

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

IN THE MATTER OF

**Committee to Elect Delano Hunter
Leslie Bournes, Treasurer
1115 Oates Street, NE
Washington, DC 20002**

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**Date: January 9, 2012
Docket No.: 011 C-033**

ORDER

Statement of the Case

This matter came before the Office of Campaign Finance (hereafter OCF) Office of the General Counsel following a determination by its Public Information and Records Management Division, that pursuant to D.C. Official Code §1-1106.02 (2001 Edition), Leslie Bournes Treasurer, Committee to Elect Delano Hunter failed to timely file, the Receipt and Expenditure Report (hereafter R&E) on or before July 31, 2011 as required by D.C. Official Code §1-1106.02.

By Notice of Hearing, Statement of Violations and Order of Appearance dated September 22, 2011 OCF ordered Leslie Bournes (hereafter Respondent), to appear at a scheduled hearing on Tuesday October 11, 2011 and show cause why he should not be found in violation of the D.C. Campaign Finance Reform and Conflict of Interest Act of 1974, as amended by D.C. Official Code §1-1101.01 et seq., and fined accordingly.

Summary of Evidence

On October 1, 2011 Respondent electronically filed the R&E Report that was due on July 31, 2011. Respondent did not attend the scheduled hearing nor did he submit an affidavit explaining the untimely filing. Respondent also did not contact the OCF hearing office and explain the reason(s) for their failure to timely file the R&E Report.

Findings of Fact

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

1. Respondent was the Treasurer for the Committee to Elect Delano Hunter campaign committee.
2. Respondent committee was required to file the R&E Report on or before July 31, 2011 in accordance with D.C. Official Code § 1-1102.06(a).

3. Respondent treasurer electronically filed the R&E Report due on July 31, 2011 on October 1, 2011.
4. Respondents did not file an affidavit with the electronically filed R&E Report. Respondent also did not contact the General Counsel or his designee to offer an explanation for the untimely and delinquent filing submitted on October 1, 2011.
5. Respondent candidate is not a first time contender for elective office in the District of Columbia. During year 2011, the campaign committee had a history of filing delinquent R&E Reports.

Conclusions of Law

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

1. Respondent PCC violated DC Official Code §1-1102.06(a).
2. The penalty established at DC Official Code §1-1103.05 (b)(3), 3 DCMR §§3711.2(f), 3711.3 and 3711.4 for failure to timely file the July 31, 2011 R&E Report required by DC Official Code 1-1102.06 is a fine of \$50.00 per day for each business day subsequent to the due date.
3. In accordance with DC Official Code 1-1103.05(b) (3), the respondent PCC may be fined a maximum of \$2000.00 for failing to timely file the July 31, 2011 R&E Report.
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. Respondent PCC has a history of failing to file timely R&E Reports during the 2011 calendar year.

Recommendation

In view of the foregoing and information included in the record, I hereby recommend that the Director impose a fine of \$350 in this matter.

Date

Leonard G. Muhammad
Hearing Officer

Concurrence

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

Date

William O. SanFord
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that the fine imposed in this matter be Five Hundred Dollars (\$500).

Date

Cecily E. Collier-Montgomery
Director

SERVICE OF ORDER

This is to certify that I have served a true copy of the foregoing Order on Leslie Bournes by regular mail, on _____.

NOTICE

Pursuant to 3 DCMR §3711.5, any fine imposed by the Director shall become effective on the 16th 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.