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March 19, 2013

Representative Colleen Garry
55 Chapman Street
Dracut, MA 01826

Re: CPF-12-91

Dear Representative Garry:

This office has completed its review of financial activity undertaken by the Garry Committee (the "Committee") during the period 2006-2012. The Committee fully cooperated with OCPF and provided all requested documentation to facilitate the review.

Based on the findings of our review, which included an analysis of bank records and a reconciliation of campaign finance reports to the Committee's bank statements and other documentation, the Committee has made a one-time adjustment to the 2012 year end campaign finance report to reconcile the report to the bank statements.

The Committee has acknowledged that it did not maintain adequate records and did not accurately disclose receipts and expenditures for an extended period of time. The Committee's pattern of not accurately disclosing its activity, particularly its expenditures, grew more problematic and compounded each year.¹ The most recently filed campaign finance report, the 2012 Year End, disclosed an ending balance that was \$16,475 more than what the Committee's bank statement indicated as of December 31, 2012.

We have concluded that the Committee's activity did not comply with Section 18 of M.G.L. c. 55. Section 18 requires accurate and complete disclosure of all contributions, expenditures, and liabilities. While OCPF has determined that the errors made by the Committee were inadvertent in nature and did not involve the misuse or personal use of any campaign funds, the Committee as well as OCPF, has indicated its concern that all subsequent reports provide accurate and complete disclosure.

To ensure such disclosure, the Committee has appointed a new treasurer who will be responsible for future filing requirements. The new treasurer has completed a one-on-one training seminar with OCPF and has upgraded the Committee's software to the Reporter 5 version that

¹ Attached is a comparison of the ending balances each year, as reported by the Garry Committee's campaign finance reports, to the actual bank balances as of December 31st.



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OCPF provides support for. The Committee has also agreed to the following enhanced reporting schedule for the period beginning January 1, 2013 through December 31, 2015:

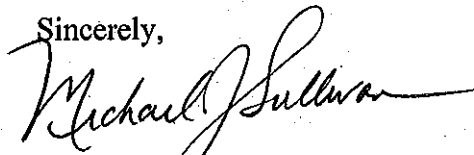
Filing Period	Type of Report	Due Date
1/1/13 – 3/31/13	Paper Report	4/10/13
1/1/13 – 6/30/13	Electronic Report	7/22/13
7/1/13 – 9/30/13	Paper Report	10/10/13
7/1/13 – 12/31/13	Electronic Report	1/21/14
1/1/14 – 3/31/14	Paper Report	4/10/14
4/1/14 – 6/30/14	Paper Report	7/10/14
1/1/14 – 8/29/14	Electronic Report	9/8/14
8/30/14 – 10/17/14	Electronic Report	10/27/14
10/18/14 – 12/31/14	Electronic Report	1/20/15
1/1/15 – 3/31/15	Paper Report	4/10/15
1/1/15 – 6/30/15	Electronic Report	7/20/15
7/1/15 – 9/30/15	Paper Report	10/15/15
7/1/15 – 12/31/15	Electronic Report	1/20/16

In addition to the enhanced reporting above, the Committee will provide OCPF with copies of its bank statements, expenditure checks, deposit tickets and all contributor checks received and deposited, with each report. The Garry Committee will also provide any further documents requested by OCPF within 10 business days of the request.

To resolve this matter, Representative Garry has paid, with personal funds, a civil forfeiture of \$1,000 to the Commonwealth for the Committee's non-compliance with the campaign finance law. An additional payment of \$1,500 will be made by Representative Garry to the Commonwealth in 3 increments of \$500 each. The payments will be due on May 1, August 1, and November 1 of 2013. Finally, the Committee has agreed to a \$2,500 suspended forfeiture – if the Committee's reports are substantially accurate for calendar years 2013 through 2015, the Committee will not be required to pay the \$2,500 suspended forfeiture to the Commonwealth.

In accordance with an opinion from the Supervisor of Public Records, this letter is a public record. If you have any questions regarding this matter or on any issues of future compliance with the campaign finance law, please contact the office.

Sincerely,



Michael J. Sullivan
Director

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<u>YEAR</u>	<u>Garry Campaign Finance Reports</u>	<u>Bank Statements</u>	<u>Discrepancy</u>
2001	\$10,507.44	\$10,458.42	\$49.02
2002	\$3,966.02	\$2,880.98	\$1,085.04
2003	\$16,294.82	*bank records not available	N/A
2004	\$4,273.76	\$1,374.98	\$2,898.78
2005	\$10,998.18	\$5,859.92	\$5,138.26
2006	\$6,633.23	\$1,598.26	\$5,034.97
2007	\$15,946.70	\$4,975.73	\$10,970.97
2008	\$14,350.01	\$3,869.62	\$10,480.39
2009	\$13,984.54	\$4,458.18	\$9,526.36
2010	\$16,702.04	\$1,443.64	\$15,258.40
2011	\$16,702.04	\$526.80	\$16,175.24
2012	\$17,462.38	\$987.17	\$16,475.21

Total Receipts and Expenditures 2006 --- 2012			
	<u>Garry Campaign Finance Reports</u>	<u>Bank Statements</u>	<u>Discrepancy</u>
Total Receipts	\$49,283.00	\$54,038.00	-\$4,755.00
Total Expenditures	\$42,818.80	\$58,910.75	-\$16,091.95