

**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**

**IN THE MATTER OF**

Committee to Elect Judi Jones  
James Elie, Treasurer  
410 Gallatin Street, NW  
Washington, DC 20011

)  
) Date: February 29, 2016  
)  
) Docket No: 15C-092  
)  
)

**ORDER**

**Statement of the 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 that pursuant to the Campaign Finance Act of 2011, District of Columbia Official Code § 1-1163.09(b) (2015) and the District of Columbia Municipal Regulations, 3 DCMR § 3017.2 (January 2015), **JAMES ELIE**, Treasurer of the Committee to Elect Judi Jones Principal Campaign Committee (“committee”), failed to timely file the December 10<sup>th</sup> Report of Receipts and Expenditures that was due on Thursday, December 10, 2015.

By Notice of Hearing, Statement of Violations and Order of Appearance dated December 29, 2015, OCF ordered James Elie (“Respondent”) to appear at a scheduled hearing on January 12, 2016 and show cause why the committee should not be found in violation of the D.C. Official Code § 1-1163.09(b) (2015) and 3 DCMR § 3017.2 (January 2015), and fined accordingly.

**Summary of Evidence**

On January 12, 2016, James Elie (“Respondent”) appeared pro se to answer to the abovementioned charges. Mrs. Laura McQueen, Instruments Examiner, appeared on behalf of the Office of Campaign Finance (“OCF”). Mrs. McQueen testified that the James Elie, Treasurer, of the Committee to Elect Judi Jones, failed to timely file the December 10<sup>th</sup> Report of Receipts and Expenditures (“R&E Report”), in violation of the Campaign Finance Act of 2011, District of Columbia Official Code § 1-1163.09(b) (2015) and the District of Columbia Municipal Regulations, 3 DCMR § 3017.2 (January 2015), which was due on Thursday, December 10, 2015.

Respondent testified that he did not timely file the December 10<sup>th</sup> Report for several reasons. Respondent explained that the Candidate maintained the committee’s bank statements and other financial documents. Therefore, Respondent relied on the Candidate to provide him with the necessary documents to complete the December 10<sup>th</sup> filing. Respondent explained that he was unable to obtain those documents from the Candidate prior to the December 10<sup>th</sup> filing because the Candidate traveled away for several weeks due to a death in the family.

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Eventually, Respondent was able to correct the violation and filed the December 10<sup>th</sup> Report on January 11, 2016. The committee is currently in compliance with its filing obligation and does not have any delinquent filings this year.

**Findings of Fact**

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

1. Respondent is the treasurer of the Committee to Elect Judi Jones Principal Campaign Committee.
2. Respondent was required to file the December 10<sup>th</sup> Report of Receipts and Expenditures by Thursday, December 10, 2015, but failed to file.
3. On November 13, 2015, PIRM mailed a reminder letter to the Respondent, reminding to file the December 10<sup>th</sup> Report of Receipts and Expenditures.
4. Respondent failed to file the December 10<sup>th</sup> Report of Receipts and Expenditures on Thursday, December 10, 2015.
5. By Notice of Hearing, Statement of Violations and Order of Appearance dated December 29, 2015, the Respondent was ordered to appear at a scheduled hearing on January 12, 2016.
6. Respondent provided a credible explanation for the untimely filing, in that Respondent was unable to file the December 10<sup>th</sup> Report until he obtained the necessary documents for the filing from the Candidate; who was out of town for several weeks (between November and December) due to a death in the family.
7. Eventually, Respondent was able to correct the violation and filed the December 10<sup>th</sup> Report on January 11, 2016.
8. The committee is currently in compliance with its filing obligation and does not have any delinquent filings this year.

**Conclusions of Law**

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

1. Respondent violated D.C. Official Code § 1-1163.09)(b) (2015) and 3 DCMR § 3017.2 (January 2015).
2. 3 DCMR § 3711.2(f) establishes a fifty dollar (\$50) fine for failure to timely file a Report of Receipts and Expenditures.
3. 3 DCMR § 3711.1 maintains that a fine shall attach for each day of noncompliance; up to a maximum of \$950.00, pursuant to D.C. Official Code § 1-1163.35(a)(3).
4. Director may ministerially impose fines upon the candidate, treasurer, committee, or designated agent, pursuant to 3 DCMR § 3711.1.

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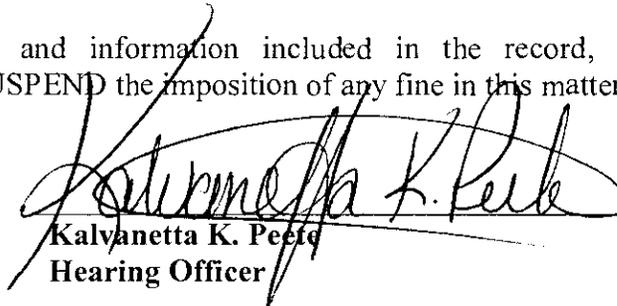
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5. For good cause shown pursuant to 3 DCMR § 3711.7, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
6. Respondent failed to file the December 10<sup>th</sup> Report of Receipts and Expenditures on Thursday, December 10, 2015.
7. By Notice of Hearing, Statement of Violations and Order of Appearance dated December 29, 2015, the Respondent was ordered to appear at a scheduled hearing on January 12, 2016.
8. Respondent provided a credible explanation for the untimely filing, in that Respondent was unable to file the December 10<sup>th</sup> Report until he obtained the necessary documents for the filing from the Candidate; who was out of town for several weeks (between November and December) due to a death in the family.
9. Eventually, Respondent was able to correct the violation and filed the December 10<sup>th</sup> Report on January 11, 2016.
10. The committee is currently in compliance with its filing obligation and does not have any delinquent filings this year.

**Recommendation**

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

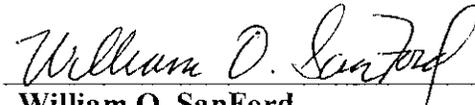
February 29, 2016  
Date

  
\_\_\_\_\_  
Kalvanetta K. Peete  
Hearing Officer

**Concurrence**

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

February 29, 2016  
Date

  
\_\_\_\_\_  
William O. Sanford  
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that the imposition of a fine is hereby SUSPENDED in this matter.

February 29, 2016  
Date

*Cecily E. Collier-Montgomery*

Cecily E. Collier-Montgomery  
Director

CERTIFICATE OF SERVICE

THIS IS TO CERTIFY that a true copy of the ORDER has been served on James Elie, Treasurer, via regular mail at 410 Gallatin Street, NW, Washington DC 20011 on this 29th day of February 2016.



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.*