

**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)
)
DC Political Action Candidate Election (PACE))
Leola Jenkins, Treasurer) Docket No: 2021 P-017
3048 Memory Lane)
Silver Spring, MD 20904)

ORDER

Statement of the Case

This matter came before the Office of Campaign Finance (“OCF”) Office of the General Counsel following a determination by the Public Information and Records Management Division (PIRM) that Leola Jenkins, Treasurer of the DC Political Action Candidate Election (PACE) (“committee”), failed to file the October 10, 2021 Report of Receipts and Expenditures pursuant to D.C. Official Code Section 1-1163.09(a)(b).

By Notice of Hearing, Statement of Violations and Order of Appearance dated November 1, 2021, OCF ordered Leola Jenkins to appear at a scheduled teleconference hearing on November 17, 2021 and show cause why the committee should not be found in violation of the D.C. Official Code § 1-1163.09(a) and 1-1163.09(b).

Summary of Evidence

On September 14, 2021, PIRM mailed DC PACE a letter and reminded the committee that the R&E Report for October 10, 2021 needed to be filed with the OCF. The Respondent was informed that the actual due date for filing the report was Tuesday October 12, 2021. The committee failed to file the R&E Report, and did not request an extension, therefore they were not in compliance with D.C. Official Code 1-1163.09 (b).

On November 17, 2021 Ms. Debra Riggs, Executive Director, National Association of Social Workers District of Columbia Chapter (NASWDC)(the Respondent), appeared on behalf of the committee, and participated in the teleconference hearing. The OCF/PIRM was represented by Laura McQueen.

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Respondent stated that she has no recollection of receiving the reminder notice dated September 14, 2021. She also stated that she had no explanation for the reason the R&E Report was filed in a timely manner. Respondent stated that the PAC has been dormant for the past year. Respondent further pledged to file the future R&E Reports in a timely manner, and apologized for being delinquent, and requested leniency in penalizing the committee.

Findings of Fact

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

1. At all times pertinent, the Respondent was required to file the October 10, 2021 Report of Receipts and Expenditures.
2. The Respondent filed the R&E Report on November 17, 2021.
3. Respondent had no explanation for failing to timely file the R&E Report.
4. Respondent stated that the PAC has not been active for the past year.
5. The Respondent expressed remorse for not timely filing the R&E Report and failure to comply with the campaign finance law in a timely fashion.
6. The Respondent is in violation of DC Official Code 1-1163.09 (a) and D.C. Official Code 1-1163.09(b) for failure to timely file the October 10, 2021 R&E Report.
7. Respondent filed the October 10th Report on November 17, 2021. On the day the Report was filed it was twenty (20) business days past due.

Conclusions of Law

1. At all times pertinent, the Respondent was required to file an October 10, 2021 Report of Receipts and Expenditures.
2. Respondent filed the October 10, 2021 Report on November 17, 2021. On the date the report was filed it was twenty (20) business days past due.
3. The Respondent is in violation of D.C. Official Code 1-1163.09 (a) and D.C. Official Code 1-1163.09 (b).
4. 3 DCMR 3711.2 (f) establishes a fifty dollar fine for failure to timely file a Report of Receipts and Expenditures.
5. Pursuant to 3 DCMR 3711.1 the fine of fifty dollars (\$50) shall attach for each day of non-compliance, excluding holidays and weekends; up to a maximum of **\$1,000**.
6. The Director may ministerially impose fines upon the candidate, treasurer, committee, or designated agent, pursuant to 3 DCMR 3711.8.

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7. Pursuant to 3 DCMR 3711.8 the Director for good cause shown may modify, rescind, dismiss, or suspend any fine.
8. The NASWDC PAC have routinely complied with the filing requirements and is not known to be delinquent filers at OCF, and because of this Respondent was admonished by the OGC that future violations of the campaign finance laws could result in penalties and fines.

Recommendation

In view of the foregoing and information included in the record, I HEREBY RECOMMEND that the Director find the committee and Respondent in violation of the campaign finance law and suspend the fine of \$1,000 with an admonishment to timely file future R&E Reports.

November 30, 2021
Date

/s/Leonard G. Muhammad
Leonard G. Muhammad
Attorney-Advisor

Concurrence

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

November 30, 2021
Date

/s/ William O. SanFord
William O. SanFord

ORDER OF THE DIRECTOR

IT IS ORDERED that the DC PACE PAC is in violation of D.C. Official Code 1-1163.09(a) and D.C. Official Code 1-1163.09 (b). For good cause shown the fine in the amount of \$1,000 is suspended.

November 30, 2021
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 electronically mailed to Debra Riggs at: driggs.naswva@socialworkers.org on this 3rd day of December 2021.

/s/ Leonard Muhammad

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*.