

# OCPF Reports



## From the Director

Mike Sullivan

We were happy to launch OCPF's new website recently.

The streamlined site is very different from our previous website and Electronic Filing System (EFS) database, and we appreciate your patience with having to familiarize yourself with the new appearance.

The data is presented in a clearer format and the functions are easier to use for searches and research.

**To help, we've published images of the website on pages six and seven of this newsletter with tips on how to use the system.**

It was built internally by OCPF's technology team — Al Grimes, Tracey Dano and Nicolas Diaz. If you need help navigating the website please call our office.

On another note, consider attending one of our **summer educational seminars** if you're running for municipal office. We'll hold seminars in cities and towns across the state, and will announce the places and dates on our website and on Twitter at @OCPFreports.

Have a great summer.

Mike Sullivan

## Legislative candidates report \$11.9 million in expenditures for the 2012 election year

The 346 legislative candidates in 2012 reported total expenditures of \$11.9 million for the calendar year, a drop of nearly \$5 million from 2010 when 433 candidates were on the ballot, according to a recent study compiled by OCPF.

An in-depth report on legislative fundraising and spending has been issued by OCPF after each state election since 1990. The 2012 study is available at OCPF's website, [www.mass.gov/ocpf](http://www.mass.gov/ocpf).

In the Senate, 72 candidates for 40 seats reported expenditures of \$63,353, on average. The average in 2010 was \$77,081.

In the House, 274 candidates for 160 seats reported expenditures of \$26,791, on average, a drop from 2010 when average expenditures were \$28,255.

Records were set in each legislative chamber in 2012:

- Senate President Therese Murray of Plymouth reported expenditures of \$513,164, the highest total ever recorded for a Senate candidate. She held the previous record of \$474,095, set in

2004.

- In the House, Speaker Robert DeLeo of Winthrop reported expenditures of \$526,808, the highest ever reported by a candidate for state representative. The previous record was set in 2008 by former House Speaker Salvatore DiMasi of Boston, who reported \$475,984 in expenditures.

Fundraising in both chambers was also down in 2012 compared to 2010.

In the Senate, candidates raised \$4.4 million, an average of \$60,946 per candidate. The average was \$63,863 in 2010.

Fundraising for House candidates fell to \$7,146,193 in 2012 from \$8,926,996 in 2010. Average receipts for state representative candidates was \$26,080, a drop of \$331 from 2010.

### Campaign finance activity: 2008—2012

	2008	2010	2012
Candidates	311	433	346
Receipts	\$12,462,676	\$14,994,001	\$11,533,612
Expenditures	\$12,550,335	\$16,873,190	\$11,902,207

## Mid-year reports are due for legislative candidates and PACs

All legislative candidates and Political Action Committees will file mid-year reports this year, due on Monday, July 22. The reporting period will cover from Jan. 1 to June 30.

Legislative incumbents are required to file, as well as non-incumbent legislative candidates and committees that remain organized with

OCPF — a total of 571 candidates as of Jan. 1 this year.

There are more than 300 PACs organized with OCPF, including People's Committees and Independent Expenditure PACs.

Filing notices will be sent to candidates and committees prior to the deadline.

# Disposition Agreements

*A disposition agreement is a voluntary written agreement entered into between the subjects of a review and OCPF, in which the subjects agree to take certain specific actions. Disposition agreements are posted to the OCPF website at <http://ocpf.cloudapp.net/Legal/AgencyActions>*

## Littleton business owners pay \$25,000 to the state for campaign finance violations

John Donelan and Joseph Donelan, co-owners of Donelan's Supermarkets in Littleton, have made a \$25,000 payment to the state's general fund to resolve campaign finance violations for disguising the true source of contributions and making excess contributions, according to a March 22 disposition agreement between the Donelans and OCPF.

The Donelans also agreed not to make any political contributions until after Dec. 31, 2015, according to the disposition agreement.

In 2009, 2010 and 2012, the Donelans provided \$8,000 in personal funds to intermediaries – family members and personal friends – who then donated the money in their own names to two municipal candidates in Littleton. The campaign finance law prohibits disguising the true origin of campaign contributions.

The contributions made by the Donelans in the names of others also violated Section 7A of the campaign finance law, which limits an individual's contribution to a candidate to \$500 per calendar year. The total amount of excess contributions to the two municipal candidates was \$5,000.

In total, the Donelans used intermediaries to contribute \$5,000 in 2009 and 2012 to the Committee to Elect Alex McCurdy, and \$3,000 in 2010 to the Committee to Elect Rich Carter, according to the disposition agreement. Both men were candidates for selectman in Littleton.

McCurdy and Carter had no direct knowledge that the contributions they received were made with funds provided by the Donelans until they were contacted by OCPF, according to the disposition agreement. OCPF has issued letters to McCurdy and Carter addressing the issue of receiving disguised contributions from the Donelans. To resolve the matter, each has made a \$500 payment to the state with personal funds.

The Donelans acknowledged that their motivation for using intermediaries to make campaign contributions was to remain publicly neutral in Littleton's local elections, according to the disposition agreement.

## Springfield councilor agrees to \$5,000 payment for campaign finance violations

Springfield City Councilor Timothy Rooke has agreed to pay \$5,000 to the state's general fund for campaign finance violations that include using campaign money for personal purposes, failing to keep records, and not disclosing certain financial activity, according to a disposition agreement between Rooke and OCPF.

Rooke paid \$2,000 to the state when the agreement was signed on April 29. The remaining \$3,000 will be paid in installments of \$1,500 each, due Aug. 1 and Dec. 31 this year.

OCPF reviewed the Rooke Committee's financial activity from 2010 to 2012 and identified several issues. The committee made expenditures for personal use – \$1,500 for landscaping at the candidate's home, \$933 for a hotel room at a wedding in California, \$300 for a stag party gift and \$500 to the candidate's son before his son went to college for work performed for the campaign "throughout the years."

Since 2010, the committee made 13 reimbursements of more than \$50 totaling \$3,512. Reimbursements are capped at \$50 for depository candidate committees.

OCPF's review also found several recordkeeping issues. The committee was unable to produce receipts or records for numerous expenditures, including reimbursements made to the candidate, the candidate's wife and the committee's treasurer. The candidate also made expenditures without utilizing the committee's bank account. The campaign finance law requires depository candidates to make expenditures only through the committee's account.

According to the disposition agreement, the candidate has agreed to provide OCPF with copies of all deposited items and invoices for all expenditures until Dec. 31, 2015.

# 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).

## 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-12-105: Joyce Linehan, Dorchester.** Did not comply (reporting, recordkeeping); 2/6/2013. The Boston Ward 15 Democratic Committee received a \$400 contribution from the New England Regional Carpenters PAC, which was deposited into the personal account of the party committee’s chair, Joyce Linehan. According to Linehan, the money was used to pay for a debate-watching event at a restaurant but she was not able to produce a cancelled check or receipt to demonstrate such a payment. To resolve the matter, Linehan personally paid the restaurant for the event and also paid \$150 to the state’s general fund.

**CPF-13-08: Paul Medeiros, Woburn.** Did not comply (public employee); 2/27/2013. Paul Medeiros, a part-time public employee, posted an announcement for a political fundraiser on Facebook. The campaign finance law prohibits public employees from soliciting campaign contributions, directly or indirectly.

**CPF-13-09: Jim Santiago, Holyoke.** Did not comply (reporting); 3/5/2013. The Jim Santiago for Mayor Committee did not disclose, in a timely manner, its financial activity (the 2012 year-end report was filed late). The committee cooperated with OCPF’s review and promptly filed the required report after being contacted by the office.

**CPF-12-91: Rep. Colleen Garry, Dracut.** Did not comply (reporting); 3/19/2013. The Committee to Elect Colleen Garry did not maintain adequate records and did not accurately disclose receipts and expenditures for an extended period of time, resulting in a pattern of filing inaccurate reports. The committee’s pattern of not accurately disclosing its activity compounded each year, resulting in a balance discrepancy (the committee reported \$16,475 more than what the committee’s bank statement indicated as of Dec. 31, 2012). To resolve the matter, the committee made a one-time balance adjustment, appointed a new treasurer,

and agreed to an enhanced reporting schedule. In addition, Garry agreed to pay a total of \$2,500 to the state’s general fund.

**CPF-12-89: Alex McCurdy and Richard Carter, both of Littleton.** Did not comply (true source); 3/22/2013. McCurdy and Carter, candidates for selectman in Littleton, received contributions from individuals who disguised the true source of the funds. To resolve the matter, McCurdy and Carter made payments of \$500 each to the state’s general fund. A full summary of OCPF’s review into this matter is published on page 2.

**CPF-13-15: Jonathan Zlotnik, Gardner.** No reason to believe (excess contribution); 4/3/2013. A complaint was received alleging that Zlotnik reported a \$9,479 in-kind contribution that may have been funded by a supporter. After a review of Zlotnik’s personal financial records, there is no reason to believe he violated the campaign finance law.

**CPF-12-95: Mayor Daniel Bianchi, Melissa Mazzeo and Tony Mazzeo, all of Pittsfield.** Did not comply (corporate contributions); 4/3/2013. Mazzeo’s Ristorante in Pittsfield, a corporation, provided goods and services to two candidates, Mayor Bianchi and Melissa Mazzeo, without charge. In-kind corporate contributions to candidates are prohibited. To resolve the matter, Melissa Mazzeo’s committee made a \$320 payment to the state’s general fund, and Mayor Bianchi’s committee made a \$250 payment to charity.

**CPF-13-10: Steven Baddour, Methuen.** No reason to believe (reporting); 4/8/2013. The Baddour Committee asked OCPF to review its financial activity for the period of 2006-2012 because the committee’s disclosure reports were not consistent with the balance reflected on its bank statements. The primary issue was the duplicate disclosure of several large expenditures, inflating the committee’s total expenditure amount. The committee made a \$1,500 payment to the state’s general fund for costs incurred during OCPF’s review.

## Advisory Opinions

An **advisory opinion** is a response from OCPF to a specific question asked by an individual, political committee, group, company or organization concerning the campaign finance law.

Continued on Page 4

## Town and City

### What does it mean for clerks to ‘inspect’ campaign finance reports?

According to the state’s campaign finance law, local election officials must inspect campaign finance reports within 30 days of the reporting due date. That’s good to know, but what does “inspect” mean?

At a minimum, local election officials should make sure a report is filed, signed and the correct beginning and ending dates are entered. Receipts and expenditures for more than \$50 should be itemized if the summary page shows activity in those two categories. The rules on how to itemize contributions are explained on the campaign finance form.

On the expenditures schedule, candidates and committees should disclose clear purpose information for their purchases.

Reports should be time-stamped and made available to the public when they are filed, even if the reports have not yet been inspected.

If a campaign finance report is filed and it needs to be amended, local election officials can work with their municipal candidates and committees to make the changes. The request for an amendment can be made in writing (letter or e-mail). Amendments can be filed using the CPF 102A form, which is available on OCPF’s website (it is also available by [clicking here](#)).

## Raising Money

*Answers to frequently asked questions by municipal candidates*

**Can our campaign raise money by raffle?** ... Political committees are not among the groups permitted to hold raffles.

**Can our campaign take cash contributions?** ... Yes. Cash contributions are permitted up to \$50 per person in a calendar year. If someone contributes \$50 in cash, any subsequent contribution must be made by personal check or credit card. Names and addresses for cash donors must be kept in a committee’s records.

**We “passed the hat” for my campaign at neighborhood cook-out. How do I report it?** ... Anonymous contributions are prohibited, so “passing the hat” for cash is not permitted. Cash given anonymously must be deposited into your campaign account and then immediately donated to charity.

## Total number of candidates organized with OCPF jumped by 30 in 2012

The number of candidates registered with OCPF at the end of 2012, a state election year, was an increase of 30 from the year before.

Of the 967 candidates and candidate committees registered as of Dec. 31, 2012, 347 were in the depository system (candidates for statewide and county office, the Governor’s Council, and mayor or city councilors in Boston, Cambridge, Lowell, Springfield and Worcester) and 620 were in the non-depository system (House and Senate, and mayoral candidates in cities with populations between 40,000 and 100,000). The depository figure was down 11 from a year before, and the non-depository total represented an increase of 41.

A total of 306 political action committees, including eight people’s committees, were registered with OCPF. That figure is an increase of one from the year before. The number of PACS has hovered slightly above 300 for many years, subject to fluctuations as committees organize and shut down.

## Recent Cases & Rulings

**Continued from the previous page**

**AO-13-02:** A candidate for governor can raise funds for his campaign committee while traveling to earn personal income as a public speaker. This opinion addresses when travel costs must be paid by the campaign committee.

**AO-13-01:** A candidate’s committee can pay a commercially reasonable amount to a non-profit organization for a good or service. Additionally, the committee can organize fundraising events at different venues in the same communities where the non-profit’s events take place, even if the expenses for travel to and from the communities are paid by the non-profit. Also, a candidate can be a principal officer of the non-profit organization.



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# 2013 Mayoral Election Reporting Schedule

Mayoral candidates in cities with populations of 40,000 to 100,000 file electronically with OCPF. The reporting due dates and reporting periods are below. **The pre-election due date for all candidates is Oct. 28**, eight days before the Nov. 5 final election.

New candidates running for mayor in the cities below should file a [CPF M101](#) committee organizational form with their city clerk or local election official and a copy of the form with OCPF.

Mayoral candidates with existing committees should file a copy of their CPF M101 with OCPF, if they are not already organized with our office. Such candidates may also need to file a “Change of Purpose” form, [CPF 101P](#), with their city clerk or local election official and with OCPF if they are currently organized to run for an office other than mayor.

Pre-preliminary campaign finance reports are **not required** if a candidate’s name does not appear on a preliminary ballot.

City	Preliminary Date	Preliminary Report Due	Pre-Preliminary Report Period	Pre-Election Report Period
Attleboro	Sept. 17	Sept. 9	Jan. 1-Aug. 30	Aug. 31 - Oct. 18
Brockton	Sept. 17	Sept. 9	Jan. 1-Aug. 30	Aug. 31 - Oct. 18
Chicopee	Sept. 17	Sept. 9	Jan. 1-Aug. 30	Aug. 31 - Oct. 18
Everett	Sept. 17	Sept. 9	Jan. 1-Aug. 30	Aug. 31 - Oct. 18
Fall River	Sept. 10	Sept. 3	Jan. 1-Aug. 23	Aug. 24 - Oct. 18
Fitchburg	Sept. 10	Sept. 3	Jan. 1-Aug. 23	Aug. 24 - Oct. 18
Haverhill	Sept. 17	Sept. 9	Jan. 1 - Aug. 30	Aug. 31 - Oct. 18
Lawrence	Sept. 17	Sept. 9	Jan. 1-Aug. 30	Aug. 31 - Oct. 18
Leominster	Sept. 24	Sept. 16	Jan. 1-Sept. 6	Sept. 7 - Oct. 18
Lynn	Sept. 17	Sept. 9	Jan. 1-Aug. 30	Aug. 31 - Oct. 18
Medford	Sept. 17	Sept. 9	Jan. 1 - Aug. 30	Aug. 31 - Oct. 18
Methuen	Sept. 17	Sept. 9	Jan. 1 - Aug. 30	Aug. 31 - Oct. 18
New Bedford	Oct. 8	Sept. 30	Jan. 1 - Sept. 20	Sept. 21 - Oct. 18
Newton	Sept. 17	Sept. 9	Jan. 1-Aug. 30	Aug. 31 - Oct. 18
Peabody	Sept. 17	Sept. 9	Jan. 1-Aug. 30	Aug. 31 - Oct. 18
Pittsfield	Sept. 24	Sept. 16	Jan. 1-Sept. 6	Sept. 7 - Oct. 18
Quincy	Sept. 17	Sept. 9	Jan. 1 - Aug. 30	Aug. 31 - Oct. 18
Salem	Sept. 17	Sept. 9	Jan. 1-Aug. 30	Aug. 31 - Oct. 18
Somerville	Sept. 24	Sept. 16	Jan. 1 - Sept. 6	Sept. 7 - Oct. 18
Taunton	Sept. 24	Sept. 16	Jan. 1-Sept. 6	Sept. 7 - Oct. 18
Westfield	Sept. 24	Sept. 16	Jan. 1-Sept. 6	Sept. 7 - Oct. 18

# OCPF launched a new website: [www.mass.gov/ocpf](http://www.mass.gov/ocpf)

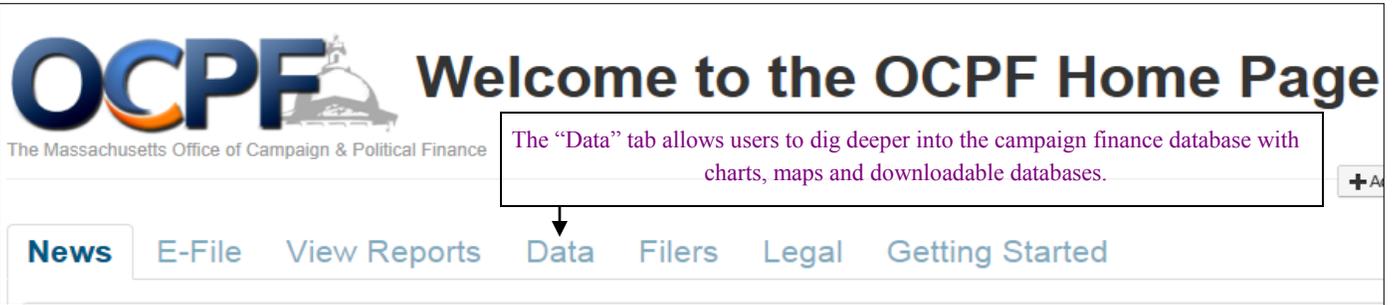
*Images on this page and the next page demonstrate how to find campaign finance reports and other information on OCPF's website*

The screenshot shows the OCPF Home Page. At the top, there is a navigation bar with links for Home, Filers, Legal, Reports, Log In, Search, and Candidates. Below this is the OCPF logo and the text "Welcome to the OCPF Home Page". A secondary navigation bar contains tabs for News, E-File, View Reports, Data, Filers, Legal, and Getting Started. A search box is located in the top right corner. A callout box points to the search box with the text: "Type the name of a specific candidate into the search box to view his or her campaign finance reports". Another callout box points to the "View Reports" tab with the text: "To view campaign finance reports, click on the 'View Reports' tab." Below the navigation is a "Welcome to OCPF's new website" banner with a date of "1 Apr 2013" and a paragraph of introductory text.

The screenshot shows the "View Reports" section of the website. The "View Reports" tab is selected in the navigation bar. Below it are three main options: "Report Log" (View a listing of the most recently filed reports, in descending order by filing date.), "Search Items" (Search for contribution or expenditure records in OCPF's Searchable Campaign Finance database.), and "Special Elections" (View the reports filed by candidates in special elections, grouped by seat.). Each option has a "Go" button. A callout box points to the "Search Items" option with the text: "From the 'View Reports' tab, choose the type of reports you want to view."

The screenshot shows the "Criteria" search form. It includes fields for Report Item Type (set to Receipts), Contributor (Name, Zip Code, State, Employer, Occupation), Contribution (Start Date, End Date, Minimum Amount, Purpose), Recipient (Filer) (Recipient Name, CPF ID), and Group By (set to None). A dropdown menu for "Choose a MA city or town" is open, showing a list of cities including ABINGTON, ACTON, ACUSHNET, ADAMS, AGAWAM, ALFORD, AMESBURY (highlighted), AMHERST, ANDOVER, AQUINNAH, ARLINGTON, and ASHBURNHAM. A callout box points to the search form with the text: "From the 'Search Items' box above, you can search for receipts to committees or expenditures made by committees. This search can be filtered by candidate, city or town, amount, date, recipient, occupation or employer — and any combination of those categories."

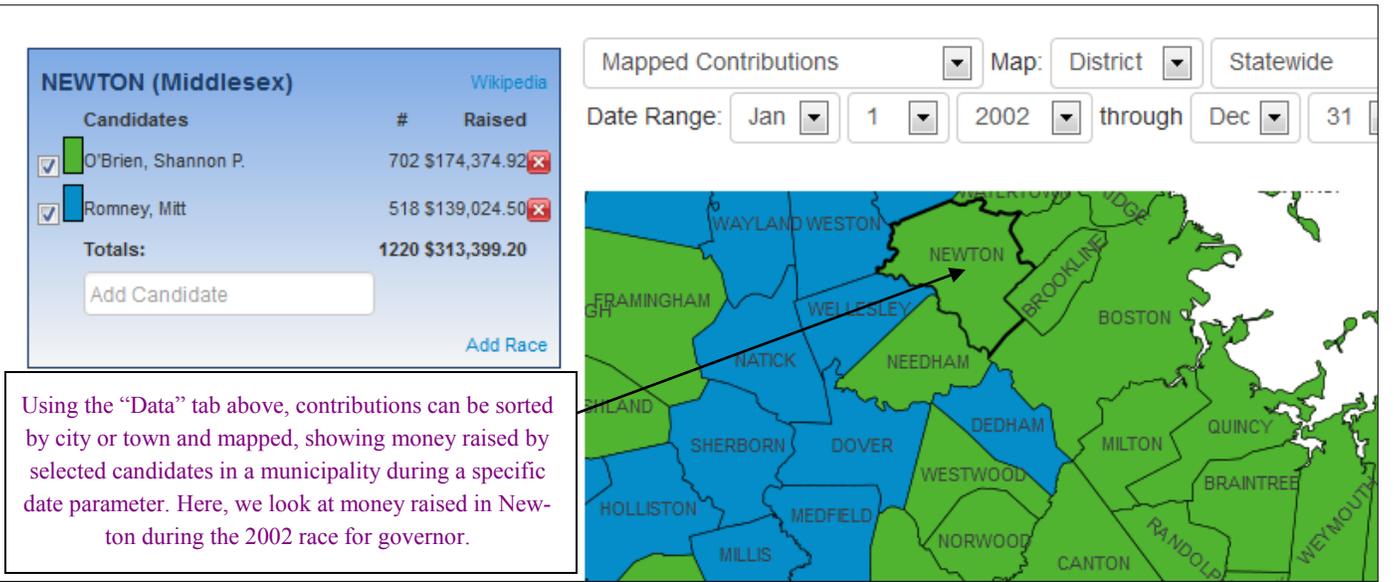
# How to use campaign finance data for charts and maps



**OCPF** Welcome to the OCPF Home Page  
The Massachusetts Office of Campaign & Political Finance

The "Data" tab allows users to dig deeper into the campaign finance database with charts, maps and downloadable databases.

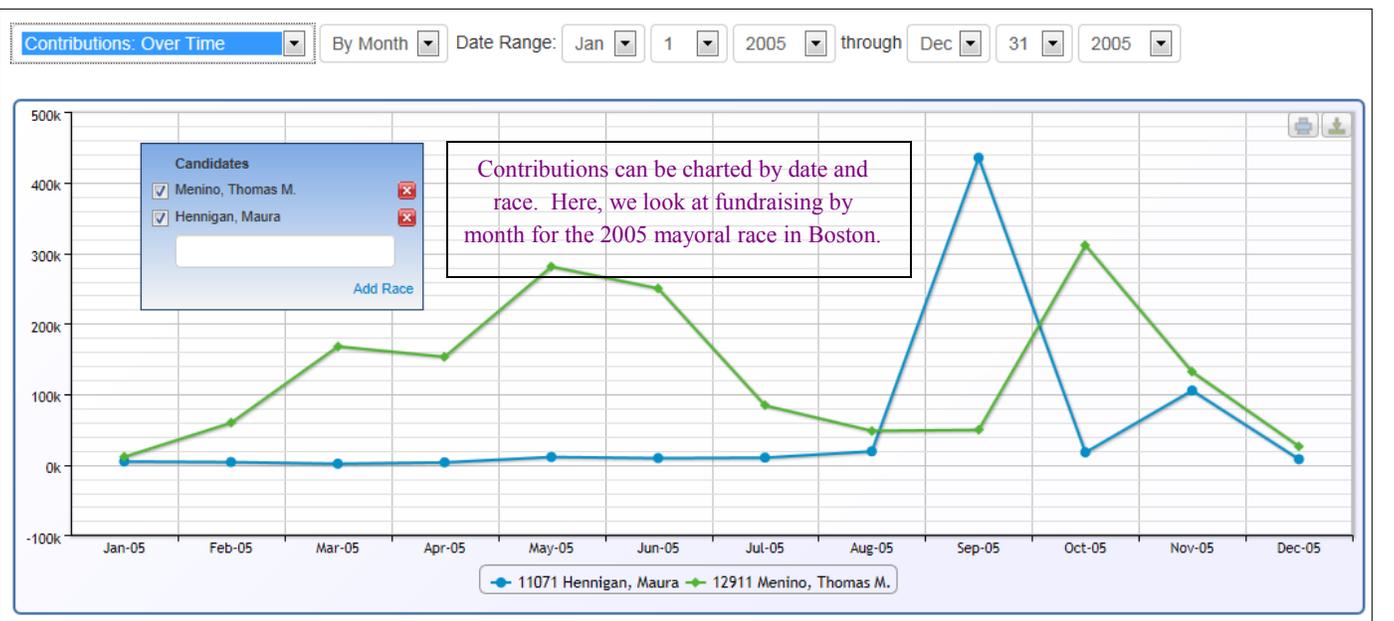
News E-File View Reports **Data** Filers Legal Getting Started



Mapped Contributions Map: District Statewide  
Date Range: Jan 1 2002 through Dec 31

NEWTON (Middlesex)		
Candidates	#	Raised
<input checked="" type="checkbox"/> O'Brien, Shannon P.	702	\$174,374.92
<input checked="" type="checkbox"/> Romney, Mitt	518	\$139,024.50
<b>Totals:</b>	<b>1220</b>	<b>\$313,399.20</b>

Using the "Data" tab above, contributions can be sorted by city or town and mapped, showing money raised by selected candidates in a municipality during a specific date parameter. Here, we look at money raised in Newton during the 2002 race for governor.



Contributions: Over Time By Month Date Range: Jan 1 2005 through Dec 31 2005

Month	11071 Hennigan, Maura	12911 Menino, Thomas M.
Jan-05	~10k	~10k
Feb-05	~10k	~50k
Mar-05	~10k	~170k
Apr-05	~10k	~150k
May-05	~10k	~280k
Jun-05	~10k	~250k
Jul-05	~10k	~80k
Aug-05	~20k	~50k
Sep-05	~450k	~50k
Oct-05	~20k	~320k
Nov-05	~110k	~130k
Dec-05	~10k	~20k

Contributions can be charted by date and race. Here, we look at fundraising by month for the 2005 mayoral race in Boston.

Please call OCPF at 617-979-8300 for further assistance on using the new Website