



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

ONE ASHBURTON PLACE, ROOM 411
BOSTON, MASSACHUSETTS 02108

MICHAEL J. SULLIVAN
DIRECTOR

TEL: (617) 979-8300
(800) 462-OCPF
FAX: (617) 727-6549

February 13, 2019

Gen Andrade
c/o Charles Rankin, Esq.
Rankin & Sultan
151 Merrimac Street, 2nd Floor
Boston, MA 02114

Re: CPF-18-120

Dear Ms. Andrade:

This office has completed its review of a matter relative to your involvement with the Alan Silvia Committee's ("the Committee") October 19, 2018 fundraiser. The issue raised in this matter was whether your support of the Committee's fundraiser violated the law. You have cooperated with our review.

When you contacted our office, you stated that you were a public employee, employed as Chief of Staff to Fall River Mayor Jasiel Correia, and were concerned that your activity in connection with the event may have been inconsistent with Section 13 of Chapter 55, the Massachusetts campaign finance law. During the course of our review, we understand that you did not renew your contract with the City of Fall River and, therefore, are no longer a public employee.

The campaign finance law states that public employees may not "... directly or indirectly solicit or receive any gift, payment, contribution . . . or promise of money or other thing of value for the political campaign purpose of any candidate for public office...". See M.G.L. c. 55, § 13.

You stated that, prior to the event, you voluntarily asked Representative Alan Silvia, a long-time friend, for tickets to his fundraiser. It was your intention to sell these tickets to friends. Representative Silvia provided twenty tickets to you, valued at \$125 each. You further stated that you then contacted six individuals and made arrangements for these individuals to pick up and pay for the tickets at the event.

Once you contacted OCPF and before you actually distributed the tickets, you learned that your actions in soliciting political contributions were in violation of Section 13. You were further advised that you should immediately contact the individuals who had offered to purchase tickets and inform them that they could not contribute or attend the fundraising event. It is OCPF's understanding that you then directly contacted each person and that none of them ultimately contributed to the Committee or attended the event. You also returned the unsold tickets to Representative Silvia.



You have indicated that you did not believe that offering to sell tickets to Representative Silvia's event violated the law. You believed that, because you were an employee of the Mayor's office in the city of Fall River, the restriction against soliciting funds only applied to actions undertaken by you on behalf of the Jasiel Correia Committee. You now fully understand, however, that the prohibitions of Section 13 apply *regardless of which candidate or political purpose* a public employee might raise funds for. Persons employed for compensation by a public entity, such as the city of Fall River, may not *directly or indirectly* solicit or receive political contributions for *any* candidate, political committee or other recipient. Your activity in assisting the fundraising effort clearly violated Section 13.

Although your actions did violate Section 13, I have taken into consideration the fact that no funds were actually raised by you for the Committee and that you are no longer a public employee, either for the City of Fall River or elsewhere. Additionally, should you become a public employee at any time in the future, you are now fully aware that Section 13 pertains to all political fundraising activity. If the statute were to allow me to impose a financial penalty in this matter, I would do so. My only other option at this time would be to refer this matter to the Attorney General for her consideration. This case, absent any actual fundraising, does not warrant such referral. I anticipate that this public resolution letter will ensure your compliance with the campaign finance law. Please be advised, however, that any future violations of Section 13 will result in referral to the Attorney General.

In accordance with the opinion of the Supervisor of Public Records, this letter is a public record.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Sullivan". The signature is written in a cursive, flowing style.

Michael J. Sullivan
Director

MJS/sh
cc: Alan Silvia Committee