

**BEFORE THE OFFICE OF CAMPAIGN FINANCE
DISTRICT OF COLUMBIA BOARD OF ELECTIONS
FRANK D. REEVES MUNICIPAL BUILDING
2000 14th STREET, N.W., SUITE 433
WASHINGTON, D.C. 20009
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IN THE MATTER OF)	Date: March 25, 2015
)	
William E. Brown, Treasurer)	Docket No: 14R-064
Biddle 2012)	
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 Reports Analysis and Audit Division (“RAAD”) that William E. Brown, Jr., Treasurer of the Biddle 2012 principal campaign committee, failed to respond to RAAD’s Statement of Findings dated December 3, 2014. RAAD requested that the Committee provide the Audit Staff with an explanation and documentation to substantiate the difference in beginning and ending cash on hand balances as indicated on the Committee bank statements. Respondent was required to respond to the request by December 18, 2014.

By Notice of Hearing, Statement of Violations and Order of Appearance dated January 9, 2015, OCF ordered William E. Brown, (“Respondent”), to appear at a scheduled hearing on January 26, 2015, and show cause why the Biddle 2012 Principal Campaign Committee should not be found in violation of D.C. Official Code § 1-1163.03(a)(1)(A), and fined accordingly.

Summary of Evidence

On January 26, 2015, Candidate Sekou Biddle and Respondent William E. Brown Jr., appeared at the scheduled hearing *pro se*. Audit Manager, Rene Coleman-Rollins and Staff Auditor Erick Jackson appeared on behalf of the OCF. Mr. Biddle testified that the committee was unable to provide the Audit staff with an explanation or documentation regarding the discrepancy in the committee’s ending cash on hand balance because the committee found several accounting mistakes while going through the committee’s financial records. Mr. Biddle testified that he anticipated finding additional accounting errors as he and respondent continued to review the committee’s financial records. Mr. Biddle requested and was granted an extension of time to allow the committee to locate and correct all errors and amend their Receipts and Expenditure reports.

Respondent was ultimately successful in amending the committee's reports and reconciling the committee's bank statements. The Committee is now in compliance with the D.C. Official Code.

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. By Notice of Hearing, Statement of Violations and Order of Appearance dated January 9, 2015, OCF ordered Respondent to appear for a scheduled hearing on January 26, 2015.
3. Respondent along with candidate Sekou Biddle appeared *pro se* at the January 26, 2015 hearing.
4. Mr. Biddle testified that the committee was unable to provide the Audit staff with an explanation or documentation regarding the discrepancy in the committee's ending cash on hand balance because there were numerous accounting errors discovered in both their financial records and filings with OCF.
5. Mr. Biddle requested and was granted an extension of time to allow the committee to locate and correct all errors and amend their Receipts and Expenditure reports.
6. The committee was successful in locating and correcting errors in their reports.
7. The committee subsequently amended their reports to reflect the accurate financial information.

Conclusion of Law

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

1. Respondent violated D.C. Official Code § 1-1163.03(a)(1)(A).
2. The penalty established at 3 DCMR § 3711.2(q) for failing to file additional information requested by the Director is \$50 per day.
3. For good cause shown pursuant to 3 DCMR § 3711.7, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
4. Under the given facts, Respondent may be fined a total of \$650.00.
5. Respondent has been cooperative with OCF staff in resolving this matter.
6. Pursuant to 3 DCMR § 3711.7 the amount of \$650.00 in fines will be suspended.

Recommendation

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

March 25, 2015
Date

Austin Franklin
Austin Franklin
Hearing Examiner

Concurrence

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

March 25, 2015
Date

William O. Sanford
William O. Sanford
General Counsel

ORDER OF THE DIRECTOR

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

March 25, 2015
Date

Cecily E. Collier-Montgomery
Cecily E. Collier-Montgomery
Director