

NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION

P.O. Box 185

Trenton, New Jersey 08625-0185

NEW JERSEY ELECTION LAW
ENFORCEMENT COMMISSION,

Complainant,

v.

CENTRAL JERSEY DEMOCRATIC
LEADERSHIP COMMITTEE,
a continuing political committee,

FINAL DECISION FOR FAILURE TO FILE
CONTRIBUTIONS AND EXPENDITURES
FOR 2005-2007 AND 2010 AND LATE
FILING FORMS A-3 FOR 2008 AND 2009

C-J 1200 02 11-Q2005-Q2010

and

JAMES J. DEVINE (a.k.a. JIM DEVINE),
de facto Treasurer,

Respondents.

PLEASE TAKE NOTICE that the New Jersey Election Law Enforcement Commission (Commission) considered at its meeting of May 15, 2018, the Complaint against Respondent Central Jersey Democratic Leadership Committee (CJDLC), a continuing political committee, and Respondent James J. Devine (Respondent Devine), *de facto* treasurer, issued on January 12, 2015, pursuant to N.J.S.A. 19:44A-1, et seq., for failure to file contributions and expenditures for 2005-2007 and 2010 and late filing Forms A-3 for 2008 and 2009, which Complaint is hereby incorporated by reference in this Final Decision. The Commission considered Respondent Devine's Affidavit and Waiver of Hearing submitted as Chairperson of CJDLC, in response to the Complaint, and by a vote of 3-0, the Commission adopted as its Final Decision the proposed Findings of Fact and Conclusions of Law set forth in the Complaint.

The Commission considered the penalty factors as required by N.J.A.C. 19:25-17.3B and N.J.A.C. 19:25-17.3C, including penalties imposed in prior cases for similar offenses, and, by a vote of 3-0, Ordered the following, pursuant to N.J.S.A. 19:44A-22 and N.J.A.C. 19:25-17.1 et seq.:

For failing to report a \$33,672.20 transfer from a prior account (Count 1), the Commission dismisses this violation against Respondent CJDLC.

For failing to report 13 contributions received from Charles Betancourt, totaling \$53,239.00 (Counts 1, 3, 5 and 7), the Commission Reprimands Respondent CJDLC but does not impose a monetary penalty. The contributions from Mr. Betancourt were restitution payments made to CJDLC.

For failing to report contributions totaling \$16,478.78 (Counts 1, 9, 18, 20 and 22) and expenditures totaling \$78,729.56 (Counts 2, 4, 6, 8, 10, 12, 13, 14, 15, 19, 21 and 23), the Commission imposes a penalty of \$95,208.34 against Respondent CJDLC.

For failing to report one contribution of \$6,200.00 (Count 11) and three expenditures of \$6,354.95, \$8,200.00 and \$16,400.00 (Counts 2 and 10), with each contribution and expenditure amount exceeding the applicable statutory maximum penalty amount of \$6,000.00, the Commission imposes a penalty of \$6,000.00 for each contribution and expenditure (for a total of \$24,000.00).

For late reporting Forms A-3 for calendar years 2008 and 2009 (Counts 16 and 17), the Commission imposes a penalty of \$600.00 for both Forms A-3 filed late (for a total of \$1,200.00).

The Commission, having considered the Complaint naming Respondent Devine as *de facto* treasurer, dismisses the Complaint against Respondent Devine.

THEREFORE, the Commission REPRIMANDS Respondent CJDLC and imposes a total penalty of \$120,408.34. The Commission dismisses the Complaint against Respondent Devine. Payment is now due.

PAYMENT

Payment may be made by check or money order payable to "Treasurer, State of New Jersey," and should be submitted to:

New Jersey Election Law Enforcement Commission
P.O. Box 185
Trenton, New Jersey 08625-0185

To insure proper credit, write the Final Decision number in the above heading on your check or money order.

RIGHT TO APPEAL

Final Decisions of the Commission are appealable to the New Jersey Superior Court, Appellate Division "within 45 days from the date of service of the decision or notice of the action taken" pursuant to New Jersey Court Rule 2:4-1(b). If you have any questions about an appeal, contact the Clerk's Office of the New Jersey Superior Court, Appellate Division at (609) 292-4822.

NEW JERSEY ELECTION LAW
ENFORCEMENT COMMISSION

Date of Mailing: May 30, 2018

BY: _____
ERIC H. JASO
Chairman

James J. Devine, Chairperson
CERTIFIED MAIL NO. 7007 3020 0001 8597 4834
RETURN RECEIPT REQUESTED
AND FIRST CLASS MAIL