



Summary of Final Board Determination

Manuel Caughman

Candidate, 2013, City Council, District 27

Program participant: \$92,400 in public funds received

1. Making a cash expenditure greater than \$100 \$50

Campaigns are prohibited from making an expenditure greater than \$100 using cash. *See* Board Rules 1-08(i) and 4-01(e)(2).

The Campaign made a \$201.75 cash expenditure to Crown Fried Chicken. Although the Campaign reported the expenditure as a debit, the receipt provided by the Campaign indicates that it made the expenditure in cash.

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

2. Failing to demonstrate that spending was in furtherance of the campaign \$195

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). When purchasing costly durable goods, such as computer equipment, campaigns must be able to demonstrate that the item was purchased in furtherance of the campaign, particularly when the item is obtained close to the election and the campaign has already purchased similar or duplicative goods. Advisory Opinion 2007-3.

The Campaign made a \$782.08 expenditure for a computer and software on September 2, 2013. The Campaign stated that it had been purchased for use at an election night event, but failed to explain the amount of the expenditure, why it was made so late in the election, and why the Campaign did not use other Campaign computer equipment at the event. Therefore, the Campaign failed to demonstrate that the expenditure was in furtherance of the campaign.

The Board assessed a penalty of \$195 for this violation.

3. Making impermissible post-election expenditures \$1,643

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); Board Rules 1-03(a), 1-08(b), 5-03(e)(2). A campaign may only hold a single event for staff, volunteers and/or supporters within thirty days of the election. *See* Admin. Code § 3-702(21)(a)(8); Board Rule 5-03(e)(2)(ii). Routine post-election expenditures that may



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be paid for with unspent campaign funds do not include making bonus payments or gifts to staff or volunteers. *See* Board Rule Board Rule 5-03(e)(2)(ii). Additionally, expenditures to defray normal living expenses are not campaign-related. Admin. Code § 3-702(21)(b)(1).

The campaign made expenditures totaling \$6,575.08 that are improper post-election expenditures based on their timing, amount, and/or purpose.

For six expenditures totaling \$598, the Campaign provided explanations, but failed to provide supporting documentation from the vendors. For two expenditures totaling \$700, related to the use of Campaign workers' vehicles, the Campaign provided explanations, but the information and documentation provided were insufficient. Four expenditures totaling \$1,217.08, related to the costs of a "Thank You" reception, were made outside of the thirty-day post-election period. Two expenditures totaling \$1,700 were impermissible bonus payments to Campaign staffers. Two expenditures totaling \$2,000 were payments to volunteers for services already provided on a voluntary basis.

The Board assessed a penalty of \$1,643 for these violations.