

# OCPF REPORTS

## Massachusetts Office of Campaign and Political Finance

### Special Elections

Special election campaign finance data is posted to our agency website, [here](#).

Please see page five for additional coverage.

### 2020 Election

Banks and credit unions are posting updated campaign finance information for all House, Senate and county candidates in the 2020 state election.

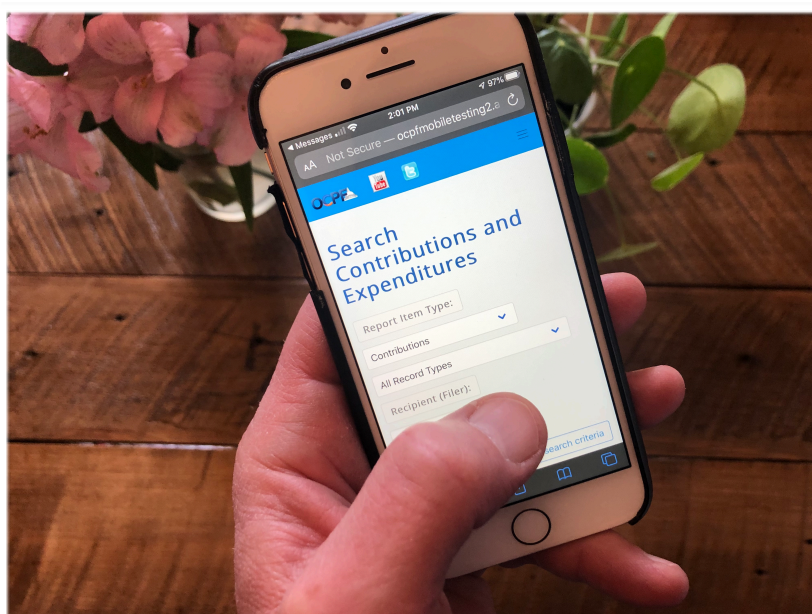
[Click here](#) to see legislative campaign finance data, updated as of the end of the last month.

### Director Search

As of the publication of this newsletter, an OCPF director has not yet been appointed.

### State BQ Elections

The first 2020 campaign finance reports filed by state ballot question committees will be due Sept. 4.



## OCPF Mobile

OCPF launched a new mobile website to improve how the public views campaign finance data and educational materials.

We have seen a regular uptick in the use of phones and tablets to access OCPF data, but the primary agency website is geared toward desktop or laptop computers and didn't function well on mobile devices. The mobile website is a good fit for all phone sizes.

"The public will visit [ocpf.us](http://ocpf.us) on their phones and see clear data on a small screen," said Al Grimes, OCPF's IT director. "Our existence is based on public disclosure, so we want to make viewing our content as easy as possible."

## New Educational Videos



*Candidates and committees can accept contributions from residents of other states. This video explains who can and can't give.*



*During a state and federal election year, candidates and committee members often travel for political purposes. This video summarizes OCPF's travel regulations.*

The three types of political action committees

*When people call OCPF to ask about forming a PAC, we'll have a few initial questions to determine their goals. Click here for information on the types of PACs.*

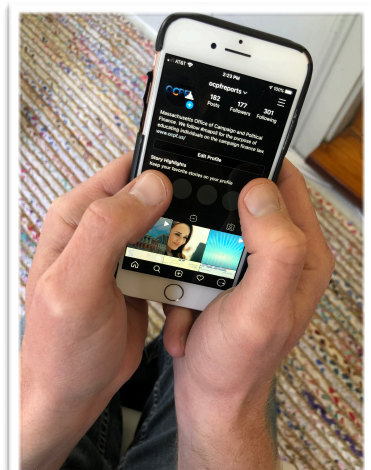


More than 450 local party committees have reorganized so far this year – and a few hundred more are expected.

Local party committees reorganize after each presidential primary election, if they want to actively collect contributions and make expenditures to support candidates and party activities. In 2018, for example, Democratic local party committees reported \$516,161 in expenditures, according to OCPF's database. Republicans reported \$385,026 in expenditures that election year.

After local party committees organize, they complete the process by filing this form with four entities – OCPF, their local election official, their state party, and the state's Elections Division.

**OCPF maintains an**  
**INSTAGRAM**  
**account:**  
**@OCPFreports.**  
**Click here to see the**  
**agency account.**



# 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. Disposition agreements are matters of public record once cases are concluded. 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. Public resolution letters 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-20-38: Mass. Right to Repair. *No further action (disclosure, attribution on advertisements); 4/7/2020.* The ballot question committee, after being contacted by OCPF, amended its 2019 year-end report to clarify the true source of a \$500,000 contribution. Additionally, the committee pulled television advertisements that did not fully disclose its top donors. The campaign finance law requires advertisements to display a committee’s top donors.

CPF-20-01: Mayor Ruthanne Fuller, Newton. *No further action (public resources); 4/10/2020.* Mayor Fuller sent a communication to individuals on the city’s e-mail list, which, in part, asked residents to vote “yes” on a city ballot question. The campaign finance law prohibits the use of public resources for political purposes.

CPF-20-37: Gary Keith, Brockton. *Did not comply (disclosure); 4/13/2020.* The Keith Committee did not disclose all of its contributors for August and September of 2019, and deposited a \$100 business contribution. In addition, the committee did not file a 2019 year-end report.

CPF-20-32: Nair Barros, New Bedford. *Did not comply (disclosure); 4/13/2020.* Between August and October, 2019, the Barros Committee did not disclose nearly \$2,000 in contributions and did not clarify expenditures totaling approximately \$1,700.

CPF-20-14: Councilor Kim Janey, Roxbury. *Did not comply (disclosure); 4/17/2020.* The Janey Committee did not disclose contributor information for \$5,334 in deposits in October and November, 2019. Additionally, the committee did not clarify the purposes of two expenditures.

CPF-20-12: Newburyport Cannabis Action Network. *Did not comply (disclosure); 4/21/2020.* The group did not initially form a ballot question committee, though members pooled resources to influence a ballot question. After being contacted by OCPF, the group formed a ballot question committee and disclosed its activity.

Continued on the next page

# Continued: Recent Cases and Rulings

CPF-20-10: Dennis Eaniri, Brockton. Did not comply (personal expenditures); 5/11/2020. Eaniri, a city councilor, used approximately \$1,500 in committee funds to pay for multiple personal expenses. To resolve the issue, Eaniri has personally repaid \$550 to the committee, and he has agreed to repay the remaining \$950 according to a payment plan.

CPF-20-11: Cecily Graham, Hyde Park. Did not comply (personal expenditures); 5/11/2020. The Graham Committee spent nearly \$500 on car repairs to the candidate's personal automobile. To resolve the issue, the candidate has reimbursed the committee \$400, and has agreed to also repay the remaining \$100.

CPF-19-89: Rep. Chynah Tyler, Boston. Did not comply (personal expenditures, disclosure); 5/15/2020. A review of the Tyler Committee's campaign finance activity found several issues — the candidate used \$1,600 in committee funds as a personal loan; the committee did not accurately report contributions and expenditures in 2018 in the amount of approximately \$7,800; the committee received \$450 in excess money orders; and the committee deposited \$200 in prohibited corporate contributions. To resolve the issues, the candidate repaid \$1,600 to the committee, amended campaign finance reports to disclose activity, refunded the corporate contributions, and paid \$450 to the state's general fund.

CPF-20-03: James Ehrhard, Sturbridge. Did not comply (disclosure); 5/15/2020. OCPF determined that, from 2013 through 2016, the Ehrhard Committee reported approximately \$14,300 in receipts, money which was never received. To resolve the issue, the committee amended its campaign finance reports, and the candidate forgave \$8,328 in liabilities owed to him personally. The committee has dissolved.

CPF-20-36: A Better Cambridge PAC. Did not comply (excess contributions); 6/2/2020. OCPF determined that expenditures made to support nine municipal candidates in 2019 were in-kind contributions, subject to a \$500 limit per candidate. The group spent approximately \$915 per candidate. To resolve the issue, the group donated \$1,500 to charity and disclosed its activity.



**Local election officials are responsible for all aspects of their municipal elections, including collecting campaign finance reports for local filers.**

**[CLICK HERE](#) for OCPF's TOP 10 TIPS video for local election officials. It's helpful for local candidates, too.**



# 2020 SPECIAL ELECTIONS

Eight finalists for four special legislative races spent \$434,562 from Jan. 1 until May 31, according to reports filed by each candidate's bank.

The **Plymouth & Barnstable** Senate final was May 19 to replace former Sen. Vinny deMacedo, and included the towns of Kingston, Pembroke, Plymouth, Bourne, Falmouth and Sandwich. The **2nd Hampden & Hampshire** final was also May 19 to replace former Sen. Donald Humason, and included voters in Chicopee, Holyoke, Westfield, Agawam, Granville, Montgomery, Russell, Southwick, Tolland, Easthampton and Southampton.

To replace former Rep. Jennifer Benson of the **37th Middlesex District**, special elections were held June 2 in Harvard and Lunenburg, and also in Easton and Taunton in the **3rd Bristol House District** to replace former Rep. Shaunna O'Connell.

In three races, the candidate who spent the most won the election. In the Plymouth & Barnstable race, Susan Moran of Falmouth was out-spent by her opponent, but won. *The spending totals do not include in-kind contributions from state and local parties, and Independent Expenditure PAC spending.*

## Expenditures by Special Election Finalists\*

	Expenditures
<b>3rd Bristol (House)</b>	
#Carol Doherty - D	\$25,706
Kelly Donner - R	\$23,456
<b>37th Middlesex (House)</b>	
Catherine Clark - R	\$6,644
#Danillo Sena - D	\$36,575
<b>2nd Hampden &amp; Hampshire (Senate)</b>	
John Cain - R	\$21,254
#John C. Velis - D	\$87,692
<b>Plymouth &amp; Barnstable (Senate)</b>	
James McMahon - R	\$124,804
#Susan Moran - D	\$108,431

\* Reporting period of Jan. 1 through May 31. Based on bank reports.

# Winner

## PUBLIC RESOURCES AND POLITICAL CAMPAIGNS

OCPF is frequently asked about the use of public resources for political purposes, usually in relation to a state or municipal ballot question election, but also candidate elections.

The general rule is that public resources may not be used for political purposes, unless equal access is granted to all. Public resources include anything paid for by the taxpayers, such as employee time, government postage machines, copiers and vehicles.

OCPF has published several guides on this topic. [Click here](#) for our guide on the activities of public officials in support of or opposition to ballot questions. [Click here](#) for the guide on the use of governmental resources for political purposes. **[Click here for OCPF's new video tutorial on public resources.](#)** The state's [Ethics Commission](#) should also be consulted on these issues.



Municipal equipment, such as vehicles and copiers, should not be used for campaign purposes.



Equal access means that candidates and committees may use public resources, under the same terms and conditions.



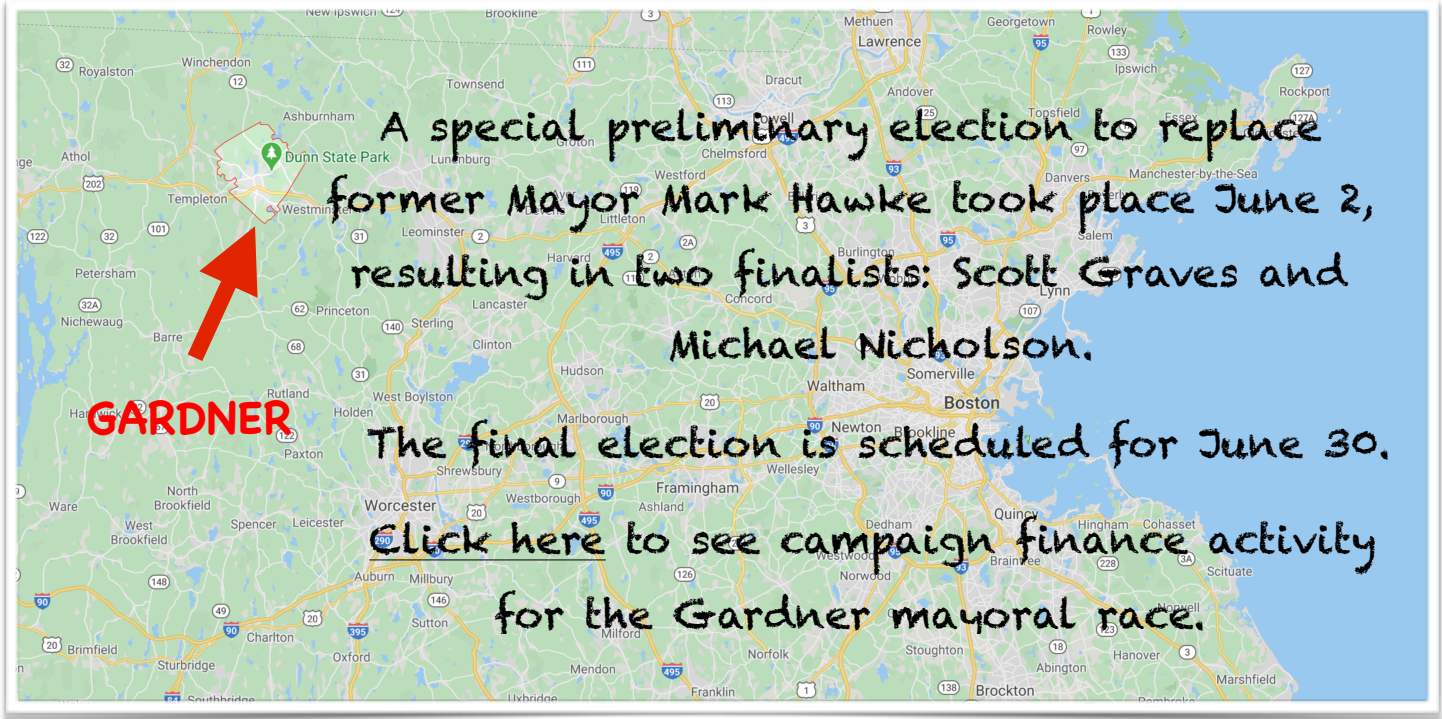
Public resources should not be used to distribute unsolicited information to the public.



For example, a candidate may give a speech in a community college setting, if equal access is granted to all.



## GARDNER MAYORAL ELECTION (SPECIAL)



## CONTACT OCPF

**LEGAL:** Greg Birne, General Counsel, [gbirne@cpf.state.ma.us](mailto:gbirne@cpf.state.ma.us)

**AUDIT:** Shane Slater, Audit Director, [sslater@cpf.state.ma.us](mailto:sslater@cpf.state.ma.us)

**TECH:** Al Grimes, IT Director, [agrimes@cpf.state.ma.us](mailto:agrimes@cpf.state.ma.us)

**EDUCATION:** Jason Tait, Education Director, [jtait@cpf.state.ma.us](mailto:jtait@cpf.state.ma.us)

# HOUSE AND SENATE: 2020

**THIS IS THE FIRST YEAR IN WHICH HOUSE AND SENATE CANDIDATES DISCLOSE CAMPAIGN FINANCE ACTIVITY IN THE DEPOSITORY REPORTING SYSTEM.**

## **WHAT'S THAT GOING TO LOOK LIKE?**

- 1. BY THE 5TH OF EACH MONTH, THE CANDIDATE'S BANK WILL FILE A CAMPAIGN FINANCE REPORT, WHETHER THERE WAS ACTIVITY OR NOT. THE REPORT ITEMIZES EXPENDITURES AND PROVIDES A SUMMARY OF DEPOSIT TOTALS.**
- 2. OCPF WILL SEND AN E-MAIL TO A CANDIDATE WHEN HIS OR HER BANK FILES THE BANK REPORT. A CANDIDATE MUST [CLARIFY THE PURPOSE](#) OF ANY EXPENDITURE THAT IS NOT SUFFICIENTLY DESCRIBED.**
- 3. THE CANDIDATE WILL FILE "[DEPOSIT REPORTS](#)" WITHIN THREE DAYS OF MAKING A DEPOSIT (BEST PRACTICE).**
- 4. THOUGH A CANDIDATE SHOULD FILE A DEPOSIT REPORT WITHIN THREE DAYS OF MAKING A DEPOSIT, THE STATUTE SETS DEADLINES ON WHEN DEPOSIT REPORTS MUST BE FILED. THIS YEAR, DEPOSIT REPORTS MUST BE FILED BY JULY 20 FOR DEPOSITS MADE IN APRIL, MAY AND JUNE. ADDITIONALLY, DEPOSIT REPORTS MUST BE FILED BY AUGUST 24, FOR THE PERIOD OF JULY 1 THROUGH AUGUST 14. DEPOSIT REPORTS MUST BE FILED, AS WELL, BY OCTOBER 26 FOR THE PERIOD OF AUGUST 15 THROUGH OCTOBER 16.**
- 5. PLEASE REMEMBER: THE PERIODS ABOVE CAN BE IGNORED, SO LONG AS DEPOSIT REPORTS ARE FILED WITHIN THREE DAYS OF MAKING A DEPOSIT.**
- 6. NO DEPOSITS? NO DEPOSIT REPORTS ARE DUE.**
- 7. PLEASE FILE A DEPOSIT REPORT FOR EACH DEPOSIT MADE. (ONE DEPOSIT = ONE DEPOSIT REPORT)**
- 8. OCPF'S AUDIT TEAM IS PREPARED TO ASSIST EACH HOUSE AND SENATE CANDIDATE THROUGH THIS NEW PROCESS. WE CAN BE REACHED AT [OCPF@CPF.STATE.MA.US](mailto:OCPF@CPF.STATE.MA.US).**