

**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

Winifred Carson-Smith, Treasurer
Carson-Smith for DNC
1937 11th Street, NW
Washington, D.C. 20001

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Date: April 2, 2015

Docket No.: 14R-023(a)

ORDER

Statement of Case

This matter came before the Office of Campaign Finance (“OCF”) Office of the General Counsel following a determination by its Reports Analysis and Audit Division (“RAAD”) that pursuant to the District of Columbia Campaign Finance Act of 2011, D.C. Official Code § 1-1163.03(a)(1)(A) (2012) and the District of Columbia Municipal Regulations 3 DCMR § 3403.2 (August 2013), Winifred Carson-Smith, Treasurer for Carson-Smith for DNC principal campaign committee, failed to respond to RAAD’s Request for Additional Information dated April 28, 2014 by the May 13, 2014 deadline.

Summary of Evidence

On July 17, 2014, the OCF submitted to Winifred Carson-Smith (“Respondent”), via regular, certified, and electronic mail, an Order of the Director imposing a fine of \$2,000.00 for failure to provide all documents requested in RAAD’s April 28, 2014 Request for Additional Information. Respondent did not request a Motion for Reconsideration or a new hearing with the Board of Elections. Therefore, the OCF submitted a Petition for Enforcement of the July 17, 2014 Order to the Board of Elections on November 24, 2014.

On January 21, 2015, Respondent appeared for a pre-hearing conference at the Board of Elections. During this pre-hearing conference, Respondent and the OCF agreed that Respondent would submit the remaining requested documents to the OCF by January 28, 2015. Respondent and the OCF further agreed that any discussion of fine negotiations were subject to Respondent’s compliance with the January 28, 2015 deadline.

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On January 28, 2015, Respondent submitted the remaining documents and satisfied RAAD's April 28, 2014 Request for Additional Information. On January 30, 2015, Respondent agreed to pay a reduced fine of \$500.00 in five monthly installments beginning with a \$100.00 payment on January 30, 2015. Respondent satisfied the remaining balance by submitting two installment payments of \$200.00 on February 27, 2015 and March 30, 2015. Therefore, Respondent satisfied all outstanding matters regarding the July 17, 2014 Order of the Director.

Recommendation

In view of the foregoing and information included in the record, **I HEREBY RECOMMEND** that the Director VACATE the July 17, 2014 Order imposing a fine of \$2,000.00.

April 2, 2015
Date

Lesley Brown
Lesley Brown
Hearing Officer

Concurrence

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

April 7, 2015
Date

William O. Sanford
William O. Sanford
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that the July 17, 2014 Order imposing a fine of \$2,000.00 is VACATED.

April 2, 2015
Date

Cecily E. Collier-Montgomery
Cecily E. Collier-Montgomery
Director

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CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a true copy of the **ORDER** was served on Treasurer Winifred Carson-Smith via regular mail at 1937 11th Street, NW, Washington, DC 20001, and by electronic mail at wycarsonsmith@gmail.com this 25th day of April 2015.

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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.*