

The Ethics Reporter

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KENTUCKY LEGISLATIVE ETHICS COMMISSION
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KLEC.KY.GOV

Two-year registration period for lobbyists and employers opens on December 1, 2023

Did you know?



The next filing date for employers' and legislative agents' spending disclosures is **Friday, September 15, 2023.**

The easiest and quickest way to file is to visit the Commission's website klec.ky.gov and click "file forms online." The online system is open **now** for this filing period!

Employers' and legislative agents' registration with the Legislative Ethics Commission will expire on December 31, 2023. Check the Ethics Commission's website <http://klec.ky.gov/> for the Initial Registration Statement for the two-year period beginning January 1, 2024 and ending on December 31, 2025. For your convenience, we will also send out an email mid-November with instructions and forms attached.

Beginning December 1, 2023, the Commission will start accepting completed registrations. Initial registration forms CANNOT be filed online.

A registration fee of \$250 must be paid by the employer of one or more legislative agents. This fee may be paid by cash, check, Visa, MasterCard, American Express, or Discover. If the registration is mailed with a check, the check should be payable to **Kentucky State Treasurer.**

If paid by credit card, the registration may be faxed, or scanned and e-mailed, along with the completed credit card form. The Initial Registration Statement may be copied.

Please remember the employer must sign the registration form of each legislative agent. If more information is needed, please contact the Commission at (502) 573-2863, or e-mail

Donnita.Crittenden@lrc.ky.gov



*Are lobbyists required to have ethics training?
Answer on page 4*

New and terminated lobbying employers

Several organizations recently registered to lobby legislators in Kentucky: **Diageo North America; Harmony Fields 2017, LLC; Innocence Project; Kinship; Soccer Holdings, LLC; and Transit Authority of River City.**

Harmony Fields 2017, LLC's stated area of lobbying is tourism, and Christina Lee Brown, a member of the Brown family associated with Brown-Forman, is listed as manager of the LLC. **Innocence Project** was previously registered in January, 2021, Transit Authority of River City in **December, 2022**, and **Diageo North America** in December, 2017.

Kinship is a senior care company based in New York. **Soccer Holdings, LLC** is the parent company of soccer teams Louisville City FC and Racing Louisville FC.

"No, no, we are not satisfied, and we will not be satisfied until justice rolls down like waters and righteousness like a mighty stream."

Dr. Martin Luther King, Jr.

"I Have A Dream" Speech, March on Washington, August 28, 1963

Tim Mapes, longtime gatekeeper to House Speaker Michael Madigan, found guilty of lying to federal grand jury to ‘protect the boss’

ILLINOIS-Chicago Tribune-by Jason Meisner and Ray Long –August 24, 2023

In his decades as one of House Speaker Michael Madigan’s top aides, Tim Mapes was known as a guy who could marshal the votes needed to win passage of legislation, whether by barking orders on the House floor or twisting arms behind the scenes.

That reputation fell flat on its face in a federal courtroom Thursday, where Mapes lost the most important vote of his life, 12-0.

After a three-week trial filled with political intrigue, a federal jury convicted Mapes on perjury and attempted obstruction of justice charges alleging he lied to a grand jury two years ago in a failed attempt to protect his longtime boss from a widening political corruption investigation.

The jury of six men and six women deliberated for about five hours before delivering the verdict in U.S. District Judge John Kness’ packed courtroom.

In its decision, the jury found Mapes had lied on every occasion alleged by prosecutors in the indictment, which consisted mostly of a series of “I don’t recall” answers to questions about “assignments” Madigan was giving to his longtime confidant, Michael McClain.

Mapes, 68, of Springfield, faces up to 20 years in prison on the attempted obstruction count, while perjury calls for a maximum of five years behind bars.

Kness set a tentative sentencing date for Jan. 10.

Mapes, dressed in a gray suit and light green tie, kept his legs crossed and showed little reaction to the verdict. As the jury was led out, he pulled his phone out of his pocket and scrolled for moment, then tapped something on his smartwatch.

Within minutes of court adjourning, Mapes strode rapidly out of the Dirksen U.S. Courthouse into the 100-degree heat. With his son, Devin, leading the way, Mapes was followed down South Dearborn Street by a horde of cameramen and reporters, drawing the curiosity of passersby. Neither Mapes nor his attorneys commented to reporters.

In a written statement after the verdict, acting U.S. Attorney Morris Pasqual said the charges against Mapes “strike at the heart of the truth-seeking mission of the grand jury.”

“This conviction should stand as a clear message to witnesses who choose to violate their oath to tell the truth before a grand jury that they will be held accountable,” Pasqual said.

FBI Chicago boss Robert “Wes” Wheeler Jr. said in his own statement “there is no justice without truth” and that attempts to “undermine the prosecutorial process chip away at trust in our institutions.”

Mapes’ quick-and-quiet exit stood in high contrast to his heyday as Madigan’s longtime chief of staff and executive director of their party when, as the speaker’s premier gatekeeper, he strode the halls of power with an almost autocratic style.

He also served as the clerk of the House, where he was known as a details-driven micromanager adept at keeping the legislative trains running.

Madigan unceremoniously dumped Mapes from all three positions in June 2018 after a staffer accused him of sexual harassment in a year in which the #MeToo movement cost the careers of several Madigan allies.

The jury’s verdict marked the conclusion of a nearly three-week criminal case that centered on relatively straightforward charges yet delved deeply into the behind-the-scenes political intrigue of the scandals that rocked Madigan’s office and ended his decadeslong grip on power.

Mapes is also the second member of Madigan’s inner circle to be convicted by a jury in the past several months, delivering yet another blow to the longtime boss as his own wide-ranging federal racketeering trial looms next year.

In May, McClain was found guilty along with three others in a bribery conspiracy to funnel payments from Commonwealth Edison to Madigan associates in hopes of gaining the speaker’s influence over the utility’s legislative agenda in Springfield.

Madigan lost the speakership and resigned his House seat in 2021, a year before being indicted along with McClain. That trial is set to begin April 1.

Madigan, McClain and Mapes were described as the three major players in a triangle of power that held sway over the longtime speaker’s House caucus, government operations and major grip on statewide politics.

One of the more memorable moments in the trial came when Rep. Bob Raita of Blue Island used his hands to draw a triangle as he told jurors that Madigan sat at the apex and that McClain and Mapes occupied the two remaining corners.

That rough organizational chart was well known in Springfield, as it dominated the flow of legislation in the House and the politics designed to keep Madigan speaker, a post he held for a national record 36 years.

Sherri Garrett, the former staffer who leveled the accusations that led to Mapes’ departure on June 6, 2018, issued a statement Thursday saying the trial illustrated how “Mr. Mapes and the rest of the inner circle of that organization worked to discredit those of us who were speaking out about our toxic work environment.”

“My experience speaking out about the sexual harassment I endured in 2018 was painful — and more painful was knowing that there were countless others like me who were too afraid of Mr. Mapes to come forward and speak their own truths,” Garrett said. “I hope that those individuals feel some relief today, as I know I do.”

She said she hoped more people will “feel safe coming forward, knowing that their stories can lead to real change.”

At the courthouse Thursday to see the verdict was Alaina Hampton, who sparked the #MeToo blowback for Madigan’s operation by publicly calling out Madigan lieutenant Kevin Quinn in February 2018 for sending a series of harassing and inappropriate text messages when she worked as a campaign aide. Madigan forced out Quinn, the brother of 13th Ward Ald. Marty Quinn, and his campaign funds ended up settling a lawsuit with Hampton over allegations she was blackballed from the Madigan political operations for speaking out.

Hampton said Thursday her own experience was the “symptom of a toxic culture, and that it started at the top. Tim Mapes was as close to the top as it gets.”

Ad giant plans to use people's data to regulate data *POLITICO*—by Alfred Ng—August 18, 2023

One of the world's largest advertising firms is crafting a campaign to thwart a California bill intended to enhance people's control over the data that companies collect on them. According to emails obtained by *POLITICO*, the Interpublic Group is coordinating an effort against a bill that would make it easier for people to request that data brokers — firms that collect and sell personal information — delete their dossiers.

SB 362, known as the Delete Act, would require companies to delete all data on individuals upon request — including data purchased or acquired from third parties. This would shrink the trove of personal information they hold, such as browsing history, birthdates and past purchases. Data brokers compile this information to build profiles of people, which can be used to craft advertisements tailored to an individual's preferences. But that also grants them access to some of people's most sensitive details, such as whether they are pregnant or suffering from mental illness.

The IPG emails reveal how an advertising company could use that same personal data and targeting capabilities to undermine a public policy proposal that threatens its bottom line.

The emails show an exchange between the company's global chief digital responsibility and public policy officer, Sheila Colclasure, and other executives discussing what the firm can do to block the bill.

"We would like to mount an 'opposition campaign' using in-house digital advertising capabilities, targeting California," Colclasure wrote in an Aug. 14 email sent to others at IPG and reviewed by *POLITICO*. Those capabilities could include creating ads targeted at California residents to foment public opposition to the bill, and prominently placing those ads on popular websites.

In the email exchange, IPG notes it was "pulling out all the stops" to fight the bill. It also said data broker and major credit monitoring agency Experian plans to launch its own attack on the bill this week. The discussion included other IPG executives and Chad Engelgau, CEO of Acxiom, a data broker owned by IPG.

Engelgau in a separate email exchange said Acxiom would provide data to target

the ad campaign against SB 362.

Engelgau did not directly respond to questions about the effort, but said in a statement on behalf of IPG, Acxiom and Colclasure that the companies disagree with state regulations and are advocating for a national privacy law. Tech industry groups have been pushing for a federal data privacy law that would overwrite state regulations, saying it would be too hard to abide by different rules in each of the 50 states.

"We are offering our view as subject matter experts to trade organizations and legislative bodies on why this proposal will damage the economy, negatively impacting both small and large businesses, and have asked our industry partners to join the dialogue," he said. "We will continue our work to help create common sense rules at a federal level."

Experian spokesperson Jordan Takeyama said that the company is not launching any advertising related to SB 362, but does oppose the legislation.

"We believe the proposed legislation has many unintended consequences and would severely harm the ability for companies to best serve consumers on many levels," he said.

The IPG campaign already includes a website called NoToSB362.org, which urges visitors to contact state Sen. Josh Becker, the bill's main author, and voice opposition to the bill. Concerns on the website include how the ability to delete data en masse would raise health costs and make it difficult for government agencies to detect fraud. There is one mention of the bill's effects on advertisers, noting that data deletions would hurt small businesses.

The emails obtained by *POLITICO* note that the Consumer Data Industry Association and the law firm Venable built and sponsored the website, while Interpublic Group worked on the effort to promote the campaign. But the site, which was registered last week, originally did not disclose who was behind it.

And when *POLITICO* revealed the website's similarities of an ad industry push on Wednesday, Interpublic Group spokesperson Thomas Cunningham and Acxiom's Engelgau denied their compa-

nies were involved. Engelgau's statement to *POLITICO* Thursday did not respond to questions about this discrepancy.

The CDIA has since updated the No to SB 362 website to include the industry's affiliation.

"We are considering other options as well [as] including ads but have not made a final decision," Justin Hakes, the CDIA's vice president of communications and public affairs, said in an email. "CDIA will work with policymakers to avoid significant unintended consequences undermining privacy and data security for California consumers."

This isn't the first time a tech platform was accused of using its capabilities in an attempt to sway legislation in California.

In 2020, privacy advocates accused Google of blocking political ads that favored California privacy legislation the company opposed, while approving similar ads against the regulations. Google told California lawmakers in response that it doesn't insert political bias into its results.

Gov. Gavin Newsom signed a law in 2022 requiring that businesses disclose to the secretary of state if they use their products or services to target online ads for political purposes. But the regulations don't go into effect until January 2024.

On Thursday, the CDIA, alongside 13 industry trade organizations, including the Association of National Advertisers, the Interactive Advertising Bureau and NetChoice, sent an opposition letter to every member of the California Assembly and Becker.

Collectively, those groups represent companies including Google, Amazon and Meta, owners of Facebook.

Becker said he knew there was an opposition campaign against his bill, but wasn't aware of who was behind it until this week. He said his staff has met with IPG representatives in the past, who urged him to delay the bill.

He said he has no intention to delay his legislation, and that IPG's strategy to use its own advertising resources to promote its opposition campaign gave companies an unfair advantage in the political debate.

"They're able to target individual consumers based on this treasure trove of data that they've amassed," Becker said in an interview. "The fact that they're using that to lobby against the bill even more highlights the reason for concern here."

MEMBERS OF THE
LEGISLATIVE ETHICS
COMMISSION

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Tanya Pullin, Vice Chair

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Marie Rader

Katherine Gail Russell

Sal Santoro

Arnold Simpson

Anthony M. Wilhoit

NEXT MEETING OF THE
COMMISSION

The Kentucky Legislative Ethics Commission's next regular meeting is scheduled for Tuesday, September 26, 2023 at 10:30 a.m. Capitol Annex, Room 171 in Frankfort, Kentucky.

To watch the meeting online, click on:

[KY LRC Meetings - YouTube](#)

Training/Overview of the Code

Our lobbyist training video, which gives an overview of the Code and walks through the registration and online filing process step by step, is available on klec.ky.gov, and also on the LRC Capitol Connection page at <https://www.youtube.com/watch?v=nrqWW7sJDK4>

We also are happy to set up a training on request.

Our PowerPoint overview of the Legislative Ethics Code is available for reference on klec.ky.gov and also on the LRC Capitol Connection page at <https://www.youtube.com/watch?v=I4FJvhrSoao>

Financial Disclosures and Lobbying Spending

Kentucky legislators' required financial disclosures are available on the KLEC website at <https://klec.ky.gov/Reports/Pages/Legislators-and-Candidates.aspx> Legislators must file their financial disclosures by February 15th, for the previous calendar year. We are pleased to report that all legislators filed timely.

Candidates for the General Assembly are also required to file a financial disclosure, and these are also at the same link.

Lobbying spending disclosures may be found on KLEC's website at klec.ky.gov/Reports/Pages/Employers-and-Legislative-Agents.aspx along with a list of bills lobbied by each employer. A searchable database of all lobbyists and employers, and their spending, is available at apps.klec.ky.gov/searchregister.asp

To register as a lobbyist or employer, please email the scanned paperwork to Donnita Crittenden or Lori Smither or fax to (502) 573-2929. Blank forms may be found here:

<https://klec.ky.gov/Forms/Pages/Get-Blank-Forms.aspx>

Please contact us with any questions or concerns!

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Trivia Answer

No. While ethics training is mandatory for legislators, it is not required for lobbyists. However, we offer training online (see the link above), or one-on-one by contacting KLEC staff.