



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

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November 10, 2020

Jimmy Pereira
Pereira Committee
437 North Warren Avenue
Brockton, MA 02301

Re: CPF-20-34

Dear Mr. Pereira:

This office has completed its routine analysis of the Pereira Committee's (the "Committee's") campaign finance reports for 2019 and 2020. As a result of this review, we have concluded that the Committee violated several requirements of M.G.L. c. 55, the Massachusetts campaign finance law.

1. Late disclosure of deposits

The campaign finance law requires political committees to file timely campaign finance reports that accurately reflect financial activity, and all contributions and expenditures over \$50 must be itemized in reports. See M.G.L. c. 55, §§ 18 and 19. During the course of its review, OCPF previously requested the Committee to e-file deposit reports to disclose contributor information for bank-reported deposits made between October 2019 and April 2020 totaling \$3,779.13.

After several letters and phone calls from OCPF staff, the Committee e-filed the required deposit reports. The reports, however, were filed several months after they were due:

Deposit Date	Amount	Deposit Report Due Date	Date E-Filed
10/21/2019	\$1,102.50	11/5/2019	6/26/2020
11/5/2019	\$1,100.00	11/20/2019	5/1/2020
1/7/2020	\$819.06	2/5/2020	7/21/2020
4/30/2020	\$757.57	5/5/2020	6/25/2020

2. Expenditures made for personal use

Additionally, during the review, OCPF identified several expenditures made between November 2019 and March 2020 totaling approximately \$1,200 that appeared to be primarily for the candidate's personal use. M.G.L. c. 55, § 6 permits political committees to "expend money or other things of value for the enhancement of the political future of the candidate...provided, however, that

the expenditure shall not be primarily for the candidate's or any other person's personal use." OCPF regulations specify that expenditures that are not supported by bills, receipts, or other documentation are presumed to have been for the personal use of the candidate or another person. See 970 CMR 1.10(9). You were unable to provide OCPF with sufficient documentation for the expenditures. Accordingly, the expenditures must be presumed to be for personal use.

3. Expenditures that did not comply with the residual funds clause

To resolve the issues raised by OCPF, you agreed to dissolve the Committee by making a charitable donation for approximately \$950, the amount remaining in the campaign's account as of July 31, 2020.

Upon review of the Committee's August 2020 depository bank report, however, OCPF learned that the required charitable donation was not in fact made. Instead, the Committee, without consulting OCPF, made contributions totaling \$986 to other candidates' committees. The contributions to other candidate committees did not comply with the residual funds clause.¹

The Committee's late disclosure of contributor information, its making expenditures for personal use, and its contributions to other candidates' committees in August 2020, did not comply with the campaign finance law.

To resolve the matter, the Committee has dissolved and the candidate has personally paid \$986 to the Commonwealth. We expect that this remedial action, and the guidance provided during the course of this review, will result in future compliance with the campaign finance law, if you seek elected office in the future. You should be aware, however, that further instances of noncompliance may result in referral to the Attorney General in accordance with Section 3 of the campaign finance law.

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

Sincerely,

A handwritten signature in blue ink that reads "Michael J. Sullivan/mc". The signature is written in a cursive style.

Michael J. Sullivan
Director Pro Tem

MJS/mj
cc: Julia Barbosa, Treasurer
Pereira Committee

¹ The residual funds clause states that a committee must dispose of any residual funds by donating the funds to (1) the General Fund of the Commonwealth, (2) the General Fund of any city or town, (3) a scholarship fund, or (4) a charitable or religious organization. See M-07-02.