



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

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January 5, 2016

Ed Healy
c/o Thomas R. Kiley, Esq.
Cosgrove, Eisenberg and Kiley, PC
One International Place, Suite 1820
Boston, MA 02110-2600

RE: CPF-15-52

Dear Mr. Healy:

This office has completed its review of certain contributions made to the Committee to Elect Thomas P. Koch (the "Koch Committee").

During OCPF's review, you stated that you used your personal funds to make a contribution in the amount of \$1,000 to the Koch Committee in May 2015. You also acknowledged that, at the same time you made the contribution to the Koch Committee, you provided two family members \$1,000 each, with the intention that recipients use the funds to make contributions to the Koch Committee. Both family members deposited the funds into their personal checking accounts, and each individual then made a \$1,000 contribution (\$2,000 in total) to the Committee. You stated that you typically provided funds to these family members for personal reasons, and that neither you nor the family members involved realized that they could not use those funds to make campaign contributions.

M.G.L. c. 55, § 10 prohibits any person or entity from making political contributions in the name of another for the purpose of disguising the true origin of the contribution. Based on our review, this office has determined that your actions in providing funds to family members with the intent that those funds would then be used to make campaign contributions did not comply with Section 10 of the campaign finance law.

In addition, by making a personal contribution to the Koch Committee and then providing funds to two others with the intention that the funds would be used to make political contributions, you actually made three contributions to the Koch Committee, totaling \$3,000. Two of those contributions, totaling \$2,000, were excess contributions that did not comply with Section 7A of the campaign finance law, which limits individual contributions to Massachusetts candidates to \$1,000 per candidate, per calendar year.



Ed Healy
January 5, 2016
Page 2

OCPF notes that the Koch Committee had no knowledge that the contributions were made with funds provided by another until it was so notified during OCPF's review. The contributions were made using checks drawn on the personal checking accounts of the employees. It would have appeared to the recipients of the checks, absent other information, that the contributions were, in fact, from those individuals. The Koch Committee has agreed to disgorge \$2,000, which represents the total amount of prohibited contributions the Committee received from contributors referenced in this letter. The disgorgement will be made in a manner consistent with the residual funds clause of M.G.L. c. 55, § 18 no later than February 28, 2016.

We believe that the violations referenced in this letter were inadvertent, and because we anticipate that the guidance provided during this review will ensure future compliance with the campaign finance law, this matter may be closed at this time.

In accordance with the opinion of the Supervisor of Public Records, this letter is a public record. If you have any questions regarding this or any other campaign finance matter, please do not hesitate to contact this office.

Sincerely,



Michael J. Sullivan
Director

MJS/mc