

## **Philadelphia Board of Ethics**

**Contact:** Michael J. Cooke, Director of Enforcement, 215-686-9459

**For Immediate Release:** June 5, 2014

**PHILADELPHIA** – The Board of Ethics has approved a settlement agreement involving City Commissioner Stephanie Singer. The agreement resolves violations arising from Philadelphia Code § 20-607 and Philadelphia Home Rule Charter § 10-107(3).

A copy of the approved settlement agreement is attached.

*The Philadelphia Board of Ethics is a five-member independent board established by ordinance, approved by Philadelphia voters in May 2006, and installed on November 27, 2006. It is charged with providing ethics training for all City employees and enforcing City campaign finance, financial disclosure and conflict of interest laws. The Ethics Board has authority to render advice, investigate complaints and issue fines.*

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## **SETTLEMENT AGREEMENT**

This Settlement Agreement (“Agreement”) is made and entered into between the Board of Ethics of the City of Philadelphia, the Hon. Stephanie Singer, and the Executive Director of the Board of Ethics, jointly referred to as “the Parties.”

### **RECITALS**

- A. The Board of Ethics of the City of Philadelphia is a five-member, independent board established by ordinance, approved by Philadelphia voters in May 2006, and installed on November 27, 2006. Pursuant to section 4-1100 of the Home Rule Charter, the Board is charged with, among other things, enforcing the Philadelphia Home Rule Charter’s restrictions on political fund raising and the Philadelphia Code’s conflict of interest law.
- B. The Hon. Stephanie Singer is one of the City’s three elected City Commissioners. The City Commissioners are responsible for administering all elections that occur in Philadelphia.
- C. The Friends of Stephanie Singer is a political committee that Commissioner Singer has authorized to accept campaign contributions on her behalf.

### **Violation of Code Section 20-607**

- D. Section 20-607 of the Philadelphia Code prohibits a City officer from taking official action when either a) he or she has a personal financial interest in that action or b) a business or other entity of which he or she is a member has a financial interest in that action.
- E. Pursuant to Code Section 20-1302, a violation of Section 20-607 is subject to a civil monetary penalty of \$1,000 which may be increased to \$2,000 if an aggravating factor is present or decreased to as low as \$250 if mitigating factors are present.
- F. In August of 2013, Board enforcement staff received information that described a potential violation by Commissioner Singer of the City’s Ethics Code. In response to the information, enforcement staff opened an investigation during which they interviewed witnesses and obtained documents. Commissioner Singer voluntarily met with enforcement staff to provide information related to the investigation.

- G. As a result of the investigation, enforcement staff learned that shortly after the 2013 primary election, Commissioner Singer asked a City Commissioners employee in the Election Activities Group to pull a variety of data sets from the City Commissioners' election results database. In order to create the data sets, the employee had to do work he would not have otherwise done.
- H. The employee provided the election results data to Commissioner Singer in Excel and text file format. Commissioner Singer posted the data on two websites that she controls, one being the website of Campaign Scientific LLC, the other Philadems.org.
- I. Commissioner Singer is the proprietor of Campaign Scientific LLC, which she established to provide strategic design and implementation of data systems for election campaigns. Its activities also included public-interest election oversight projects and business consulting. Since 2011, Campaign Scientific has not had any clients. The company has not had an open bank account since March 24, 2009 and has not solicited new business in 2011, 2012 and 2013.
- J. The election results data Commissioner Singer posted on the Campaign Scientific website was on a page labeled "Detailed Phila Election Results." A screenshot of the "Detailed Phila Election Results" page as it existed in August of 2013 is attached hereto as Exhibit A.
- K. The "Detailed Phila Election Results" page of the Campaign Scientific website includes a link for a user to click if he or she wants to look up specific information. When a user clicks on the link, he or she is directed to a page of the Philadems.org website entitled "Election Results."
- L. A visitor to the "Election Results" page of Philadems.org can look up several categories of information about City election results from 2002 to 2013. The election results data from 2013 is based on the data sets the City Commissioners employee provided to Commissioner Singer after the 2013 primary election.
- M. In August of 2013, anyone who visited the Election Results page of Philadems.org saw a caption at the top of the page that read: "Stephanie Singer maintains this website as a service to the community. To support Singer's political work, please donate to her campaign committee. Thank you!" The word "donate" was a link leading to a page where a visitor could donate to the Friends of Stephanie Singer. A screenshot of the Philadems.org page as it existed in August of 2013 is attached hereto as Exhibit B.
- N. Commissioner Singer has a financial interest in Campaign Scientific LLC. In addition, campaign contributions to Friends of Stephanie Singer affect Commissioner Singer's personal financial interest because they support her ability to run for and obtain office.

**Violation of Charter Section 10-107(3)**

- O. Section 10-107(3) of Philadelphia's Home Rule Charter provides, in part, that no City officer "shall, from any person, and no officer or member of a committee of any political party or club shall, from any civil service employee, directly or indirectly demand, solicit, collect or receive, or be in any manner concerned in demanding, soliciting, collecting or receiving, any assessment, subscription or contribution, whether voluntary or involuntary, intended for any political purpose whatever."
- P. If the Board finds a violation of § 10-107(3) of the Home Rule Charter through administrative adjudication, it may impose a civil monetary penalty of \$300.
- Q. In October of 2013, enforcement staff received a copy of an email soliciting campaign contributions that Commissioner Singer had sent to email addresses on her campaign mailing list. One of the recipients of the email was a civil service employee of the City Commissioners. A redacted copy of the email is attached hereto as Exhibit C.
- R. At all times, Commissioner Singer has fully cooperated with the Board's investigation of the matters described in this Agreement.
- S. The Parties desire to enter into this Agreement in order to resolve the issues described herein.

## **AGREEMENT**

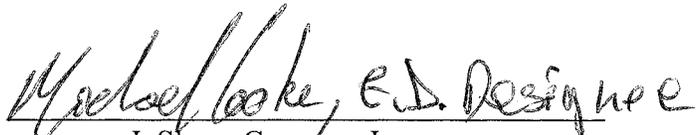
The Parties agree that:

1. By asking a City Commissioners employee to perform work that affected her financial interest and the financial interests of Campaign Scientific LLC, Commissioner Singer violated Code Section 20-607 and is therefore subject to a civil monetary penalty of \$1,000. However, the monetary penalty is reduced to \$500 in light of Commissioner Singer's cooperation and the remedial actions described in Paragraph 4.
2. By sending an email soliciting campaign contributions to a civil service employee of the City Commissioners, Commissioner Singer violated Home Rule Charter Section 10-107(3) and is therefore subject to a civil monetary penalty of \$300. However, the monetary penalty is waived in light of Commissioner Singer's cooperation and the remedial actions described in Paragraph 4.
3. Commissioner Singer shall pay the civil monetary penalty of \$500 within 14 days of the effective date of the Agreement. Payment shall be by check made out to the City of Philadelphia and delivered to the offices of the Board.
4. Remedial measures. Within two weeks of the effective date of the agreement, Commissioner Singer shall:
  - 4.1. File a letter as required by Code Section 20-608(c) in which she discloses her financial interest in Campaign Scientific and disqualifies herself from taking any official action related thereto;
  - 4.2. Remove from Campaign Scientific and Philadems.org any election results data she obtained from employees of the City Commissioners in 2013. Commissioner Singer shall replace the data with a link to the City Commissioners' official website;
  - 4.3. Delete any and all phila.gov email addresses from any and all mailing lists maintained by Friends of Stephanie Singer; and
  - 4.4. Every six months, review any and all mailing lists maintained by Friends of Stephanie Singer to ensure that they do not contain phila.gov email addresses.
5. Commissioner Singer releases and holds harmless the Board and its staff from any potential claims, liabilities, and causes of action arising from the Board's investigation, enforcement, and settlement of the matters described in the Agreement.
6. In consideration of the above and in exchange for Commissioner Singer's compliance with all of the terms of the Agreement, the Board waives any further penalties or fines against her for the violations described in the Agreement.
7. The Parties will not make any public statements that are inconsistent with the terms of the Agreement.

8. If the Ethics Board is forced to seek judicial enforcement of the Agreement, and prevails, Commissioner Singer shall be liable for attorneys' fees and costs reasonably expended in enforcing compliance with the Agreement. Fees for time spent by Board staff attorneys shall be calculated based upon standard and customary billing rates in Philadelphia for attorneys with similar experience.
9. The Agreement contains the entire agreement between the Parties.
10. The Executive Director will submit a signed copy of the Agreement to the Board for approval.
11. The Agreement shall become effective upon approval by the Board. The effective date of the Agreement shall be the date the Board approves the Agreement.
12. If the Board rejects the proposed Agreement, presentation to and consideration of the Agreement by the Board shall not preclude the Board or its staff from participating in, considering, or resolving an administrative adjudication of the matters described in the Agreement.
13. If the Board rejects the proposed Agreement, nothing in the proposed Agreement shall be considered an admission by either party and, except for paragraph 12, nothing in the Agreement shall be effective.

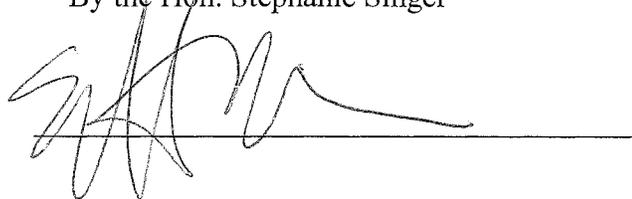
By the Executive Director of the Board of Ethics:

Dated: 6/5/2014

  
J. Shane Creamer, Jr.

By the Hon. Stephanie Singer

Dated: 6/5/14



Approved by the Board of Ethics:

Dated: 6/5/2014

  
Michael H. Reed  
Chair

## **EXHIBIT A**



Expert Testimony:  
NAACP v Cortes, Oct 2008  
(PDF 100KB)

Political Clients:  
Obama For America (national)  
Larry Farnese for State Senate  
Alice Beck Dubow for Judge

Business Clients:  
Philadelphia Sports Group  
Idaho Rocky Mountain Ranch  
American Reading Company

Press clippings:  
Phila Daily News, Sept. 2008  
Philadelphia Inquirer, July  
2006  
Johnstown Trib-Dem, Jan.  
2006

**Join The Mailing List**

Of interest:  
**Phila Election Results**  
Our brochure (pdf, 79KB)  
Request PA voter files

## Detailed Phila Election Results

[Click here](#) if you just want to look up some results and don't want the whole database.

## Official Election Results

[2013 Primary \(26M\)](#) NB: this file integrates results for write-in candidates by name. Write-in votes are classified as type "W", whether they were cast on machine, provisional or absentee ballots. [2013 Primary \(10M\)](#), NB: different format, does not include vote type [2013 Primary Write-ins \(103K\)](#).

[2012 General November 6 \(12M\)](#)

[2012 Primary and Special April 24 \(28M\)](#)

[2011 General \(104M\)](#) NB: the 2011 General file is in a different format from the previous. It has a record for each voting machine (rather than for each precinct), and more columns. [2011 Primary \(49M\)](#), [2011 Special Election \(16K\)](#)

[2010 General \(7M\)](#), [2010 Primary \(31M\)](#)

[2009 General \(29M\)](#), [2009 Primary \(36M\)](#)

[2008 General \(10M\)](#), [2008 Primary \(28M\)](#)

[2007 General \(36M\)](#), [2007 Primary \(45M\)](#)

[2006 General \(9M\)](#), [2006 Primary \(13M\)](#), [2006 Special \(23K\)](#)

[2005 General \(25M\)](#), [2005 Primary \(23M\)](#), [2005 Special \(72K\)](#) [2004 General \(11M\)](#), [2004 Primary \(22M\)](#), [2004 Special \(2.2K\)](#)

[2003 General \(28M\)](#), [2003 Primary \(24M\)](#)

[2002 General \(3.4M\)](#), [2002 Primary \(9.7M\)](#)

## Specifications for Official Results Files

These files contain election results by candidate, precinct and vote type. The columns are: Ward, Division, Type (M-machine, A-absentee, P-provisional), Office, Name, Party, Votes.

## Unofficial Machine-Only Election Results

[2013 Primary Unofficial Results Machine-only\(10M\)](#)

[2013 Primary Unofficial Public Count Machine-only\(17M\)](#)

## **EXHIBIT B**



Stephanie Singer, maintains this website as a service to the community. To support Singer's political work, please donate to her campaign committee. Thank you!

Questions or comments? Please contact Stephanie Singer.

Thanks to the PA Election Transparency Project for obtaining the data from the Philadelphia Commissioners in electronic form.

Candidate vote totals in a single division.

Election: 2013 Primary Ward: 1 Division: 1 Submit Form

Candidate votes in a single ward, by vote type.

Election: 2013 Primary Ward: 1 Vote Types: Machine Submit Form

NB: For the 2013 Primary, for the first time, write-in votes are tallied by candidate. Previously, totals were given for all write-ins together, regardless of whose name was written in. All write-in votes in 2013 Primary are included, and these votes are excluded from the other categories. So a write-in vote cast on a provisional ballot will be tallied in the "Write-in" category but not the "Provisional" category.

Candidate vote totals in a single ward.

Election: 2013 Primary Ward: 1 Submit Form

Candidate vote totals in a single Council District (2001 Redistricting).

Election: 2013 Primary District: DISTRICT COUNCIL - 1ST DIST Submit Form

Candidate votes citywide, by vote type.

Election: 2013 Primary Vote Types: Machine Submit Form

Candidate vote totals citywide.

## **EXHIBIT C**

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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**From:** Stephanie Singer [stephanie=vote-singer.com@] on behalf of Stephanie Singer [stephanie@vote-singer.com]  
**Sent:** Thursday, October 10, 2013 9:50 AM  
**To:** [REDACTED]  
**Subject:** Not the usual email topic



Dear Friends and Supporters,

You've probably noticed the Contribute button at the end of every email.



As I near the end of the second year of my four-year term, it's time to gear up to run again in 2015. I expect opposition from some folks who fear transparency, accountability, fair elections and an engaged electorate. With your support, I will be able to win a strong victory and continue improving elections and full participatory democracy in Philadelphia.

Despite opposition, I have been a force for positive change in Philadelphia elections. We have a [new website](#), with easily downloadable election results and budget information. Poll workers are better informed and poll worker trainings are better attended. Board of Elections staff receive training on workplace behavior and ethics. We are producing materials for voters, such as the [Handbook for the November 5 election](#). We are teaching political empowerment all over Philadelphia through workshops, newspaper columns, and the [PAtransparency.org](#) website.



The economy has been rough lately, and some of you may be economizing. You have many options for investing in your neighborhood, city, country and world. Your contribution to this campaign is an investment in Philadelphia, clean government and participatory democracy.

You can give once, or give an automatic monthly contribution. You can give as little as \$3 or as much as \$2,900. If you are not able to make a financial contribution, you can send me a message or talk to a friend about me. Each contribution, in addition to its monetary face value, is a gift of moral support and encouragement for the work i do.

Thank you for paying attention, caring, and taking part!  
Cheers,  
Stephanie

**Contribute**

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Friends of Stephanie Singer (David Ralston, Treasurer) · 250 S 17th St, 701, Philadelphia, PA 19103, United States

This email was sent to [REDACTED]@phila.gov. To stop receiving emails, [click here](#).

You can also keep up with Friends of Stephanie Singer on [Twitter](#) or [Facebook](#).