

**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: September 21, 2010
)	
Committee to Elect Cameron Poles)	DOCKET NO.: 10C-041
Cameron Poles, Treasurer)	
2723 Terrace Road, SE, Apt. 318)	
Washington, DC 20020)	

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 Committee to Elect Cameron Poles (hereinafter respondent PCC), Taliah Givens, Treasurer, failed to timely file a January 31, 2010 Report of Receipts and Expenditures as required by D.C. Official Code §1-1102.06(a)(2001 Edition), on or before February 1, 2010.

By Notices of Hearing, Statements of Violations and Orders of Appearance dated May 11, 2010 and May 20, 2010, OCF ordered Taliah Givens (hereinafter respondent treasurer), to appear at scheduled hearings on May 19, 2010 and June 1, 2010 and show cause why the respondent PCC 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 June 1, 2010, Cameron Poles, the respondent candidate, appeared at the rescheduled hearing and testified that the respondent treasurer was no longer serving the campaign, and that he would ensure that a Statement of Withdrawal of Position of Treasurer would be filed with OCF immediately. Mr. Poles further stated that he has an outstanding printing obligation, which he would attempt to resolve in order to terminate his committee. Respondent candidate stated that he would try to negotiate the transfer of the printing bill with his creditor to himself personally by June 10, 2010, thereby satisfying all campaign debts in preparation for committee termination. On June 2, 2010, the required January 31, 2010 Report of Receipts and Expenditures was filed with OCF.

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On June 9, 2010, a Statement of Withdrawal of Position of Treasurer was filed by Taliah Givens.

Findings of Fact

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

1. Respondent PCC registered with OCF on July 25, 2008.
2. Respondent PCC was required to file a January 31, 2010 Report of Receipts and Expenditures on or before February 1, 2010 in accordance with D.C. Official Code §1-1102.06(a).
3. Respondent PCC filed the required report with OCF on June 2, 2010.
4. Respondent PCC has a history of prior filing delinquencies.
5. Respondent treasurer provided a credible explanation for the filing delinquency in that he required additional time to negotiate the transfer of an outstanding debt to himself personally in preparation for committee termination; notwithstanding, the required report was filed upon OCF's instruction to do so.
6. Respondent PCC is currently in compliance with the statute.

Conclusions of Law

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

1. Respondent PCC 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 January 31, 2010 Report of Receipts and Expenditures 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 PCC may be fined a maximum of \$2,000.00 for failing to timely file a January 31, 2010 Report of Receipts and Expenditures.

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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 treasurer's explanation for the filing delinquency, in that he required additional time to transfer an outstanding bill to himself personally; notwithstanding, the required report was filed upon OCF's instruction to do so, constitutes good cause for suspension of the fine in this matter.

Recommendation

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

Date

_____/s/_____
Jean Scott Diggs
Senior Hearing Officer

Concurrence

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

Date

_____/s/_____
William O. SanFord
Acting General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that a fine is hereby suspended in this matter.

Date

_____/s/_____
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 Cameron Poles, Treasurer, Committee to Elect Cameron Poles by regular mail on September 21, 2010.

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.