

**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, N.W., SUITE 420  
WASHINGTON, D.C. 20009  
(202) 671-0550**

IN THE MATTER OF	)	DATE: September 15, 2010
	)	
Charles Wilson 2008	)	DOCKET NO.: 10C-042
Niketris Wilson, Treasurer	)	
1643 U Street, SE	)	
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 Charles Wilson 2008 Committee (Committee) (hereinafter respondent PCC), Niketris Wilson, Treasurer, failed to timely file a January 31, 2010 Report of Receipts and Expenditures (hereinafter January 31, 2010 Report) as required by D.C. Official Code §1-1102.06(a)(2001 Edition), on or before February 1, 2010.

By Notice of Hearing, Statement of Violations and Order of Appearance dated May 11, 2010, OCF ordered Niketris Wilson (hereinafter respondent treasurer), to appear at a scheduled hearing on May 19, 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 May 18, 2010, the candidate filed an affidavit stating that his campaign for the Ward 8 Council seat ended in September 2008. Mr. Wilson further stated the following: (1) that he raised no campaign funds during the relevant period; (2) that he raised no campaign funds subsequent to September 2008; and (3) that he had ceased all campaign efforts. On May 18, 2010, the respondent PCC filed a Termination Report with OCF, covering the period August 1, 2009 through May 18, 2010.

**Findings of Fact**

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

1. 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).
2. Respondent PCC filed a Termination Report with OCF on May 18, 2010, covering the period August 1, 2009 through May 18, 2010.
3. Respondent PCC has a history of prior filing delinquencies.
4. Respondent candidate provided a credible explanation for the filing delinquency in that he ceased his campaign for Ward 8 City Council in September 2008, and that he raised no funds subsequent to that time. Notwithstanding, the respondent PCC filed upon OCF's instruction to do so.
5. 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.
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.

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5. Respondent candidate's explanation for the filing delinquency in that the respondent PCC raised no funds during the relevant period, and had ceased all campaign efforts, notwithstanding, the PCC filed upon OCF's instruction to do so, constitute good cause to suspend 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 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 in this matter be hereby suspended.

\_\_\_\_\_  
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 Charles Edward Wilson, Candidate, Charles Wilson 2008, by regular mail on September 15, 2010.

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**NOTICE**

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