

REPORTS ANALYSIS DIVISION REFERRAL  
TO  
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: December 30, 2015

ANALYST: Brian Jones

- I. COMMITTEE: Ohio Democratic Party  
C00016899  
Fran Alberty, Treasurer  
340 East Fulton Street  
Columbus, OH 43215
- II. RELEVANT STATUTES: 52 U.S.C. §30116(a)  
11 C.F.R. §103.3  
11 C.F.R. §110.1(c)  
11 C.F.R. §110.2(d)

III. BACKGROUND:

**Excessive and Other Impermissible Contributions/Transfers: Failure to Refund Excessive Contributions Within the Permissible Timeframe**

Ohio Democratic Party ("the Committee") received excessive contributions totaling \$51,066.56 from four (4) individuals and one (1) multicandidate political action committee. The Committee did not timely refund, reattribute, or transfer-out these excessive contributions to the Committee's non-federal account (Attachment 2).

2014 August Monthly Report

During the 2014 August Monthly reporting period, the Committee received an excessive contribution totaling \$5,000.00 from one (1) individual that was not reattributed, refunded, or transferred-out to the Committee's non-federal account within the permissible timeframe (Attachment 2).

On August 19, 2014, the Committee filed the 2014 August Monthly Report covering the period from July 1, 2014 to July 31, 2014 (Image 14950045325). This report disclosed an excessive contribution totaling \$5,000.00 from one (1) individual on Line

11(a)(i) (Itemized Contributions from Individuals/Persons Other Than Political Committees) of the Detailed Summary Page.

On September 30, 2014, the Committee filed an Amended 2014 August Monthly Report which disclosed no changes from the original report with regard to the excessive contribution (Image 14978043298).

On February 3, 2015, a Request for Additional Information (RFAI) was sent to the Committee referencing the Amended 2014 August Monthly Report, received September 30, 2014. The RFAI noted the Committee's receipt of the excessive contribution and requested that the Committee take corrective action (Image 15330073427).

On March 9, 2015, in response to the RFAI the Committee filed an Amended 2014 September Monthly Report covering the period from August 1, 2014 to August 31, 2014. The Committee attached memo text to the report that stated, in part, "The Committee is in receipt of the Commion's letter regarding the 2014 Amended August and September Monthly reports. The Committee has refunded the excessive contribution amounts to the donors listed in the letter on March 9th" (Image 15950848885). The report disclosed no changes from the original report with regard to the excessive contribution (Image 15950848880).

#### 2014 September Monthly Report

During the 2014 September Monthly reporting period, the Committee received excessive contributions totaling \$10,000.00 from two (2) individuals that were not reattributed, refunded, or transferred-out to the Committee's non-federal account within the permissible timeframe (Attachment 2).

On September 19, 2014, the Committee filed the 2014 September Monthly Report covering the period from August 1, 2014 to August 31, 2014 (Image 14970857800). This report disclosed excessive contributions totaling \$10,000.00 from two (2) individuals on Line 11(a)(i) (Itemized Contributions from Individuals/Persons Other Than Political Committees) of the Detailed Summary Page.

On February 3, 2015, an RFAI was sent to the Committee referencing the 2014 September Monthly Report. Among other items, the RFAI noted the Committee's receipt of excessive contributions and requested that the Committee take corrective action (Image 15330073437).

On March 9, 2015, the Committee filed an Amended 2014 September Monthly Report in response to the RFAI. The Committee attached memo text to the report that stated, in part, "The Committee has refunded the excessive contribution amounts to the donors listed in the letter on March 9th" (Image 15950848885). The report disclosed no changes from the original report with regard to the excessive contributions (Image 15950848880).

#### 2014 October Monthly Report

During the 2014 October Monthly reporting period, the Committee received an excessive contribution totaling \$5,000.00 from one (1) individual that was not reattributed, refunded, or transferred-out to the Committee's non-federal account within the permissible timeframe (Attachment 2).

On October 20, 2014, the Committee filed the 2014 October Monthly Report covering the period from September 1, 2014 to September 30, 2014 (Image 14951865288). This report disclosed excessive contributions totaling \$45,000.00 from two (2) individuals on Line 11(a)(i) (Itemized Contributions from Individuals/Persons Other Than Political Committees) of the Detailed Summary Page.

On February 12, 2015, an RFAI was sent to the Committee referencing the 2014 October Monthly Report. Among other items, the RFAI noted the Committee's receipt of excessive contributions and requested that the Committee take corrective action (Image 15330074506).

On March 18, 2015, the Committee filed an Amended 2014 October Monthly Report in response to the RFAI. The Committee attached memo text to the report that stated, in part, "The excessive contribution amount received from Bryan Snyder on 9/9/2014 was transferred to the NonFederal Account on 9/10/2014. The excessive contribution amounts for David Turner have been refunded." (Image 15970303545). The report disclosed a transfer-out to the Committee's non-federal account within the permissible timeframe, remedying one (1) individual contribution totaling \$40,000.00. There were no changes from the original report with regard to the remaining excessive contribution from one (1) individual totaling \$5,000.00 (Image 15970303540).

#### 2014 12 Day Pre-General Report

During the 2014 12 Day Pre-General reporting period, the Committee received excessive contributions totaling \$9,950.00 from three (3) individuals that were not reattributed, refunded, or transferred-out to the Committee's non-federal account within the permissible timeframe (Attachment 2).

On October 23, 2014, the Committee filed the 2014 12 Day Pre-General Report covering the period from October 1, 2014 to October 15, 2014 (Image 14952514108). This report disclosed excessive contributions totaling \$9,950.00 from three (3) individuals on Line 11(a)(i) (Itemized Contributions from Individuals/Persons Other Than Political Committees) of the Detailed Summary Page.

On February 12, 2015, an RFAI was sent to the Committee referencing the 2014 12 Day Pre-General Report. Among other items, the RFAI noted the Committee's receipt of excessive contributions and requested that the Committee take corrective action (Image 15330074511).

On March 18, 2015, the Committee filed an Amended 2014 12 Day Pre-General Report in response to the RFAI. The Committee attached memo text to the report that

stated, in part, "The excessive contribution amounts have been refunded to the donors" (Image 15970303774). The report disclosed no changes from the original report with regard to the excessive contributions (Image 15970303769).

#### 2014 30 Day Post-General Report

During the 2014 30 Day Post-General reporting period, the Committee received excessive contributions totaling \$21,116.56 from one (1) individual and one (1) multicandidate political action committee that were not reattributed, refunded, or transferred-out to the Committee's non-federal account within the permissible timeframe (Attachment 2).

On December 4, 2014, the Committee filed the 2014 30 Day Post-General Report covering the period from October 16, 2014 to November 24, 2014 (Image 14953159031). This report disclosed excessive contributions totaling \$21,116.56 from one (1) individual on Lines 11(a)(i) (Itemized Contributions from Individuals/Persons Other Than Political Committees) and 17 (Other Federal Receipts), and one (1) multicandidate political action committee on Line 11(c) (Contributions from Other Political Committees) of the Detailed Summary Page.

On February 25, 2015, an RFAI was sent to the Committee referencing the 2014 30 Day Post-General Report. Among other items, the RFAI noted the Committee's receipt of excessive contributions and requested that the Committee take corrective action (Image 15330077335).

On March 31, 2015, the Committee filed an Amended 30 Day Post-General Report in response to the RFAI. The Committee attached memo text to the report that stated, in part, "The excessive contribution amount for David Turner was refunded to the donor on March 9, 2015. 4. The excessive contribution amount for Emily's List was refunded to the donor on March 30, 2015" (Image 15970321252). The report disclosed no significant changes from the original report with regard to the excessive contributions (Image 15970321247).

On April 20, 2015, the Committee filed the 2015 April Monthly Report covering the period from March 1, 2015 to March 31, 2015 (Image 15951202593). The report disclosed refunds totaling \$51,066.56 to four (4) individuals and one (1) multicandidate political action committee outside of the corrective action timeframe (Attachment 2).

On July 22, 2015, the Reports Analysis Division (RAD) Analyst left voicemail messages for Mr. Chris Patton, the Committee compliance consultant. The Analyst informed Mr. Patton that the Committee may be referred for further action to the Commission for failing to timely remedy excessive contributions from four (4) individuals and one (1) multicandidate political action committee within the corrective action timeframe. The Analyst advised that the Committee may file a Miscellaneous Electronic Submission ("FEC Form 99") if there was further information regarding the Committee's failure to timely remedy excessive contributions (Attachment 3).













**OHIO DEMOCRATIC PARTY (C00016899)**

*Excessive Contributions Refunded Outside Permissible Timeframes, Listed by Contributor*

Name	Date	Amount	Report	Refunded Outside Timeframe	Refunded # Days Since Receipt
Carlisle, Janet A.	2/10/14	\$950.00	2014 April Monthly		
Carlisle, Janet A.	2/26/14	\$500.00	2014 March Monthly		
Carlisle, Janet A.	3/13/14	\$5,000.00	2014 April Monthly		
Carlisle, Janet A.	7/11/14	\$1,000.00	2014 August Monthly		
Carlisle, Janet A.	7/25/14	\$2,500.00	2014 August Monthly		
Carlisle, Janet A.	10/9/14	\$1,000.00	2014 12 Day Pre-General		
Carlisle, Janet	3/17/15	-\$950.00	2015 April Monthly	\$950.00	159
Cioffi, Michael L.	10/7/14	\$15,000.00	2014 12 Day Pre-General		
Cioffi, Michael L.	3/17/15	-\$5,000.00	2015 April Monthly	\$5,000.00	161
Emily's List	4/4/14	\$3,000.00	2014 May Monthly		
Emily's List	10/14/14	\$650.00	2014 12 Day Pre-General		
Emily's List	10/16/14	\$5,000.00	2014 30 Day Post-General		
Emily's List-NF Fund	3/30/15	-\$3,650.00	2015 April Monthly	\$3,650.00	165
Morino, Mario M.	3/24/14	\$10,000.00	2014 April Monthly		
Morino, Mario M.	8/18/14	\$5,000.00	2014 September Monthly		
Morino, Mario M.	3/9/15	-\$5,000.00	2015 April Monthly	\$5,000.00	203
Turner, David F. PH.D.	3/12/14	\$5,000.00	2014 April Monthly		
Turner, David F. PH.D.	4/10/14	\$5,000.00	2014 May Monthly		
Turner, David F. PH.D.	7/22/14	\$5,000.00	2014 August Monthly		
Turner, David F. PH.D.	8/26/14	\$5,000.00	2014 September Monthly		

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**OHIO DEMOCRATIC PARTY (C00016899)**

*Excessive Contributions Refunded Outside Permissible Timeframes, Listed by Contributor*

Turner, David F. PH.D.	9/19/14	\$5,000.00	2014 October Monthly		
Turner, David	10/1/14	\$4,000.00	2014 12 Day Pre-General		
Turner, David F. PH.D.	10/17/14	\$5,000.00	2014 30 Day Post-General		
Turner, David F. PH.D.	10/23/14	\$10,000.00	2014 30 Day Post-General		
Turner, David	10/23/14	\$2,466.56	2014 30 Day Post-General		
Turner, David F.	3/9/15	-\$36,466.56	2015 April Monthly	\$36,466.56	137-225
Total Excessive Amount Not Refunded Within Timeframe:					\$51,066.56
Total Amount Remedied Outside of the Permissible Timeframe (all reports):				\$51,066.56	
Total Amount Unremedied (all reports):				\$0.00	
Total Amount Not Remedied Within Timeframe (all reports):				\$51,066.56	