

News **Legislation**

Bill Aims to Make NY Pols' Campaign Coffers Off-Limits to Legal Fees Tied to Harassment Accusations

Assembly Judiciary Chairman Charles Lavine, D-Glen Cove, mentioned recent allegations against former U.S. Rep. Eric Swalwell, D-California, as well as New York history, including the accusations against former Gov. Andrew Cuomo. That drew an angry response from Cuomo's camp.

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Charles Lavine

Two Democratic New York lawmakers are drumming up renewed interest in their bill proposing to stop politicians from tapping campaign war chests to pay legal fees and settlements arising from allegations of sexual harassment, citing recent events.

The legislation, S9641/A7463, sponsored by Assembly Judiciary Chairman Charles Lavine, D-Glen Cove, and Sen. Joseph Addabbo Jr., D-Queens, drew an angry response from former New York Gov. Andrew Cuomo.

It was after Lavine called Cuomo an "inspiration" for the legislation, which has been on the books since 2019, a year before allegations against Cuomo surfaced from multiple female state employees.

On Monday, Lavine issued a news statement about refiling the bill, noting "countless instances in which high-profile cases of harassment by elected officials and those running for office used money raised for their campaigns to pay their legal bills instead of what the money was intended for."

Lavine highlighted former U.S. Rep. Eric Swalwell's recent withdrawal from the California governor's race, amid multiple accusations of sexual misconduct.

Media reports say Swalwell used roughly \$40,000 in gubernatorial campaign funds to pay attorney Sara Azari, who defended him against allegations he sexually assaulted multiple women, and that his campaign also paid Greenberg Traurig more than \$121,000 between Jan. 1 and April 18.

In an interview with Law.com, Lavine said: "The reason for the reintroduction was that we always want to strike while the iron is hot, and generate public interest in supporting this type of legislation."

Lavine's press statement also mentioned New York's history, including the late state Assemblymember Vito Lopez tapping into campaign funds to defend allegations of sexual harassment, and the various allegations against Cuomo.

New York Attorney General Letitia James initially declined to defend Cuomo in civil litigation, stating the public officer's law doesn't encompass wide allegations of sexual harassment.

Cuomo then sued the state and won the right to state-paid legal representation.

Lavine said that the result was "disgusting in and of itself," and "just a corrupt enterprise in and of itself."

As of last year, state taxpayers were paying in excess of \$20 million for Cuomo's legal defense, which was also when the state settled two lawsuits for \$450,000 each.

"Not everyone," Lavine says, "is going to be in a position to have the state mandated to pay their legal expenses."

Cuomo's longtime spokesman, Richard Azzopardi, reacted strongly to Lavine's suggestions.

"Chuck Lavine is a grandstanding hack, but he's also a lawyer and knows full well that five district attorneys five years ago looked at the allegations and never brought a single case arising from this

farce," Azzopardi said.

"Gov. Cuomo was either dropped from it, other parties settled it over his objections, or most of the counts were dismissed by the courts, and the suit is dying on the vine," Azzopardi said. "Gov. Cuomo also never used his campaign funds for any settlements. He never made any settlements because he never harassed anyone. The fact that Lavine implies as much makes him a liar."

Told of those statements, Lavine countered: "Mr. Azzopardi, my old friend, who am I supposed to believe—you or my lying eyes?"

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