

**BEFORE THE OFFICE OF CAMPAIGN FINANCE
DISTRICT OF COLUMBIA BOARD OF ELECTIONS
1015 HALF STREET, S.E., SUITE 775
WASHINGTON, D.C. 20003**

IN THE MATTER OF

Ward One Democrats
Dieter Lehmann Morales, Treasurer
3460 14th Street, NW #49
Washington, DC 20010
dlehmannmorales@gmail.com

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) Date: August 28, 2024
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) Docket No: 2024 P-015
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ORDER

Statement of the Case

This matter came before the Office of Campaign Finance (“OCF”) Office of the General Counsel following a determination by its Public Information and Records Management Division that: **Dieter Lehmann Morales, Treasurer** of the Ward One Democrats (“committee”), failed to timely file the June 10th Report of Receipts and Expenditures that was due on June 10, 2024, in violation of the Campaign Finance Act of 2011, District of Columbia Official Code § 1-1163.09(b) (March 2019) and the District of Columbia Municipal Regulations, 3 DCMR § 3017.2 (July 2019).

By Notice of Hearing, Statement of Violations and Order of Appearance dated July 10, 2024, the Office of the General Counsel (“OGC”) ordered Dieter Lehmann Morales, (“Respondent”) to appear at a scheduled virtual hearing on July 23, 2024 and show cause why the Respondent should not be found in violation of the D.C. Official Code § 1-1163.09(b) (March 2019) and 3 DCMR § 3017.2 (July 2019) and fined accordingly.

Summary of Evidence

On July 10, 2024, the Hearing Examiner issued a Notice of Hearing, Statement of Violations and Order of Appearance to the Respondent, via e-mail and regular mail that ordered the Respondent to appear at a scheduled virtual hearing on July 23, 2024. The Notice stated that in lieu of appearing at the scheduled hearing, the Respondent had the option to submit a type-written Statement of Explanation and Affirmation Statement (“Statements”) detailing the reason(s) why the June 10th Report was not filed on time. The Notice further stated that the Statements and the June 10th Report must be submitted on or before July 19, 2024.

On July 16, 2024, the Respondent submitted the required Statements to stand in lieu of appearing at the scheduled hearing on July 23, 2024. In the Statements, the Respondent explained that he was elected treasurer of the committee on April 25, 2024. On May 14, 2024 the Respondent filed the Acceptance of Treasurer form with OCF. After registration with OCF, the Respondent attempted to take and complete the OCF Mandatory Training online via a link provided to the Respondent by OCF. When the Respondent logged into the training portal for the first time, Respondent received a message that the training was complete. However, the message was a technical error, which required assistance from OCF’s IT division.

As a new treasurer, the Respondent could not file a Report of Receipts and Expenditures until the Respondent completed the online training. Accordingly, OGC offered the Respondent a fifteen (15) day extension to complete the online training and file the report by August 8, 2024. On July 23, 2024, Respondent completed the online training and subsequently filed the report on August 8, 2024. The Respondent is now in compliance with the filing and reporting requirements and does not have a history of other delinquent report filings.

Findings of Fact

Having reviewed the allegations and the record herein, I find:

1. The Respondent is the treasurer of the Ward One Democrats political action committee.
2. At all times pertinent, the Respondent was required to file the June 10th Report of Receipts and Expenditures by June 10, 2024.
3. Respondent failed to file the report on June 10, 2024.
4. By Notice of Hearing, Statement of Violations and Order of Appearance dated July 10, 2024, the Hearing Examiner ordered the Respondent to appear at a scheduled virtual hearing on July 23, 2024 to respond to the alleged violations.
5. Respondent provided a credible statement of explanation, in that the Respondent is a new treasurer who had to complete the OCF online training before the Respondent could file a R&E report. The Respondent was unable to complete the training due to technical glitches within the online system.
6. OGC offered the Respondent an extension to complete the training and file the report by August 8, 2024.
7. Respondent completed the online training on July 23, 2024 and filed the report on August 8, 2024.
8. The Respondent is now compliant with the rules under the Campaign Finance Act and does not have a history of other delinquent report filings.

Conclusions of Law

Based on the record provided by OCF, I therefore conclude:

1. The Respondent violated D.C. Official Code § 1-1163.09)(b) (March 2019) and 3 DCMR § 3017.2 (July 2019).
2. 3 DCMR § 3711.2(f) established a fifty-dollar (\$50) fine, per day, for failure to timely file a Report of Receipts and Expenditures.

3. 3 DCMR § 3711.1 maintains that a fine shall attach for each day of noncompliance; up to a maximum of **\$2,100.00**, pursuant to D.C. Official Code § 1-1163.35(a)(3).
4. The Director may ministerially impose fines upon the candidate, treasurer, committee, or designated agent, pursuant to 3 DCMR § 3711.1.
5. For good cause shown pursuant to 3 DCMR § 3711.7, the Director of Campaign Finance (Director) may modify, rescind, dismiss, or suspend any fine.
6. At all times pertinent, the Respondent was required to file the June 10th Report of Receipts and Expenditures on June 10, 2024 but failed to comply.
7. On July 23, 2024, the Respondent completed the online mandatory training program and subsequently filed the required report on August 8, 2024.
8. The Respondent is now compliant with the rule under the Campaign Finance Act and does not have a history of other delinquent report filings.

Recommendation

In view of the foregoing and information included in the record, I HEREBY RECOMMEND that the Director **SUSPEND** the imposition of any fine against Dieter Lehmann Morales, Treasurer and the Ward One Democrats in this matter.

August 28, 2024

Date

/Kalvanetta K. Peete/

Kalvanetta K. Peete
Hearing Officer

Concurrence

In view of the foregoing, I hereby **CONCUR** with the Recommendation.

August 28, 2024

Date

/William O. SanFord/

William O. SanFord
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that the imposition of any fine is hereby **SUSPENDED** against Dieter Lehmann Morales, Treasurer and the Ward One Democrats in this matter.

August 28, 2024

Date

/Cecily E. Collier-Montgomery/

Cecily E. Collier-Montgomery

Director

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a true copy of the **ORDER** has been served on Dieter Lehmann Morales, Treasurer, via electronic mail to: dlehmannmorales@gmail.com on this _28th day of August 2024.

/Kalvanetta K. Peete/

Kalvanetta K. Peete

Notice

Any party adversely affected by an Order of the Director may: (1) file a Motion for Reconsideration (Motion) with the OCF within five (5) days after receipt of an Order, provided that, relevant evidence was omitted from consideration at the hearing (3 DCMR § 3709.13); or (2) obtain review of the Order by filing a request for a hearing *de novo* with the Board of Elections within fifteen (15) days from the date of issuance of an Order. Any fine imposed by the Director, pursuant to § 3711.2 shall become effective on the sixteenth (16th) day following the issuance of a decision or Order; provided that, the Respondent does not request a hearing *de novo* with the Board of Elections. Fines imposed shall be paid within ten (10) days of the effective date of the issued Order of the Director. Make payment by check or money order, payable to: *District of Columbia Treasurer*. Send payment to the *Office of Campaign Finance, 1015 Half Street S.E., Suite 775, Washington, DC 20003*.