

BEFORE THE OFFICE OF CAMPAIGN FINANCE
DISTRICT OF COLUMBIA BOARD OF ELECTIONS
1015 Half Street, SE Suite 775
WASHINGTON, D.C. 20003
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IN THE MATTER OF	:	
Jacque 4 DC	:	DOCKET NO.: 2022 C-042
Jacque Patterson, Candidate	:	July 5, 2023
3521 21 st Street, SE,	:	
Washington, DC 20020	:	
 	:	
Derrell Simpson, Treasurer	:	
2800 Jasper Street, NE	:	
Washington, DC 20011	:	
Via Email: jacquedpatterson@yahoo.com	:	
Derrellsimpson88@gmail.com	:	

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 Jacque Patterson, Candidate and Derrell Simpson, Treasurer, (“Respondents”) of the Principal Campaign Committee, Jacque 4 DC (“Committee”), failed to timely file the July 31, 2022, Report of Receipts and Expenditures (“July 31, 2022, Report”) that was due by August 1, 2022, and extended until August 22, 2022, in violation of the Campaign Finance Act of 2011, District of Columbia Official Code § 1-1163.09(a) and (b) and the District of Columbia Municipal Regulations, 3 DCMR § 3017.2.

By Notice of Hearing, Statement of Violations and Order of Appearance dated September 21, 2022, December 21, 2022, and March 28, 2023, OCF ordered Respondents to show cause why Respondents should not be found in violation of the District of Columbia Official Code § 1-1163.09(a) and (b) and 3 DCMR § 3017.2 and fined accordingly.

Summary of Evidence

On or about July 25, 2022, the Public Information and Records Management Division (“PIRM”) emailed a “Reminder Letter” to Respondents to file the July 31, 2022, Report. A Notice of Non-Compliance was mailed on August 4, 2022, extending the filing deadline to August 22, 2022. Respondents failed to timely file the July 31, 2022, Report, by August 22, 2022. Based upon Respondents’ failure to timely file the required July 31, 2022, Report the PIRM Division referred the

violation to the OCF's Office of the General Counsel ("OGC") for enforcement.

On September 21, 2022, December 21, 2022, and March 28, 2023, OGC issued a Notice of Hearing, Statement of Violations and Order of Appearance (Notice) to Respondents, via electronic mail ordering Respondents to show cause why they should not be found in violation of the D.C. Official Code § 1-1163.09(a) and (b) and 3 DCMR § 3017.2 and fined accordingly. A hearing in the matter was scheduled by OGC for October 25, 2022, and Respondents failed to appear. Another hearing was scheduled for January 4, 2023, and Respondents failed to appear. An additional hearing was scheduled for April 18, 2023, which was continued by Respondent Patterson, to May 2, 2023, and due to a family emergency, it was further continued to May 9, 2023.

A show cause hearing in this matter was conducted on May 9, 2023, which commenced at 11:45am. Respondent Patterson appeared, and Respondent Simpson failed to appear, at the scheduled hearing on behalf of the Committee. Ms. Laura McQueen, was present as a witness on behalf of PIRM.

Respondent's Testimony

1. Respondent Patterson testified during the hearing that Derrell Simpson, Treasurer left the Committee during the summer of 2022, and he has been trying to catch up with the back log of the Committee's reports.
2. Further, Respondent Patterson testified he was under the mistaken belief that Derrell Simpson, Treasurer was timely completing and submitting the reports for the Committee.
3. In addition, Respondent Patterson acknowledged that no Termination Report has been filed for the Committee.
4. Respondent Patterson declared that the withdrawal of Derrell Simpson, as Treasurer was forthcoming.
5. An Entrance Conference was attended by Respondent Patterson, on August 31, 2020.

Findings of Fact

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

1. Respondent Patterson is the Candidate and Derrell Simpson is the Treasurer of the Jacque 4 DC Committee.
2. Respondents were required to file the July 31, 2022, Report, with the OCF, by the extended deadline of August 22, 2022, and failed to file.

3. On or about July 25, 2022, a “Reminder Letter” was sent from OCF by email, to file the July 31, 2022, Report. A Notice of Non-Compliance was mailed by OCF on August 4, 2022, extending the filing deadline to August 22, 2022.
4. Respondent Patterson has a lengthy history of delinquent report filing, resulting in multiple orders and has registered multiple campaigns.
5. At all times pertinent, Respondents were required to file the July 31, 2022, Report by the extended filing date on August 22, 2022.
6. The Director may impose a civil penalty in the maximum amount of One Thousand (\$1,000.00) Dollars, equal to Twenty (20) days of noncompliance, as of August 22, 2022, to September 21, 2022, in this matter.

Conclusions of Law

Based on the record, I therefore conclude:

- 1 Respondents violated D.C. Official Code § 1-1163.09(a) and (b) and 3 DCMR § 3017.2.
2. DCMR § 3711.2(f) establishes a Fifty (\$50.00) Dollar fine, per day, excluding weekends and holidays, for failure to timely file a Report of Receipts and Expenditures.
3. DCMR § 3711.1(b) maintains that a fine shall attach for each day of noncompliance for a maximum amount of One Thousand (\$1,000.00) Dollars, equal to Twenty (20) days of noncompliance.
4. The Director of Campaign Finance (“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 may modify, rescind, dismiss, or suspend any fine.

Recommendation

In view of the foregoing information included in the record, **I HEREBY RECOMMEND** that the Director impose a fine in the amount of One Thousand (*\$1,000.00*) Dollars, equal to Twenty (20) days of noncompliance, in this matter against, Jacque Patterson, Candidate and Derrell Simpson, Treasurer of the Principal Campaign Committee, Jacque 4 DC.

July 5, 2023
Date

/s/ Belinda Kittles Perry
Belinda Kittles Perry

Concurrence

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

July 5, 2023
Date

/s/ William O. SanFord
William O. SanFord
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that, a fine, in the amount of One Thousand (*\$1,000.00*) Dollars, equal to Twenty (20) days of noncompliance, in this matter SHALL BE imposed against, Jacque Patterson, Candidate and Derrell Simpson, Treasurer, of the Principal Campaign Committee, Jacque 4 DC.

July 5, 2023
Date

/s/ 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, Jacque Patterson, Candidate and Derrell Simpson, Treasurer of the Principal Campaign Committee, Jacque 4 DC at: jacquedpatterson@yahoo.com, and derrellsimpson88@gmail.com, on this 5th day of July 2023.

/s/ Belinda Kittles Perry

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 2003*.

