

**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 23, 2010
)	
Citizens for Good Government)	DOCKET NO.: 10P-025
Jesse Ingram, Treasurer)	
1822 Bunker Hill Road, NE)	
Washington, DC 20018)	

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 Citizens for Good Government (hereinafter respondent PAC), Jesse Ingram, 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 Jesse Ingram (hereinafter respondent treasurer), to appear at a scheduled hearing on May 19, 2010 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 May 19, 2010, the respondent treasurer appeared at the scheduled hearing and testified that the filing delinquency was due to an inadvertent oversight as the PAC has been trying to terminate with OCF since January of 2009. Respondent treasurer further stated that the PAC had no money, and was inactive. The Hearing Officer recommended that the respondent treasurer work with OCF's Audit Division to file a Termination Report at the conclusion of the hearing. On February 17, 2010, the required January 31, 2010 Report of Receipts and Expenditures was filed with OCF.

Findings of Fact

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

1. Respondent PAC registered with OCF on February 15, 2007.
2. Respondent PAC 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 PAC filed the required report with OCF on February 17, 2010.
4. Respondent PAC has a history of prior filing delinquencies.
5. Respondent treasurer provided a credible explanation for the filing delinquency in that it was due to an inadvertent oversight, and that the PAC has been trying to terminate its filing requirements with OCF since 2009; notwithstanding, the required report was filed upon OCF's instruction to do so.
6. Respondent PAC is currently in compliance with the statute.

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 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 PAC may be fined a maximum of \$500.00 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 treasurer's explanation for the filing delinquency in that the oversight was due an inadvertent oversight, and that he has been attempting to terminate the PAC since January of 2009; 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 Jesse Ingram, Treasurer, Citizens for Good Government by regular mail on September 23, 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.