

OCPF Reports



“From the Director”

Mike Sullivan

Answering your questions about the R6 e-filing system

If you e-file with OCPF, you probably know that Reporter 5 and Web Reporter are no longer used to submit campaign finance reports.

Replacing them is R6 (Reporter 6), our new web-based e-filing system, which went live April 13. It's been a smooth launch, with only a few bugs, and we thank you for working with us.

Along the way we've been asked questions about the new system. Here are a few of the questions we've answered since the launch of R6:

Q: The old systems, Reporter 5 and Web Reporter, worked for me. Why change?

The key word is “systems.” Plural. Our IT staff spent too much time supporting two different filing systems, and can now concentrate their efforts on one — R6.

Also, R6 uses the latest in Web-based technology. Reporter 5 was software downloaded to a PC and it required regular updates. Web-based reporting systems are the current standard.

In time, I think our e-filers will prefer working with the R6 more than Web Reporter and Reporter 5.

Q: Why does OCPF want my e-mail address?

The first time a candidate or committee uses R6 they must provide e-mail addresses.

Our office is transitioning to a “paperless” world and we need your e-mail to communicate with you (this will save money on postage and paper).

It is very important that you provide us with a working, viable e-mail address.

Q: I'm a legislative candidate and I've been entering data into Reporter 5 this year to file my mid-year report (due July 20). Will I be able to file?

Starting in early May, you can call OCPF and we will walk you through the process of transferring your 2015 data from Reporter 5 to R6. You won't be able to file using Reporter 5.

Q: I use Reporter 5 to file with my municipal clerk. Can I use R6 now?

Everyone will be able to use R6, even municipal candidates who file locally. The first phase of our R6 rollout allowed candidates and committees that file with OCPF to use the e-filing system. Soon, municipal candidates who file locally will be able to register with OCPF to use R6 for printing reports. Meanwhile, you can still use Reporter 5 to print paper reports.

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2015 Elections

City candidates and their filing responsibilities

Changes to the campaign finance law that started this year will have an impact on many candidates running in the city elections this fall.

Mayoral Candidates: Smaller Cities

For the first time, mayoral candidates in cities with populations of 40,000 and less will e-file with OCPF in 2015.

This statutory change affects Agawam, Amesbury, Beverly, Braintree, Easthampton, Gardner, Gloucester, Greenfield, Holyoke, Marlborough, Melrose, North Adams, Newburyport, Northampton, West Springfield and Woburn.

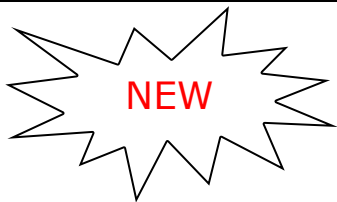
Mayoral candidates in those cities must now e-file with OCPF using R6, the agency filing system. Mayoral candidates in cities with populations of 40,000 to 75,000 have been filing with OCPF since 2010 and will also use R6.

Candidates for mayor should organize by filing a [CPF 101 form](#) with OCPF, and giving a copy to your local election official. Incumbents can complete a new CPF 101 and file it with OCPF and locally.

Mayoral and City Council Candidates in Cities with Populations of 75,000 to 100,000

Prior to the change in the law, candidates for mayor and city council in the five cities over 100,000 in population filed reports with

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R6 Tutorials

OCPF created tutorials on how to use the agency’s new e-filing system, R6

How to create and e-file a campaign finance report for non-depository candidates and committees: [Click here](#)

How to create and e-file a deposit report for depository candidates and committees: [Click here](#)

From Page 1: R6



Q: Does R6 have the same helpful functions as Reporter 5 and Web Reporter?

We combined the best of Reporter 5 and Web Reporter to make R6.

Reporter 5 had many popular bells and whistles, so we kept those favored functions in R6. For example, R6 will recognize a prior donor’s name and autofill the address, occupation and employer.

We also carried over Web Reporter’s ease of filing — just a few clicks and a report can be e-filed.

If there is a function that you would like R6 to do, but it doesn’t, please feel free to call or e-mail OCPF and we will consider your suggestion. R6 was created and launched by OCPF’s own IT team.

Q: I’m not good with computers. Do you offer R6 training?

Our office created R6 tutorials that are available on our YouTube station, [“OCPFReports.”](#) Please see the links at the top of this page.

We also offer training each Wednesday at 2 p.m.in the OCPF conference room. R6 is demonstrated during each of those sessions.

For municipal candidates, we are conducting a dozen seminars in various cities this year that will include R6 demonstrations. See page 4 for more information.

Please feel free to call our office with any questions about R6 and its uses at 617-979-8300. I hope you’re having a great spring.

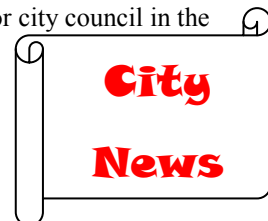


Michael J. Sullivan

From Page 1: City Filers

OCPF through what is known as the depository system. The population threshold has now been lowered to 75,000 and includes eight more cities. The 13 cities over 75,000, in order from largest to smallest, are Boston, Worcester, Springfield, Lowell, Cambridge, New Bedford, Brockton, Quincy, Lynn, Fall River, Newton, Lawrence and Somerville.

When a candidate for mayor or city council in the 13 cities above decide to run for office or take out nomination papers, they should contact OCPF about their filing responsibilities.



Candidates for any other office besides mayor and city council will still continue to file reports with their local election official (primarily school committee).

New Limit

Starting Jan. 1 this year, the limit that an individual can give to a candidate in a calendar year is \$1,000.

Other City Issue: Pre-Preliminary Reports

In cities with populations of 75,000 or less, a pre-preliminary report only needs to be filed by a candidate if he or she appears on a preliminary ballot (this change started in 2013). If a candidate does not appear on a preliminary ballot, only a pre-election report is due (Oct. 26).

Recent Cases & Rulings

OCPF audits all campaign finance reports and reviews all complaints alleging violations of the campaign finance law. These audits and reviews may result in enforcement actions or rulings (below). OCPF does not comment on any matter under review, nor does the office confirm or deny that it has received a specific complaint. The identity of any complainant is kept confidential. PRLs and disposition agreements are matters of public record once cases are concluded.

Public Resolution Letters

A public resolution letter may be issued in instances where the office found “no reason to believe” a violation occurred; where “no further action” or investigation is warranted; or where a subject “did not comply” with the law but, in OCPF’s view, the case is able to be settled in an informal fashion with an educational letter or a requirement that some corrective action be taken. A public resolution letter does not necessarily imply a wrongdoing on the part of a subject and does not require agreement by a subject.

CPF-15-10: Sen. Jennifer Flanagan, Leominster. No further action (disclosure); 2/19/2015. The Flanagan Committee determined on its own that it filed inaccurate reports with OCPF because its recordkeeping process had not been consistently applied by committee volunteers. Specifically, the committee’s primary issue was the non-disclosure of activity during the periods of 2008 to 2014. After an additional review by OCPF staff, the committee filed amendments to its campaign finance reports to accurately disclose its financial activity. The committee replaced its treasurer and agreed to file supplemental reports with OCPF until July, 2016.

CPF-15-08: Sheriff Michael Ashe, Longmeadow. Did not comply (investments); 2/25/2015. The Ashe Committee invested campaign funds in a mutual fund, which is not permitted by the campaign finance law. The investment resulted in a loss to the committee of \$3,722.

CPF-15-03: Mark Riffenburg, Holyoke. Did not comply (public employee, completed reports); 2/27/2015. Riffenburg was a candidate for city councilor in Holyoke and a city employee when the “Mark R. Riffenburg” Facebook page was used to post a fundraising event for the campaign. Public employees are prohibited from soliciting or receiving campaign contributions directly or indirectly, even for their

own campaigns. In addition, the committee filed a year-end campaign finance report and “change of purpose” form that were not signed by the campaign treasurer. To resolve the issues, the committee made a payment of \$200 to the state’s general fund, and the Facebook page was changed to say, “Committee to Elect Mark Riffenburg.” Also, the treasurer signed the relevant forms.

CPF-14-69: Jennifer Leone, Lancaster. No further action (disclosure); 3/5/2015. Leone, a candidate for selectman, originally disclosed an in-kind contribution of \$653 for a mailing and signs from an individual, Dave Dunn. However, half of the total spent by Dunn was to benefit another candidate for selectman. Leone filed an amended report with the town clerk, to accurately disclose an in-kind contribution from Dunn for half of the total value of the mailing and signs.

CPF-14-69: Eugene Christoph, Lancaster. No further action (disclosure); 3/5/2015. An individual, Dave Dunn (see the Leone summary above), made a \$653 expenditure to benefit Christoph and Jennifer Leone, candidates for selectman. Leone reported the entire amount as an in-kind contribution. Christoph did not originally disclose an in-kind contribution from Dunn. OCPF directed Christoph to amend his report to disclose his half of the in-kind contribution.

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Contact OCPF’s Legal Team

OCPF’s lawyers are available to answer questions concerning the campaign finance law.

Our attorneys, Gregory Birne, Sarah Hartry and Maura Cronin, are available at 617-979-8300.

Municipal Candidate Seminar Schedule

The Office of Campaign and Political Finance will conduct several training seminars this year for municipal candidates.

The seminars last about one hour. We review the disclosure rules for raising and spending money, and the specific regulations concerning political activity by public employees and in public buildings. Each seminar also includes a demonstration of R6, our new e-filing and reporting software (candidates who file paper reports with their local election officials can also use R6 to create and print reports).

Lowell City Hall, 375 Merrimack St., Thursday June 4, 6:30 p.m.*

Springfield Central Library Community Room, 220 State St., Monday June 8, 6 p.m.*

Gloucester City Hall, 9 Dale Ave., Monday June 15, 6:30 p.m.

Worcester City Hall, 455 Main St., Wednesday June 17, 6:30 p.m.*

Lawrence Public Library, Frost Room, 51 Lawrence St., Monday June 22, 6 p.m.

Haverhill City Hall, 4 Summer St., Tuesday June 23, 6:30 p.m.

Chicopee City Hall, 17 Springfield St., Thursday

June 25, 6:30 p.m.

Cambridge City Hall, 795 Mass. Ave., Wednesday
July 8, 6:30 p.m.*

Fall River City Hall, 1 Government Center, Monday
July 13, 6 p.m.*

Revere, American Legion Hall, 249 Broadway, Tuesday
July 14, 6 p.m.

Brockton City Hall, 45 School St., Wednesday July
15, 6:30 p.m.*

New Bedford City Hall, 133 William St., Wednesday July 22, 6:30 p.m.*

*Candidates from both reporting systems (depository and non-depository) can attend these seminars. **If your community is not listed, please feel free to attend any seminar on the list.**

**IF YOUR COMMUNITY IS
NOT LISTED, PLEASE
FEEL FREE TO ATTEND
ANY SEMINAR ON THE
LIST**

From Page 3: Recent Cases

CPF-15-16: Leo Pelletier, Fall River. Did not comply (public employee); 4/1/2015. Pelletier, city councilor, held a fundraiser at McGovern’s Restaurant on March 11, 2015. Pelletier’s wife, a city employee, sat at the welcome table during the event and accepted contributions. The campaign finance law prohibits public employees from receiving political contributions. To resolve the matter, the committee paid \$1,000 to the state’s general fund.

CPF-15-05: Sandra Martinez, Chelmsford. Did not comply (disclosure); 4/9/2015. The committee did not accurately disclose campaign finance information from 2012 to 2014. The committee amended its reports and agreed to the following: (1) the committee will dissolve (2) the candidate will forgive \$17,000 in loans from her to the committee (3) the committee’s residual funds will be purged to the state’s general fund, and (4) if the candidate runs for office again, she will notify OCPF, hire a professional compliance vendor to ensure accurate disclosure, agree to an enhanced reporting schedule, and provide all requested documents to OCPF within two weeks of a request.

CPF-15-09: Office and Professional Employees International Union Voice of the Electorate MA PAC, Cleveland,

Ohio. Did not comply (disclosure); 4/9/2015. The PAC found that the actual balance in the committee’s bank was \$30,919, but the balance disclosed in the 2014 year-end report was \$57,651. The committee determined that the balance discrepancy was due to funds being held in a transmittal account that should have been deposited in the Massachusetts PAC account. In addition, money contributed by members to the union’s federal PAC was deposited into the state PAC account.

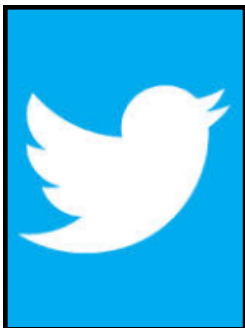
To resolve the matter, the state-level PAC made a payment of \$4,000 to the state’s general fund and dissolved.

CPF-15-25: Boston Carmen’s Union PAC. Did not comply (disclosure); 4/22/2015. The Boston Carmen’s Union PAC showed a balance discrepancy of more than \$17,000 between

what was disclosed on campaign finance reports and the actual balance in the bank account. During a review by OCPF, it was determined that the PAC did not accurately report receipts or expenditures during 2010 and 2011, resulting in the discrepancy. The review found that approximately \$26,000 in contributions and \$12,000 in expenditures were not disclosed. To resolve the matter, the PAC amended its reports and paid \$2,500 to the state’s general fund.



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How to Contact OCPF’s Auditors

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Anne Bourque	abourque@cpf.state.ma.us

Super PACs and independent groups spent \$20.4 million in 2014 state election

Independent Expenditure “Super” PACs and other independent groups spent \$20.4 million in the 2014 election, according to an OCPF review of disclosure reports filed by those entities. It was the first statewide election in Massachusetts in which Super PACs played a role.

The total in 2014 is twice the amount spent by independent entities in the last statewide election in 2010, when \$11.5 million was reported.

More than half of the 2014 total, \$11,012,216, was spent to benefit the gubernatorial winner, Republican Charles Baker. A total of \$6,926,733 was spent to benefit the Democratic candidate Martha Coakley. The remaining funds were used for other statewide and legislative races.

Independent committees and groups spent more to support or oppose the party finalists for governor than the candidates spent themselves. Baker’s campaign reported \$5.6 million in expenditures and \$1.2 million in in-kind contributions.

Coakley’s campaign spent \$3.9 million and received \$2 million in in-kind contributions. Almost all of the in-kind contributions came from the state parties for each candidate.

Independent expenditures are made to support or oppose candidates without coordinating with their campaigns.

Super PACs (IEPACs) accounted for most of the independent spending in 2014, \$19.2 million. Groups that are not political committees and spent money from their general treasuries reported an additional \$915,970 in independent expenditures.

Most of the spending was done by two Super PACs, the Commonwealth Future IEPAC and the Mass IEPAC.

Commonwealth Future reported \$10.4 million in expenditures to benefit Baker, with \$10,770,000 in receipts. All but \$20,000 of the receipts was from the Republican Governors Association.

The next highest spender was the Mass

IEPAC, which supported Coakley with \$6,253,003 in expenditures. The Mass IEPAC raised \$7 million from the Democratic Governors Association, Emily’s List MA PAC, labor unions and individuals.

All reports by Super PACs and independent groups are available on the OCPF website by [clicking here](#).

Super PACs originated in 2010 after two court decisions. In the U.S. Supreme Court’s Citizens United vs. FEC decision, the court ruled that independent expenditures by corporations that are made to influence candidate elections cannot be limited, because doing so would not be consistent with the First Amendment. The second court decision, Speech-Now.org vs. FEC, held that individuals, corporations and other groups can provide funds without limit to independent expenditure-only committees (Super PACs). This decision was made by the U.S. Court of Appeals in D.C.

Massachusetts Super PACs are required to file campaign finance reports shortly after making an expenditure to support or oppose a candidate or candidates. The reports also disclose information about contributions to the Super PACs.

Super PACs were also required to file year-end reports, due by Jan. 20, 2015, disclosing all expenditures and receipts, including administrative costs for such things as consulting and legal expenses.

IEPAC Spending: Opposed vs. Supported (Statewide Candidates)

Candidate	Office Sought	Total Spent to Oppose this Candidate	Total Spent to Support this Candidate
Charles Baker	Governor	\$6,378,003	\$3,861,749
Martha Coakley	Governor	\$7,140,467	\$122,907
Steven Grossman	Governor	--	\$753,991
Barry Finegold	Treasurer	--	\$125,624