



CONFIDENTIAL
REQUEST FOR INVESTIGATION
STATE OF NEW JERSEY
NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION
P.O. Box 185, Trenton, NJ 08625-0185
(609) 292-8700 or Toll Free Within NJ 1-888-313-ELEC (3532)
Website: www.elec.state.nj.us

FORM RFI

FOR STATE USE ONLY

The New Jersey Election Law Enforcement Commission ("ELEC") investigative authority is limited to violations of the Campaign Contributions and Expenditures Reporting Act, N.J.S.A. 19:44A-1 et seq., the Personal Financial Disclosure Act, N.J.S.A. 19:44B-1 et seq., and the Legislative and Governmental Processes Activities Disclosure Act, N.J.S.A. 52:13C-18 et seq. ELEC does not have jurisdiction over the conduct of an election, the balloting process, or the misapplication or use of Government (taxpayer) funds for campaign purposes.

Person(s) Bringing Request: (Print or Type)

Name: Robert Long Daytime Phone: (973) 825-2017
Address: One Gateway Ctr. Suite 125 Evening Phone: (908) 612-1409
Newark, NJ 07102

Name: _____ Daytime Phone: () _____
Address: _____ Evening Phone: () _____

Name: _____ Daytime Phone: () _____
Address: _____ Evening Phone: () _____

Individual/Entity that is the subject of this request for investigation:

(Please list all persons/entities that are the subject of your request for investigation.)

Candidate or Committee/Entity Name	Office Sought/Election type and year	Successful (select one)
<u>Steven Fulop</u>	<u>Governor 2017; Mayor 2017</u>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<u>Steven Fulop for Mayor 2017</u>	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

Election District/Municipality Statewide and Jersey City County _____

Indicate which of the above entities files with ELEC Steven Fulop for Mayor 2017

Please list all enclosures:

1. SUPPLEMENT TO COMPLAINT _____
2. EXHIBITS A-C _____
3. _____
4. _____
5. _____
6. _____
7. _____
8. _____
9. _____
10. _____

Date

Signature

Date

Signature

Date

Signature

Note: Requests For Investigation must contain original signature(s) and can only be submitted via regular mail, or other mail, or delivered in person to the Commission. Any Request For Investigation submitted via facsimile will not be considered by the Commission.

SUPPLEMENT TO COMPLAINT

September 7, 2016

Election Law Enforcement Commission
Attn: Review and Investigation Section
P.O. Box 185
Trenton, N.J. 08625

Re: Supplement to Request for Investigation of Campaign Finance Violations

To Whom It May Concern:

We write to update last week's complaint urging the Election Law Enforcement Commission ("ELEC") to investigate whether Jersey City Mayor Steven Fulop has violated the law by failing to register a gubernatorial committee with ELEC or establish a separate bank account to finance his gubernatorial campaign. The complaint also asked that ELEC audit Mayor Fulop's mayoral account, and the accounts of other committees acting in coordination with Mayor Fulop, to determine which expenditures were made to advance his gubernatorial candidacy. These expenditures would count against the spending cap if Mayor Fulop accepts public financing.

The complaint cited to an email sent by Newark Mayor Ras Baraka announcing that "Team Baraka will be getting back to work supporting Jersey City Mayor Stephen [sic] Fulop for Governor" and calling for an organizing meeting on September 8 to support Mayor Fulop's gubernatorial candidacy.¹ This meeting, had it been held, would have been a clear and unambiguous expenditure for Mayor Fulop's gubernatorial campaign. Yesterday, however, Politico reported that "[a] meeting organized by allies of Newark Mayor Ras Baraka intended to boost Jersey City Mayor Steve Fulop's likely run for governor was canceled just one day after a gubernatorial rival cited the meeting of Baraka backers in a complaint against Fulop."²

Mayor Baraka's prudent decision to cancel the event stands in stark contrast to the ongoing violations being committed by Mayor Fulop. Yesterday, the Jersey Journal reported that the Jersey City Democratic Organization ("JCDO") is sponsoring a series of public events featuring Mayor Fulop *in locations outside Jersey City*, including an end-of-summer party in Paramus on Sept. 17 and a fall kick-off in Freehold on Sept. 24.³

There is no legitimate reason why these events would be held outside of Jersey City, to audiences comprised of people who do not live in Jersey City, other than to promote Mayor

¹ See Matt Friedman, *Baraka allies call meeting to boost Fulop for governor*, Politico (Aug. 29, 2016), <http://www.politico.com/states/new-jersey/story/2016/08/newark-mayor-allies-call-meeting-to-boost-fulop-for-governor-105022#ixzz4Iony35BD>

² Ex. A.

³ Ex. B.

Fulop's gubernatorial candidacy. It is the equivalent of a non-statewide candidate paying for a statewide polling survey from the candidate's non-statewide account, a practice that ELEC deemed illegal in 2015.⁴ To further underscore the true purpose of these events, all RSVPs are directed to Mayor Fulop's committee rather than the JCDO. In other words, the JCDO pays for the events, while Mayor Fulop receives a speaking platform and valuable data. The costs of these events and the data generated from them are in-kind contributions to Mayor Fulop's gubernatorial candidacy, and should count against his spending limits if he agrees to accept public financing.

Mayor Fulop's adviser, Michael Soliman, claims that the events are "for residents and former residents who have ties to Jersey City or have been supporters of the JCDO."⁵ But the publicly available facts debunk that claim. For example, Murphy for Governor Treasurer Robert Long – the individual signing this complaint – received an invitation to the JCDO's event in Freehold.⁶ Mr. Long has never lived in Jersey City or contributed to the JCDO. The real story: Mr. Long was selected because he serves on the Monmouth County Democratic Committee and could be useful to Mayor Fulop's statewide candidacy. We suspect that there are many more in Mr. Long's camp, who have no ties to Jersey City but are connected to party organizations that could be helpful to Mayor Fulop's gubernatorial ambitions. We challenge Mayor Fulop to present concrete evidence to the contrary.

Mayor Fulop continues to run afoul of New Jersey campaign finance law, by failing to register a gubernatorial committee, establish a separate bank account, or track expenditures for spending cap purposes. We respectfully supplement our request that ELEC commence an immediate investigation into Mayor Fulop's conduct.

⁴ Matt Friedman, *Former gov candidate Buono violated state campaign finance law, N.J. agency charges* (June 3, 2015), http://www.nj.com/politics/index.ssf/2015/06/former_gubernatorial_candidate_buono_violated_sta.html

⁵ Ex. B.

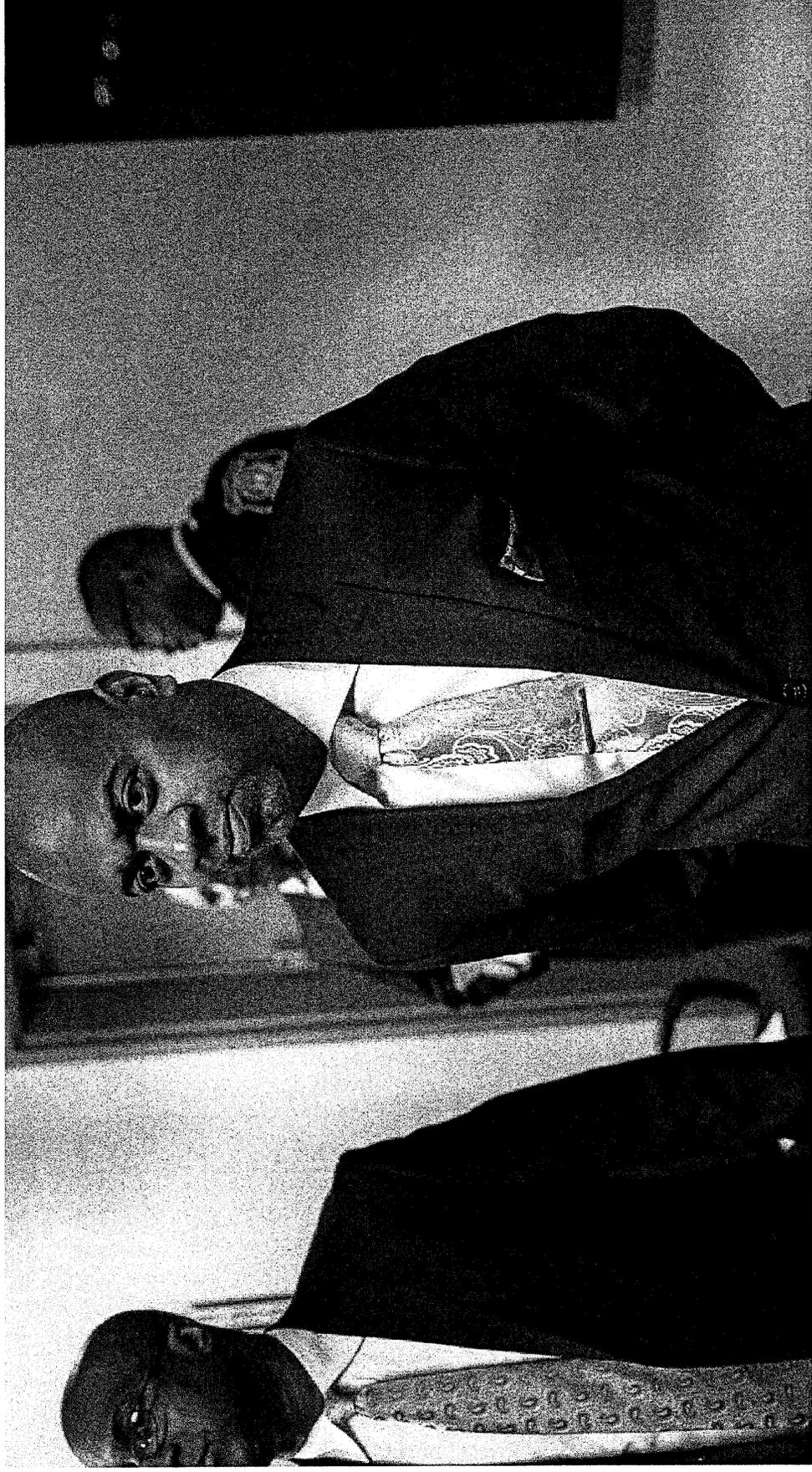
⁶ Ex. C.

EXHIBIT A

POLITICO

POLITICONEW JERSEY

+



Baraka. | Andrew Burton/Getty Images

'Team Baraka' cancels pro-Fullop meeting

By **MATT FRIEDMAN** | 09/06/16 01:50 PM EDT

A meeting organized by allies of Newark Mayor Ras Baraka intended to boost Jersey City Mayor Steve Fulop's likely run for governor was canceled just one day after a gubernatorial rival cited the meeting of Baraka backers in a complaint against

Fulop.

In an Aug. 26 email invite, Amiri Baraka Jr. — Ras Baraka's brother and chief of staff — called a September 8 meeting of "Team Baraka," saying they'd be "getting back to work supporting Jersey City Mayor Stephen Fulop for governor."

Phil Murphy, a millionaire former U.S. ambassador to Germany and the only Democratic candidate so far to announce his campaign for governor, on Friday cited the invite in a complaint to the New Jersey State Election Law Enforcement Commission (ELEC) as one of several pieces of evidence that Fulop is using his mayoral campaign account to run for governor in 2017.

On Saturday, the Team Baraka meeting was called off, according to an email obtained by POLITICO New Jersey. No reason was given for the cancellation in the email, and a call placed to Amiri Baraka through his office was not returned.

Whether or not the decision to cancel the meeting had anything to do with the ELEC complaint, the move by Murphy generated headlines and cast a light not just on Fulop's moves to position himself to run for governor in 2017, but on several other candidates as well.

Senate President Stephen Sweeney, also a likely candidate for governor, has for years been touring the state to promote agenda items, attend Democratic events and parades far outside his South Jersey district. He is also expected to benefit from a super PAC that has more than \$1.2 million in the bank.

State Sen. Raymond Lesniak, who has also said he plans to run but hasn't formally declared, also has a super PAC run by a close ally, though it hasn't raised much money. Lesniak and a fellow likely candidate, Assemblyman John Wisniewski, have websites paid for by their legislative campaign accounts that could easily be mistaken for gubernatorial campaign websites.

Wisniewski's website's URL, for instance, is WisniewskiforNJ.com, even though he represents just part of Middlesex County (Someone may have beaten him to claiming JohnWisniewski.com, as it now redirects to a website advertising "John's Polish Salsa"). Lesniak's website solicits email addresses at the top of the home page and says, "Changing New Jersey Starts With You."

“I’m the Senate President. When I’m talking about Pre-K, I’m talking about it for the entire state,” said Sweeney, who for instance went to South Amboy — far outside his district — to champion expanding full-day preschool. “When a legislator proposes a bill, normally it’s something that’s going to impact the entire state. Like when Ray Lesniak does something, or Wiz.”

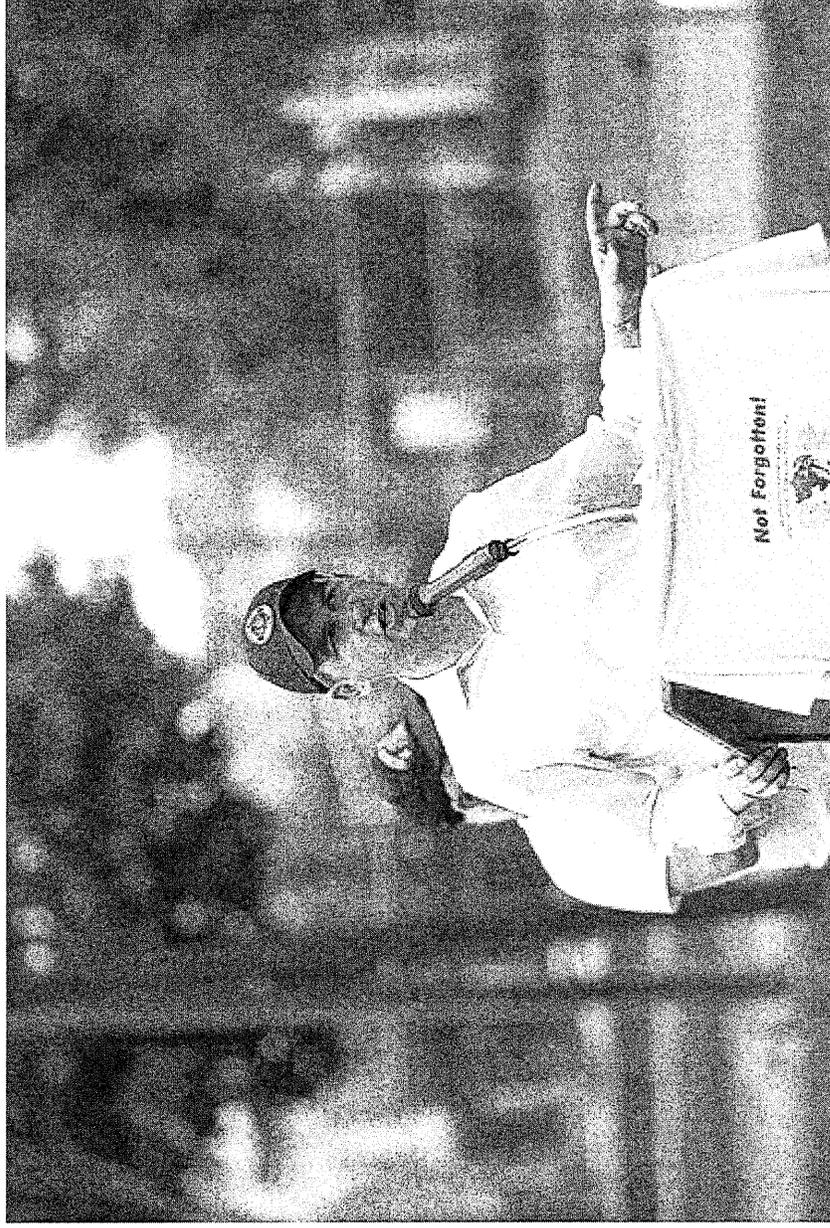
It would make political sense for Murphy to target Fulop. The two are both going for the same progressive set of voters. They would both also benefit from consolidating county Democratic organization backing in North Jersey, as Sweeney — aided by South Jersey Democratic power broker George Norcross — would not likely have any trouble consolidating the south.

But Murphy singled out Fulop for “repeatedly and blatantly” crossing the line, Murphy spokesman Derek Roseman said.

“These wink-and-nod, insider-driven politics need to end, and they can only end when politicians like Steve Fulop start actually living up to the letter and spirit of our laws,” he said.

EXHIBIT B

Fulop out-of-town party plans have critics grumbling



Myor Steve Fulop is hosting a barbecue in Paramus on Sept. 27, 2016. Michael Dempsey | The Jersey Journal (*Jersey Journal file photo*)



By **Terrence T. McDonald** | [The Jersey Journal](#)

[Email the author](#) | [Follow on Twitter](#)

on September 06, 2016 at 3:47 PM, updated September 06, 2016 at 4:54 PM

JERSEY CITY — Mayor Steve Fulop's critics are taking aim at the mayor's plans to commemorate the end of summer with barbecues in Paramus and Freehold.

The mayor's camp says the shindigs — an end-of-summer party in Paramus on Sept. 17 and a fall kick-off in Freehold on Sept. 24 — are aimed at former Jersey City residents.

The locations of the parties have Fulop's local critics reiterating their claims that the mayor, who is expected to seek the Democratic nomination for governor next year, **is not focused on the city he governs**.

"That's amazing," said Councilman Rich Boggiano, a frequent critic of the mayor. "What about the people of Hudson County?"

In July, **Fulop and Councilman Michael Yun sparred** over Yun's proposed revisions to the city's pay-to-play bans. Fulop sought to add a **ban on out-of-town donations** to Jersey City candidates, which his critics believed was aimed at Yun's fundraising in Fort Lee and other Bergen County municipalities.

When asked about the Paramus barbecue today, Yun said, "The people of Jersey City don't need me to point out that he has a habit of saying one thing and doing another. That's good for politics ... not great for governance."

Both Yun and Boggiano are **exploring runs for mayor next year**.

The mayor's team said the Jersey City Democratic Organization will be hosting several events in the future, including one in Jersey City planned for early October. The date and location of that one is still being finalized, according to Fulop senior adviser Michael Soliman.

"A handful of these events have taken place and more are in the process of being planned by the JCDO for residents and former residents who have ties to Jersey City or have been supporters of the JCDO," Soliman said. "Feedback has been very positive."

The gubernatorial campaign of Phil Murphy, who is seeking the Democratic nod in 2017, filed a complaint last week with the state Election Law Enforcement Commission alleging that Fulop is illegally using funds he's raised for his 2017 re-election campaign **to run a de facto bid for governor**. A Fulop advisor called that complaint "frivolous."

*Terrence T. McDonald may be reached at tmcDonald@jjournal.com. Follow him on Twitter [@terrencemcd](https://twitter.com/terrencemcd). Find *The Jersey Journal* on Facebook.*

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EXHIBIT C

Mayor

Steven Fulop

invites you to attend an



Fall Kick-off Barbeque

Saturday, September 24, 2016

12:00 - 2:00 PM

Turkey Swamp Park • Sandy Run Picnic Area

200 Georgia Road • Freehold, NJ 07728

BRING THE FAMILY! Please RSVP @ stevenfulop.com/9-24-bbq-rsvp

Paid for by Jersey City Democratic Organization | P.O. Box 205, Jersey City, NJ, 07303 | Nancy Warlikowski, Treasurer

Jersey City Democratic Organization

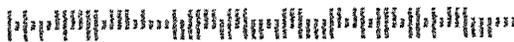
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STEVEN Fulop