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November 18, 2019

Collin Dias  
560 Ray Street  
Fall River, MA 02720

Re: CPF-19-93

Dear Mr. Dias:

This office has completed its review of a complaint we received regarding the Committee to Elect Collin Dias (the "Committee"). As a result of our review, we have concluded that the Committee did not comply with M.G.L. c. 55, the Massachusetts campaign finance law.

On June 13, 2019, the Committee filed a "Change of Treasurer" form<sup>1</sup> with OCPF, in which Alexis Gates purportedly accepted the office of treasurer for the Committee. A second Change of Treasurer form was filed on August 21, 2019, stating that Sheila Dias was the new treasurer.

OCPF received a complaint shortly after the filing of the second Change of Treasurer form. The complaint alleged that the candidate and treasurer signatures on both forms were very similar and appeared to reflect a forgery of one name on each form.

By signing the Change of Treasurer form, the new treasurer formally accepts the "duties and liabilities [as a treasurer] under M.G.L. c. 55, including the timely filing of campaign finance reports and keeping detailed accounts and records of all campaign finance activity." The treasurer's signed acknowledgement is required by the fifth and sixth paragraphs of M.G.L. c. 55, § 6, which state that a committee must report changes in treasurer within ten days of a change and that a committee may not receive contributions until the form is signed and filed.

The recordkeeping and reporting obligations imposed by the statute on treasurers are essential cornerstones of the campaign finance law. Treasurers are personally subject to civil and criminal penalties if they do not comply with these requirements. Therefore, having treasurers personally acknowledge their responsibilities is important to both the treasurer and the campaign finance law itself. To ensure that treasurers are aware of their obligations, and to help guarantee that acknowledgements are actually signed by treasurers, treasurers and committees are explicitly put on notice that the treasurer is signing "under the penalties of perjury." Further, the statute and regulations require that the signatures be under the penalties of perjury. M.G.L. c. 55, § 24 and 970 CMR 2.14(6).

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<sup>1</sup> The form is also referred to as "Form T101 ("Change of Treasurer; Acceptance of Office by Treasurer").



Each Change of Treasurer form is required to contain the signature of both the treasurer and the candidate. A review of the completed forms submitted by the Committee (copies are attached) reflects a marked similarity in the signatures, suggesting that the same person signed the names for the candidate and the treasurer.

After receiving the complaint, OCPF met with you, Alexis Gates, and Sheila Dias. Your Committee subsequently filed a new Change of Treasurer form, reflecting the actual signature of Sheila Dias. You admitted that when the August 21 acknowledgment was filed, you signed for Sheila, who you stated could not sign at the time due to an injury to her hand. Regarding the Change of Treasurer form that was filed on June 13, you stated that Alexis actually signed the form, but since she signed an image of the form on an iPhone, using her thumb, that the signature looked similar to your signature. In any event, you have stated that from now on you will ensure that future Change of Treasurer forms will actually be signed by the new treasurer. If you ever sign at the treasurer's direction and with his or her permission, you must contemporaneously add your initials beside the signature.

OCPF has determined that this matter may be closed at this time since the Committee has now filed a Change of Treasurer form that is signed by the current treasurer and because we believe that the guidance provided during the course of this review will ensure future compliance.

In accordance with an opinion from the Supervisor of Public Records, this letter is a public record. A copy will be provided to the person(s) who brought this matter to our attention. If you have any questions, please contact the office.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Sullivan". The signature is fluid and cursive, with the first name "Michael" being the most prominent.

Michael J. Sullivan  
Director

MJS/gb  
cc: Sheila Dias