suggest coordination and in-kind donations that have not been properly disclosed:

- Tusk Strategies, a consulting firm that is deeply embedded in Andrew Cuomo's 2025 mayoral bid, has paid for two public polls regarding the mayoral race: one just prior to Mr. Cuomo's entry into the race and one shortly after the launch of his campaign. There is no indication that the spending for these polls, which appear to have been conducted in direct coordination with Cuomo's campaign, have been adequately reported to the Campaign Finance Board or counted against Cuomo's primary spending cap.
- Similarly, Ms. Smith, who is serving as the political director of Cuomo's campaign, is simultaneously employed and paid by both the campaign and Tusk Strategies, effectively subsidizing her pay rate in a manner that may undermine the intent of the CFB's strict spending limits.
- Finally, Mr. Coffey has been providing communications advice to Mr. Cuomo and handling his campaign's outreach to the Orthodox community. If Mr. Coffey's hourly rate providing equivalent services on behalf of Tusk Strategies were applied, they would amount to a significant accumulation of in-kind contributions that would very likely far exceed Mr. Coffey's \$400 donation limit of \$400 (who is an individual listed in the City's Doing Business Database).

Together, these activities appear to go beyond standard-issue advocacy or lobbying and raise serious legal and compliance concerns that could undermine the integrity of the City's campaign finance laws, which impose strict donation and spending limits designed to enhance democratic participation and reduce the influence of large donors and special interests--including lobbyists and individuals doing business with the City--in municipal elections.

The CFB must immediately investigate the following questions and consider withholding the disbursement of any public funds:

- In his role as CEO of Tusk Strategies, has Mr. Coffey provided professional services to Mr. Cuomo's campaign? If so, was he paid for those services or were they properly reported as in-kind contributions to the campaign? If they were reported as in-kind contributions, have these contributions exceeded the contribution limit?
- In her role as Partner/Head of New York Practice at Tusk Strategies, has Ms. Smith provided professional services to Mr. Cuomo's campaign? If so, were they properly reported as in-kind contributions to the campaign?
- Has Tusk Strategies registered or disclosed campaign-related expenditures, such as the two Honan polls and activities required under CFB rules? Have they been accounted for in Mr. Cuomo's expenditures?
- Has the Cuomo Campaign reported any coordination with Tusk Strategies or its Partners required by CFB rules?
- Has the Cuomo Campaign reported receipt of any in-kind contributions from Tusk Strategies? If so, have those contributions been valued fairly?
- Are all actions of Tusk Strategies, Chris Coffey and Shontell Smith compliant with the City's "doing business" restrictions?

It is particularly concerning that the conduct which we detail in this letter is simply the latest in a series of actions, large and small, which have been found to violate New York City's well-regarded campaign finance laws. This repeated course of conduct evidences a disregard for complying with New York City's finance laws and regulations so persistent as to indicate a willful disregard for complying with the law that requires significant enforcement. This Board has already determined that the Cuomo campaign has violated NYC CFB Rule §6-04 regarding Independent Expenditures, withholding the amounts of the coordinated expenditures. The Cuomo campaign initially failed to collect all of the information required from donors, due to its lax attention to the law's requirements. Additionally, in March, reports surfaced that the Cuomo campaign appears to have raised money through bundlers or intermediaries who were not reported, in violation of CFB Rule §4-01(b)(7). And now, we bring this complaint requesting that the CFB review the involvement of Tusk Strategies and its partners with Mr. Cuomo's campaign to determine whether any further violations of campaign finance law or CFB rules have occurred.



The fairness and transparency of our elections are vital to public trust. We submit that the repeated violations detailed herein require more than simply withholding a portion of matching funds. Permitting the same campaign to repeatedly violate both the letter and spirit of the campaign finance system simply invites flagrant violations, the penalties for which can be simply factored into the cost of a winning campaign, either as a manageable amount to be withheld or to be disgorged sometime after the election. This is particularly likely in situations like the instant one, where a coordinating PAC has amassed a war chest far more than permitted direct campaign spending.

We believe that a prompt and thorough examination is needed to protect the public interest and the public's faith in the City's campaign finance system. We believe that such an investigation will lead the Board to the same conclusion that we have arrived at: the seriousness and the persistence of the violations by the Cuomo campaign demand that the campaign be required to refund all matching funds and be disqualified from receiving any further public funds.

I can be reached by phone at 212-691-6421 or by email at slerner@commoncause.org, if you have questions regarding this complaint. Thank you very much for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Susan Lerner". The signature is fluid and cursive, with the first name "Susan" and last name "Lerner" clearly distinguishable.

Susan Lerner
Executive Director

cc: Paul Ryan, Esq.

