

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

IN THE MATTER OF)	DATE: May 22, 2008
)	
Caribbean-American PAC)	DOCKET NO.: 08P-08
Denys Vaughn-Cooke, Treasurer)	
1501 Hamilton 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 the Caribbean-American Political Action Committee (hereinafter respondent PAC) for whom Denys Vaughn-Cooke serves as treasurer, failed to timely file, on or before March 10, 2008, a March 10, 2008 Report of Receipts and Expenditures (hereinafter March 10, 2008 Report), as required by D.C. Official Code §1-1102.06(a) (2001 Edition).

By Notices of Hearings, Statements of Violations and Orders of Appearance dated March 25, 2008 and April 14, 2008, OCF ordered Denys Vaughn (hereinafter respondent treasurer), to appear at scheduled hearings on April 3, 2008 and April 22, 2008 and show cause why the respondent PAC 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 both April 3, 2008 and April 22, 2008, neither the respondent treasurer nor a representative for the respondent PAC appeared at the scheduled hearing.

OCF has alleged that the respondent PAC failed to timely file the statutorily required March 10, 2008 Report on or before March 10, 2008. To date, OCF has not received a response to the allegation or the outstanding report from anyone affiliated with the respondent PAC.

Findings of Fact

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

1. Respondent PAC was required to file a March 10, 2008 Report on or before March 10, 2008 in accordance with D.C. Official Code §1-1102.06(a).
2. Respondent PAC did not timely file a March 10, 2008 Report with OCF.
3. Neither the respondent treasurer nor a representative for the respondent PAC provided a response to the allegations.
4. Respondent PAC to date has not filed a March 10, 2008 Report with OCF.

Conclusions of Law

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

1. Respondent PAC violated D.C. Official Code §1-1102.06(a).
2. The penalty established at D.C. Official Code §1-1103.05(b) (3), 3DCMR §§3711.2(f), 3711.3 and 3711.4 for failure to timely file a March 10, 2008 Report required by D.C. 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 D.C. Official Code §1- 1103.05(b)(3), the respondent PAC may be fined a maximum of \$2,000.00 for failing to timely file a March 10, 2008 Report.
4. For good cause shown pursuant to 3DCMR §3711.6, the Director of the Office of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. Respondent PAC's failure to respond to the allegation and continuing failure to file a March 10, 2008 Report provides no basis upon which the may be modified.

Recommendation

In view of the foregoing and information included in the record, I hereby recommend that the Director impose a fine of \$2,000.00 in this matter.

Date

William O. SanFord
Hearing Officer

Concurrence

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

Date

Kathy S. Williams
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that a fine of \$2,000.00 is imposed against the respondent PAC in this matter.

Date

Cecily Collier-Montgomery
Director

This Order may be appealed to the Board of Elections and Ethics within 15 days from the date of issuance.

SERVICE OF ORDER

This is to certify that I have served a true copy of the foregoing Order on Denys Vaughn-Cooke, by regular mail, on May 22, 2008.

NOTICE

Pursuant to 3DCMR §3711.5 (March 2007), 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, Suite 420, 2000-14th Street, N.W., Washington, D.C. 20009.