

**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

**DC Legal PAC
Charles Parsons, Treasurer
138 C Street, NW
Washington, DC 20001**

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**Date: July 6, 2011
Docket No: 011 P- 016**

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 D.C. Official Code §1-1102.06 (2001 Edition), Charles Parsons, Treasurer, DC Legal PAC failed to timely file, the 8 Day Pre-Special Election Receipt and Expenditure Report (hereafter R&E) on or before April 18, 2011 as required by D.C. Official Code §1-1102.06.

By Notice of Hearing, Statement of Violations and Order of Appearance dated May 11, 2011 and re-sent via certified mail on June 9, 2011 OCF ordered Charles Parsons (hereinafter Respondent), to appear at scheduled hearings on May 27, 2011 and a rescheduled hearing on June 21, 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 filed accordingly.

Summary of Evidence

Prior to the hearing date (June 20, 2011) the Respondent requested a postponement of the hearing due to a conflict in his schedule. He explained that he is a trial lawyer and he has appointments for court appearances in the various local courts for the next 2 weeks. OCF granted the postponement.

The Respondent further stated that he had been working on the R&E Report but it was not completed. He stated that he would file the R&E Report immediately upon its completion provided this occurs before the new hearing date.

On June 24, 2011 the Respondent filed the 8 Day Pre-Special Election R&E Report for the April 26, 2011 election and submitted an affidavit explaining the untimely filing. In the affidavit, Respondent testified that in order to produce the R&E Reports it entails the preparation, handling and review involving three (3) people operating from various locations in the DC metropolitan area. He stated the current R&E Report was inadvertently misplaced during

the preparation. The Respondent apologized for not filing the report in a timely manner, and stated that all future filings would be done in a timely manner.

Findings of Fact

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

1. Respondent is the Treasurer, DC Legal PAC.
2. Respondent committee was required to file the 8 Day Pre-Special Election Report on or before April 18, 2011 in accordance with D.C. Official Code § 1-1102.06(a).
3. Respondent treasurer filed the 8 Day Pre-Special Election R&E Report on June 24, 2011.
4. Respondent stated that during the preparation of the R&E Report it was inadvertently misplaced during its preparation, and he apologized for its untimely filing.
5. Respondent committee is currently in compliance with the statute.

Conclusions of Law

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

1. Respondent PAC 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 8 Day Pre-Special Election 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 PAC may be fined a maximum of \$2000.00 for failing to timely file a January 1, 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.

Recommendation

In view of the foregoing and information included in the record, I hereby recommend that the Director suspend the imposition of the fine in this matter.

Date

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 in this matter be hereby suspended.

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 Charles Parsons 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.