



March 26, 2019

D.C.'s Constituent Service Funds: Misused, Inequitable and Ethically Fraught

Acknowledgments

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Introduction

Over the past seven years D.C. Councilmember Jack Evans spent close to \$163,000 on professional sports tickets. He has paid more than \$14,000 to the Economic Club of Washington, D.C., in annual membership dues. Evans also spent thousands on print advertisements that largely promoted himself.

To make all these purchases, Evans did not use his own money, campaign funds, or taxpayer dollars. He used funds from his constituent service program or what is commonly referred to as a constituent service fund (CSF).

Under current D.C. campaign finance law, the mayor and members of the D.C. Council can establish constituent service funds for purposes such as “emergency housing,” “funeral arrangements,” “utility payments” and “other necessities of life.”¹ The funds can also be used for food and refreshments and community events.² All expenditures made must be done for the “primary benefit of residents of the District of Columbia.”³

Contributions to the funds are capped at \$500 per individual or entity (corporations and LLCs may contribute) per calendar year. Contributions of personal property are capped at \$1,000 per calendar year. Elected officials can raise no more than \$40,000 in aggregate per calendar year for these funds but they are also allowed to transfer leftover money from their campaign accounts to their CSFs. Expenditures are capped at \$60,000 per year.⁴ The expenditure cap was raised from \$40,000 to \$60,000 in 2016 at the request of Jack Evans, according to the *Washington City Paper*. The *City Paper* found that the cap was raised quietly without any public hearings – so quietly that the D.C. Office of Campaign Finance still had the lower \$40,000 number listed on its website as late as May 2018.⁵

Those who support the CSFs argue that they are needed to address constituents’ needs quickly when traditional programs might not be as easy to access.

But a look at the CSF expenditures of the District’s elected officials over the last seven years suggests that for many elected officials, meeting the emergency needs of constituents is not the primary use of those funds. Further, those elected officials who raise and spend the bulk of constituent services funds represent D.C.’s wards where residents have higher incomes. While elected officials representing the lowest income wards spend significantly less.

Jack Evans represents a ward with a median household income of \$104,504. Councilmember Trayon White represents a ward in which the median household income is \$31,954. In 2018, Evans spent close to \$58,000 in constituent service funds. In 2018, White spent about \$10,000 in constituent service funds. Evans spent more on just Washington Wizards tickets in 2018 than White spent on all of his constituent services.

¹ Code of the District of Columbia, § 1–1163.38. *Constituent Services*, COUNCIL OF THE DISTRICT OF COLUMBIA, <http://bit.ly/2yDiHS8>.

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ Andrew Giambrone, Tom Sherwood, *Do Constituent Service Funds Always Serve Constituents?*, WASHINGTON CITY PAPER (May 10, 2018), <http://bit.ly/2Tr6V9l>.

Washington, D.C., has one of the highest rates of income inequality in the country.⁶ In a city with so many residents struggling to make ends meet in the midst of enormous wealth and privilege, calling the distribution of D.C.'s CSFs inequitable would be an understatement.

The constituent service funds in D.C. have long been controversial and have been the subject of multiple scandals.⁷ The editorial board of *The Washington Post* has at least twice – first in 2011⁸ and again in 2015⁹ – called for the funds to be eliminated. *The Post* described the funds as “private slush funds”¹⁰ and “second campaign accounts that can be used with broad discretion.”¹¹ *The Washington City Paper* called the funds “a joke.”¹²

Currently, nine of D.C.'s elected officials operate a constituent service fund: Mayor Muriel Bowser, Council Chairman Phil Mendelson, and Councilmembers Kenyan McDuffie, Anita Bonds, Jack Evans, Mary Cheh, Brandon Todd, Vincent Gray and Trayon White. Five D.C. Council members choose not to operate CSFs.

Key Findings

Public Citizen examined more than 3,800 CSF itemized expenditures and close to \$1.1 million in spending from January 2012 through December 2018. Elected officials categorize the same types of purchases in different ways – sometimes writing just one word, other times writing a short sentence. To make comparisons, Public Citizen coded the expenditures using 14 different categories. Many of the categorizations used by Public Citizen map closely with what elected officials listed on their disclosures. Further details about how Public Citizen categorized CSF expenditures appear in Appendix I.

Public Citizen analyzed constituent service fund data from 2012 through 2018 and found:

Only About a Quarter of CSF Money was Spent on Immediate Constituent Needs & Gifts

Overall, just 13 percent of the expenditures were for utility payments, rental assistance, funeral support and flowers, and other constituent assistance. Public Citizen defined the foregoing as “immediate constituent needs.” Other expenditures that plausibly fit in the broad category of assisting constituents with unmet needs are gift cards and other gifts (coats, turkeys, toys, etc.). If one combines the necessity-based expenditure categories described above – immediate constituent needs plus gift cards and other gifts – the total spending on plausible constituent needs still would only account for 24 percent of all the spending.

Councilmember Vincent Gray spent 72 percent of his constituent service funds on immediate constituent needs, gift cards and other gifts, the most of any elected official in this analysis. Gray is followed by Council Chairman Phil Mendelson, who spent 43 percent of the constituent service funds on immediate constituent

⁶ Alan Berube, *City and Metropolitan Income Inequality Data Reveal Ups and Downs Through 2016*, BROOKINGS (Feb. 5, 2018), <https://brook.gs/2H1VbUK>.

⁷ Editorial Board, *The D.C. Council Should Rethink the Constituent Services Fund*, THE WASHINGTON POST (Aug. 7, 2011), <https://wapo.st/2Jm9hPa>, Tim Craig and Nikita Stewart, *Records Show Evans Paid \$135,897 for Sports Tickets from Constituent Fund*, THE WASHINGTON POST (Aug. 21, 2011), <https://wapo.st/2Pu4tNb> and Alan Suderman, *Numbers Don't Lie: Where Constituent Service Fund Money Goes*, WASHINGTON CITY PAPER (Nov. 28, 2011), <http://bit.ly/2ReL9OK>.

⁸ Editorial Board, *The D.C. Council Should Rethink the Constituent Services Fund*, THE WASHINGTON POST (Aug. 7, 2011), <https://wapo.st/2Jm9hPa>.

⁹ Editorial Board, *Mayor Bowser Should Get Rid of Her Constituent Services Fund*, THE WASHINGTON POST (Aug. 2, 2015), <https://wapo.st/2z9m033>.

¹⁰ *Id.*

¹¹ Editorial Board, *The D.C. Council Should Rethink the Constituent Services Fund*, THE WASHINGTON POST (Aug. 7, 2011), <https://wapo.st/2Jm9hPa>.

¹² Alan Suderman, *Fact: Constituent Service Funds Are a Joke*, THE WASHINGTON POST (Dec. 1, 2011), <http://bit.ly/2OXkStY>.

needs, gift cards and gifts. At the other end of the spectrum, Councilmember Evans spent just 3 percent of his constituent service funds on immediate constituent needs, gift cards and other gifts from 2012 through 2018.

The vast majority of constituent service expenditures were on donations (which includes fundraisers, sponsorships and dues), catering and refreshments, professional sports tickets, community events, or advertising and outreach.

- Evans spent \$162,816 on professional sports tickets – amounting to 52 percent of all the money spent from his constituent service fund over the total period studied. Evans spent more on professional sports tickets in 2018 (\$26,400) than every other D.C. elected official individually spent in total constituent service funds in 2018. Evans spent more on just Washington Wizards tickets in 2018 (\$11,050) than Vincent Gray, Trayon White, Anita Bonds and Mary Cheh each spent on all constituent services in 2018.
- D.C. elected officials reported spending \$100,679 on various advertising and outreach (based on Public Citizen's analysis). This total includes thousands of dollars spent on holiday cards, t-shirts, banners and print advertising. Many of these expenditures did far more to publicize the elected officials than to assist their constituents.
- Vincent Gray and Phil Mendelson purchased large banners that dedicated the vast majority of space to their names. Mary Cheh, Gray and Mendelson all used constituent service funds to buy t-shirts that do not appear to be much different than campaign t-shirts.

D.C. elected officials also spent tens of thousands of dollars helping their constituents, but these expenditures only accounted for about a quarter of the constituent service expenditures from 2012 through 2018. Phil Mendelson spent tens of thousands of dollars on rental and utility assistance. Muriel Bowser gave away hundreds of coats. Brandon Todd has done the same. Vincent Gray and Trayon White have given away hundreds of Thanksgiving turkeys. Kenyan McDuffie and Bowser have given away thousands of dollars' worth of grocery store gift cards. And Mendelson, Gray, Mary Cheh and others have given away Christmas toys.

CSF Money is Not Distributed Equitably; More Money is Spent in Higher Income Wards

D.C.'s Ward 8 has the lowest median household income, the highest unemployment rate, and the largest share of families in poverty. But Councilmember Trayon White, who represents Ward 8, spends approximately \$32,000 less in constituent service funds each year than Councilmember Jack Evans, who represents a ward with a median income more than triple that of White's Ward 8.

- On average, Jack Evans annually spends three and a half times as much as Trayon White in total constituent service funds. But White actually spends \$881 more than Evans on immediate constituent needs, gift cards and other gifts each year.
- While current law prohibits elected officials from raising any more than \$40,000 in aggregate each calendar year for their CSFs, elected officials may transfer leftover money from their campaign accounts to their CSFs. Trayon White has been able to win his elections raising relatively small amounts of money, putting him at a huge disadvantage in terms of access to funds to help his constituents.

- Unless changes are made, the vast majority of CSF money will continue to be spent in the higher income wards. Evans' most recent CSF financial statement (as of January 1, 2019) reports \$143,152 in cash on hand. White's CSF has just \$1,088. It would take Evans 2.4 years just to spend his cash on hand, under the \$60,000 per year expenditure level.

Maxed Out Campaign Contributors, Government Contractors and Lobbyists Commonly Contribute to CSFs

D.C. constituent service funds covered in this analysis accrued \$1.2 million from 2012 through 2018. Close to half of the money has come from the campaign accounts of the elected officials. The bulk of the remaining funds were raised from corporations and individuals.

- Contributions to CSFs are counted separately from campaign contributions, meaning an individual can contribute the maximum amount to both a CSF and a campaign account. Public Citizen analyzed a hypothetical scenario in which contributions to CSFs would count towards campaign contribution limits. If that were the case, there would have been 189 excessive contributions totaling \$84,655 during the time period we studied. Jack Evans would have received the most excessive contributions by far – 118 contributions totaling \$54,200.
- D.C. government contractors like Blue Skye Construction, Fort Myer Construction and EastBanc Technologies contributed thousands to the constituent service funds of D.C. elected officials from 2012 through 2018. These companies also received millions in D.C. government contracts. Some of these contributions will be banned in the future with the recent passage of legislation.
- Prominent D.C. lobbying firms like Manatt, Phelps & Phillips, and powerful D.C. lobbyists including Kerry Pearson, Thorn Pozen and David Wilmot have contributed tens of thousands of dollars to D.C.'s CSFs.

I. The Majority of Constituent Service Fund Expenditures Are Not Spent to Address Immediate Constituent Needs

The law regulating how constituent service funds can be spent is specific in some areas and vague in others. For example, “past due utility payments,” “funeral arrangements” or “emergency housing,” are clearly defined as allowable expenditures and leave little room for interpretation.¹³ And the data does in fact show that some expenditures went to D.C utility companies Pepco and Washington Gas, as well as funeral homes, cemeteries and flower shops. But, these types of expenditures make up a minority of all expenditures made from the funds.

More Constituent Service Fund Money Went to Sports Tickets Than Went to Constituent Utility Payments, Rental Assistance and Funeral Assistance Combined

Elected officials categorize the same types of purchases in different ways – sometimes writing just one word, other times writing a short sentence. To make comparisons, Public Citizen coded the expenditures using 14 different categories (see Table 1 below). Many of the categories used by Public Citizen map closely with what elected officials listed on their disclosures (catering and refreshments, tickets and donations were all common). Other Public Citizen categorizations represent the combination of similar expenditures (e.g., Washington Gas, Pepco, D.C. Water bills, etc., are all listed as “utilities”). A more detailed explanation of how Public Citizen categorized CSF expenditures appears in Appendix I.

In total, Public Citizen examined more than 3,800 itemized expenditures which accounted for close to \$1.1 million in spending from 2012 through 2018.

The most money was spent on donations, fundraisers, sponsorships and dues. This category was followed by catering and refreshments, sports tickets, and advertising and outreach. For the most part, these four expenditure types do not address immediate constituent needs, yet combined they account for more than half of all the expenditures analyzed. [Table 1]

¹³ Code of the District of Columbia, § 1–1163.38. *Constituent Services*, COUNCIL OF THE DISTRICT OF COLUMBIA, <http://bit.ly/2yDiHS8>.

Table 1 – Constituent Service Fund Expenditures by Type (2012 – 2018)

Type of Expenditure (Public Citizen Analysis)	Total Spent (2012 - 2018)	Percent of Total
Donations, Fundraisers, Sponsorships, Dues	\$174,875	16%
Catering and Refreshments	\$167,439	15%
Sports Tickets	\$162,816	15%
Advertising and Outreach	\$100,679	9%
Gifts (Coats, Turkeys, Toys, etc.)	\$97,627	9%
Events	\$92,135	9%
Utilities	\$77,069	7%
Equipment and Supplies	\$53,218	5%
Reimbursements	\$36,930	4%
Rental assistance	\$33,670	3%
Other	\$32,110	3%
Funeral Support and Flowers	\$22,158	2%
Gift Cards	\$19,671	2%
Other Constituent Assistance*	\$12,560	1%
Total	\$1,082,958	100%

* For a small number of expenditures, elected officials indicated an expenditure was for constituent assistance without providing more detail.

We define utility payments, rental assistance, funeral support and flowers and other constituent assistance as expenditures that are most likely to address immediate constituent needs. Expenditures on these categories account for only 13 percent of all expenditures.

Other expenditure types, gift cards and other gifts (coats, turkeys, toys, etc.), also include some expenditures that address constituent needs. A gift card to a grocery store, or a coat in the winter for example, likely meets an immediate need.

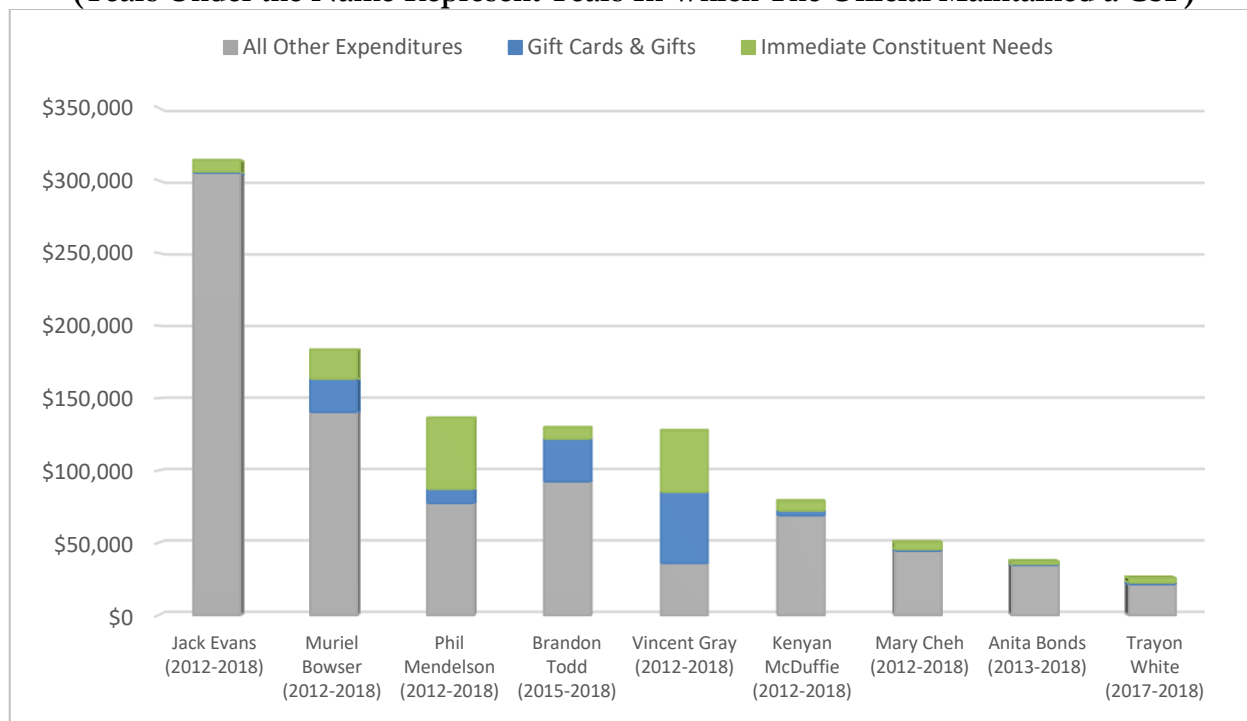
But, even if one combines those expenditure types, the total spending on plausible immediate constituent needs still would only account for 24 percent of all the spending.

Evans barely spent any money on the necessity-based expenditure categories described above – immediate constituent needs, and gift cards and gifts. Ninety-seven percent of his CSF money was spent on items other than immediate constituent needs and gift cards and gifts from 2012 through 2018. [Figure 1]

Not all of the CSFs covered in this analysis have existed throughout the entire time period covered in this analysis – 2012 through 2018. Six of the nine elected officials were spending CSF funds throughout the vast majority of that time period, though.¹⁴ The years below each elected official's name in Figure 1 represent the years in which the elected official reported CSF expenditures.

¹⁴ Two elected officials reported no expenditures for a single year during the covered period, Cheh (2014) and Gray (2016).

Figure 1 – Expenditures on Immediate Constituent Needs and Gifts vs. All Other Spending (Years Under the Name Represent Years In Which The Official Maintained a CSF)



From 2012 through 2018, Jack Evans spent close to \$9,000 total on immediate constituent needs, gifts and gift cards – amounting to 3 percent of all of his CSF spending.

The two elected officials who spent the most on constituent needs were Vincent Gray and Phil Mendelson. Gray spent close to \$92,000 on immediate constituent needs, gift cards and gifts, amounting to 72 percent of all spending from his CSF – the most of any elected official in this analysis. This is in large part due to the gifts given out by Gray, which account for 39 percent of all of his expenditures. The vast majority were for Christmas toys and Thanksgiving turkeys. Gray is followed by Mendelson, who spent 43 percent of his CSF funds on immediate constituent needs, gift cards and gifts.

Excluding spending for gift cards and other gifts, Mendelson spent the most money on immediate constituent needs. He spent nearly \$50,000 on rental, utility and funeral costs assistance and other assistance from 2012 through 2018, amounting to 36 percent of all of spending from his CSF.

CSF Money is Not Distributed Equitably; More Money is Spent in Wards With Fewer Constituents in Need

Elected officials can spend \$60,000 a year from their constituent service funds, but many spend far less than that each year. Evans spent the most, on average, while Anita Bonds spent the least. The amount elected officials can spend each year in constituent service funds was increased from \$40,000 to \$60,000 in 2016.¹⁵ A

¹⁵ D.C. ACT 21-488, THE COUNCIL OF THE DISTRICT OF COLUMBIA (Aug. 8, 2016), <http://bit.ly/2NIw7CW>.

Washington City Paper investigation found that the increase was done at Evans' behest.¹⁶ The increase was done quietly, so quietly that the *City Paper* found that the D.C. Office of Campaign Finance still had the lower \$40,000 number listed on its website as recently as May 2018.¹⁷

If CSF money were being spent targeting communities most in need, one would expect that Ward 8 – the D.C. ward with the lowest median household income, the highest unemployment rate and the largest share of families in poverty – would be the focus of the most CSF spending. But that is not the case. Trayon White, who represents Ward 8, spends the sixth most on average each year. He spends about \$32,000 less in CSF funds each year as compared to Jack Evans, who represents the ward with the second highest income in the District – a ward with a median income more than triple that of White's ward. [Table 2]

Table 2 – Average Annual CSF Spending Compared to Selected Economic Characteristics

Elected Official	Ward	Ward Median Household Income ¹⁸	Ward Unemployment Rate (Jan. 2019, Preliminary) ¹⁹	Ward % of Families Living in Poverty ²⁰	Avg. Annual CSF Spending (all spending)	Avg. Annual CSF Spending on Immediate Const. Needs, Gifts & Gift Cards
Mary Cheh	Ward 3	\$122,680	4.1%	1.9%	\$8,378	\$984
Jack Evans	Ward 2	\$104,504	4.1%	4.5%	\$44,866	\$1,270
Brandon Todd	Ward 4	\$82,625	5.5%	8.1%	\$32,425	\$9,339
Kenyan McDuffie	Ward 5	\$63,552	7.3%	10.9%	\$11,252	\$1,413
Vincent Gray	Ward 7	\$40,021	9.9%	23.7%	\$21,279	\$15,290
Trayon White	Ward 8	\$31,954	12.7%	33.3%	\$12,783	\$2,151
Muriel Bowser	Mayor (All D.C.)	\$77,649	5.4%	13.7%	\$26,230	\$6,190
Phil Mendelson	Chairman (All D.C.)	\$77,649	5.4%	13.7%	\$19,473	\$8,417
Anita Bonds	At-Large (All D.C.)	\$77,649	5.4%	13.7%	\$6,166	\$405

On average each year, Evans spends three and a half times as much as Trayon White in constituent service funds. Yet, even though he spends so much less overall, White actually spends \$881 more on immediate constituent needs, gift cards and gifts than Evans each year.

¹⁶ Andrew Giambrone, Tom Sherwood, *Do Constituent Service Funds Always Serve Constituents?*, WASHINGTON CITY PAPER (May 10, 2018), <http://bit.ly/2Tr6V9l>.

¹⁷ *Id.*

¹⁸ Selected Economic Characteristics, All State Legislative Districts, Upper Chamber within District of Columbia, *2013-2017 American Community Survey 5-Year Estimates DP03, Median Household Income (dollars)*, UNITED STATES CENSUS BUREAU, <http://bit.ly/2C6VkcF>.

¹⁹ Latest Monthly Statistics, *District of Columbia Labor Force, Employment, Unemployment and Unemployment Rate by Ward, January 2019, Preliminary*, OFFICE OF THE DEPUTY MAYOR FOR DEPARTMENT OF EMPLOYMENT SERVICES, <http://bit.ly/2W2EcFe> and Latest Monthly Statistics, *Employment Status for the Civilian Population District of Columbia, January 2019, Preliminary*, OFFICE OF THE DEPUTY MAYOR FOR DEPARTMENT OF EMPLOYMENT SERVICES, <http://bit.ly/2HvXeki>.

²⁰ Selected Economic Characteristics, All State Legislative Districts, Upper Chamber within District of Columbia, *2013-2017 American Community Survey 5-Year Estimates DP03, Percentage of Families and People Whose Income in the Past 12 Months is Below the Poverty Level, All Families*, UNITED STATES CENSUS BUREAU, <http://bit.ly/2C6VkcF>.

Elected Officials That Raise Large Sums of Money For Campaigns Have an Unfair Advantage in Amassing Constituent Service Funds

Elected officials that have raised large amounts of money for their campaigns are in a much better position to help their constituents using leftover campaign funds. While current law prohibits elected officials from raising any more than \$40,000 in aggregate each calendar year for their CSFs, elected officials may transfer leftover money from their campaign accounts to their constituent service funds. This presents a particular advantage for those who have run for mayor, who both enjoy a higher profile and higher contribution limits to their campaigns.

Trayon White has not raised nearly as much money for his campaigns as Jack Evans has. That puts him at a huge disadvantage in terms of access to funds to help his constituents. Since 2014, after raising more than \$1.6 million for his two most recent campaigns (one for Mayor and one for Council) Evans has been able to transfer more than \$168,000 from his campaign funds to his CSF. White on the other hand, has raised just more than \$100,000 over his two most recent council campaigns, allowing him to transfer just more than \$1,400 from his campaign accounts to his CSF.

The councilmember representing the ward with the second-lowest median household income in the District, Vincent Gray, has spent a significant amount of constituent service funds over the years (though he has spent much less in recent years). But Gray has been in D.C. politics since 2004, and served as Mayor from 2011-2015, a position of great influence that has no doubt connected him to some of the wealthiest donors in the District. Gray has been able transfer close to \$50,000 in campaign funds to his CSF after raising more than \$1.5 million over his two most recent campaigns.

No End in Sight: Higher Income Wards Will Continue to Receive More Help Unless Reforms are Enacted

Unless changes are made, the vast majority of CSF money will continue to be spent in the higher income wards. According to Jack Evans' most recent filing, as of January 1, 2019, his CSF has \$143,152 cash on hand.²¹ Trayon White's CSF has just \$1,088.²² [Table 3]

²¹ Evans Constituent Service Fund, *January 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2019), <http://bit.ly/2SGrfPz>.

²² Do Something Constituents Fund, *January 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2019), <http://bit.ly/2H30L9n>.

Table 3 – CSF Cash on Hand as of Jan. 1, 2019

Elected Official	Ward	Median Household Income ²³	CSF Cash on Hand as of Jan. 1, 2019
Jack Evans ²⁴	Ward 2	\$104,504	\$ 143,152
Muriel Bowser ²⁵	Mayor (All D.C.)	\$77,649	\$ 45,100
Phil Mendelson ²⁶	Chairman (All D.C.)	\$77,649	\$ 21,762
Vincent Gray ²⁷	Ward 7	\$40,021	\$ 18,260
Mary Cheh ²⁸	Ward 3	\$122,680	\$ 14,901
Brandon Todd ²⁹	Ward 4	\$82,625	\$ 7,199
Kenyan McDuffie ³⁰	Ward 5	\$63,552	\$ 6,548
Trayon White ³¹	Ward 8	\$31,954	\$ 1,088
Anita Bonds ³²	At-Large (All D.C.)	\$77,649	\$ 702

For the last five years, Evans began each year with more money in his CSF than he was legally allowed to spend annually. It would take Evans 2.4 years to spend down his CSF reserves – assuming he did not raise or transfer an additional dollar to the fund during that time.

²³ Selected Economic Characteristics, All State Legislative Districts, Upper Chamber within District of Columbia, 2013-2017 *American Community Survey 5-Year Estimates DP03, Median Household Income (dollars)*, UNITED STATES CENSUS BUREAU, <http://bit.ly/2C6VkJCf>.

²⁴ Evans Constituent Service Fund, *January 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2019), <http://bit.ly/2SGrfPz>.

²⁵ Mayor Bowser's Constituent Service Fund, *January 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2019), <http://bit.ly/2SI2aCS>.

²⁶ Phil's Fund For Citizen Service, *January 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2019), <http://bit.ly/2CpR9S9>.

²⁷ Ward 7 Constituent Service Fund, *January 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2019), <http://bit.ly/2Umn396>.

²⁸ Ward 3 Constituent Service Fund, *January 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2019), <http://bit.ly/2Ez0sj8>.

²⁹ Ward 4 Constituent Service Fund, *January 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2019), <http://bit.ly/2HdGa1u>.

³⁰ Our Ward 5, *January 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2019), <http://bit.ly/2Y4s60m>.

³¹ Do Something Constituents Service Fund, *January 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2019), <http://bit.ly/2H30L9n>.

³² Citizens Outreach Fund, *January 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2019), <http://bit.ly/2XIwt0G>.

II. Questionable Expenditures

According to the D.C. Office of Campaign Finance (OCF), CSF money should be spent “only for an activity, service, or program which provides emergency, informational, charitable, scientific, educational, medical, or recreational services to the residents of the District of Columbia and which expenditure accrues to the primary benefit of residents of the District of Columbia.”³³ OCF’s website lists six examples of allowable expenditures and five examples of disallowable expenditures. Some examples are clear cut, others are a bit vague.

It is generally understood that the funds were created to help people in a pinch, but in practice that is not how the funds are used, as *The Washington Post’s* editorial board noted in 2011 when it first called for the elimination of such funds: “The purpose is not, as suggested by the name, to help out the resident unable to meet the mortgage or pay a utility bill but rather to help make public officials look good.”³⁴

The following section include just some examples of what Public Citizen considers questionable expenditures. The word “questionable” is, of course, subjective. Questionable expenditures can range from expenditures that one might consider not the best use of constituent funds but not egregious, to expenditures that appear to at least go against the spirit of the rules governing funds.

The bar here is not legal vs. illegal spending. But rather does one consider such spending a good use of constituent service funds, even if technically within the rules.

52 Percent of the Money Spent by Jack Evans Went Toward Professional Sports Tickets

In 2011, when *The Washington Post* editorial board first called for an end to the constituent service funds,³⁵ an analysis by the paper found that over the previous decade, Councilmember Jack Evans had used funds from his constituent service fund to buy \$135,897 worth of sports tickets in the decade prior to the seven years covered in this analysis.³⁶

The Post’s 2011 report found that the total accounted for about 31 percent of all of spending from Evans over that time period.³⁷ Not much has changed since *The Post’s* analysis – except that Evans now spends an even greater share of his funds on sports tickets. From 2012 through 2018, Evans spent \$162,816 on sports tickets – amounting to 52 percent of all the money spent from his fund. Meaning, if one combines *The Post’s* 2011 analysis with Public Citizen’s, Evans has spent about \$300,000 on sports tickets over the past 17 years.

In 2018, alone, Evans spent \$26,400 on professional sports tickets: \$7,061 on Washington Capitals tickets,³⁸ \$11,050 on Washington Wizards tickets,³⁹ and \$8,289 on Washington Nationals tickets.⁴⁰ Evans is not required to provide the names of who received the professional sports tickets. But when *The Post* did its analysis in 2011,

³³ Code of the District of Columbia, § 1–1163.38. *Constituent Services*, COUNCIL OF THE DISTRICT OF COLUMBIA, <http://bit.ly/2yDiHSS>.

³⁴ Editorial Board, *The D.C. Council Should Rethink the Constituent Services Fund*, *The WASHINGTON POST* (Aug. 7, 2011), <https://wapo.st/2Jm9hPa>.

³⁵ *Id.*

³⁶ Tim Craig and Nikita Stewart, *Records Show Evans Paid \$135,897 for Sports Tickets from Constituent Fund*, *The WASHINGTON POST* (Aug. 21, 2011), <https://wapo.st/2Pu4tNb>.

³⁷ *Id.*

³⁸ Evans Constituent Service Fund, *July 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2018), <http://bit.ly/2OXcWcn>.

³⁹ Evans Constituent Service Fund, *April 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2018), <http://bit.ly/2qdNK2t>.

⁴⁰ *Id.*

Evans provided a “representative list” of recipients.⁴¹ Evans’ listed “70 individuals or organizations, including constituents,” which included local schools, charities and “ANC [Advisory Neighborhood Commission] commissioners.”⁴²

But the question of who receives the tickets – while certainly important – is not really the issue. Even if one assumes every ticket purchased by Evans has gone to a local charity, the question still remains: is buying professional sports tickets a good use of constituent service funds? In a city with extreme inequality and so many constituents in need, it is not hard to think of better a use for these funds.

Jack Evans’ ticket spending has grabbed many headlines – and for good reason. To put Evans’ spending on tickets in perspective:

- Evans spent more on professional sports tickets in 2018 (\$26,400) than every other D.C. elected official individually spent in total constituent service funds in 2018.
- Evans spent more on just Washington Wizards tickets in 2018 (\$11,050) than Vincent Gray, Trayon White, Anita Bonds and Mary Cheh each spent on all constituent services in 2018.
- Evans spent more on sports tickets than every other elected official spent in total from 2012 through 2018, with the exception of Mayor Bowser.
- During the seven-year timeframe covered in this analysis, Jack Evans spent close to \$9,000 on immediate constituent needs (rental assistance, utilities, funeral support and other constituent assistance). The seven-year total is less than what he spent on Wizards tickets in 2018.

To be clear, it’s not as if one can look at D.C.’s constituent service funds and conclude outside of Jack Evans’ ticket spending every other expenditure looks appropriate. Outside of Evans’ ticket purchases, he and others have also made other questionable expenditures.

It’s Not Just Sports Tickets; Other CSF Expenditures Raise Questions

Muriel Bowser, as a councilmember in 2013, spent \$8,041 to print and mail a calendar.⁴³ Vincent Gray, as mayor, \$5,000 on a “Mayor Gray History Archive” website.⁴⁴ As a councilmember, Gray spent \$890 on custom “t-shirts for constituents walking with CM” [Councilmember Gray]⁴⁵ and another \$863 on “clothing for constituents” from the same custom shirt maker.⁴⁶

Jack Evans also spent \$14,250 on annual membership dues and events at Economic Club of Washington,⁴⁷ a membership he touted while pitching his services to potential business clients in 2018.⁴⁸ He spent \$3,271 in

⁴¹ Tim Craig and Nikita Stewart, *Records Show Evans Paid \$135,897 for Sports Tickets from Constituent Fund*, THE WASHINGTON POST (Aug. 21, 2011), <https://wapo.st/2Pu4tNb>.

⁴² *Id.*

⁴³ Councilmember Muriel Bowser Constituent Service Fund, *January 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2014), <http://bit.ly/2ERwUAN>.

⁴⁴ Mayor Gray’s Constituent Service Program, *January 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2015), <http://bit.ly/2PuANj8>.

⁴⁵ Ward 7 Constituent Services Fund, *July 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2018), <http://bit.ly/2Q0m3Fy>.

⁴⁶ Ward 7 Constituent Services Fund, *July 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2017), <http://bit.ly/2yCZzE4>.

⁴⁷ *About Membership*, THE ECONOMIC CLUB OF WASHINGTON, D.C., <http://bit.ly/2qgR9Oc>.

⁴⁸ *Jack Evans 2018 Pitch to Nelson Mullins*, THE WASHINGTON POST (March 2, 2019), <https://wapo.st/2Hm1vFU>.

membership dues to the National Law Journal,⁴⁹ \$1,243 in subscriptions to *The Wall Street Journal* and \$1,050 in membership dues to the ACLU.

Over the seven-year time frame covered in this analysis, Phil Mendelson has spent \$6,956 on holiday greeting cards. In 2018, alone, Jack Evans spent \$6,469 on holiday cards.⁵⁰ It is likely other elected officials paid thousands for holiday cards as well, as they reported spending thousands with the same vendors around the same time, but because they did not explicitly list the purpose of the expenditure as for holiday cards but rather something more vague, such as “printing.”

Mary Cheh spent \$516 on “Mary Cheh T-shirts,”⁵¹ \$558 on tote bags,⁵² and \$480 on vehicle magnets and a banner for a parade.⁵³ Brandon Todd spent \$1,110 on lapel pins.⁵⁴ Phil Mendelson spent \$504 on “Council tee shirts” in 2013⁵⁵ and \$407 on a banner and buttons for a parade.⁵⁶

A Distinction Without a Difference: Campaign Ads Paid for With CSF Money

Campaign finance rules prohibit using constituent service funds for the purpose of “promoting or opposing, as a primary purpose, a political party, committee, candidate, or issue.”⁵⁷ In total, elected officials reported spending \$100,679 on various advertising and outreach (based on Public Citizen’s analysis and categorization of the financial disclosure data).

Thousands of dollars’ worth of disclosure reports by the CSFs simply list the expenditure as “advertising.” Therefore, unless it was clear where the ad was placed, it was challenging to find the ad to verify its content. But Public Citizen was able to track down some ads based on either the description or who was paid.

When *The Washington Post* called for CSFs to be abolished in 2011, it described the funds as “second campaign accounts that can be used with broad discretion.”⁵⁸ The evidence shows that with advertisements, like with most expenditures, elected officials truly do have broad discretion as *The Post* noted – so much discretion that elected officials can use the ads to advertise themselves and make no mention of the available constituent funds.

Councilmember Evans appears to use ads paid for with campaign funds and ads paid for using constituent service funds interchangeably – with slight modifications. In June 2016, Jack Evans purchased an ad in the Capital Pride Alliance’s yearly Pride Guide using campaign funds.⁵⁹ He did the same in 2018 using constituent service funds.⁶⁰ [Figures 2 & 3]

⁴⁹ *Subscribe*, THE NATIONAL LAW JOURNAL, <http://bit.ly/2CNXPLa>.

⁵⁰ Evans Constituent Service Fund, *January 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2019), <http://bit.ly/2H2Dmov>.

⁵¹ Ward 3 Constituent Services Fund, *July 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2017), <http://bit.ly/2Ro9nsx>.

⁵² Ward 3 Constituent Services Fund, *January 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2016), <http://bit.ly/2Od929S>.

⁵³ Ward 3 Constituent Services Fund, *July 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2017), <http://bit.ly/2Ro9nsx>.

⁵⁴ Ward 4 Constituent Services Fund, *January 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2017), <http://bit.ly/2yE2qwe>.

⁵⁵ Phil’s Fund For Citizen Service, *July 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2013), <http://bit.ly/2XBJW1>.

⁵⁶ Phil’s Fund For Citizen Service, *July 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2017), <http://bit.ly/2CMBDkh>.

⁵⁷ Code of the District of Columbia, § 1–1163.38. *Constituent Services*, COUNCIL OF THE DISTRICT OF COLUMBIA, <http://bit.ly/2yDiHSS>.

⁵⁸ Editorial Board, *The D.C. Council Should Rethink the Constituent Services Fund*, THE WASHINGTON POST (Aug. 7, 2011), <https://wapo.st/2Jm9hPa>.

⁵⁹ *The Guide to Pride 2016*, CAPITAL PRIDE ALLIANCE (p. 142-143), <http://bit.ly/2TJ0G1p>.

⁶⁰ *The Guide to Pride 2018*, CAPITAL PRIDE ALLIANCE (p. 68-69), <http://bit.ly/2Ro5svT>.

Figures 2 & 3 – A Comparison of Jack Evans' Pride Guide Advertisements 2016 Campaign Ad (Left) vs. 2018 Constituent Services Ad (Right)



The only difference between the two ads is that when Evans used constituent service funds, he swapped out his campaign sign for his signature. Virtually everyone in the photo is wearing a Jack Evans Ward 2 t-shirt. The bottom of the 2018 ad indicated it was “paid for by Evans Constituent Services Fund,” but there is no other mention of constituent services.⁶¹

The Pride Guide has a wide reach. According to the Capital Pride Alliance, the 2019 version “has a shelf life of more than 12 months and reaches a potential readership well in excess of 250,000 people” and along with being published online, “20,000+ printed copies” of the guide will be placed throughout the region.⁶²

The problem, of course, is not that Evans supports D.C. Pride. He and other D.C. elected officials register each year to march alongside their fellow D.C. residents in support of the LGBTQ+ community during the annual Pride parade. The problem is that Evans is using constituent services funds on what is essentially a campaign ad.

To Evans' credit, when he was up for re-election in 2016 he used campaign funds to pay for the 2016 Pride Guide ad – a perfectly good use of campaign funds. But the fact that the ads are virtually the same also shows the power of incumbency. When Evans is not running a campaign, because he has a CSF, he is able to run ads very similar to his campaign ads without using campaign funds. It would be hard to argue that the 2018 constituent services advertisement did not have a similar effect on the reader as the 2016 campaign ad.

That was not the only time Evans has done this. In 2016, Evans purchased ad space in the annual Dupont Circle House Tour⁶³ booklet using campaign funds (see Figure 3 left, below). In 2017, he used constituent

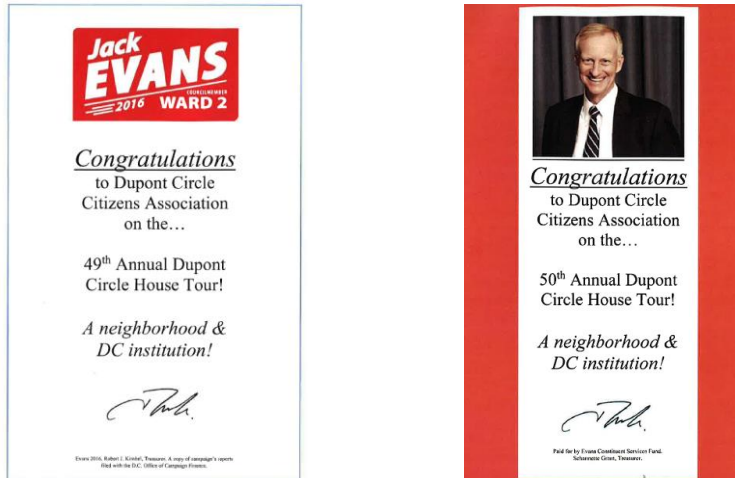
⁶¹ Evans reported that he spent \$1,200 on “advertising” in the Metro Weekly, see Evans Constituent Service Fund, *July 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2018), <http://bit.ly/2OXcWcn>.

⁶² See <https://www.capitalpride.org/guide/>.

⁶³ Advertising, *Dupont Circle Hour Tour*, DUPONT CIRCLE CITIZENS ASSOCIATION HOUSE TOUR, <http://bit.ly/2TQfISr>.

service funds to purchase ad space in the same booklet. The only difference in the ads is he replaced his campaign sign with his photo when he purchased the ad space using constituent service funds. [Figures 3 & 4]

**Figures 3 & 4 – A Comparison of Jack Evans’ House Tour Advertisements
2016 Campaign Ad (Left) vs. 2017 Constituent Services Ad (Right)**



One might view the ads purchased by Evans using constituent service funds as not the most egregious of infractions. But these ads are far from the only ads purchased using constituent service funds. And it is important to note the equity argument here too. The two ads purchased by Evans with constituent service funds discussed in this section cost him a total of \$1,800 in 2018. That total is more than what six elected officials (including Evans) spent on immediate constituent needs in 2018.

Regardless of the question as to whether Evans’ ad purchases violate any rules, the money spent on these ads would better serve the needs of D.C. residents by being spent elsewhere.

Elected Officials Use Constituent Funds to Buy Campaign Style T-Shirts and Banners

Print advertisements are not the only expenditures that do more to publicize the elected official than provide any constituent with a service. Multiple councilmembers purchased t-shirts and banners using constituent service funds that do more to advertise the elected official than anything else.

In 2017, Council Member Mary Cheh’ CSF spent \$516 on “Mary Cheh T-shirts.”⁶⁴ Cheh also spent another \$358 on “supplies” from the “T-Shirt Printing Press” company in 2015.⁶⁵ Based on a review of various social media pages, Cheh was not alone.

In July 2017 Vincent Gray indicated he spent \$110.88 on a “banner for constituent services events.”⁶⁶ In July 2018 Gray posted a picture on his Facebook page that included a banner with his name in large letters.⁶⁷ In the bottom left corner of the banner it indicates it was “paid for by Ward 7 CSF, Sheila Bunn, Treasurer.” [Figure 5]

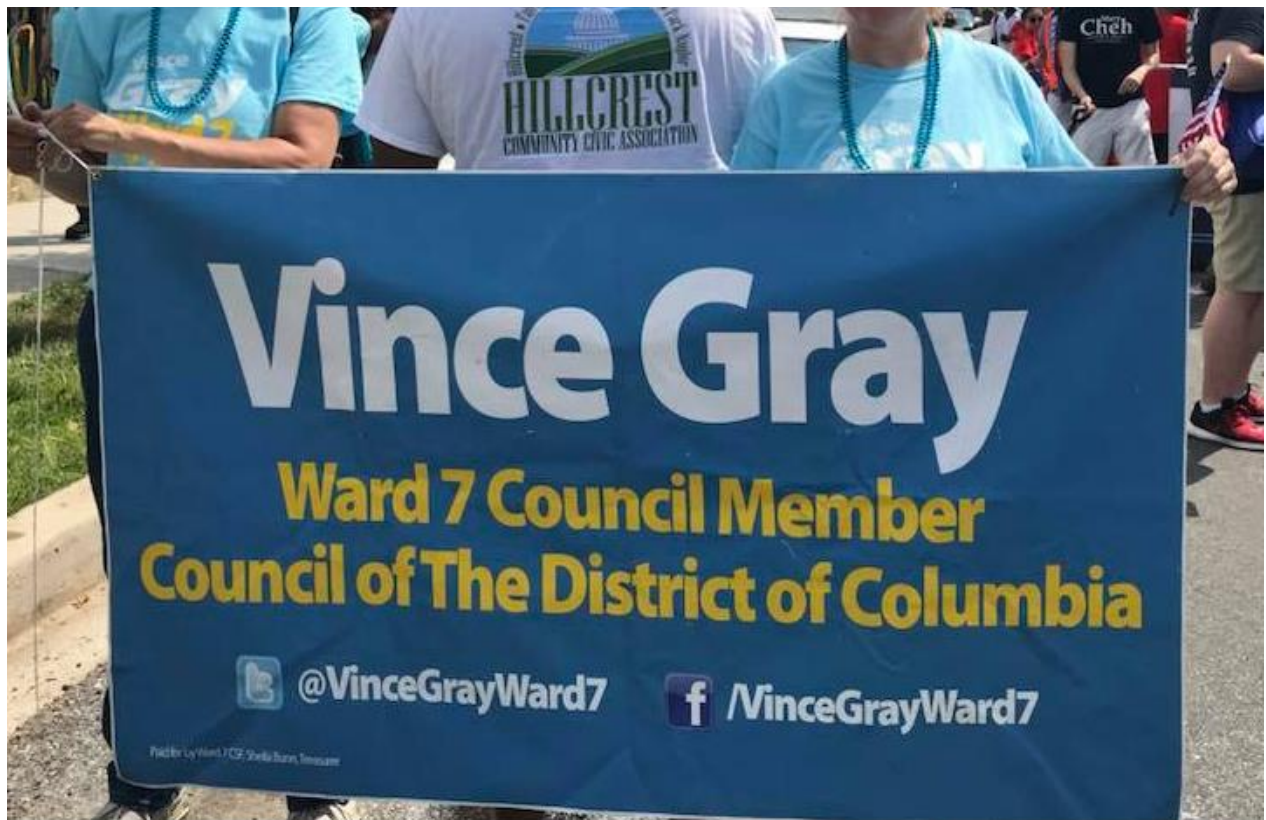
⁶⁴ Ward 3 Constituent Services Fund, *July 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2017), <http://bit.ly/2Ro9nsx>.

⁶⁵ Ward 3 Constituent Services Fund, *October 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2015), <http://bit.ly/2NIEBrD>.

⁶⁶ Ward 7 Constituent Services Fund, *July 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2017), <http://bit.ly/2yCZzE4>.

⁶⁷ *Vincent C. Gray’s Facebook Post*, FACEBOOK (July 4, 2018), <http://bit.ly/2Tkjh3G>.

Figure 5 – Vince Gray Banner Purchased with CSF Funds



Gray and numerous constituents are also pictured wearing t-shirts with virtually the same design as the banner, posted the same day on Facebook.⁶⁸ [Figure 6]

⁶⁸ *Vincent C. Gray's Facebook Post*, FACEBOOK (July 4, 2018), <http://bit.ly/2Unrr7N>.

Figure 6 – Vince Gray T-Shirts Purchased With CSF Funds

We emailed the treasurer of Gray’s CSF, who also serves as his chief of staff, to see if the Vince Gray t-shirts were also purchased using CSF funds. We specifically asked if the t-shirts pictured in the July 2018 Facebook post were part of the \$890 June 2018 “purchase of t-shirts for constituents walking with CM.”⁶⁹ The councilmember’s office responded confirming the t-shirts were purchased using constituent service funds and were part of the June 2018 expenditure.⁷⁰

According to his CSF filings, Council Chairman Phil Mendelson indicated he purchased t-shirts on numerous occasions: His CSF purchased “Council tee shirts” for \$504 in May 2013⁷¹ and “T-Shirts” for \$517 in May 2017.⁷² He also spent \$407 on a “banner & buttons for parades in May 2017”.⁷³

On his Facebook page on July 5, 2017, two months after his CSF reported it had spent \$517 on t-shirts and \$407 on a parade banner, Mendelson is pictured marching in a parade with numerous people wearing Phil Mendelson t-shirts holding a large “Phil Mendelson DC Council Chairman” banner.⁷⁴ [Figure 7]

⁶⁹ Ward 7 Constituent Services Fund, *July 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2018), <http://bit.ly/2Q0m3Fy>.

⁷⁰ Email on file with author.

⁷¹ Phil’s Fund For Citizen Service, *July 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2013), <http://bit.ly/2XBjIW1>.

⁷² Phil’s Fund For Citizen Service, *July 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2017), <http://bit.ly/2CMBDkh>.

⁷³ *Id.*

⁷⁴ *Chairman Phil Mendelson Facebook Post*, FACEBOOK (July 5, 2017), <http://bit.ly/2EOmKPh> & <http://bit.ly/2SNUfoo>.

Figure 7 – Phil Mendelson Banner and T-Shirts Likely Purchased With CSF Funds



Mendelson’s CSF filings do not list a treasurer. We reached out directly to Mendelson’s office to ask if the banner and or any of the t-shirts pictured in the Facebook July 2017 Facebook posts were purchased using CSF funds. Mendelson’s office told us the Chairman has participated in parades and events for many years and “most of the participants are given and wear t-shirts purchased with the constituent services fund at some point.”⁷⁵ They said they could not confirm any of the t-shirts in the Facebook photo were part of the specific expenditures cited above, but noted that anything with the word “democrat” in it would not be purchased using constituent service funds. Mendelson’s office did not respond specifically to the question about the banner. Public Citizen followed up about the banner and more generally confirming that the t-shirts in the photo were in fact purchased using constituent service funds at some point, regardless of whether or not they could point to a specific expenditure, and received no response.

The critique of Gray and Mendelson’s spending on campaign style t-shirts and banners is possible in part because they were better at disclosing what they were spending money on. In other examples, elected officials

⁷⁵ Email on file with author.

spent hundreds or thousands of dollars on expenditures to the same vendors used by Gray and Mendelson, vendors that make custom clothing among other things, but didn't provide insight into what they purchased.

But the fact that the elected officials discussed in this section are likely far from alone in terms of spending CSF money on campaign style items does not make things better, it makes the problem even worse.

The Vagueness of the Expenditures Makes it Challenging to Know How Some CSF Money is Being Spent Without Additional Follow Up

In January 2016, Brandon Todd reported that his CSF paid Maverick Strategies and Mail LLC \$12,113 for “Design and Printing Services.”⁷⁶ The total amounts to nearly a quarter of all the money spent by Todd's CSF that year. It is the largest single expenditure ever made by Todd's CSF, by a wide margin – the next largest expenditure was for \$7,775.

Todd was elected by special election in 2015, then ran for re-election in 2016. He paid Maverick close to \$119,000 for campaign materials and consulting over the course of the two campaigns.⁷⁷ An example of a campaign flyer Maverick created for Todd's 2016 re-election campaign is displayed on the company's website.⁷⁸

In 2016, Todd's CSF paid Maverick \$12,113 for the “design, printing and mailing” of the “first Ward 4 progress report,”⁷⁹ according to his office. Although we were unable to obtain the 2016 progress report, progress reports for 2018 are available online.⁸⁰ The councilmember's 2018 progress reports were not paid for with constituent service funds, according to his staff. But his staff acknowledged that the 2018 reports are similar to the one he financed out of his CSF in 2016. The 2018 reports appear much more intended to promote the councilmember than anything else.⁸¹ For example, the reports credit the councilmember for a drop in the crime rate; the creation of thousands of affordable housing units; cutting the ribbon on new schools, libraries and parks; and introducing and passing numerous pieces of legislation.⁸² Regardless of the merits of the claims, it is clear from the 2018 reports that it would be reasonable for a Ward 4 resident reading these reports to view them as more a laundry list of Councilmember Todd's greatest accomplishments than an update on the progress of Ward 4 – though no doubt the two are intertwined.

The vagueness of Todd's disclosure of the Maverick expenditure is not rare. Public Citizen found close to \$10,000 worth of expenditures made from the CSFs of D.C.'s elected officials that listed the purpose of the expenditure as simply “advertising.” There were also more than \$11,000 in expenditures for which the purpose of the expenditure was listed as “printing,” without any detail as to what was being printed.

Over the seven-year period covered in this analysis, D.C.'s elected officials spent more than \$8,000 on expenditures where the stated purpose was “consultant.” Close to \$50,000 was spent on “supplies,” without adding any further detail. There were more than \$37,000 in expenditures that listed the purpose of the

⁷⁶ Ward 4 Constituent Services Fund, *April 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2016), <http://bit.ly/2ThsfyH>.

⁷⁷ *Search Principal Campaign Committee, Expenditures, Brandon Todd for Ward 4*, D.C. OFFICE OF CAMPAIGN FINANCE (2015), <http://bit.ly/2fV9ldD> and *Principal Campaign Committee, Expenditures, Re-Elect Brandon Todd for Ward 4*, D.C. OFFICE OF CAMPAIGN FINANCE (2016), <http://bit.ly/2fV9ldD>.

⁷⁸ See, <http://www.maverickstrategiesandmail.com/work>.

⁷⁹ Email on file with author

⁸⁰ *Ward 4 Progress Report, Spring 2018*, COUNCILMEMBER BRANDON TODD, <http://bit.ly/2CmpWjc> and *Ward 4 Progress Report, Fall 2018*, COUNCILMEMBER BRANDON TODD, <http://bit.ly/2W0q4MP>.

⁸¹ *Id.*

⁸² *Id.*

expenditure as “reimbursement,” without giving any indication of what the person or entity was being reimbursed for.

Phil Mendelson was reimbursed for \$22,645 in CSF expenses, by far the most of any elected official. We reached out to Mendelson’s office to ask what two of the largest and most recent reimbursements were for – a January 2018 expenditure of \$4,676 paid to Mendelson listed as “Reimbursements,”⁸³ and a January 2017 expenditure of \$2,866 paid to Mendelson listed as “Reimbursement expenses.”⁸⁴ In response, Mendelson’s office told Public Citizen that: “The reimbursement requests are generally expenses related to lunch with auction winners (Chairman’s meals excluded), constituent services community events (such as Meet Up with Mendo, Back to School haircuts, etc.), school supplies giveaway, toys for the Holiday Toy Giveaway, as well as postage for holiday cards.” Mendelson’s office also provided a detailed list of what the two large reimbursements Public Citizen specifically inquired about were for. They said the two expenditures “consist of various expenditures over the course of usually several months (in these cases 2-7 months).” The 2018 expenditure included “hand-outs for the 2017 pride parade,” “supplies for back-to-school giveaway community event,” “toys purchased at Target for holiday toy giveaway,” and “postage stamps for holiday card mailing.” The 2017 expenditure was for “postage stamps for holiday card mailing” and “toys purchased at Target for Holiday Toy Giveaway.”⁸⁵

There were also examples where money was refunded without providing much detail on why the refund was made. For example, from 2014 through 2016, Jack Evans’ CSF listed a total of \$17,600 in refunds from a person named Joseph Bak.⁸⁶ We reached out to Evans’ office and Bak to ask what the refunds were for. Evans’ office said Mr. Bak was reimbursing the fund for baseball tickets he purchased and that the refund total should be subtracted from expenditures on baseball tickets in the corresponding year.⁸⁷ Public Citizen made the adjustment and subtracted about \$6,000 from the expenditures on Washington Nationals tickets made by Jack Evans in 2014, 2015 and 2016.

D.C.’s Office of Campaign Finance Audits CSFs

To get a better understanding of what types of expenditures warrant further scrutiny, Public Citizen reached out to D.C.’s Office of Campaign Finance (OCF). Public Citizen asked OCF about some of the expenditures with vague descriptions and more generally to get an idea of what types of expenditures OCF would follow up on to seek more information. In response, OCF provided Public Citizen with a detailed letter.

The letter explained that “overall, the Office of Campaign Finance determines the validity and/or absence of information contained in financial reports through desk reviews, full field audits, and random periodic audits.”⁸⁸ Constituent service funds must file quarterly reports summarizing contributions and expenditures. These quarterly reports are first reviewed by OCF’s Reports Analysis and Audits Division (RAAD) in a “desk audit

⁸³ Phil’s Fund For Citizen Service, *April 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2018), <http://bit.ly/2RIV2MX>.

⁸⁴ Phil’s Fund For Citizen Service, *April 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2017), <http://bit.ly/2Jnh5k>.

⁸⁵ Email on file with author.

⁸⁶ Bak refunded the CSF \$6,000 in 2016, \$6,000 in 2015, and \$5,600 in 2014. See Evans Constituent Service Fund, *April 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2016), <http://bit.ly/2CXYHNh>, Evans Constituent Service Fund, *July 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2015), <http://bit.ly/2Tg33IM>, and Evans Constituent Service Fund, *April 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2015), <http://bit.ly/2ObYesw>, Evans Constituent Service Fund, *July 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2014), <http://bit.ly/2TFXFFI>.

⁸⁷ Email on file with author.

⁸⁸ Letter on file with author.

review.” When RAAD conducts an audit and determines there are “deficiencies,”⁸⁹ it will request more information from the filer. If the filer does not comply with the request for more information, RAAD will refer the issue to the Office of General Council.

During periodic audits, constituent service funds must “submit all banking records and statements, invoices, and receipts maintained in support of the contributions and expenditures reported” in a covered period.⁹⁰ If RAAD finds that contributions or expenditures were improperly reported or not reported at all, it will require the filer to submit an amended report.

OCF provided a summary of their audit activity from fiscal year 2016 through fiscal year 2019, to date. OCF has done 206 desk reviews, 17 random periodic audits and issued 63 requests for more information.⁹¹

The 63 information requests issued by OCF over that timeframe covered 240 expenditures totaling approximately \$232,043 in total CSF spending. For each fiscal year, OCF provided a list of the types of expenditures it requested more information on over that year. OCF requested more information on Mendelson’s 2018 reimbursement expense of \$4,676, and reviewed the receipts for each of the expenditures included in the reimbursement. Though more detailed, the documents matched the response given to Public Citizen by Mendelson’s office.

We asked OCF for examples of when an investigation found that constituent service funds had not been spent properly from fiscal year 2016 through today. OCF provided two examples: a 2018 donation of \$500 from Trayon White’s CSF to “The Nation’s Program – Saviour’s Day,”⁹² which sparked controversy because Nation of Islam leader and speaker at the event, Louis Farrakhan, has a long history of making anti-Semitic comments.⁹³ The Saviour’s Day event is held in Chicago. Therefore, OCF determined the donation did not benefit residents of the District of Columbia and was not appropriate. White reimbursed his CSF, himself.⁹⁴ The second situation also involved Trayon White, but it amounted to more of an administrative error than anything else. In 2017, White’s CSF used cashier’s checks to pay for four expenditures. While OCF deemed the substance of the expenditures appropriate (White’s CSF provided receipts for the services rendered), the use of the cashier’s checks is prohibited, according to OCF. OCF chose not to levy a fine as White’s CSF indicated they would no longer use cashier’s checks.⁹⁵

Based on the information provided by OCF, generally speaking, OCF spends a significant amount of time confirming that constituent service funds are in fact being spent the way that D.C.’s elected officials say they are. Proving an elected official actually purchased what he or she claimed to have purchased is no doubt necessary. But the bulk of the public and press critiques related to CSFs over the years have less to do with whether or not an elected official spent the money as indicated on the forms, and more related to the substance of what was purchased.

⁸⁹ *Id.*

⁹⁰ *Id.*

⁹¹ *Id.* and see <https://efiling.ocf.dc.gov/AuditReport>.

⁹² Do Something Constituents Fund, *April 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2018), <http://bit.ly/2UsP6no>.

⁹³ Fenit Nirappil, *Trayon White Paid Back Constituent Fund for ‘Inappropriate’ Nation of Islam Donation*, THE WASHINGTON POST (Aug. 21, 2018), <https://wapo.st/2H9CNr7>.

⁹⁴ OCF findings on file with author.

⁹⁵ OCF findings on file with author.

If a particular expenditure occurred in a time period covered by a CSF random periodic audit, OCF said it would review the substance of what a vendor produced. We specifically asked OCF if they review the physical printed advertisements and calendars produced by vendors and it said no, though “printed materials have been submitted in the past.”⁹⁶ OCF also said it did not review the designs for t-shirts and banners purchased using constituent service funds.

Some Constituent Service Funds Are Spent on Important and Good Services, The Problem Is This Spending Only Accounts For a Small Percentage of the Overall Spending

One might argue that Evans’ ticket expenditures, or the campaign-style t-shirts or banners, or any of the other questionable expenditures should not tarnish all of the expenditures from these funds. It’s true that tens of thousands of dollars has been spent on goods and services for District residents that very few people would find objectionable, including rental assistance and help with utility payments. Many of the gifts given to constituents appear to be given with the goal of helping constituents.

As a Councilmember, Muriel Bowser gave away hundreds of coats. Brandon Todd has done the same. Vincent Gray and Trayon White have given away hundreds of Thanksgiving turkeys. Gray, Phil Mendelson and Mary Cheh have used constituent service funds to give away Christmas toys. Kenyan McDuffie and Bowser have given away thousands of dollars’ worth of grocery store gift cards.

The problem is the vast majority of the expenditures are not on these things.

⁹⁶ Email on file with author.

III. Maxed Out Campaign Contributors, Government Contractors and Lobbyists Commonly Contribute to CSFs

In total, the constituent service funds covered in this analysis accrued \$1.2 million from 2012 through 2018. Close to half of that has come from the campaign accounts of the elected officials.

If Contribution Limits Covered Contributions to CSFs and Campaigns in Aggregate, There Would Have Been 189 Excess Contributions Totaling \$84,655

The existence of CSFs tied directly to elected officials permits donors who have maxed out to campaign funds to contribute extra money, further ingratiating them to the elected official. If contributions to CSFs counted toward overall contribution limits, the nine D.C. elected officials who operate CSFs would have received 189 contributions that exceeded the amount that a donor is allowed to give for the period covered in this analysis. These would have totaled \$84,655. [Table 4]

Table 4 – Contributions That Would Have Exceeded Limits if Contributions to CSFs Counted Against Overall Campaign Contribution Limits*

Elected Official	Total Number of Excess Contributions	Total Amount of Excess Contributions
Jack Evans	118	\$54,200
Kenyan McDuffie	34	\$14,450
Vincent Gray	11	\$4,325
Phil Mendelson	10	\$5,000
Muriel Bowser	9	\$3,880
Anita Bonds*	4	\$1,750
Brandon Todd*	3	\$1,050
Mary Cheh	0	-
Trayon White*	0	-
Total	189	\$84,655

* Trayon White had a CSF for just two of the years covered in this analysis. Brandon Todd had a CSF for four years and Anita Bonds had one for six years. The rest of the elected officials included in Table 4 had a CSF for all seven years included in this analysis (2012- 2018).

Jack Evans would have received the most CSF contributions that would have exceeded limits if they counted against overall or aggregate contribution limits – 118 contributions totaling \$54,200.

To be clear, the data in Table 4 do not point to illegal campaign contributions. This is a hypothetical scenario; contributing the maximum amount to the same elected official's CSF and campaign during the same election cycle is legal.

But some contributors made a habit out of contributing the maximum amount to the CSFs and the campaigns of elected officials, and many are powerful in D.C. politics.

Russell Lindner is the chairman and CEO of The Forge Company⁹⁷ and executive chairman of Colonial Parking.⁹⁸ Colonial Parking controls more than 275 parking locations in D.C., according to its website.⁹⁹ The company is the parking operator for the D.C. Armory,¹⁰⁰ and estimates that in the District of Columbia, “90% of all commuters are estimated to work within two blocks of a Colonial facility.”¹⁰¹

Lindner contributed the maximum amount – \$500 – to Jack Evans’ constituent service fund in 2015¹⁰² and 2016.¹⁰³ Lindner also contributed the maximum amount, \$500, to Evans’ 2016 campaign for D.C Council.¹⁰⁴ Had all the contributions to be made to a single fund, the 2015 and 2016 CSF contributions would have put Lindner \$1,000 over the limit.

Lindner’s The Forge Company, contributed the maximum amount to Jack Evans’ constituent service fund in 2015¹⁰⁵ and the maximum amount to Evans’ 2016 campaign for D.C Council.¹⁰⁶ Had all the contributions to be made to a single fund, the 2015 CSF contributions would have put Lindner \$500 over the limit.

In total, Russell Lindner, his various LLCs and his close family, contributed \$9,000 to Evans’ CSF from 2012 through 2018. They also contributed \$13,750 to his political campaigns.

In March 2019, *The Washington Post* found that Jack Evans had been pitching his services to firms that lobby in the District.¹⁰⁷ Evans is a lawyer. D.C. Councilmembers are allowed to seek outside employment, but they are not supposed to use their position in government for personal gain. In Evans’ pitch, which was sent from his chief of staff using her D.C. government email, Evans’ touted his “tenure and standing in business and political circles here in D.C. and the region, I believe that I will be able to identify and contact potential clients who are seeking government relations and legal assistance.”¹⁰⁸ Evans listed five business leaders that he has a relationship with, first on the list is Rusty Lindner, owner and CEO of Colonial Parking.¹⁰⁹

In 2018, Jack Evans’ CSF was in the news as part of a potential corruption scandal that involved Evans receiving \$100,000 worth of shares in a D.C. sign company, Digi Outdoor Media, shortly before he planned to introduce legislation that would directly benefit the company, according to *The Washington Post*.¹¹⁰ Evans told *The Post* he returned the stock certificate “as soon as it was received.”¹¹¹

⁹⁷ *Board of Directors, Rusty Lindner*, D.C. POLICY CENTER, <http://bit.ly/2On2gP9>.

⁹⁸ *Executive Team*, COLONIAL PARKING, <http://bit.ly/2OmsBfY>.

⁹⁹ *About Us*, COLONIAL PARKING, <http://bit.ly/2yMB5Z9>.

¹⁰⁰ DC Armory, *Venue Specifications*, WASHINGTON CONVENTION AND SPORTS AUTHORITY, <http://bit.ly/2AI4q8a>.

¹⁰¹ *About Us*, COLONIAL PARKING, <http://bit.ly/2yMB5Z9>.

¹⁰² Evans Constituent Service Fund, April 1st Report, D.C. OFFICE OF CAMPAIGN FINANCE (2015), <http://bit.ly/2ObYesw>.

¹⁰³ Evans Constituent Service Fund, April 1st Report, D.C. OFFICE OF CAMPAIGN FINANCE (2016), <http://bit.ly/2CXyHNh>.

¹⁰⁴ Evans 2016, July 31st Report, D.C. OFFICE OF CAMPAIGN FINANCE (2015), <http://bit.ly/2qxIV5z>.

¹⁰⁵ Evans Constituent Service Fund, April 1st Report, D.C. OFFICE OF CAMPAIGN FINANCE (2016), <http://bit.ly/2CXyHNh>.

¹⁰⁶ Evans 2016, July 31st Report, D.C. OFFICE OF CAMPAIGN FINANCE (2015), <http://bit.ly/2qxIV5z>.

¹⁰⁷ Steve Thompson, *In Business Proposals, D.C. Council Member Jack Evans Pitched Influence to Legal and Lobby Firms*, THE WASHINGTON POST (March 2, 2019), <https://wapo.st/2XD0U6W>.

¹⁰⁸ *Jack Evans 2018 pitch to Nelson Mullins*, THE WASHINGTON POST (March 2, 2019), <https://wapo.st/2Hm1vFU>.

¹⁰⁹ *Id.*

¹¹⁰ Steve Thompson, *D.C. Council Member Jack Evans Received Stock Just Before Pushing Legislation That Would Benefit Company*, THE WASHINGTON POST (Dec. 20, 2018), <https://wapo.st/2Txc10t>.

¹¹¹ *Id.*

Digging into the scandal, *The Post* obtained emails in which Evans, after meeting with Digi's founder Donald E. MacCord in 2015, solicited CSF contributions from MacCord: "We have raised \$25,000 so far," Evans wrote to MacCord. "We can raise up to \$40,000. You can give a maximum of \$500 per person or entity. Thanks."¹¹²

Many CSF Contributors Receive Millions in D.C. Government Contracts, Recently Passed Pay-To-Play Legislation Will Limit Some of These Contributions in the Future

When Charles Allen was considering a bill to abolish the funds, he told the *Washington City Paper* in regards to the CSFs: "The fundraising aspect is what troubles me," and that the funds are "fraught with conflicts."¹¹³

Contributors to the constituent service funds have received millions in D.C. government contracts in recent years. Some examples include:

Blue Skye Construction and its executives for example, have contributed \$4,500 to the constituent service funds of D.C.'s elected officials. According to the D.C. Department of General Services (DGS), since 2017, Blue Skye has been awarded close to \$3.8 million in DGS contracts.¹¹⁴

Fort Myer Construction, a prominent construction company that has been at the center of pay-to-play accusations in the past,¹¹⁵ contributed \$3,700 to CSFs since 2012. The company has been awarded \$16 million in D.C. government contracts since 2016, according the DGS.¹¹⁶

Dynamic Concepts Inc., a technology and infrastructure company,¹¹⁷ has contributed \$2,500 to D.C.'s constituent service funds. The company received a \$200,000 utility infrastructure contract from the Department of Employment Services in 2017, according to D.C.'s Office of Contracting and Procurement database.¹¹⁸

The technology company EastBanc Technologies and its founder Anthony Lanier,¹¹⁹ contributed \$3,400 to the CSFs. The company has received almost \$2.4 million in D.C. government contracts since 2016, according to the Office of Contracting and Procurement.¹²⁰

In 2018, the D.C. Council unanimously passed legislation aimed at curbing pay-to-play in the District.¹²¹ The bill bans contributions to the Mayor, the Attorney General, and those who seek to hold those positions, from any business and or business principals with government contracts totaling \$250,000 or more annually.¹²² The bill also bans contributions to D.C. councilmembers if the contract must be approved by the council.¹²³ While

¹¹² *Id.*

¹¹³ Andrew Giambrone, Tom Sherwood, *Do Constituent Service Funds Always Serve Constituents?*, WASHINGTON CITY PAPER (May 10, 2018), <http://bit.ly/2Tr6V9l>.

¹¹⁴ Search Blue Skye, <https://dgsprocurement.dc.gov/>.

¹¹⁵ Peter Jamison, *Bowser Says she Will not Investigate Evidence of Illegal Leak in Contracting Process*, THE WASHINGTON POST (June 15, 2017), <https://wapo.st/2EPx4GO>.

¹¹⁶ Search Fort Myer, <https://dgsprocurement.dc.gov/>.

¹¹⁷ See <http://www.dcihq.com/company/overview.html>.

¹¹⁸ Contract Award Details, Dynamic Concepts, *CF0-FY16-Utility Infrastructure*, D.C. OFFICE OF CONTRACTING AND PROCUREMENT (Dec. 9, 2017 – Dec. 8, 2018), <http://bit.ly/2RlNr0T>.

¹¹⁹ About Us, *EastBanc Technologies*, <http://bit.ly/2NHqS6x>.

¹²⁰ Search EastBanc, <http://bit.ly/2jmKmuJ>.

¹²¹ Peter Jamison, *D.C. 'Pay-to-Play' Ban Closer to Becoming Law After Mayor Declines Veto*, THE WASHINGTON POST (Jan. 18, 2019), <https://wapo.st/2TvmY5N>.

¹²² Councilmember Charles Allen, *In First Vote, Council Passes Campaign Finance Omnibus Bill Restricting Pay-to-Play Contributions, Limiting Money in Politics*, CHARLES ALLEN D.C. COUNCIL (Nov. 20, 2018), <http://bit.ly/2NNHGZC>.

¹²³ *Id.*

the Council awards some of its own service contracts, the District uniquely requires that multi-year contracts and District contracts of more than \$1 million over a 12-month period must be reviewed and approved by the Council.¹²⁴ As such, under the new pay-to-play reform law, some of the contributions discussed in this section will no longer be allowed in the future.

Even With the Pay-To-Play Legislation, Concerns About Contributors Still Exists

But it is not just companies that receive contracts that present concerns. The drug company Pfizer, for example, contributed \$3,500 to D.C.'s constituent service funds from 2012 through 2018.

Some of D.C. largest developers – and the companies' executives – contributed large amounts of money to D.C.'s CSFs (the totals that follow include both contributions directly from the corporation and executives at the company combined). Republic Properties contributed \$6,045 to the constituent service funds of D.C.'s elected officials. Douglas Development¹²⁵ contributed \$3,500. Developer Willco¹²⁶ contributed \$11,000 – virtually all of which went to Jack Evans' CSF.

Powerful firms and lobbyists that lobby the D.C. government contributed thousands to the constituent service funds of D.C.'s elected officials from 2012 through 2018. The powerful law firm Manatt, Phelps & Phillips, LLC¹²⁷ contributed \$8,400. Two prominent D.C. lobbyists connected to the recent Jack Evans Digi Media scandal,¹²⁸ Thorn Pozen and David Wilmot, contributed \$4,500 and \$3,800, respectively (not all of their contributions went to Evans' CSF, but a significant portion did). Wilmot was named as a person Evans could partner with when he was caught touting his connections to potential clients in 2018.¹²⁹ Kerry Pearson, a D.C. lobbyist, “power broker” and “fixer” according to the *Washington City Paper*,¹³⁰ and his limited liability company – Kerry Pearson LLC – contributed \$8,000 to the CSFs in D.C. from 2012 through 2018.

¹²⁴ D.C. CODE 2-301.05, CRITERIA FOR COUNCIL REVIEW OF MULTIYEAR CONTRACTS AND CONTRACTS IN EXCESS OF \$1 MILLION, CODE OF THE DISTRICT OF COLUMBIA, <http://bit.ly/2TzKb7X>.

¹²⁵ See <https://douglasdevelopment.com/about/>.

¹²⁶ See <http://willco.com/about-us/>.

¹²⁷ Steve Thompson, *In Business Proposals, D.C. Council Member Jack Evans Pitched Influence to Legal and Lobby Firms*, THE WASHINGTON POST (March 2, 2019), <https://wapo.st/2TiTyOQ>.

¹²⁸ Steve Thompson, *D.C. Council Member Jack Evans Received Stock Just Before Pushing Legislation That Would Benefit Company*, THE WASHINGTON POST (Dec. 20, 2018), <https://wapo.st/2Txc10t>.

¹²⁹ *Jack Evans 2018 pitch to Nelson Mullins*, THE WASHINGTON POST (March 2, 2019), <https://wapo.st/2Hm1vFU>.

¹³⁰ Jonetta Rose Barras, *Smooth Operator*, WASHINGTON CITY PAPER (Oct. 8, 2004), <http://bit.ly/2F7Nqp4>.

IV. Reforming Constituent Service Funds

Public Citizen's position is that constituent service funds should be abolished. While no doubt much of the spending is well-intentioned, the concerns related to the misuse of funds is great. Giving a child a coat in the winter is certainly a good thing, as is giving away toys during the holidays or turkeys over Thanksgiving. Grocery store gift cards are surely a great relief to many. But the question is not whether or not these are good deeds, but rather: is this something specifically that an elected official should be doing?

D.C.'s elected officials are in the minority in terms of elected officials in the country who have these funds. Across the country, elected officials find ways to help constituents in need without operating these funds. The good that is done using these funds can still get done – but in a better and more equitable way.

Five members of the D.C. Council do not have CSFs – David Grosso, Elissa Silverman, Brianne K. Nadeau, Charles Allen, and Robert White. When asked by *The Washington Post* editorial board in 2015, the elected officials told *The Post* that they are able to assist constituents in need by directing them to a city agency. They chose not to establish constituent service funds because of ethical concerns, *The Post* noted.¹³¹

Proposed Reforms

While it is Public Citizen's belief that these funds should be abolished, currently there appears to be little appetite among the D.C. Council to do so. A provision that would have abolished the funds was removed from the Campaign Finance Reform Amendment Act of 2018 to ensure the bill's passage. If the CSFs are to continue, serious reforms are needed. Some suggested reforms are listed below:

- Ban private contributions to CSFs. Budget – using taxpayer funds – \$10,000 to \$20,000 per calendar year for each elected official to use to help constituents with immediate needs. This would give all elected officials equal opportunity to help constituents. Under the current system, the fundraising prowess, political power and connections of each elected official largely dictates how much help constituents receive.
- Create tighter restrictions on how the money can be spent. Advertisements and outreach using constituent service funds should be strictly limited to alerting constituents that help is available through these funds. References to elected officials should be prohibited in advertisements. Sports tickets, are not a good use of constituent service funds and should be prohibited.
- Ensure that when CSF financial disclosures are submitted each expenditure is described in enough detail to ensure that one can gain an understanding of how the money was spent by reading the disclosures, without additional follow up.

Reform Will Likely Change Little for Some Elected Officials' Constituent Service Efforts

Many D.C. elected officials who operate CSFs spend such modest amounts that they could continue such activities if CSFs were reformed. In 2018, Anita Bonds spent a total \$8,428 in constituent service funds. Close

¹³¹ Editorial Board, *Mayor Bowser Should Get Rid of Her Constituent Services Fund*, *The WASHINGTON POST* (Aug. 2, 2015), <https://wapo.st/2z9m033>.

to half of all of Bonds' 2018 spending went toward her annual Community Cornerstone Awards event.¹³² An awards event she holds every year that "recognizes everyday citizens, organizations and businesses that make a significant impact in our communities."¹³³ The largest single expenditure related to the event was on the awards themselves (the medallions given to the winners). Most of the remaining spending on the event was related to catering, which also included numerous D.C. restaurants donating food.

Kenyan McDuffie spent \$12,242 in 2018. The majority of McDuffie's spending was on catering for a few events. Trayon White spent \$10,078 in 2018 – most of which went to catering, donations and supplies. White's largest expenditures was a payment for video work related to his "Ward 8 People's Gala,"¹³⁴ an event that raises money for his constituent service fund. Vincent Gray spent \$8,982 in 2018, more than half of which was on immediate constituent needs.

Mary Cheh spent just \$1,128 in 2018 (Cheh's overall spending has fallen in recent years). The vast majority of Cheh's 2018 spending was on water for her office.

It is unlikely that reform would ban catering and refreshments or the occasional community event. Therefore, for five of eight members of the D.C. Council, based on their 2018 spending, there is no real reason for them to be against reform.

Conclusion

On average, from 2012 through 2018, the D.C. elected officials with CSFs spent about \$160,000 per year in total in CSF money. Mayor Bowser recently proposed a \$15.5 billion annual budget for fiscal year 2020.¹³⁵ If it is decided that \$160,000 or \$200,000 more a year is needed to help D.C. residents afford their rent or utilities, it won't bust the budget, and it can be targeted towards those who need it most.

Currently, what constituent service funds are spent on largely depends on whatever the elected official deems to be reasonable (within the bounds of the regulations). It's clear that Jack Evans has a much different view of what constitutes a reasonable expenditure than Anita Bonds or Kenyan McDuffie.

If constituent service funds are going to continue to exist, serious reform is needed and safeguards need to be put in place. Hoping elected officials use the money wisely is not good policy. Requiring them to do so is.

¹³² Councilmember Anita Bonds, *Community Cornerstones Awards, Save the Date*, COUNCIL OF THE DISTRICT OF COLUMBIA, (Oct. 19, 2018), <http://bit.ly/2C7WpK4>.

¹³³ Nomination Form, *Community Cornerstones Awards*, OFFICE OF COUNCILMEMBER ANITA BONDS, <http://bit.ly/2HhgUr2>.

¹³⁴ Do Something Constituents Fund, *July 1st Report*, D.C. OFFICE OF CAMPAIGN FINANCE (2018), <http://bit.ly/2ISWC9Z>.

¹³⁵ Fenit Nirappil, *Bowser Releases 2020 D.C. Budget With More Money for Housing*, THE WASHINGTON POST (March 20, 2019), <https://wapo.st/2HNpBtL>.

Appendix I – Summary of Expenditure Categories

As noted earlier in the report, there is no standard way to describe each expenditure in filings. Councilmembers provided varying levels of detail. The vagueness of the financial disclosures makes it challenging to determine what some expenditures were for. For example, elected officials reported spending \$45,600 on “supplies” without providing any further detail as to what they were or what they were for.

In order to do a comprehensive analysis of all expenditures from 2012 through 2018, Public Citizen created standard categories. [Table 5]

Table 5 – Description of Public Citizen’s Expenditure Categories

Expenditure Category	Description
Sports Tickets	The expenditures were straight forward and the vast majority of expenditures listed the purpose as “tickets.”
Donations, Fundraisers, Sponsorships, Dues	This is mostly self-explanatory as the four types listed covers the vast majority of expenditures in this category.
Catering and Refreshments	“Catering / Refreshments” was the most common expenditure listed in the D.C. Office of Campaign Finance filings and it largely mirrors Public Citizen’s categorization.
Advertising and Outreach	While advertising was a categorization commonly used in filings, outreach was not. Most of the outreach expenditures relate to mailings, flyers and postage. It also includes computer and web expenses and services like Constant Contact.
Gifts (Coats, Turkeys, Toys, etc.)	Coats, turkeys and toys account for the vast majority of expenditures in this category.
Events	This includes concerts, ward specific events, family days, Christmas parties, open houses, and parades. It also includes expenditures on DJs, bouncy houses and other supplies for specific events when noted by the councilmember.
Utilities	The vast majority of expenditures in the category are for Washington Gas, Pepco and D.C. Water bills.
Equipment and Supplies	Elected officials commonly listed “supplies” as the purpose of the expenditure. The expenditures were made at places like CVS, Costco, Walmart, Staples, Amazon, etc.
Reimbursements	Elected officials and their staff often paid for things up front and were then reimbursed by the CSF. If we were unable to figure out exactly what the reimbursement was for, it would be categorized as Reimbursements.
Rental assistance	This category includes all expenditures that listed rental or mortgage assistance.
Other	This category includes items that did not fit in any other category (expenditures for which no purpose was listed, bank fees, etc.).
Funeral Support and Flowers	This category is used for all expenses on flowers and funeral expenses.
Gift Cards	Elected officials would often distribute gift cards to grocery stores.
Other Constituent Assistance	In some cases, councilmembers indicated an expenditure was for constituent assistance without providing more detail.