

**BEFORE THE OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS  
FRANK D. REEVES MUNICIPAL BUILDING  
2000 14<sup>th</sup> STREET, NW SUITE 420  
WASHINGTON, DC 20009  
(202) 671-0550**

IN THE MATTER OF :

“No On 71,” PAC :  
c/o Terrance O’Connor, Treasurer :  
4110\_5<sup>th</sup> Street, NW :  
Washington, DC 20011 :

DOCKET NO.: 014 P- 021

Date: January 9, 2015

“No On 71,” PAC :  
C/o William V. Jones, III :  
4110\_5<sup>th</sup> Street, NW :  
Washington, DC 20011 :

**ORDER**

**Statement of the Case**

This matter came before the Office of Campaign Finance (hereinafter OCF) Office of the General Counsel following a determination by its Public Information and Records Management Division, that pursuant to The Campaign Finance Act of 2011 (The Act), codified in DC Official Code 1-1163.01, Terrance O’Connor, Treasurer, for the political campaign committee “No On 71” (1) failed to file, a Receipt and Expenditure Report (hereafter R&E) (2) failed to register the PAC within a timely manner and (3) failed to provide proper identification on its campaign literature.

By Notice of Hearing, Statement of Violations and Order of Appearance dated Monday October 20, 2014, OCF ordered Terrance O’Connor and William V. Jones, III (hereinafter Respondent), to appear at a scheduled hearing on Monday October 27, 2014, and show cause why he should not be found in violation of Title III of the Campaign Finance Act of 2011, and fined accordingly.

**Summary of Evidence**

This matter arose from a written complaint sent to the Office of Campaign Finance (OCF) from a supporter of the DC Cannabis Campaign.

Respondent treasurer, Terrance O’Connor appeared at the hearing along with legal counsel. He stated that he is the treasurer for the initiative committee “No On 71”. He assumed the post on or about September 23, 2014.

Respondent Chairperson, William V. Jones, III acted pro se in the hearing. Respondent Jones stated that he was the chairperson for the initiative committee “No On 71” which grew out of the political action committee “TIE DC 2014”. Respondent Jones stated that he created TIE DC 2014. He stated that TIE DC 2014 was not a political committee, but was a blog that he created

to inform the public to oppose the initiative to legalize the use of recreational marijuana in DC. According to its website TIE DC began activities in June 2014.

Respondent Jones registered the initiative committee "No On 71" with OCF on or about September 23, 2014 after being advised by OCF that TIE DC 2014 was operating as a political committee and that he needed to comply with DC Code 1-1163.07. Instead of registering TIE DC 2014, Respondent Jones registered the initiative committee "No On 71". He never registered TIE DC 2014, as instructed.

An OCF investigation also revealed that on the TIE DC 2014/No On 71 website monies were being solicited using "PayPal". The presumption is both committees benefited from the solicitation of money. Respondent Jones denied ever collecting and/or receiving funds from the "PayPal" account. He also denied making expenditures of funds for TIE DC and No On 71.

### **Findings of Fact**

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

1. Respondent Terrance O'Connor is the treasurer of record for the initiative committee "No On 71".
2. Respondent William V. Jones, III is the chairperson for both the political action committee TIE DC 2014 and the initiative committee "No On 71"
3. Respondent chairperson Jones, in response to instructions from OCF to register TIE DC 2014 because the PAC was engaged in political activity, only registered the initiative committee "No On 71".
4. The initiative committee "No On 71" has been operational since June 2014 under the auspices of the political committee TIE DC 2014. OCF instructed Respondent Jones to register TIE DC 2014 on or before September 23, 2014, but Respondent chairperson registered "No On 71" instead.
5. The initiative committee "No On 71" filed a Statement of Organization on or before September 23, 2014. In filing the Statement of Organization the initiative committee came into compliance with DC Code 1-1163.07.
6. Prior to coming into compliance "No On 71" has been operating for 60 plus days in violation of the campaign finance laws.

7. The initiative committee "No On 71" was required to file an 8 Day Pre-General Election (4<sup>th</sup> report) in accordance with D.C. Official Code § 1-1163.09, and complied with that requirement. The 4<sup>th</sup> report was electronically filed on October 27, 2014.

**Conclusions of Law**

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

1. Respondent "No On 71" initiative committee violated DC Official Code §1-1163.09(b) on the bases that the committee was engaged in and conducted political activity between June 2014 and September 23, 2014 without being registered with OCF in violation of DC Code 1-1163.07.
2. The penalty established at DC Official Code §1-1163.35, 3 DCMR §§3711.2(f), 3711.3 and 3711.4 for failure to register as a political committee is a fine of \$50.00 per day for each business day subsequent to the due date.
3. In accordance with DC Official Code 1-1163.35, the initiative committee "No On 71" may be fined a maximum of \$2000.00 for failing to register as a committee engaged in political activity.
4. For good cause shown pursuant to 3 DCMR 3711.6, the Director of the Office of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. The respondent's registration and timely filing of the 4<sup>th</sup> report provides good cause for suspension of the fine.
6. The respondent is currently in compliance with the statute.

**Recommendation**

In view of the foregoing and information included in the record, I hereby recommend that the Director impose a fine of \$2,000 and then suspend the imposition of the fine in this matter.

January 9, 2015  
Date

/s/  
Hearing Officer

**Concurrence**

In view of the foregoing, I hereby concur with the Recommendation.

Date January 9, 2015

15/  
William O. Sanford  
General Counsel

**ORDER OF THE DIRECTOR**

IT IS ORDERED that the fine in this matter is \$2,000 and it is hereby suspended.

Date 1/9/15

15/  
Cécily E. Collier-Montgomery  
Director

**SERVICE OF ORDER**

This is to certify that I have served a true copy of the foregoing Order on Terrance O'Connor 4110\_5<sup>th</sup> Street, NW Washington, DC 20011 by regular mail, and via electronic mail to: terry@ocdcpa.com on \_\_\_\_\_.

This is to certify that I have served a true copy of the foregoing Order on William V. Jones III 4110\_5<sup>th</sup> Street, NW Washington, DC 20011 by regular mail, and via electronic mail to: tiedc2014@gmail.com on \_\_\_\_\_.

This is to certify that I have served a true copy of the foregoing Order on Adam Eiding 1858 Mintwood Place, NW#4 Washington, DC 20009 by regular mail, and via electronic mail to: adam@dcmv.org on \_\_\_\_\_.

\_\_\_\_\_

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**NOTICE**

Any party adversely affected by any order of the Director may obtain review of the order by filing, with the Board of Elections and Ethics, a request for a hearing *de novo*. Pursuant to 3 DCMR §3711.5, any fine imposed by the Director shall become effective on the 16<sup>th</sup> day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, 2000 Fourteenth Street, N.W., Suite 433 Washington, DC 20009.