

**BEFORE THE OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS  
FRANK D. REEVES MUNICIPAL BUILDING  
2000 14<sup>th</sup> STREET, N.W., SUITE 433  
WASHINGTON, D.C. 20009  
Telephone: (202) 671-0547  
Fax: (202) 671-0658**

<b>IN THE MATTER OF</b>	)	Date: April 2, 2014
	)	
Biddle 2012	)	Docket No: 14C-014
Treasurer William Brown	)	
1215 Lamont Street, NW	)	
Washington, D.C. 20010	)	

**ORDER**

**Statement of Case**

This matter came before the Office of Campaign Finance (“OCF”) Office of the General Counsel following a determination by its Public Information and Records Management Division (“PIRM”) that pursuant to the District of Columbia Campaign Finance Act of 2011, D.C. Official Code § 1-1163.09(b) (2012) and District of Columbia Municipal Regulations, 3 DCMR § 3017.2 (August 2013), Treasurer, William Brown of the Biddle 2012 principal campaign committee failed to timely file the January 31<sup>st</sup> Report of Receipts and Expenditures (“R&E report”), which was due by February 19, 2014, the OCF sanctioned extended deadline.

By Notice of Hearing, Statement of Violations and Order of Appearance dated March 18, 2014, OCF ordered William Brown (“Respondent”), to appear at a scheduled hearing on April 1, 2014, and show cause why he should not be found in violation of D.C. Official Code § 1-1163.09(b) and 3 DCMR § 3017.2 and fined accordingly.

**Summary of Evidence**

On March 31, 2014, the *Biddle 2012* principal campaign committee filed the January 31<sup>st</sup> R&E report along with a notarized affidavit from former candidate, Sekou Biddle detailing the circumstances involving the untimely filing of the report. Mr. Biddle’s affidavit states that the untimely filing was due to his belief that the R&E report was due on a date different than the February 19, 2014 extended filing deadline. Mr. Biddle’s affidavit further explains that he has now made note of the required filing dates and that he will be filing his reports in a timely fashion from this point forward.

**Findings of Fact**

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

1. Respondent is the Treasurer for the *Biddle 2012* principal campaign committee.
2. The Committee was required to file the January 31<sup>st</sup> Report of Receipts and Expenditures, which was due on February 19, 2014, the OCF sanctioned extended deadline.
3. The Committee failed to timely file the required R&E report by the February 19, 2014 deadline.
4. By Notice of Hearing, Statement of Violations and Order of Appearance dated March 18, 2014, OCF ordered Respondent to appear for a scheduled hearing on April 1, 2014.
5. On March 31, 2014, former Candidate Sekou Biddle filed the January 31<sup>st</sup> R&E report along with a notarized affidavit detailing the circumstances regarding the untimely filing of the R&E report.
6. Mr. Biddle's affidavit states that the untimely filing was due to his belief that the R&E report was due on a date other than February 19, 2014.
7. Mr. Biddle's affidavit states that he has since made note of the designated filing dates and that he will file future reports in a timely manner.

**Conclusion of Law**

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

1. The Committee violated D.C. Official Code § 1-1163.09(b) and 3 DCMR § 3403.2.
2. The penalty established by 3 DCMR § 3711.2(f) for failure to file a Report of Receipts and Expenditures with OCF, as required by D.C. Official Code § 1-1163.09(b), is a fine of \$50.00 per day for each business day subsequent to the due date.
3. Under the given facts, the Committee may be fined a total of \$1,350.00.
4. For good cause shown pursuant to 3 DCMR § 3711.7, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. On March 31, 2014, Mr. Biddle filed the January 31<sup>st</sup> R&E report along with a notarized affidavit detailing the circumstances regarding the untimely filing of the R&E report.
6. Mr. Biddle's notarized affidavit provided an explanation for the Committee's failure to timely file the January 31<sup>st</sup> R&E report, in that the Committee had inaccurately recorded the filing deadlines for R&E reports.
7. Mr. Biddle's explanation for failure to timely file the required R&E report constitutes good cause for suspension of a fine.

**Recommendation**

In view of the foregoing and information included in the record, **I HEREBY RECOMMEND** that the Director suspend a fine in this matter.

April 2, 2014

Date



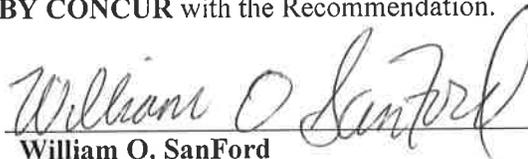
Austin Franklin  
Hearing Examiner

**Concurrence**

In view of the foregoing, **I HEREBY CONCUR** with the Recommendation.

April 2, 2014

Date



William O. Sanford  
General Counsel

**ORDER OF THE DIRECTOR**

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

April 2, 2014

Date



Cecily E. Collier-Montgomery  
Director

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a true copy of the ORDER has been served on Treasurer William Brown, via regular mail at 1215 Lamont Street, NW, Washington, D.C. 20010 and by electronic mail at [sekou.biddle@me.com](mailto:sekou.biddle@me.com) on this 2<sup>ND</sup> day of April, 2014.



Notice

Any party adversely affected by an Order of the Director may: (1) file a Motion for Reconsideration (Motion) with the OCF within five (5) days after receipt of an Order, provided that, relevant evidence was omitted from consideration at the hearing (3 DCMR §3709.13); or (2) obtain review of the Order by filing a request for a **hearing de novo** with the Board of Elections within fifteen (15) days from the date of issuance of an Order. Any fine imposed by the Director, pursuant to §3711.2 shall become effective on the sixteenth (16<sup>th</sup>) day following the issuance of a decision or Order; provided that, the Respondent does not request a **hearing de novo** with the Board of Elections. Fines imposed shall be paid within ten (10) days of the effective date of the issued Order of the Director. Make payment by check or money order, payable to: District of Columbia Treasurer. Send payment to the *Office of Campaign Finance, Frank D. Reeves Municipal Building, 2000 14<sup>th</sup> Street NW, Suite 433, Washington, DC 20009.*