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DIRECTOR

THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

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January 16, 2024

Tom Ashe
116 Chesterfield Avenue
Springfield, MA 01118

Re: CPF-23-99

Dear Mr. Ashe:

This office has completed its review of a complaint we received alleging that you published several political posts to your Facebook page, including some posts that solicited funds for political purposes. For the reasons stated below, OCPF has determined that your actions were not consistent with the restrictions of M.G.L. c. 55, the Massachusetts campaign finance law, but no further action is warranted.

Section 13 of M.G.L. c. 55 states, in relevant part, that “[n]o person employed for compensation, other than an elected officer, by the commonwealth or any county, city or town shall directly or indirectly solicit or receive any gift, payment, contribution, assessment, subscription or promise of money or other thing of value for the political campaign purposes of any candidate for public office or of any political committee, or for any political purpose whatever, . . .”. The restriction applies to limit public employees’ use of social media for political purposes, and prohibits public employees from creating political fundraising event pages, inviting people to attend events, or sharing any posts that contain solicitations for political contributions. The prohibition applies at all times, including after the employee’s regular work hours and on weekends and vacations.

In addition, pursuant to Anderson v. City of Boston, public resources may not be used for political purposes. See 376 Mass. 178 (1978). Public resources include, but are not limited to, staff time, office equipment, and email accounts. Even the occasional, minor use of public resources for a political purpose is inconsistent with state law and should be avoided.

As Chief of Staff for the Mayor of Springfield, you acknowledge that you are employed for compensation by the Commonwealth of Massachusetts, and, accordingly, a public employee within the meaning of M.G.L. c. 55. Therefore, you may not directly or indirectly solicit or receive contributions for a candidate or for any other political purpose, nor may you engage in political activity during your workday.

You have acknowledged that you posted content to your Facebook page in support of multiple candidates between October 2021 and December 2023. Of more than fifty political posts on your personal Facebook page over the course of 2 years, three posts shared information



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regarding fundraising events to benefit three separate candidates (one in the summer of 2023, and two in the spring of 2022). You stated that none of the fundraising posts were published using public computers or other public resources, and that you published the posts after work hours. As soon as you were notified of the issue, you agreed to remove the fundraising posts from your personal Facebook page.

Based on information obtained during the course of this review, there is no reason to believe that any of the political posts you published to your personal Facebook page were made during your workday; however, to the extent any of the political posts may have been published during your workday, that activity would not have been consistent with the restrictions of Anderson and the Massachusetts campaign finance law. While OCPF did not find evidence of an intentional violation in this instance, we expect the guidance received during the course of this review will ensure future compliance, and no further action is warranted. For future reference, I have enclosed a copy of this office's guide on public employees, public buildings, and public resources.

In accordance with the opinion of the Supervisor of Public Records, this letter is a public record, and a copy may be provided to the person(s) who brought this matter to our attention. Thank you for your cooperation in resolving this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "William C. Campbell". The signature is fluid and cursive, with a large, stylized "W" and "C".

William C. Campbell
Director

WCC/mc