



COMMONWEALTH OF VIRGINIA

HOUSE OF DELEGATES
RICHMOND

JERRAULD C. (JAY) JONES

POST OFFICE BOX 2892
NORFOLK, VIRGINIA 23501

EIGHTY-NINTH DISTRICT

COMMITTEE ASSIGNMENTS:
TRANSPORTATION
APPROPRIATIONS
COUNTIES, CITIES AND TOWNS

September 24th, 2020

The Honorable Robert H. Brink
Chairman, State Board of Elections
Washington Building
1100 Bank Street, First Floor
Richmond, VA 23219

Dear Chairman Brink,

As members of the Virginia General Assembly representing the City of Norfolk, we work to make sure that the citizens of Norfolk have a voice in Richmond. There are often opportunities when citizens have the opportunity to make their own voice heard directly through ballot questions, and one of those opportunities is this coming November election regarding casino gaming in the City of Norfolk.

After the creation of a new referendum committee, "Informed Norfolk," local news outlet, WAVY-TV, ran the attached story.

Numerous constituents have contacted us regarding this story seeking clarity given the complicated nature of campaigns, organizations and their financing. To ensure an accurate response to these constituents inquires, we thought it was best to reach out so you could clarify the requirements under the Campaign Finance Disclosure Act and look into any possible issues.

We believe it is clear that the laws of our Commonwealth embrace transparency in elections. Virginia's voters are empowered with information about who is influencing elections through contributions, and this information can help them make educated decisions about their vote and their representatives. Referendum committees are held to the same standards as candidates. They must keep accurate records and file public reports about who has made contributions to their committee. Voters can use this information in reaching a decision regarding how to vote on these important questions.

As our constituents pointed out, the information reported in this news story appears to suggest that "Informed Norfolk" is receiving something of value (consulting services), which under Virginia law, is an "in kind" contribution that is being paid for by Red Banyan's client, the name of which would need to be disclosed on campaign finance reports. This disclosure would need to be immediate if the value is above \$10,000. Further, the committee would have to disclose who is actually providing the thing of value, i.e. the client of Red Banyan, not Red Banyan itself. Red Banyan would be considered a "straw donor."

We write to the Board to clarify our understanding of Virginia's financial disclosure laws and ask you to refer this news story to the appropriate investigative authority as it is our understanding that undisclosed "straw donor" contributions are illegal under Virginia law.

Transparency is a critical element in any election.

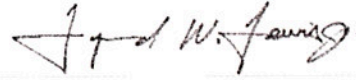
Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay Jones", with a long horizontal flourish extending to the right.

Jay Jones

Delegate, 89th District

A handwritten signature in black ink, appearing to read "Lynwood Lewis", with a long horizontal flourish extending to the right.

Lynwood Lewis

Senator, 6th District

cc: The Honorable John O'Bannon, Member, State Board of Elections
Jamilah D. LeCruise, Member, State Board of Elections
Chris Piper, Commissioner, Virginia Department of Elections
The Honorable Gregory D. Underwood, Norfolk Commonwealth's Attorney