

Politician Used Nonprofit's E-Mail Database

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A Cobb County commissioner used an organization's private e-mail database to send political e-mails without the group's consent, potentially jeopardizing its nonprofit status.

The list of about 500 names belongs to the Friends for the East Cobb Park, a fund-raising arm of the county-managed park. It collected the private e-mail addresses through its newsletter subscription solicitation on its Web site.

Commissioner Joe Lee Thompson used that database, along with other legally obtained e-mail addresses belonging to the Police Department and the county, to send a May 12 e-mail seeking re-election support.

Use of the Friends' database was revealed as readers responded to an earlier Atlanta Journal-Constitution article about how Thompson used the state open records law to get e-mail addresses of homeowners association officials and of people who subscribed to a police-generated tip sheet about community crime.

Jeff LaClaire was one of a half-dozen people who contacted the newspaper and said they received the Thompson campaign solicitation at an e-mail address they use only for the Friends group.

"The only thing I submitted an e-mail address for was to get updates for the Friends," said LaClaire.

Because the Friends group is a 501(c)(3) nonprofit, being pulled into partisan politics could, at worst, put its nonprofit status at risk, legal experts said. A key could be whether the board knew or authorized the use.

Friends President Heidi Morris said the group did not.

"The e-mail list was certainly not authorized by the board to be used for political purposes," Morris said in an e-mail statement to the newspaper.

Thompson has declined for a month to discuss what other lists were used or whether he knew that the Friends database was included in the massive e-mail.

"I have nothing to say," was the only comment from Thompson, a four-term commissioner opposed in the July 15 Republican primary by Delta pilot Bob Ott and financial services worker Ron Sifen. The District 2 commission seat represents the Smyrna-Vinings area and the southern portion of east Cobb, generally south of Ga. 120.

Friends Vice President Melissa Bauer designed Thompson's Web site and filed the open records request with the county for the police and homeowners associations' databases.

Bauer has not responded for five weeks to telephone and e-mail requests for information on the databases she used to send e-mails for Thompson.

Morris said the Friends group is working to secure its e-mail list and has cautioned Bauer about using the database for political purposes.

"Melissa Bauer is still in charge of it, but she knows she is not supposed to do that again," Morris said.

Use of the Friends database for political purposes puts the nonprofit organization in a potential jam.

"If the nonprofit allows its list to be used for partisan purposes, that certainly jeopardizes its 501(c)(3) status," said Aaron Dorfman, executive director of the National Committee for Responsive Philanthropy, which monitors and promotes accountability among nonprofit organizations.

"It would help if they could show this was sort of a rogue act."

State and county lawyers agree that Thompson had the legal right to obtain 3,087 e-mail addresses collected by police from people who wanted to participate in a highly successful police tip sheet. Police typically use the e-mails to send members notices about neighborhood crime and solicit tips from residents about suspicious activity.

The release of the names on the police list has so troubled county officials they have asked their legislative delegation about trying to insert an exception into state open-records law.

Photo: Commissioner Joe Lee Thompson's use of database could hurt nonprofit.

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