



**CITY OF PHILADELPHIA
BOARD OF ETHICS**

Contact: J. Shane Creamer, Jr., Executive Director, 215-686-9450

For Immediate Release: December 17, 2015

PHILADELPHIA – On December 16, 2015, the Board of Ethics approved three settlement agreements pertaining to violations of the City’s Campaign Finance Law. The agreements are listed below. Copies of the approved agreements are attached.

Bobby11: Resolving violations of the City’s Campaign Finance Law for (1) the late filing of 24 hour campaign finance reports with the Board and (2) material omissions in the thirty day post-primary (cycle 3) report filed with the Board.

Citizens for Vincent Hughes: Resolving a violation of the City’s Campaign Finance Law for the late filing of the thirty day post-primary (cycle 3) report with the Board.

Friends of Darrell Clarke: Resolving violations of the City’s Campaign Finance Law for the late filing of 24 hour campaign finance reports with the Board.

These three approved agreements bring the total number of Board approved settlement agreements for calendar year 2015 to 44. Of those 44 approved settlement agreements, 40 address violations of the City’s Campaign Finance Law.

The Philadelphia Board of Ethics is a five-member independent board established by ordinance, approved by Philadelphia voters in May 2006, and installed on November 27, 2006. It is charged with administering, enforcing, and interpreting the City’s campaign finance law, lobbying law, political activity restrictions, and standards of conduct and ethics laws.

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SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is made and entered into between the Board of Ethics of the City of Philadelphia, J. Shane Creamer Jr., Executive Director of the City of Philadelphia Board of Ethics, Bobby11, and John T. Donohoe, the Treasurer for Bobby11, jointly referred to as “the Parties.”

RECITALS

- A. The Board of Ethics of the City of Philadelphia is a five-member, independent board established by ordinance, approved by Philadelphia voters in May 2006, and installed on November 27, 2006. Pursuant to section 4-1100 of the Home Rule Charter, the Board is charged with, among other things, enforcing the City’s Campaign Finance Law which is found at Chapter 20-1000 of the Philadelphia Code.
- B. Bobby11 is the authorized candidate political committee of Bobby Henon. Mr. Henon was a candidate for the City Council 6th District seat in the May 2015 Philadelphia Primary Election and is a candidate for the City Council 6th District seat in the November 2015 General Election.
- C. During the time periods relevant to this agreement, David Driscoll-Knight served as the treasurer for Bobby11. The present treasurer of Bobby11 is John T. Donohoe.
- D. Pursuant to Philadelphia Code § 20-1006(1)(a) and Regulation No. 1, Paragraph 1.19(b), candidates for City office and their political committees are required to electronically file campaign finance reports with the Board.
- E. Pursuant to the City’s Campaign Finance Law, from May 5 through May 19, 2015, within 24 hours of accepting a contribution of \$500 or more, Bobby11 was required to electronically file a campaign finance report with the Board disclosing that contribution.
- F. During the 24 hour reporting period, Bobby11 failed to file four required campaign finance reports with the Board. These reports were due on May 5, May 7, May 13, and May 15, 2015. In mid-June of 2015, Bobby11 contacted Board enforcement staff to self-report that the committee had failed to timely file these reports with the Board. Bobby11 subsequently filed the late reports.
- G. On June 18, 2015, Bobby11 electronically filed a thirty day post primary (cycle 3) campaign finance report with the Board. The report omitted a substantial amount of the committee’s contributions received and expenditures made during the reporting period.
- H. Bobby11 was in regular contact with Board enforcement staff regarding the omissions in its cycle 3 campaign finance report. On July 31, 2015, Bobby11 electronically filed with the Board an amended cycle 3 campaign finance report correcting the reporting errors in the original report.
- I. Pursuant to Philadelphia Code § 20-1006(4) and Regulation No. 1, Paragraph 1.24, the making of a material misstatement or omission in a report filed with the Board is a violation of the City’s Campaign Finance Law.

- J. In addition to self-reporting the above 24 hour violations, at all times, Bobby11 has fully cooperated with the Board's investigation and resolution of the matters described in this Agreement.
- K. The Parties desire to enter into this Agreement in order to resolve the issues described herein.

AGREEMENT

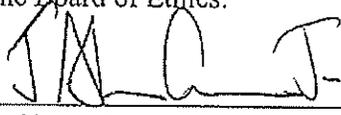
The Parties agree that:

1. Bobby11's late filing of four 24 hour reports with the Board violated Philadelphia Code § 20-1006(1) and is subject to a civil monetary of \$2,000.
2. By omitting a substantial amount of its contributions received and expenditures made during the cycle 3 reporting period, Bobby11 made material omissions in the cycle 3 campaign finance report it filed with the Board on June 18, 2015, which is a violation of Philadelphia Code § 20-1006(4), and is subject to a civil monetary penalty of \$1,000.
3. Bobby11 and Mr. Donohoe are jointly and severally liable for the aggregate civil monetary penalty of \$3,000, which shall be paid within 14 days of the effective date of the Agreement. Payment shall be by check made payable to the City of Philadelphia and delivered to the offices of the Board.
4. Bobby11 and Mr. Donohoe release and hold harmless the Board and its staff from any potential claims, liabilities, and causes of action arising from the Board's investigation, enforcement, and settlement of the matters described in this Agreement.
5. In consideration of the above and in exchange for the compliance of Bobby11 and Mr. Donohoe with all of the terms of the Agreement, the Board waives any further penalties or fines against them for the violations described in this Agreement.
6. The Parties will not make any public statements that are inconsistent with the terms of the Agreement.
7. If the Board or the City is forced to seek judicial enforcement of this Agreement, and prevails, Bobby11 and Mr. Donohoe shall be liable for attorneys' fees and costs reasonably expended in enforcing compliance with the Agreement. Fees for time spent by Board or City attorneys shall be calculated based upon standard and customary billing rates in Philadelphia for attorneys with similar experience.
8. The Agreement contains the entire agreement between the Parties.
9. The Executive Director will submit a signed copy of the Agreement to the Board for approval.
10. The Agreement shall become effective upon approval by the Board. The effective date of the Agreement shall be the date the Board Chair signs the Agreement.

11. If the Board rejects the proposed Agreement, presentation to and consideration of the Agreement by the Board shall not preclude the Board or its staff from participating in, considering, or resolving an administrative adjudication of the matters described in the Agreement. If the Board rejects the proposed Agreement, nothing in the proposed Agreement shall be considered an admission by either party and, except for this paragraph, nothing in the Agreement shall be effective.

By the Executive Director of
the Board of Ethics:

Dated: 10/21/15



J. Shane Creamer, Jr.

By Bobby I I:

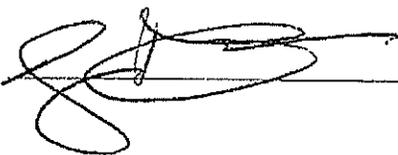
Dated: 10/19/15



John T. Donohoe, Treasurer

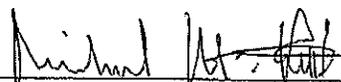
By John T. Donohoe:

Dated: 10/19/15



Approved by the Board of Ethics:

Dated: 12/16/15



Michael H. Reed
Chair

SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is made and entered into by the Board of Ethics of the City of Philadelphia, J. Shane Creamer, Jr., the Executive Director of the Board, the Citizens for Vincent Hughes, and Jeanice Salter, the treasurer of the Citizens for Vincent Hughes, jointly referred to as “the Parties.”

RECITALS

- A. The Board of Ethics of the City of Philadelphia is a five-member, independent board established by ordinance, approved by Philadelphia voters in May 2006, and installed on November 27, 2006. Pursuant to section 4-1100 of the Home Rule Charter, the Board is charged with, among other things, enforcing the City’s campaign finance law.
- B. The Citizens for Vincent Hughes is a political committee based in Philadelphia. Citizens for Vincent Hughes has previously filed campaign finance reports with the Board.
- C. Jeanice Salter is the treasurer of the Citizens for Vincent Hughes.
- D. Pursuant to Philadelphia Code § 20-1006(1)(a) and Regulation No. 1 Paragraph 1.21(a):

Any time a political committee or person is required to file a campaign finance report with the City Commissioners or the Secretary of State, as required by the Pennsylvania Election Code, the committee or person shall file electronically a copy of that report with the Board if the report filed with the City Commissioners or Secretary of State discloses, or should disclose, any expenditures made or debt incurred to influence the outcome of a covered election, including expenditures to a candidate for City elective office.
- E. Pursuant to Philadelphia Code §§ 20-1006(4) and 20-1301(2) and Regulation No. 1 Paragraph 1.54, late filing of a campaign finance report violates the City’s campaign finance law and is subject to a civil monetary penalty of \$250 for each day the report is late with maximum total penalties of \$2,000 for the first 30 days the report remains unfiled plus \$1,000 for each additional 30 day period, or part thereof, the report remains unfiled.
- F. June 18, 2015 was the deadline for political committees to file a 30 day post-primary (cycle 3) campaign finance report.
- G. The Citizens for Vincent Hughes made contributions to candidates for City office during the 2015 cycle 3 reporting period. Therefore, the committee should have electronically filed a 2015 cycle 3 report with the Board by June 18, 2015. However, the committee failed to file a 2015 cycle 3 report by June 18, 2015
- H. On June 24, 2015, Board enforcement staff notified the committee of its failure to file a 2015 cycle 3 report with the Board. The committee filed its 2015 cycle 3 report with the Board on July 26, 2015.
- I. The Parties desire to enter into this Agreement in order to resolve the issues described herein.

AGREEMENT

The Parties agree that:

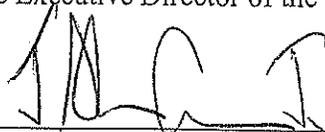
1. The Citizens for Vincent Hughes' late filing of its 2015 cycle 3 campaign finance report with the Board violated the City's Campaign Finance Law and is subject to a civil monetary penalty of \$3,000. However, the penalty is reduced to \$1,500 in recognition of the committee's cooperation in the resolution of this matter.
2. The Citizens for Vincent Hughes and Jeanice Salter are jointly and severally liable for the civil monetary penalty, which shall be paid on the following schedule:
 - 2.1. \$500 within 14 days of the effective date of the Agreement;
 - 2.2. \$500 within 60 days of the effective date of the Agreement; and
 - 2.3. \$500 within 90 days of the effective date of the Agreement.

Payment shall be by check made payable to the City of Philadelphia and delivered to the offices of the Board.

3. The Citizens for Vincent Hughes and Jeanice Salter release and hold harmless the Board and its staff from any potential claims, liabilities, and causes of action arising from the Board's investigation, enforcement, and settlement of the matters described in the Agreement.
4. In consideration of the above and in exchange for the compliance of the Citizens for Vincent Hughes and Jeanice Salter with all of the terms of the Agreement, the Board waives any further penalties or fines against them for the violations described in the Agreement.
5. The Parties will not make any public statements that are inconsistent with the terms of the Agreement.
6. If the Ethics Board is forced to seek judicial enforcement of the Agreement, and prevails, the Citizens for Vincent Hughes and Jeanice Salter shall be liable for attorneys' fees and costs reasonably expended in enforcing compliance with the Agreement. Fees for time spent by Board staff attorneys shall be calculated based upon standard and customary billing rates in Philadelphia for attorneys with similar experience.
7. The Agreement contains the entire agreement between the Parties.
8. The Executive Director will submit a signed copy of the Agreement to the Board for approval. The Agreement shall become effective upon approval by the Board. The effective date of the Agreement shall be the date the Board approves the Agreement.
9. If the Board rejects the proposed Agreement, presentation to and consideration of the Agreement by the Board shall not preclude the Board or its staff from participating in, considering, or resolving an administrative adjudication of the matters described in the Agreement. If the Board rejects the proposed Agreement, nothing in the proposed Agreement shall be considered an admission by either party and, except for this paragraph, nothing in the Agreement shall be effective.

By the Executive Director of the Board of Ethics:

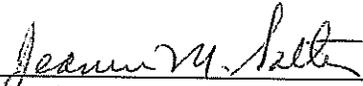
Dated: 11/30/15



J. Shane Creamer, Jr.

By Citizens for Vincent Hughes:

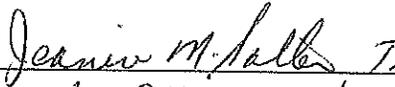
Dated: 11/23/15



Jeanice Salter, Treasurer

By Jeanice Salter

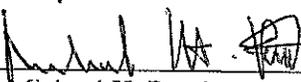
Dated: 11/23/15



Jeanice M. Salter Treasurer
for Citizens for Hughes

Approved by the Board of Ethics:

Dated: 12/10/15



Michael H. Reed
Chair

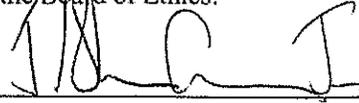
SETTLEMENT AGREEMENT

Pursuant to section 4-1100 of the Philadelphia Home Rule Charter, the Board of Ethics is responsible for enforcing the Philadelphia's Campaign Finance Law, which is found at Chapter 20-1000 of the Philadelphia Code.

1. Friends of Darrell Clarke is the authorized candidate political committee of Darrell Clarke, a candidate for City Council in the May 2015 Philadelphia primary election.
2. Pursuant to the City's Campaign Finance Law, from May 5 through May 19, 2015, within 24 hours of accepting a contribution of \$500 or more, Friends of Darrell Clarke was required to electronically file a campaign finance report with the Board disclosing that contribution.
3. During the 24 hour reporting period, Friends of Darrell Clarke failed to electronically file two campaign finance reports with the Board. The committee filed all other required reports during the 24 hour reporting period. In its 30 day post-primary report, the committee properly disclosed all of the contributions it had received during the 24 hour reporting period. The committee has since filed the two 24 hour reports it had initially failed to file. The committee has fully cooperated with Board enforcement staff in the resolution of this matter.
4. Friends of Darrell Clarke's late filing of two 24 hour reports with the Board violated the City's Campaign Finance Law for which Friends of Darrell Clarke will pay a civil monetary penalty of \$1,500. Payment shall be by check made payable to the City of Philadelphia and delivered to the offices of the Board within 14 days of the effective date of the Agreement.
5. Friends of Darrell Clarke releases and holds harmless the Board and its staff from any potential claims, liabilities, and causes of action arising from the Board's investigation, enforcement, and settlement of the matters described in this Agreement.
6. In consideration of the above and in exchange for the compliance of Friends of Darrell Clarke with all of the terms of the Agreement, the Board waives any further penalties or fines against them for the violations described in this Agreement.
7. If the Board or the City is forced to seek judicial enforcement of this Agreement, and prevails, Friends of Darrell Clarke shall be liable for attorneys' fees and costs reasonably expended in enforcing compliance with the Agreement. Fees for time spent by Board or City attorneys shall be calculated based upon standard and customary billing rates in Philadelphia for attorneys with similar experience.
8. The Executive Director will submit a signed copy of the Agreement to the Board for approval. The Agreement shall become effective upon approval by the Board. The effective date of the Agreement shall be the date the Board Chair signs the Agreement.
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By the Executive Director of
the Board of Ethics:

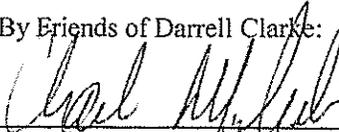
Dated: 11/30/15



J. Shane Creamer, Jr.

By Friends of Darrell Clarke:

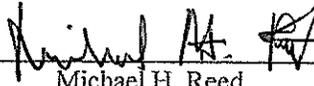
Dated: _____



Charles Gibbs, Chair

Approved by the Board of Ethics:

Dated: 12/16/15



Michael H. Reed
Chair