



Summary of Final Board Determination

Joyce Johnson

Candidate, 2013, City Council District 7, Manhattan

Program participant: \$90,996 in public funds received

1. Failing to provide a bank statement

No Penalty

Campaigns are required to provide copies of all bank and merchant account statements for accounts used for each election. *See* Admin. Code §§ 3-703(1)(d), (g), (11); Board Rule 4-01(f).

The Campaign did not provide the December 2013 statement for its JP Morgan Chase checking account, but CFB staff believes there was little campaign activity reflected in this statement.

The Board determined this was a violation but did not assess a penalty.

2. Failing to report transactions

\$46

Campaigns are required to properly report all financial transactions to the Board. *See* Admin. Code §§ 3-703(1)(d), (g), (6), (11), (12); Board Rules 1-09, 3-03(c), (d), (e), 4-01.

The Campaign failed to report transactions totaling \$2,003.88 and in-kind contributions totaling \$338.07. The Campaign provided documentation for an expenditure to Get Out the Vote that indicated that a \$50 set-up fee had been waived, but did not report the transaction.

The Board assessed a penalty of \$46 for these violations.

3. Filing a late disclosure statement

\$50

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), (12), 3-708(8); Board Rules 1-09, 3-02.

The Campaign filed Statement 16 one day late.

The Board assessed a penalty of \$50 for this violation.



Summary of Final Board Determination

4. Accepting contributions from an unregistered political committee \$25

Campaigns may not accept a contribution from a political committee unless the political committee is registered with the CFB or registers with the CFB within 10 days of receipt of the contribution. *See* Admin. Code §§ 3-702(11), 3-703(1)(k), 3-707; Board Rules 1-04(c)(1), (d), (g), 1-05.

The Campaign accepted a \$25 contribution from Friends of Lynn Marinelli, an unregistered political committee, which it refunded promptly.

The Board assessed a penalty of \$25 for this violation.

5. Failing to demonstrate that spending was in furtherance of the campaign \$2,314

Campaigns are required to demonstrate that all spending was in furtherance of the campaign. *See* Admin. Code §§ 3-702(21)(a), (b); 3-703(1)(d), (g), (6), (11); Board Rules 1-03(a), 4-01(e).

The Campaign reported a \$100 expenditure to the Candidate for printing, which it stated was campaign-related, but did not provide sufficient explanation or documentation. Additionally, the Campaign made expenditures totaling \$9,158 that, based on the reporting and/or documentation, appear to be non-campaign related.

The Campaign hired an Assistant Treasurer to serve “in conjunction” with the Treasurer, but failed to explain why he was compensated at a pay rate four times that of the Treasurer’s or why his contract was not signed until eight months after his hiring. The Campaign did not amend its Certification to list the Assistant Treasurer as the new treasurer, nor did it amend the contracts of the Assistant Treasurer and Treasurer to document the changes to their duties.

In addition, the Campaign paid the Candidate’s grandson a flat fee of \$500 after the election for winding up the Campaign office, which is nearly half of what the Campaign paid him for two months of pre-election work. The Campaign did not explain how it determined this fee.

The Board assessed a penalty of \$2,314 for these violations.



Summary of Final Board Determination

6. Making impermissible post-election expenditures \$629

After an election and before repaying leftover campaign funds to the Board, participants may spend campaign funds only to pay campaign-related expenses incurred in the preceding election and for “routine activities involving nominal cost associated with winding up a campaign and responding to the post-election audit.” *See* Admin. Code §§ 3-702(21)(a)(8), 3-703(1)(d), (g), (6), (11), 3-710(2)(c); Board Rules 1-03(a), 1-08(b), 5-03(e)(2).

The Campaign made expenditures totaling \$2,519.49 that, based on their timing, amount, and or/purpose, appear to be impermissible post-election expenditures. The Campaign’s bank statements indicate that the Campaign made cash withdrawals to pay outstanding liabilities totaling \$2,360 for which it did not provide sufficient documentation.

The Board assessed a penalty of \$629 for these violations.