

## **Jerome L. Rice CD #12 (2009)**

### **1. Accepting a corporate contribution**

**\$125**

Campaigns may not accept, either directly or indirectly, a campaign contribution, loan, guarantee or other security for such loan, from any corporation. *See* Admin. Code § 3-703(1)(l); Board Rule 1-04(e). In-kind contributions include goods or services donated to a candidate free of charge or at a special discount not available to others. *See* Admin. Code § 3-702(8); Rule 1-02. The Campaign accepted an in-kind contribution from The Electric Warehouse, Inc., in the amount of \$1,000, on October 16, 2008. The Campaign refunded the contribution promptly following notification by CFB staff. The Board assessed a penalty of \$125 for this violation.

### **2. Failing to file disclosure statements**

**\$375**

Campaigns are required to file complete and timely disclosure statements on scheduled dates. *See* N.Y.C. Charter § 1052(a)(8); Admin. Code §§ 3-703(6), 3-708(8); Board Rules 1-09(a), 3-02. The Campaign failed to file Statement 12, due on September 25, 2009, and Statement 16, due on January 15, 2010. The Board assessed a penalty of \$375 (\$187.50 per statement) for this violation.

### **3. Failing to accurately report disbursements resulting in a 13.22% variance**

**\$500**

Campaigns are required to report every contribution, loan, receipt, and disbursement. *See* Admin. Code § 3-703(6); Board Rule 3-03. The Campaign reported total debits of \$15,219.81, but its bank statements reflect total debits of \$17,232.03, creating a variance of \$2,012.22 (13.22%). The Board assessed a penalty of \$500 for this violation.

### **4. Failing to respond to post-election requests for documentation and information and failing to respond to the Draft Audit Report**

**\$150**

Campaigns must maintain records, such as copies of checks, bills and other documentation, that enable the CFB to verify the contributions and expenditures reported in the candidate's disclosure statements. *See* Admin. Code §§ 3-703(1)(d), (g); Board Rule 4-01. Campaigns are required to furnish such records to the CFB upon request. *See* Admin. Code §§ 3-703(1)(d), (g). Every campaign is subject to a post-election audit by the CFB, for which it must furnish certain records, regardless whether the campaign received public funds. *See* Admin. Code §§ 3-703(11), (12), 3-710(1), 3-719(1)(b); Board Rule 4-05(a).

On October 30, 2009, CFB Staff sent the Campaign an initial request for documentation, with a response deadline of November 30, 2009. On November 9, 2010, the Campaign

submitted a response. On July 6, 2011, CFB Staff sent the Campaign a Draft Audit Report with a response deadline of August 8, 2011. On November 23, 2011, Rice sent the Board some of the documentation requested. The Campaign has not provided any further documentation to the Board.

The Board assessed penalties of \$150 for these violations, in recognition of the candidate's difficulties with locating his treasurer and obtaining documentation from her.