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October 28, 2025

Mayor Thomas Koch
The Koch Committee
c/o Thomas Kiley, Esq.
CEK Boston
1 International Place
Boston, MA 02110

Re: CPF-23-13

Dear Mayor Koch:

This office has completed its review of the Koch Committee's campaign finance activity in 2022 and 2023. For the reasons that follow, OCPF has determined that the Koch Committee (the "Committee") did not comply with the requirements of M.G.L. c. 55, the Massachusetts campaign finance law.

The Committee is a duly organized political committee, having organized in 2007 to support your candidacy for Mayor in the City of Quincy. As a mayoral candidate, your Committee's campaign finance activity is disclosed in the depository system of reporting, pursuant to the requirements of M.G.L. c. 55, § 19. When conducting a routine audit of the Committee's campaign finance activity, OCPF noted certain activity that did not appear to comply with the requirements of the campaign finance law. In addition, OCPF received several complaints related to the Committee's activity and, as a result, initiated a comprehensive review of Committee activity in the above-referenced period.

True Source

Section 10 of the campaign finance law prohibits any person from "...directly or indirectly, mak[ing] a campaign contribution in any name except his own nor in any manner for the purpose of disguising the true origin of the contribution nor unless he makes his name and residential address known to the person receiving such contribution at the time such contribution is made...". M.G.L. c. 55, § 10. Section 7 of the campaign finance law provides: "No person or combination of persons, including a corporation formed under the provisions of chapter one hundred and eighty, shall in connection with any nomination or election receive money or its equivalent, expend or disburse or promise to expend or disburse the same, except as authorized by this chapter." M.G.L. c. 55, § 7. Sections 18 and 19 require committees to file complete, accurate, and timely reports to disclose



campaign finance activity, including accurate contributor information for contributions received. See M.G.L. c. 55, §§18-19.

During the course of its review, OCPF determined that multiple individuals made contributions to the Committee and were reimbursed by another for those contributions. Although circumstances may make it difficult for a committee to ascertain at the time a contribution is received that the true source is not accurate, once this fact is known the committee cannot retain and benefit from such funds. Further, there could be circumstances when the receipt of contributions may give rise to suspicion of true source violations, at which time the committee must exercise their best efforts to determine whether the contributions are legal at the time of receipt. 970 CMR 1.04(8). As a result, the Committee did not comply with Section 7 when it accepted and deposited contributions that were made in a manner that did not comply with the requirements of Section 10. Further, in its reports, the Committee did not accurately reflect contributor information for multiple contributions it received.

Excess Tender Type Contributions

Political committees are prohibited from accepting contributions made via money order, treasurer's check, or other similar tender types in excess of \$100 in the aggregate from an individual in a calendar year. M.G.L. c. 55, § 9. The Committee's records reflect that the Committee accepted multiple treasurer's checks, bank checks, or other similar instruments, each of which were in excess of \$100. As a result, OCPF has concluded that the Committee received and deposited excess tender type contributions in the total amount of \$6,550, which did not comply with Section 9.

Prohibited Corporate Contributions

During the course of the review, OCPF noted that the Committee received multiple corporate contributions, totaling at least \$7,750. Section 8 of the campaign finance law states that "...no business or professional corporation, partnership, limited liability company partnership under the laws of or doing business in the commonwealth and no officer or agent acting in behalf of any corporation mentioned in this section, shall directly or indirectly give, pay, expend or contribute, or promise to give, pay, expend or contribute, any money or other valuable thing for the purpose of aiding, promoting or preventing the nomination or election of any person to public office, or aiding or promoting or antagonizing the interest of any political party." In addition, that section goes on to state that "[n]o person or persons, no political committee, and no person acting under the authority of a political committee, or in its behalf, other than a political committee organized on behalf of a ballot question campaign shall solicit or receive from such corporation or such holders of stock any gift, payment, expenditure, contribution or promise to give, pay, expend or contribute for any such purpose." M.G.L. c. 55, § 8. Accordingly, OCPF has concluded that the Committee's receipt of corporate contributions in the amount of \$7,750 did not comply with the prohibitions of Section 8.

Anonymous Contributions

The campaign finance law requires a committee to keep and preserve detailed accounts of all contributions received, including the name and address of the contributor, the date the contribution was

received, and the amount of each contribution received. The statute requires this information be collected and records preserved “regardless of the amount of the contribution.” See M.G.L. c. 55, §§ 2 and 5. Further, OCPF’s regulations clarify the statute by stating that “anonymous contributions may not be accepted.” See 970 CMR 1.04(5). This recognizes that the receipt of anonymous contributions would make it impossible for a committee to keep the accounts regarding contributions received as required by the statute.

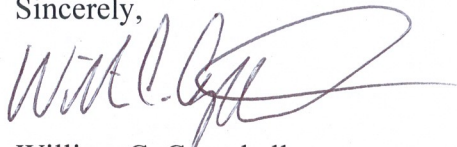
During our review, the Committee acknowledged that it received \$3,091.34 in contributions via PayPal, for which it did not have contributor information. Although the Committee has attempted to obtain that information, it has been unable to do so. As a result, said contributions are considered anonymous and may not be retained by the Committee, pursuant to the requirements of M.G.L. c. 55 and 970 CMR 1.04(5).

Resolution

After our review, and as discussed above, OCPF has determined that the Committee did not comply with various provisions of the campaign finance law. To resolve this matter, the Committee has made payments totaling \$55,000, with \$15,000 payable to the Commonwealth, and \$40,000 payable to charitable entities of the Committee’s choice. Further, the Committee has agreed to implement internal accounting procedures to more closely review contributions received prior to depositing them. The Committee will also undertake educational efforts in the Quincy community, to ensure residents and business owners have a better understanding relative to the requirements and restrictions of the Massachusetts campaign finance law. Therefore, in light of the remedial actions taken by the Committee, and with the expectation that this review will ensure future compliance with the campaign finance law, this matter may be closed at this time. The Committee should be aware, however, that further instances of noncompliance with the campaign finance law may result in referral to the Attorney General in accordance with Section 3 of the campaign finance law.

In accordance with the opinion of the Supervisor of Public Records, this letter is a matter of public record. A copy is being provided to the local clerk, and may be provided to the person(s) who brought this matter to our attention.

Sincerely,

A handwritten signature in dark ink, appearing to read "W.C. Campbell", written over a horizontal line.

William C. Campbell
Director

WCC/mc

cc: Fran Walsh, Treasurer