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In the matter of the Complaint  
Against  
Striving for a Better New York  
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WHEREAS, on or about November 3, 2022, the Division of Election Law Enforcement (DELE) of the New York State Board of Elections (NYSBOE) became aware that there may be issues with expenditures made by Filer Id - 186352 Striving for a Better New York (SBNY). According to a November 2, 2022, New York Times article, *A Group Raised Money to Push Adam's Agenda, Much of it Went to One Man*, by Nicholas Fandos and Dana Rubenstein, SBNY's expenditures of concern involved Lamad Academy; and

WHEREAS, SBNY is a political action committee (PAC) that registered with NYSBOE on or about September 9, 2021. Carmen Sterling is the PAC's treasurer of record, and Alfred L. Cockfield II is registered as a person exercising operational control over the PAC and an authorized check signer; and

WHEREAS, allegations reported in the New York Times article involved **SBNY** making a non-political contribution to Lamad Academy, a charter school founded and run by A. Cockfield. The article stated that **SBNY** also paid A. Cockfield and others wages and/or consulting fees and spent thousands of dollars on travel, meetings, and meals. Although the PAC's registration material submitted to NYSBOE did not include Treasurer Sterling or A. Cockfield's employment by Lamad Academy, the DELE was able to confirm that they both are or were, employed by and/or compensated by Lamad Academy; and

WHEREAS, the relevant statutes pertaining to this matter include New York State Election Law §§ 3-104, 14-130, 14-102, 14-118, 14-122, 14-126, and potentially New York State Penal Law §§ 155.40, 175.10, 175.35, 210.45. Additionally, guidance from NYSBOE's interpretation of the statutory prohibition on personal use of campaign funds unrelated to the campaign or the holding of public office is instructive (*see* Advisory Opinions of the State Board of Elections); and

WHEREAS, after a review of SBNY's campaign financial disclosure statements, the DELE confirmed that the PAC reported a contribution to Lamad Academy Charter School in the amount of \$60,000.00 on June 22, 2022. A charitable contribution by a political committee under the circumstances set forth above triggers NYS Election Law § 14-130; and

WHEREAS, as for the expense of mailing holiday cards to various people, it does not appear to be an election law violation. The DELE does not have evidence that Mayor Keeler sent holiday cards, nor do the campaign financial disclosure statements for the Friends of Bill Keeler Committee show expenditures for holiday card mailings. If the holiday cards were expenses to the City of Cohoes, the matter may violate local government ethics and would not be the purview of NYS election laws; and

WHEREAS, the DELE also identified several other questionable expenditures reported by SBNY. These included a \$720.69 payment to Nine Orchard (a hotel in Manhattan) on June 28, 2022, for the reported purpose of a "meeting," and unexplained expenditures for travel and restaurants, and a \$3,387.00 payment to Respect Auto Bronx LLC for the reported purpose of a "political contribution." SBNY had also reported wages that were paid to A. Cockfield and Treasurer Sterling and associated payroll expenses, totaling \$296,023.18, from May 2022 through December 2022. This represented approximately 35% of all expenditures made by the PAC and exceeded their total political contributions (\$290,406.00); and

WHEREAS, by letter dated May 5, 2023, the DELE brought the identified expenditures to the attention of Treasurer Sterling and A. Cockfield, who were then afforded an opportunity to provide explanations and documentation for the identified expenditures of \$483,281.97. They were also instructed to make or seek refunds, if necessary, to SBNY; and

WHEREAS, in response, SBNY obtained a refund from Lamad Academy for the full amount of the \$60,000.00 contribution. Additionally, A. Cockfield reimbursed the committee for the \$720.69 payment to Nine Orchard on June 28, 2022. The PAC provided sufficient documentation of both transactions to DELE, and both were reported on their 2023 11-Day Pre-Primary Report at schedule L. The PAC provided a credible explanation that the reported \$3,387.00 payment to Respect Auto Bronx LLC was a typographical error and amended the relevant report (2022 32-Day Pre-Primary Report) accordingly. The committee provided acceptable documentation and information satisfying the DELE's inquiry regarding the remaining identified expenditures; and

NOW, THEREFORE, based on the foregoing, this matter is closed with no further enforcement action.

NEW YORK STATE  
BOARD OF ELECTIONS



By: Michael L. Johnson  
Chief Enforcement Counsel