

# OCPF REPORTS

## Massachusetts Office of Campaign and Political Finance

### *From the Director: William C. Campbell*

The office has had a number of significant improvements in the past few months and continues to work on future plans. Over the summer, the OCPF website was refreshed with improved and simplified navigation tools. A general website search bar was created to allow ease of access to not only candidate and committee financial data, but also forms and guides, advisory opinions, instructional videos, and news posts. Since its debut in July, the search bar has had more than 46,000 inquiries.

As fall began, the office launched a monthly educational series with videos, news posts and social media outreach focused on a particular timely topic to enhance candidate compliance with and inform the public of the requirements of the campaign finance law. Weekly online interactive training continues. In addition, the training session was recorded and posted to the website to allow candidates and committees access to the information on their schedules. A global review of the department regulations was commenced to improve clarity.

The staff continues to identify areas where candidate reporting needs further attention to ensure compliance and provide the mandated disclosure. With many new candidates reporting through the depository system, including three new cities beginning in January 2022, OCPF will continue education efforts, working together with our local election official partners, to get information to candidates.

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## 2021 City Elections

***In 34 mayoral races, new mayors were elected in 11***

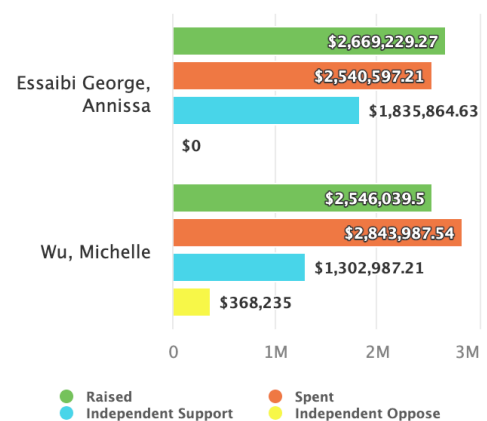
On Nov. 2, new mayors were elected in Boston, Gloucester, Holyoke, Framingham, Lawrence, Lynn, Newburyport, North Adams, Northampton, Somerville and Westfield.

The top spending and fundraising totals were in Boston, where city councilors Michelle Wu and Annissa Essaibi George reported raising \$5.2 million and spending \$5.3 million. Wu won the election.

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### Election Charts

#### Boston Mayoral Race: Fundraising in 2021



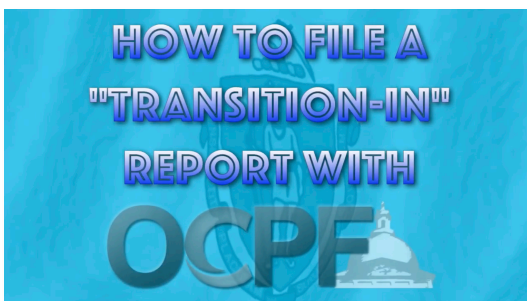
## New Educational Videos



[This important video](#) is a condensed version of our Wednesday training class for depository candidates and committees.



[This video](#) shows how to enter in-kind contributions into the year-end report, for depository candidates and committees. Depository candidates and committees only disclose in-kind contributions once a year, in January.



Candidates on the local level, such as school committee and selectboard, may decide to run for state office in 2022. [This video explains](#) how to file a “transition in” report with OCPF.

# OCPF NAMES NEW GENERAL COUNSEL

OCPF’s legal team will have a new general counsel for the first time since the turn of the century.

Sarah Hartry, OCPF’s deputy general counsel, has been named general counsel. OCPF’s general counsel manages the agency’s legal team, and oversees case resolutions, advisory opinions, regulations and statutory compliance. Hartry replaces Gregory Birne, who will continue with OCPF in a senior counsel capacity. Additionally, OCPF attorney Maura Cronin has been promoted to deputy general counsel.



Hartry has been an OCPF attorney since 2005, focusing for several years on resolving “dark money” cases where donors attempted to hide the true source of contributions. She is also OCPF’s primary witness in grand jury proceedings. She graduated from the Boston University School of Law, and received her undergraduate degree from the University of Rochester in New York.

Birne was hired as a staff attorney in 1993 and became general counsel in 2000. He will continue to work at OCPF in a part-time advisory position. In his personal time, he will serve pro bono as an attorney with the Access to Justice Fellows Program. He graduated from Cornell Law School and Boston University.

OCPF hired Cronin as a staff attorney in 2011. She graduated from Boston College Law School and Brandeis University.

# Recent Cases and 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). The identity of any complainant is kept confidential. [Click here for PDF copies of the public resolution letters below.](#)

## 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-21-26: Melissa Afonso, Swansea.** No reason to believe (in-kind contribution); 6/15/2021. A complaint was filed with OCPF concerning in-kind contributions. However, the activity was disclosed.

**CPF-21-34: Sarah Lidonni, Foxborough.** No further action (electronic fundraising, raffle); 6/22/2021. The committee used Venmo to collect contributions, without contemporaneously collecting the required information and certification statements from contributors. In addition, the committee raised money by raffle, which is prohibited.

**CPF-21-54: Kelly Hathaway, Rehoboth.** Did not comply / no further action (anonymous cash); 6/23/2021. Friends who wished to support Hathaway’s candidacy provided her with cash in an envelope. The money was used to pay for newspaper ads. After speaking with OCPF, the candidate amended her campaign finance reports to disclose the cash contributions. To further resolve the matter, the candidate made a \$100 contribution to charity.

**CPF-21-19: Arlington Fights Racism PAC.** Did not comply / no further action (disclosure); 7/28/2021. The organization raised money to support candidates, without first forming a PAC. The organization formed a PAC and disclosed its activity, based on guidance from OCPF.

**CPF-21-94: Environmental League of Massachusetts Action Fund, Boston.** No further action (disclosure); 9/21/2021. The Environmental League of Massachusetts IEPAC filed late independent expenditure reports to a town clerk.

**CPF-21-64: Joseph Daou, Sturbridge.** Did not comply (disclosure); 9/21/2021. Joseph Daou, through his business, spent approximately \$1,200 on signs and banners for a local ballot question, but did not initially disclose that activity.

**CPF-21-83: Rheanna Hastings, Brewster.** Did not comply / No further action (disclosure); 9/22/2021. The committee did not initially disclose an expenditure for nearly \$500 for a mailing, and nearly \$35 for a robocall. The committee amended its reports to reflect the activity.

**CPF-21-49: Rep. Michelle Dubois, Brockton.** Did not comply (Disclosure); 10/8/2021. The committee filed inaccurate contributor information and received excess contributions. To resolve the excess contribution issue, the committee purged \$100 to the state’s general fund.

## Continued: From the Director

### New OCPF Auditor

Craig Schoaf joined OCPF as an Auditor/Campaign Finance Analyst in September. Craig has significant private and public sector experience in both banking and most recently as Assistant Finance Director/Assessor for the Town of Carver. He will perform audits and analysis of reports to ensure compliance and provide guidance to candidates in meeting the campaign finance requirements. Craig is a graduate of Emmanuel College and is completing the Master of Public Administration program at Anna Maria College.

## Continued: Mayoral elections

In addition to candidate spending in the Boston mayoral race, Independent Expenditure PACs, also known as Super PACs, reported spending \$1.9 million to support Essaibi George, and \$1.3 million to support Wu. Another \$368,000 was spent to oppose Wu.

Three incumbent mayors were unsuccessful in 2021 - Yvonne Spicer in Framingham, Sefatia Romeo Theken in Gloucester and Donald Humason in Westfield.

A complete list of 2021 mayoral candidates is available by [clicking here](#).

City council candidates, in cities with populations of 65,000 or more, also file campaign finance reports with OCPF. City council reports are available by [clicking here](#).

## CREDIT AND DEBIT CARD ISSUE ALERT

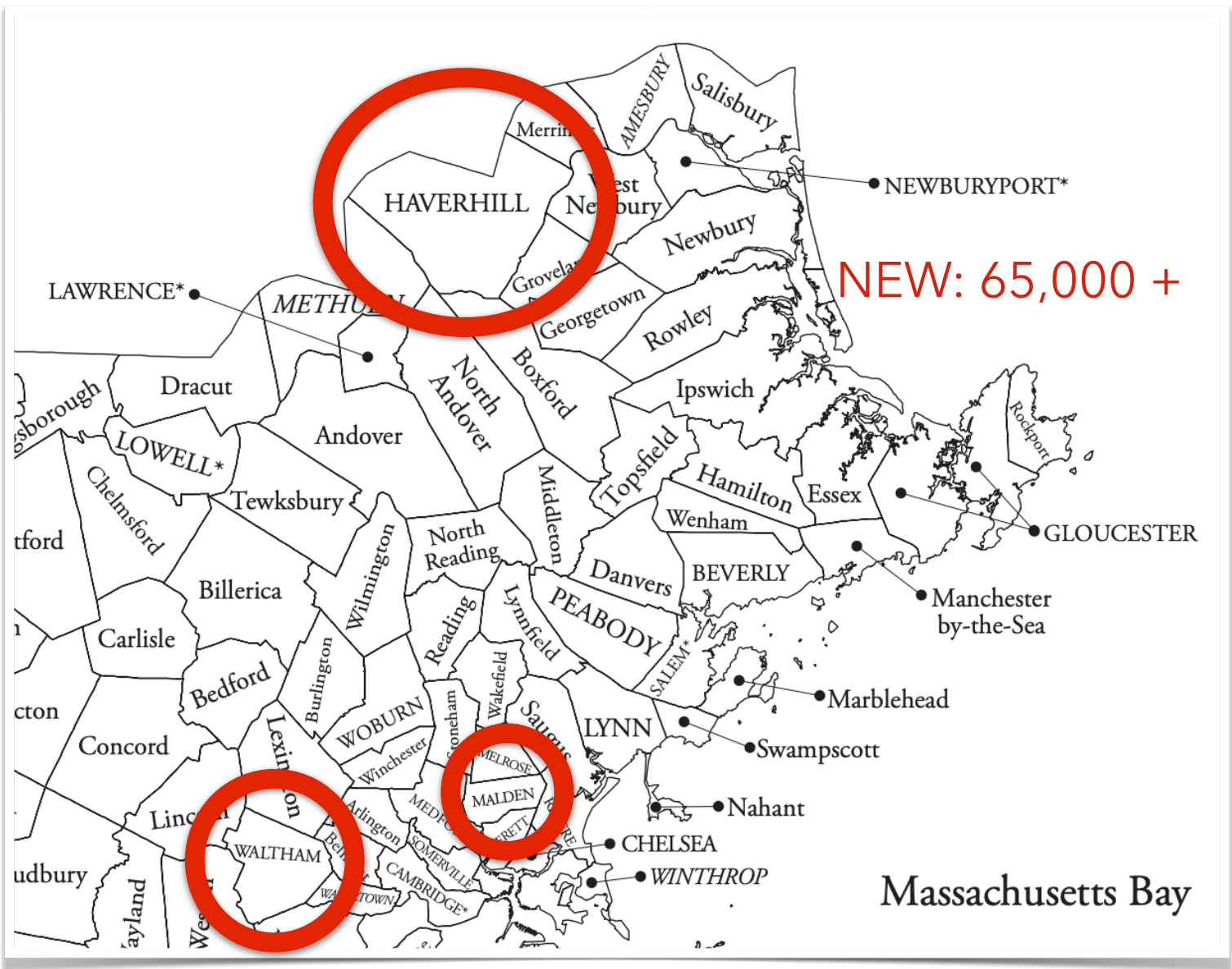
A candidate committee may contribute up to \$100 to another candidate committee in a calendar year.

However, OCPF has seen an uptick in candidate-to-candidate contributions that are made by committee debit card via merchant providers, such as ActBlue and WinRed. In some cases, the contributions are made by a candidate's committee debit card, but are entered online as coming from the candidate personally.

When a candidate makes a contribution using his or her committee debit card, it should be listed as coming from the committee.

For example, "William Jones Committee" rather than "William Jones."





Three communities exceeded 65,000 residents in the latest U.S. Census, **Haverhill, Malden and Waltham**, requiring city council candidates in those cities to organize and report with OCPF.

City council candidates in those cities continued to file paper campaign finance reports with their local election officials through the 2021 election. OCPF is now in the process of organizing those candidates at the state level. They will begin to file with OCPF starting in January, and their activity will [appear here](#) on the agency website.

City council candidates in those cities will follow [this guide](#) to begin filing with OCPF in the depository system of reporting.

According to state law, city council candidates in cities with populations of 65,000 or more are required to file campaign finance reports with OCPF, rather than with their local election officials.

# THE 2022 PUBLIC FINANCE PROGRAM STARTED IN 2021

Statewide candidates are eligible to participate in the state's program for providing public funds for their campaigns.

Contributions received in 2021 and 2022, up to \$250 from an individual, are eligible for matching funds, if available.

Each statewide election cycle, since 1998, more than \$1 million is distributed to candidate committees.

[Click here](#) for a 2022 overview of the public finance program. OCPF will be in contact with statewide candidates in 2022 about the public financing program. [Click here](#) for an overview of the 2018 public finance program. [Click here](#) for a list of organized statewide candidates (not all candidates listed will appear on the 2022 ballot).



FOR EVERY DOLLAR  
RAISED BY A  
QUALIFIED CANDIDATE  
IN 2021 AND 2022  
(UP TO \$250 PER DONOR)

THE CANDIDATE IS ELIGIBLE  
TO RECEIVE A MATCHING  
DOLLAR FROM THE STATE  
(LIMITS APPLY, DEPENDING ON  
OFFICE SOUGHT)

# OCPF launched a search engine recently at [www.ocpf.us](http://www.ocpf.us) to make it easier for the public to find information

## Sample searches:

② Are expenditures made by proponents of an initiative petition in connection with collecting signatures to place a question on the ballot reportable?

② Are legislative lobbying expenditures reportable under the campaign finance law, if related to a ballot question?

② Are there disclaimer rules for independent expenditures?

② Can a ballot question committee make expenditures to lobby?

② Can a campaign buy airline tickets? (expenditures)

② Can a committee award a scholarship? (expenditures)

② Are substitute teachers considered public employees?

② As a public employee, can I make contributions?

② Can a public employee "like" a social media post?

② Can a public employee be treasurer?

② Can a public employee candidate have a social media page?

② Can a public employee endorse a candidate?

② Are IEPAC to IEPAC donations legal?

② Can donations be "earmarked?"

② Can I use a mobile app to collect donations?

② Do I file late contribution reports for in-kind donations?

② How do we disclose donations made in late December but deposited in January?

② When do I report credit card donations made in December?

OCPF welcomes questions by phone and e-mail.

However, we thought it would be helpful to create a search engine to allow the public to find information on their own.

If you can't find what you're looking for via our website, please contact us for assistance.

# INDEPENDENT EXPENDITURE PACS REPORTED \$5.7 MILLION IN SPENDING THIS YEAR

IEPACs, also known as Super PACs, were active in the 2021 Boston mayoral race.

Breakdown of Super PAC spending in Boston's mayoral race:

	Spending in Favor	Opposed
John Barros	\$0	\$0
Andrea Joy Campbell	\$1.6 million	\$34,194
#Annissa Essaibi George	\$1.9 million	\$0
Kim Janey	\$412,580	\$0
*Michelle Wu	\$1.3 million	\$368,235

\*Winner #Finalist

NOTE: Some spending was directed  
toward other municipal races

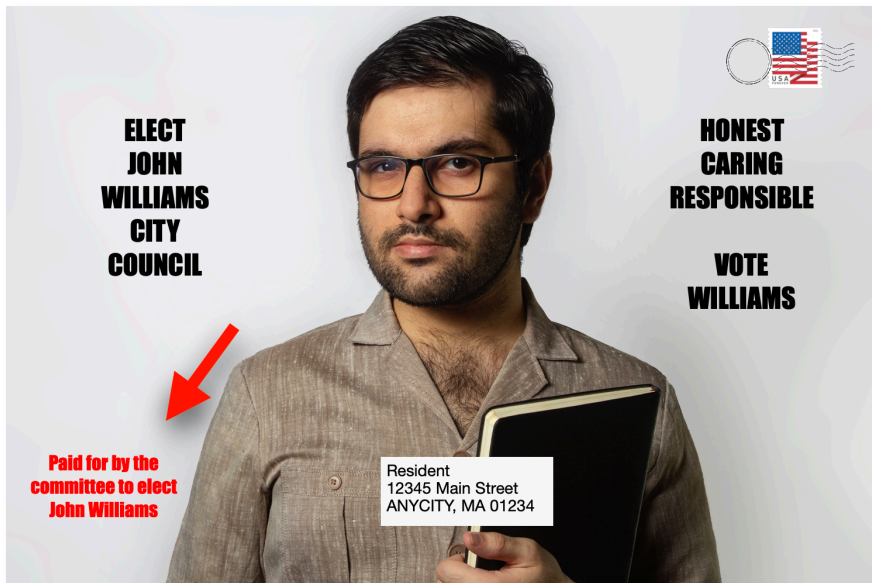


## SUPER PAC RULES

- May not coordinate their activities with candidates
- May accept unlimited funds from businesses, individuals and other entities
- May spend unlimited funds



## "PAID FOR BY" DISCLAIMERS



### OCPF EDUCATION

The campaign finance law does not require candidates to include "paid for by" language on their mailers and other campaign materials.

However, most voters expect to see it, so OCPF recommends including "paid for by" language on campaign materials, to reduce confusion and complaints.

Please [click here](#) for a guide on various campaign finance law disclaimer requirements.

## Illustrated guides

OCPF has created several illustrated guides to assist candidates and committees who file with OCPF.

### TOP THREE

[E-FILE A DEPOSIT REPORT](#)

[REPORT CREDIT/DEBIT CARD CONTRIBUTIONS](#)

[CLARIFY AN EXPENDITURE](#)

### OTHER GUIDES

[ADD OCCUPATION AND EMPLOYER INFORMATION TO A DEPOSIT REPORT THAT HAS ALREADY BEEN FILED](#)

[AMEND A DEPOSIT REPORT](#)

[CHANGE MY REPORTER 7 PASSWORD](#)

[NON-CONTRIBUTION RECEIPTS, SUCH AS A REFUND FROM A BUSINESS](#)

## LIMITS REMINDER

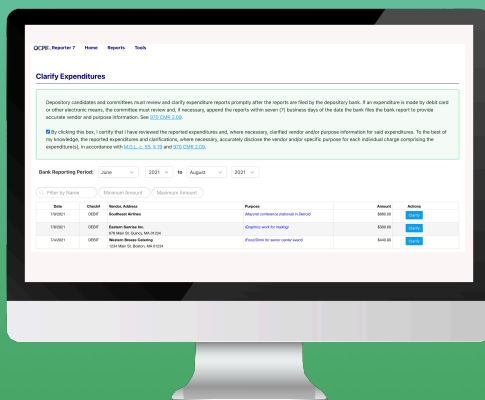
The candidate-to-candidate limit is \$100 per calendar year. This limit is in place for candidates organized at the municipal, county and state levels. Massachusetts candidates may not accept contributions from federal candidate campaigns, such as US Senate and US House of Representatives.

**THIS ISSUE COMES UP MOST FREQUENTLY WHEN CANDIDATES ATTEMPT TO RUN AS "CANDIDATE TEAMS." PLEASE CONTACT OCPF PRIOR TO RUNNING AS A SLATE.**



Listed here are a few issues we observed during  
the 2021 municipal election season  
(that you should avoid)

***Please do not use ATMs to get cash  
using the campaign debit card.***



***OCPF FILERS: Please remember to  
clarify your debit card expenditures  
via Reporter 7 within seven days of  
your monthly bank reports being  
filed. This is done up to 12 times a  
year.***

***LOCAL FILERS: Several local filers, who  
file paper reports with their local  
election officials, attempted to register  
for OCPF's depository reporting system.  
Local filers may not open depository  
system checking accounts. They only  
need standard checking accounts.***



## **CITY AND TOWN CLERKS**

**Q: WHO FILES THE YEAR-END REPORT JAN. 20, 2022?**

**A: Every incumbent in your city or town.**

**If someone holds an elected position, they must file a year-end report (in some cases, the report will have no activity).**

**Candidates who file locally, such as select board and school committee, file the year-end report on paper with the local election official.**

**OCPF filers e-file the year-end report via Reporter 7.**

***In addition:***

**Every non-incumbent with a balance, liabilities or activity must file a year-end report.**

**For example, an unsuccessful school committee candidate in a town election filed a post-election report showing a balance of \$500. He or she would be required to file a year-end report.**

**Please e-mail [OCPF@cpf.state.ma.us](mailto:OCPF@cpf.state.ma.us) with questions.**





## Special elections have been scheduled in two legislative districts

### **House: 4th Essex**

Hamilton, Ipswich, Manchester-by-the-Sea, Rowley, Topsfield and Wenham

To fill a vacancy caused by the resignation of Rep. Bradford Hill.

Nov. 2 primary election

Nov. 30 general election

### **Senate: 1st Suffolk and Middlesex**

Boston (various wards and precincts), Revere, Winthrop and Cambridge (various wards)

To fill a vacancy caused by the resignation of Sen. Joseph Boncore.

Dec. 14 primary election

Jan. 11 general election

Campaign finance activity for both races is available on the OCPF [website here](http://www.ocpf.us).



OCPF emphasizes an educational theme each month for candidates and committees.

In October we focused on fundraising.

November is spending, and December will be issues related to year-end reporting.

Please follow OCPF on Twitter [@OCPFReports](https://twitter.com/OCPFReports) or on Instagram [@OCPFReports](https://www.instagram.com/OCPFReports) for content.

[Click here](#) for a summary of OCPF's spending rules and regulations.