

BEFORE THE FEDERAL ELECTION COMMISSION

ILLINOIS DEMOCRATIC COUNTY
CHAIRS ASSOCIATION
P.O. Box 3445
Springfield, IL 62708-3445

v.

MUR No. 7828

WILLIE WILSON 2020 AND NICOLE JANES,
TREASURER
345 E. Wacker Drive
#4601
Chicago, IL 60601

WILLIE WILSON
345 E. Wacker Drive
#4601
Chicago, IL 60601

COMPLAINT

1. This complaint is filed pursuant to 52 U.S.C. § 30109(a)(1) and is based on information and belief that Willie Wilson and his authorized campaign committee, Willie Wilson 2020 (“Wilson 2020”), have violated a number of disclosure and reporting provisions of the Federal Election Campaign Act (“FECA”) and Federal Election Commission (“FEC”) regulations.
2. Dr. Wilson filed his Statement of Candidacy for the U.S. Senate representing the State of Illinois on August 30, 2019, designating Wilson 2020 as his principal campaign committee. For the next seven months, Dr. Wilson actively campaigned for the Senate, producing advertisements “paid for by” Wilson 2020, seeking endorsements, and issuing statements through what appears to be a paid spokesperson. Despite these clear signs of an active campaign, Wilson 2020 reported not a single disbursement during the period

from October 30, 2019 through March 31, 2020. On the next quarterly report, covering April 1, 2020 through June 30, 2020, Wilson 2020 disclosed only one disbursement (for advertising). To the extent that the campaign's expenses were paid for by Dr. Wilson in his personal capacity (or through his corporation or affiliated foundation, which would implicate the FECA's ban on corporate contributions), such payments should also have been reported as an in-kind contribution to Wilson 2020.

3. Dr. Wilson has also failed to properly disclose a series of loans that he provided to Wilson 2020. FEC regulations clearly require that all loans received by an authorized committee must be itemized and continuously reported until extinguished. 11 CFR §§ 104.3(a)(4)(iv) and (d); 104.11. This allows the public to understand not only when a committee incurs a debt, but the status of the debt over time, including how much has been paid and how much remains outstanding. Wilson 2020 reported receiving three loans from Dr. Wilson in October and November 2019, all of which come due December 31, 2020. But the Committee has failed to provide updated information about these loans in subsequent reports, leaving unclear whether the loans remain outstanding or have been paid in part or in whole.
4. In view of the foregoing, Dr. Wilson and Wilson 2020 have failed to report disbursements in violation of 52 U.S.C. § 30104(a) and 11 CFR § 104.3(b);
5. Dr. Wilson and Wilson 2020 have failed to report in-kind receipts in violation of 52 U.S.C. § 30104(a) and 11 CFR § 104.3(a); and
6. Dr. Wilson and Wilson 2020 have failed to include information about the current status on the original loan and payments to reduce principal as required by 11 CFR § 104.11.

STATEMENT OF FACTS

7. Dr. Wilson is a candidate for U.S. Senate representing the State of Illinois in the general election to be held on November 3, 2020.
8. Dr. Wilson filed a Statement of Candidacy with the FEC on August 30, 2019, in which he declared his intention to seek election to the U.S. Senate as an Independent.¹ On his Statement of Candidacy, Dr. Wilson designated Wilson 2020 as his principal campaign committee.
9. To date, Wilson 2020 has filed four reports of contributions and disbursements, covering the periods from October 1, 2019 through December 31, 2019 (“the Year-End Report”); January 1, 2020 through March 31, 2020 (“the First Quarter Report”); April 1, 2020 through June 30, 2020 (“the Second Quarter Report”); and July 1, 2020 through September 30, 2020 (“the Third Quarter Report”).
10. On the Year-End Report, Wilson 2020 reported no contributions and no disbursements.
11. On the First Quarter Report, Wilson 2020 reported \$45,000 in contributions (all from the candidate himself) and no disbursements.
12. On the Second Quarter Report, Wilson 2020 reported an additional \$15,000 in contributions (again, all provided by Dr. Wilson) and a single disbursement of \$15,002.50 paid to WFLD-TV for “advertising.”
13. During this period, however, Dr. Wilson was actively campaigning for the U.S. Senate. His campaign appears to have incurred a number of expenses through various channels, none of which correspond to any reported disbursements or in-kind contributions:
 - a. On October 2, 2019, Dr. Wilson posted a campaign advertisement to Twitter.² On the video, which presumably involved filming and production costs, Dr. Wilson

¹ This Statement was amended June 24, 2020.

² <https://twitter.com/DrWillieWilson/status/1179445357765378049>

declared “I am running for the U.S. Senate for the State of Illinois” and describes a number of his policy positions. The ad states that it has been “Paid for by Willie Wilson for Senate 2020.” The ad also directs viewers to visit williewilsonforsenate2020.com (“the Website”). Like the other Twitter posts discussed in this Complaint, the post was made through Hootsuite, a paid social media and marketing dashboard service.

- b. Given the reference to the Website in October 2019, Dr. Wilson also presumably incurred costs related to website design, hosting, and the purchase of a domain name. Based on a review using the domain registry service whois.net, the Website appears to have been registered by Network Solutions, LLC, an IT service management company, on September 3, 2019.
- c. On October 14, 2019, Dr. Wilson posted a print advertisement to Twitter.³ The print advertisement states “Paid and authorize [sic] by Willie Wilson 2020.”
- d. On December 22, 2019, Dr. Wilson posted a video to Facebook which shows him campaigning at Springfield Missionary Baptist Church in Evanston, Illinois.⁴ In the video, Dr. Wilson refers to his Senate campaign and provides a \$10,000 check to the Church.
- e. On January 29, 2020, Dr. Wilson posted a photo to Facebook depicting him campaigning before the United Hellenic Voters in Addison, Illinois.⁵
- f. On May 31, 2020, Dr. Wilson posted a video to Facebook in which he encourages viewers to sign a petition in support of his campaign for U.S. Senate.⁶

³ <https://twitter.com/DrWillieWilson/status/1183889124362739712>

⁴ https://www.facebook.com/watch/live/?v=979606805744314&ref=watch_permalink

⁵ <https://www.facebook.com/DrWillieWilson/photos/2680892015364995>

⁶ <https://www.facebook.com/DrWillieWilson/posts/2966386493482211>

- g. On June 8, 2020, Dr. Wilson posted an graphic, which appears to have been professionally produced, and which promotes Dr. Wilson's campaign for U.S. Senate.⁷ The post notes that Dr. Wilson is "running as an independent for the Office of U.S. Senate," and asks viewers to "click the link below to sign my petition online."
- h. On June 17, 2020, Dr. Wilson issued a press release through Spokesperson Scott Winslow, who is listed as a "contact" on the release.⁸ On information and belief, Mr. Winslow is a professional media consultant with significant campaign experience who operates through PNYX Consultants, a professional consulting firm. On his website, Mr. Winslow notes (alongside a number of other political representations) that he is "Spokesman for a 2020 U.S. Senate Candidate."
- i. On June 24, 2020, Dr. Wilson posted a campaign advertisement to Twitter.⁹ The ad describes Dr. Wilson's campaign positions, and the candidate exhorts viewers to "vote for me, and send me to Washington, D.C." The ad states that it was "Paid for by Willie Wilson for Senate 2020."
- j. On June 24, 2020, Dr. Wilson posted a different campaign advertisement to Facebook, which focused on health care policy, in which Dr. Wilson again stated "vote for me, and send me to Washington."¹⁰ The ad states that it was "Paid for by Willie Wilson for Senate 2020."

14. On the Year-End Report, Wilson 2020 disclosed the receipt of three loans from Dr. Wilson: (i) \$10,000 incurred on October 18, 2019; (ii) \$5,000 incurred on November 18,

⁷ <https://www.facebook.com/DrWillieWilson/photos/a.627254767395407/2989961754458018/>

⁸ <https://www.facebook.com/DrWillieWilson/photos/a.627254767395407/3017200315067495/>

⁹ <https://twitter.com/DrWillieWilson/status/1275874975044550659>

¹⁰ <https://www.facebook.com/watch/?v=906304743219118>

2020; and (iii) \$1,000 incurred on November 25, 2019. All three loans were reported as having an interest rate of 0.0% and a due date of December 31, 2020.

15. Wilson 2020 failed to disclose any information about the three loans—including the amount outstanding and whether any amounts had been paid—in the First Quarter Report, Second Quarter Report, and Third Quarter Report.

STATEMENT OF LAW

16. Federal law requires authorized committees, such as Wilson 2020, to disclose on periodic campaign finance reports submitted to the FEC “the total amount of all disbursements, and all disbursements” that fall within a set of enumerated categories, including “expenditures made to meet candidate or committee operating expenses.” 52 U.S.C. § 30104.

17. From October 2, 2019 through June 24, 2020, Dr. Wilson appears to have incurred a broad range of campaign expenses, none of which were disclosed on campaign reports submitted by Wilson 2020.

18. FEC regulations require that “[d]ebts and obligations owed by or to a political committee which remain outstanding shall be continuously reported until extinguished.” 11 CFR § 104.11. The regulations provide that debts must be reported on a separate schedule on each report for which they remain outstanding. When a debt is paid, forgiven, or extinguished, such details must also be reported. *Id.*

19. Wilson 2020 disclosed incurring three loans from Dr. Wilson on the Year-End Report.

On three subsequent quarterly reports—covering a period of nine months—Wilson 2020 has completely failed to abide by its obligation to continuously report such debts until extinguished.

CONCLUSION

20. In view of the foregoing, there is clear reason to believe that Dr. Wilson and Wilson 2020 violated 52 U.S.C. § 30101 *et seq.*, and applicable FEC regulations. The FEC should conduct an immediate investigation under 52 U.S.C. § 30109(a)(2).

21. The FEC should seek appropriate sanctions for any and all violations, including civil penalties sufficient to deter future violations and an injunction prohibiting the respondents from any and all violations in the future, and should seek such additional remedies as are necessary and appropriate to ensure compliance with the FECA.

Sincerely,

Kristina Zahorik
 Kristina Zahorik
 President
 Illinois Democratic County Chairs Association

P.O. Box 3445, Springfield, IL 62708-3445
 217-753-3380 info@ildcca.org

SUBSCRIBED AND SWORN TO before me this 22 day of October, 2020.

Ruth R. Scifo
 Notary Public

My Commission Expires:

June 28, 2022

