

**BEFORE THE OFFICE OF CAMPAIGN FINANCE
DISTRICT OF COLUMBIA BOARD OF ELECTIONS
FRANK D. REEVES MUNICIPAL BUILDING
2000 14th STREET, N.W., SUITE 433
WASHINGTON, D.C. 20009
Telephone: (202) 671-0547
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IN THE MATTER OF	)	Date: February 7, 2017
	)	
Lannette Woodruff for School Board	)	Docket No: 16C-068
Treasurer Lamont Harrell	)	
4919 Brooks Street, NE	)	
Washington, D.C. 20019	)	

ORDER

Statement of 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 ("PIRM") that pursuant to the District of Columbia Campaign Finance Act of 2011, D.C. Official Code § 1-1163.09(b) (2012) and District of Columbia Municipal Regulations, 3 DCMR § 3017.2 (August 2013), Treasurer, Lamont Harrell of the Lannette Woodruff for School Board principal campaign committee failed to timely file the December 10th Report of Receipts and Expenditures ("R&E report"), which was due by December 12, 2016, the OCF sanctioned deadline.

By Notice of Hearing, Statement of Violations and Order of Appearance dated December 22, 2016, OCF ordered Lamont Harrell ("Respondent"), to appear at a scheduled hearing on January 9, 2017, and show cause why he should not be found in violation of D.C. Official Code § 1-1163.09(b) and 3 DCMR § 3017.2 and fined accordingly.

Summary of Evidence

On January 11, 2017, Respondent appeared before the Office of Campaign Finance for an informal hearing. Respondent was duly sworn under oath before giving testimony. Public Affairs Specialist, Ms. Sonya Lake was present on behalf of the Office of Campaign Finance. Ms. Lake testified that the Lannette for School Board principal campaign committee was untimely in filing the December 10th report of Receipts and Expenditures. The Committee filed the December 10th R&E report on December 20, 2016.

Respondent testified that his committee did in fact file the December 10th R&E report well after the December 12, 2016 deadline. Respondent explained that the late filing was due to his oversight and that he immediately filed the report after becoming aware of his error. Respondent further testified that he has always filed R&E reports in a timely manner. OCF records confirm that the Lannette for School Board principal campaign committee does not have a history of noncompliance and is currently in compliance with the filing requirements set forth in the D.C. Official Code.

Findings of Fact

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

1. Respondent is the Treasurer for the Lannette Woodruff for School Board principal campaign committee.
2. The Committee was required to file the December 10th Report of Receipts and Expenditures, which was due on December 12, 2016, the OCF sanctioned deadline.
3. The Committee failed to timely file the required R&E report by the December 12, 2016 deadline.
4. By Notice of Hearing, Statement of Violations and Order of Appearance dated December 22, 2016, OCF ordered Respondent to appear for a scheduled hearing on January 9, 2017.
5. On January 11, 2017, Respondent appeared before the Office of Campaign Finance for an informal hearing.
6. Respondent explained that the late filing was due to his oversight and that he immediately filed the report after becoming aware of his error.
7. Respondent further testified that he has always filed R&E reports in a timely manner.
8. OCF records confirm that the Lannette for School Board principal campaign committee does not have a history of noncompliance and is currently in compliance with the filing requirements set forth in the D.C. Official Code.

Conclusion of Law

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

1. The Committee violated D.C. Official Code § 1-1163.09(b) and 3 DCMR § 3403.2.
2. The penalty established by 3 DCMR § 3711.2(f) for failure to file a Report of Receipts and Expenditures with OCF, as required by D.C. Official Code § 1-1163.09(b), is a fine of \$50.00 per day for each business day subsequent to the due date.
3. Under the given facts, the Committee may be fined a total of \$300.00.
4. For good cause shown pursuant to 3 DCMR § 3711.7, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. Respondent filed the committee's December 10th R&E report on December 20, 2016.
6. Respondent's affidavit provides an explanation for the Committee's failure to timely file the December 10th R&E report, in that Committee's untimely filing was due to an oversight by the Respondent who quickly submitted the filing after becoming aware of his error.
7. OCF records confirm that the Lannette for School Board principal campaign committee does not have a history of noncompliance and is currently in compliance with the filing requirements set forth in the D.C. Official Code.
8. Respondent's explanation for failure to timely file the required R&E report constitutes good cause for suspension of a fine.

Recommendation

In view of the foregoing and information included in the record, **I HEREBY RECOMMEND** that the Director suspend a fine in this matter.

February 7, 2017
Date

Austin Franklin
Austin Franklin
Hearing Examiner

Concurrence

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

February 7, 2017
Date

William O. Sanford
William O. Sanford
General Counsel

ORDER OF THE DIRECTOR

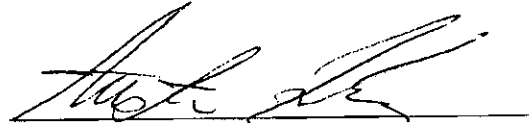
IT IS ORDERED that the fine in this matter is hereby suspended.

February 7, 2017
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 Treasurer Lamont Harrell, via regular mail at 4919 Brooks Street, NE, Washington, D.C. 20019 on this 7th day of February, 2017.



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, Frank D. Reeves Municipal Building, 2000 14th Street NW, Suite 433, Washington, DC 20009.*