

**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
Fax: (202) 671-0658**

IN THE MATTER OF

Lannette Woodruff for School Board
Lamont Harrell, Treasurer
4513 Clay Street, NE
Washington, DC 20019

)
) Date: October 30, 2017
)
) Docket No: 17C-023
)
)

ORDER

Statement of the Case

This matter came before the Office of Campaign Finance, Office of the General Counsel following a determination by its Public Information and Records Management Division that **LAMONT HARRELL**, Treasurer of the Lannette Woodruff for School Board Principal Campaign Committee ("committee"), failed to timely file the July 31st Report of Receipts and Expenditures that was due by the extended filing date on August 16, 2017; in violation of the Campaign Finance Act of 2011, District of Columbia Official Code § 1-1163.09(b) (2015), and the District of Columbia Municipal Regulations, 3 DCMR § 3017.2 (May 2015, as amended).

By Notice of Hearing, Statement of Violations and Order of Appearance dated August 30, 2017 and September 21, 2017, OCF ordered Lamont Harrell, Treasurer to appear at a scheduled hearing on September 13, 2017 and October 3, 2017 (Rescheduled on October 10, 2017) and show cause why Lamont Harrell should not be found in violation of the D.C. Official Code § 1-1163.09(b) (2015) and 3 DCMR § 3017.2 (May 2015, as amended), and fined accordingly.

Summary of Evidence

On October 10, 2017, Lamont Harrell ("Respondent") appeared pro se before the Office of Campaign Finance ("OCF") to answer to the abovementioned charges. Laura McQueen, Legal Instruments Examiner appeared on behalf of OCF. Mrs. McQueen testified that the Respondent failed to timely file the July 31st Report of Receipts and Expenditures that was due on the extended filing date of August 16, 2017; in violation of the D.C. Official Code § 1-1163.09(b) (2015) and 3 DCMR § 3017.2 (May 2015, as amended).

The Respondent testified that he was unaware that he had missed the July 31st Report filing because he did not receive any notice from OCF. Respondent stated that he moved to a new residence in July, 2017. Respondent explained that he took the appropriate actions to arrange for his mail to be forwarded to the new address. Thus, the Respondent should have received one or more of the reminder notices mailed on July 13, 2017 and August 3, 2017.

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The Respondent testified that he first became aware of the missed filing when he received the second hearing notice from OCF, dated September 21, 2017. It was not enough for the Respondent to rely on receipt of the reminder notices. The Respondent had a continued duty to file an Amended Statement of Organization with OCF within ten (10) days of any change in information initially reported. Thus, the Respondent should have reported the change of address with OCF within 10 days of his move in July, 2017. Accordingly, the Respondent filed an Amended Statement of Organization on October 3, 2017. In addition, the Respondent filed the July 31st Report on October 9, 2017. Consequently, both the statement and report filings were more than thirty (30) days overdue.

Findings of Fact

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

1. Lamont Harrell is the treasurer of the Lannette Woodruff for School Board Principal Campaign Committee.
2. The Respondent was required to file the July 31st Report of Receipts and Expenditures by the extended filing date on August 16, 2017.
3. Respondent failed to file the July 31st Report by the required filing date.
4. OCF mailed reminder notices, dated July 13, 2017 and August 3, 2017, to the Respondent at the address provided on file.
5. Respondent provided an explanation for the untimely filing, in that the Respondent was unaware that he had missed the filing date until he received the second hearing notice from OCF, dated September 21, 2017.
6. Respondent was required to file an Amended Statement of Organization within ten (10) days of his change in address in July, 2017.
7. Respondent filed the Amended Statement of Organization on October 3, 2017.
8. Respondent filed the July 31st Report on October 9, 2017.
9. Both the statement and the report filings were more than thirty (30) days past due.
10. Respondent does not have any recent occurrences of delinquent filings and is now in compliance with the reporting and disclosure requirements under the Campaign Finance Laws.
11. Respondent attended mandatory training at OCF in August, 2016, in which the Respondent certified his commitment to adhere to the rules under the Campaign Finance Act.

Conclusions of Law

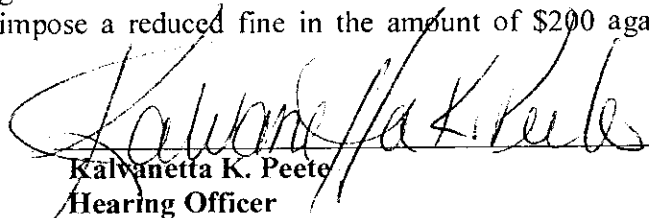
Based on the record provided by OCF, I therefore conclude:

1. Respondent violated D.C. Official Code § 1-1163.09)(b) (2015) and 3 DCMR § 3017.2 (May 2015).
2. 3 DCMR § 3711.2(f) establishes a fifty dollar (\$50) fine 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 **\$1800.00**, equivalent to thirty-six (36) days of noncompliance, 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. The Respondent was required to file the July 31st Report by August 16, 2017, but failed to complete the filing.
7. Respondent provided an explanation for the untimely filing, in that the Respondent was unaware that he had missed the filing date until he received the second hearing notice from OCF, dated September 21, 2017.
8. Respondent was required to file an Amended Statement of Organization within ten (10) days of his change in address in July, 2017.
9. Respondent filed the Amended Statement of Organization on October 3, 2017.
10. Respondent filed the July 31st Report on October 9, 2017.
11. Both the statement and the report filings were more than thirty (30) days past due.
12. Respondent does not have any recent occurrences of delinquent filings and is now in compliance with the reporting and disclosure requirements under the Campaign Finance Laws.
13. Respondent attended mandatory training at OCF in August, 2016, in which the Respondent certified his commitment to adhere to the rules under the Campaign Finance Act.

Recommendation

In view of the foregoing and information included in the record, **I HEREBY RECOMMEND** that the Director impose a reduced fine in the amount of \$200 against Lamont Harrell in this matter.

October 30, 2017
Date


Kallanetta K. Peete
Hearing Officer

Concurrence

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

October 30, 2017
Date

William O. Sanford
William O. Sanford
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that the imposition of a fine in the amount of \$200 shall be **IMPOSED** against Lamont Harrell in this matter.

October 30, 2017 Cecily E. Collier-Montgomery
Date Cecily E. Collier-Montgomery
Director

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a true copy of the **ORDER** has been served on Lamont Harrell, Treasurer, via regular mail at 4513 Clay Street, NE, Washington DC 20019 on this 30th day of October, 2017.

[Signature]

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 Former Treasurer. Send payment to the Office of Campaign Finance, Frank D. Reeves Municipal Building, 2000 14th Street NW, Suite 433, Washington, DC 20009.