

**State of Minnesota
Campaign Finance and Public Disclosure Board**

Findings, Conclusions, and Order in the Matter of the Investigation of the Duluth DFL and Tamara Jones, former treasurer

Background

The Duluth DFL is a political party unit registered with the Campaign Finance and Public Disclosure Board. Tamara Jones was the Duluth DFL's treasurer from June 2014 through June 2017. In 2015, Ms. Jones did not respond for several months to requests from the Board to amend the party unit's 2014 year-end report of receipts and expenditures to include a contribution from a Minnesota political fund. Ms. Jones also filed the party unit's 2015 year-end report approximately three weeks after the due date. The party unit chair, Kelli Latuska, was copied on many of the notices sent to Ms. Jones about the incorrect and late reports.

In 2016, Ms. Jones filed pre-primary and pre-general reports of receipts and expenditures for the party unit. On those reports, Ms. Jones certified that the party unit had not had any financial activity during the reporting periods and that there had been no change in the party unit's bank balance. The party unit's 2016 year-end report was due on January 31, 2017. Ms. Jones did not timely file this report. Despite several notices and messages to Ms. Jones and Ms. Latuska, the party unit did not file its 2016 year-end report or contact the Board to explain why the report could not be filed. By September 2017, the 2016 year-end report had accrued the maximum \$1,000 late filing fee and the maximum \$1,000 civil penalty. At its January 9, 2018, meeting, the Board referred the matter to the Minnesota Attorney General's Office for litigation to obtain the missing report and the amounts owed.

In March 2018, staff sent the attorney general's office the record necessary to start the litigation. By this time, the Duluth DFL also had incurred an additional \$1,000 in late filing fees because it had not timely filed its 2017 year-end report. Despite several notices and messages to the new treasurer, Ms. Latuska, and the new chair, Katie Humphrey, the Duluth DFL did not file the 2017 report or contact the Board at that time to explain why the report could not be filed.

On August 10, 2018, a summons and complaint were served on the Duluth DFL. The party unit then retained David Zoll as legal counsel in this matter. In September 2018, Mr. Zoll asked for additional time for the Duluth DFL to review its records and prepare the missing reports. An extension was granted and the litigation was placed on hold.

In February 2019, the Duluth DFL provided draft reports and supporting bank statements for the years 2013 through 2017. The bank records showed that the reports filed with the Board in 2014, 2015, and 2016 were inaccurate and needed to be amended. The table below shows the discrepancies between the reports filed with the Board and the party unit's actual transactions as verified on bank statements. A number in parentheses means that the report showed that amount less than the actual transactions on the bank records; a number without parentheses means that the report showed that amount more than the bank records.

Table 1

Year	Beg. Balance Discrepancy	Receipt Discrepancy	Expenditure Discrepancy	End. Balance Discrepancy
2014	242.27	(2,780.00)	(1,648.93)	(888.80)
2015	(1,138.80)	(3,958.00)	(12,842.57)	6,862.05
2016 (pre-general report)*	6,862.05	(2,000.00)	(735.00)	5,597.05

. *No year-end report was filed for 2016.

To prepare the draft reports, the Duluth DFL obtained statements and cancelled checks from its bank. The party unit was unable to obtain deposit details from the bank. The Duluth DFL also talked with party members who had been involved with its financial transactions to see if they recalled the reason for some transactions. Initially there were a few expenditures in 2014, 2015, and 2016 for which the Duluth DFL could find no explanation. The party unit eventually located meeting minutes and emails that explained all but two of its expenditures. The first transaction that could not be explained was a check written to Tamara Jones for \$100 on July 31, 2015. The check appeared to have been signed by chair Kelli Latuska and the memo line said “Spirit Valley Days Reg.” Another check, however, had been made out to “Spirit Valley Days” for \$95 on June 16, 2015, and had been cashed on July 6, 2015. In addition, the Duluth DFL stated that the signature on the \$100 check was not Ms. Latuska’s signature. The second unexplained expenditure was a cash withdrawal of \$2,600 on November 3, 2015. The withdrawal slip had been signed by Ms. Jones. The party unit asked for additional time to look into the two expenses and to then internally discuss options for going forward.

Board Investigation

In June 2019, the Duluth DFL notified the Board that the party unit would not be pursuing any remedies on its own. The executive director then prepared a submission document asking the Board to open a formal investigation into the Duluth DFL and Tamara Jones as its former treasurer. The submission was scheduled for the August 2019 Board meeting and notice was sent to the Duluth DFL and Ms. Jones. After receiving the notice, Ms. Jones asked for a continuance because she was out of town. The matter then was scheduled for the September meeting. On September 4, 2019, the Board considered the submission and opened an investigation into the Duluth DFL and Ms. Jones. The order authorizing the investigation stated that the potential violations in the matter included conversion of party unit funds to personal use, inadequate recordkeeping to verify campaign finance reports, failure to keep an account of contributions and expenditures for the party unit, false certification of campaign finance reports, and being a party unit associated with someone who failed to keep records or falsely certified a report.

After the investigation was authorized, Board staff asked the Duluth DFL to submit additional documentation, including meeting minutes, party unit financial policies, and written communications involving Ms. Jones. The Duluth DFL provided these documents in October 2019 and March 2020. Board staff also asked Ms. Jones to submit copies of her personal bank records and any communications with the Duluth DFL. On November 4, 2019, Ms. Jones voluntarily signed a release allowing the Board to obtain copies of her personal bank records.

The \$100 check from the Duluth DFL reimbursing Ms. Jones for the “Spirit Valley Days Reg” was dated July 31, 2015. Ms. Jones’s personal bank records showed that she deposited \$100 into her account on August 3, 2015. Before Ms. Jones made this deposit, the balance in her personal account was \$1.96.

Ms. Jones’s bank statements did not show any unexplained cash deposits in November of 2015 when the \$2,600 had been withdrawn from the party unit account. The records showed, however, that Ms. Jones withdrew significantly less cash from her account in November 2015 than she had in the two months before, and the two months after, November 2015. The records also showed that the withdrawals from the account each month typically were close to or greater than the deposits into the account each month and that the ending account balances typically were less than \$300. The table below shows the monthly cash withdrawals from Ms. Jones’s account, and the monthly ending balances, for September 2015 through January 2016.

Table 2

	Sept 2015	Oct 2015	Nov 2015	Dec 2015	Jan 2016
Cash withdrawals	1,219.49	1,107.00	101.00	1,236.00	869.25
Ending balance	181.74	250.57	15.14	74.52	368.00

On May 29, 2020, Board staff took a statement under oath from Kelli Latuska. Ms. Latuska stated that she was the party unit chair when Ms. Jones was treasurer and that Ms. Latuska took over as treasurer in June 2017 when Ms. Jones left that position. Ms. Latuska confirmed that it was not her signature on the July 31, 2015, check made out to Ms. Jones with “Spirit Valley Days Reg” in the memo line. With respect to the \$2,600 cash withdrawal, Ms. Latuska said that November 3, 2015, was a city election day in Duluth and that the Duluth DFL had been involved in a coordinated campaign effort for that election. This effort had included the use of paid door-to-door canvassers on election day. Ms. Latuska did not believe, however, that the canvasser expense would have been as high as \$2,600. Ms. Latuska did not know of any other party unit expenditures that could have been made with the \$2,600.

Ms. Latuska said that most contributions to the party unit typically were less than the \$200 itemization threshold. She also stated that the party unit’s financial policies required all spending to be pre-approved by the executive committee either at a meeting or through email. Although a treasurer’s report usually was listed on the executive committee’s meeting agenda, the committee often did not discuss that item. Ms. Latuska said that although the chair had signing authority for party unit checks, Ms. Jones had possession of the party unit’s only checkbook. Ms. Latuska stated that there were times when she was frustrated because Ms. Jones would say that that a financial matter had been taken care of when it actually had not. Ms. Latuska said that she wished she had looked at the party unit’s financial records directly during the years when Ms. Jones was treasurer.

Ms. Latuska explained that she had not responded to the Board’s inquiries about the 2016 year-end report when she was chair because Ms. Jones repeatedly had assured her that the report would be filed. Ms. Latuska stated that when she took over as treasurer, she discovered that the balance in the bank account was thousands of dollars off from the balance on the most

recently filed report. Ms. Latuska said that she did not have the records necessary to reconcile that discrepancy or to file accurate reports. She and other party unit officers tried to get information from Ms. Jones, but Ms. Jones was not very cooperative. Ms. Latuska said that the executive committee discussed the party unit's reporting issues at only a couple of meetings after June 2017 because Ms. Jones continued to attend meetings and it was embarrassing and awkward to bring the issue up when Ms. Jones was there. Ms. Latuska said that when Board staff contacted her as treasurer to ask about the missing reports, she tried to convey the reporting issues that she was facing. She did not file any reports, however, due to those issues and because she also was experiencing some personal and family health problems at that time. After receiving notice of the litigation, the Duluth DFL contacted the state party chair who put them in touch with Mr. Zoll.

Ms. Latuska said that after having to contact the bank to recreate the party unit's financial records and being unable to get deposit details, she instituted new systems to collect and document contributor information going forward. Ms. Latuska also instituted procedures to ensure that more information about expenditures was collected directly on the check register. She set up electronic storage systems as well so that records could be shared and transferred more easily. In addition, Ms. Latuska began preparing and sharing a treasurer's report before each meeting. After Ms. Latuska's statement, at the direction of Board staff, the Duluth DFL filed its 2017 and 2018 reports using corrected balances that match bank records.

Board staff took a statement under oath from Ms. Jones on June 4, 2020. Ms. Jones confirmed that as treasurer, she had possession of the party unit's only checkbook although she and Ms. Latuska both had signing authority. Ms. Jones denied that she had signed Ms. Latuska's name on the July 31, 2015, check but could not explain who else would have had the opportunity to do so. Ms. Jones also could not recall what she had paid to Spirit Valley Days that required reimbursement from the party unit.

Ms. Jones stated that she withdrew \$2,600 on November 3, 2015, to pay the door-to-door canvassers hired by the coordinated campaign. Ms. Jones believed that 20 to 26 canvassers had been involved and that they each had been paid \$100 in cash. She said that she had paid them immediately after they had returned to the coordinated campaign headquarters on election night. Ms. Jones could not provide any other explanation for how the \$2,600 could have been used for party unit purposes.

At her statement, Ms. Jones confirmed that she alone had prepared the Duluth DFL's reports of receipts and expenditures for 2014 through 2016 and that the 2015 report had been filed late. Ms. Jones stated that she had used the bank statements and the check register to prepare these reports. In response to questions about the report discrepancies, Ms. Jones said that she did not think that she would have left thousands of dollars of transactions off the reports but she could not explain the discrepancies in reported receipts, expenditures, or balances for any year that she filed a report. Ms. Jones said that no one from the party unit had reviewed the reports before she had filed them.

Ms. Jones said that she had not filed the 2016 year-end report because she had many things going on that made this one of the worst times in her life. Ms. Jones said that she is the single parent of four children and that she often was busy obtaining needed services for two of her children who have special needs. She also was working full-time and her work situation was stressful due to a new president at her place of employment and then a job change. Ms. Jones acknowledged that she should have asked for help with the reports but that she didn't do so because she thought that she could handle it. Ms. Jones said that after her term as treasurer was over, she turned over all the records that she had to Ms. Latuska.

Based on information obtained from the statements of Ms. Latuska and Ms. Jones, Board staff contacted the organizer of the 2015 coordinated campaign, Zach Sias. Mr. Sias provided a copy of an email showing that the Duluth DFL executive committee had approved spending up to \$1,500 on the coordinated campaign. Mr. Sias also had payroll records showing that 14 people had canvassed for the coordinated campaign on November 3, 2015. Each canvasser had been paid \$15 per hour and the total amount spent by the Duluth DFL for the canvassers was \$1,365. Although Mr. Sias believed that the canvassers had been paid by check by the Duluth DFL, no checks were written on the party unit account to individual canvassers. The only transaction from the party unit account around November 3rd that could not be accounted for was the \$2,600 cash withdrawal by Ms. Jones.

Analysis

Conversion to personal use

Minnesota Statutes section 211B.12 provides that money collected by political party units may not be converted to personal use. Any funds converted to personal use must be repaid to the party unit. In addition, the Board may impose a civil penalty of up to \$3,000 on the person responsible for the conversion to personal use. Minn. Stat. § 10A.34, subd. 4.

In this matter, Ms. Jones admitted that on November 3, 2015, she withdrew \$2,600 from the Duluth DFL's account. Ms. Jones stated that she withdrew this money to pay the door-to-door canvassers hired for the 2015 coordinated campaign. Records from the coordinated campaign and the party unit bank statements support the conclusion that Ms. Jones used \$1,365 of the \$2,600 withdrawn from the party unit account to pay these canvassers. The record does not show any other party unit expenses that could have been paid with the remaining \$1,235 that Ms. Jones withdrew, and Ms. Jones did not provide any other explanation for how this money was used for party unit purposes. In addition, Ms. Jones's personal bank records show that in November 2015, she withdrew only \$101 in cash for the month although she withdrew amounts ranging from \$869.25 to \$1,236 in the months before and after November 2015. The personal bank records also show that Ms. Jones had low ending balances in her account each month and that the deposits into her account typically were just equal to, or even less than, her withdrawals for a month. Based on the lack of any evidence showing that the \$1,235 was spent on party unit expenses, the lower than usual cash withdrawals from Ms. Jones's personal account for the month of November 2015, and the pattern of financial activity in her account around the time of the November withdrawal, the record here supports the conclusion that Ms. Jones converted \$1,235 of party unit funds to personal use.

In addition, the Duluth DFL's records show that it already had paid Spirit Valley Days directly when the \$100 check was written to Ms. Jones on July 31, 2015. Ms. Jones could not identify any other Spirit Valley Days expenses for which the party unit needed to reimburse her. Ms. Latuska denies that the signature on this check was hers and, in any event, Ms. Jones and Ms. Latuska both testified that only Ms. Jones had access to the party unit checkbook at that time. Finally, Ms. Jones's personal bank records show a deposit of \$100 on August 3, 2015, and a balance of \$101.96 after that deposit. Given these facts, the record here supports the conclusion that Ms. Jones also converted the \$100 to personal use.¹

When deciding whether to impose a civil penalty, and the amount of that penalty, the Board considers several factors.² Here, there were two incidents of conversion to personal use and they were not inadvertent. The total amount converted was significant and benefitted Ms. Jones economically. Based on these factors, the Board will impose a civil penalty of \$2,000 on Ms. Jones. Ms. Jones also must repay \$1,335 to the Duluth DFL.

Recordkeeping and reporting

To help ensure that the public knows where money collected for political purposes has come from and how that money has been spent, party units must disclose all of their financial transactions on reports that are filed with the Board. Minn. Stat. § 10A.20, subd. 3. Chapter 10A also requires party units to obtain and maintain internal records of their financial transactions. Minnesota Statutes section 10A.13 requires party units to obtain the name and address of each source of a contribution over \$20 and a receipted bill for any expenditure over \$100. In addition, Minnesota Statutes section 10A.025, subdivision 3, specifically provides as follows:

A person required to file a report or statement or who has accepted record-keeping responsibility for the filer must maintain records on the matters required to be reported, including vouchers, canceled checks, bills, invoices, worksheets, and receipts, that will provide in sufficient detail the necessary information from which the filed reports and statements may be verified, explained, clarified, and checked for accuracy and completeness. The person must keep the records available for audit, inspection, or examination by the board or its authorized representatives for four years from the date of filing of the reports or statements or of changes or corrections to them.

¹ Ms. Jones's bank records show that on February 3, 2016, she deposited a check for \$9,391.05 drawn on a bank affiliated with tax preparer H&R Block. On February 5, 2016, Ms. Jones withdrew \$2,000 in cash from her account. On February 25, 2016, \$2,000 was deposited into the Duluth DFL account. No entity registered with the Board reported making any contributions to the Duluth DFL in 2016. In addition, the party unit held no fundraisers, events, or meetings at that time and Ms. Latuska did not know from where the \$2,000 could have come. At her statement, however, Ms. Jones specifically denied that she had taken \$2,000 from her own account and deposited it into the party unit account. Given the nearly three-week time lapse between the withdrawal from Ms. Jones's account and the deposit into the party unit account and Ms. Jones's specific denial that the \$2,000 came from her, the Board cannot conclude that the \$2,000 deposited into the Duluth DFL account in February 2016 was an attempt by Ms. Jones to return the funds to the party unit.

² Minnesota Statutes section 14.045, subdivision 3, lists factors that agencies should consider when setting the amount of a fine including the gravity, willfulness, and number of violations; the offender's past violations and economic benefit; and any other factor that justice requires.

When a report filed with the Board does not accurately disclose all of a party unit's transactions, the party unit must promptly amend that report. Minn. Stat. § 10A.025, subd. 4. In addition, the Board may impose a civil penalty of up to \$3,000 on a person who knowingly fails to keep the required records as well as an additional civil penalty of up to \$3,000 on the party unit affiliated with that person. Minn. Stat. § 10A.025, subd. 3 (b).

In this case, although Ms. Latuska stated that contributions to the Duluth DFL typically were too small to be itemized on a report, the party unit does not have the names and addresses of each source of a contribution over \$20 for the years when Ms. Jones served as treasurer. Nor does the party unit have receipted bills for all of its expenditures over \$100 during that time. In addition, Ms. Latuska testified that although she and other party officials asked Ms. Jones for information, Ms. Jones never gave them any records. Finally, to prepare its draft reports, the Duluth DFL had to contact its bank to obtain information about its financial transactions during the years when Ms. Jones was treasurer. This evidence establishes that Ms. Jones failed to collect and maintain all required records for the party unit when she was treasurer.

The record also shows, however, that Ms. Jones had many things going on during her tenure as treasurer that made this period one of the worst times in her life. Ms. Jones is the single parent of four children. Two of her children have special needs and she was busy obtaining needed services for them while she was treasurer. She also was working full-time in a stressful setting and she then changed jobs. Because these life events made it difficult for Ms. Jones to direct her full attention to party unit matters, the Board will not impose a civil penalty for the recordkeeping violations against Ms. Jones.

The Board also declines to impose a civil penalty against the Duluth DFL for being affiliated with a person who failed to keep required records. As Ms. Latuska recognized with hind-sight, if the party unit had adopted policies requiring the chair to review the year-end bank statements or reports, the recordkeeping issues in this case could have been caught as early as January 2015 when Ms. Jones was preparing the 2014 year-end report. Requiring automatic review by the chair also avoids any awkwardness or embarrassment that may ensue when a volunteer treasurer is unable for any reason to keep required records or prepare accurate reports.

The Duluth DFL, however, worked to obtain bank statements, cancelled checks, minutes, and emails for the years 2013 through 2018. The party unit was able to use those records to prepare draft reports that, with two exceptions, accurately disclose its financial transactions for the years at issue. The two missing transactions involved conversion to personal use for which there would have been no records. In addition, when Ms. Latuska became treasurer, she instituted new procedures to ensure that the Duluth DFL collects all required deposit and expense information in the future. She also created an electronic storage system that allows party unit records to be retained indefinitely and easily accessed by other party unit officers, including new treasurers. Given these remedial measures, the Board will not impose a civil penalty again the Duluth DFL for the recordkeeping violation.

False certification

Campaign finance reports must be signed and certified to be true by the party unit treasurer. Minn. Stat. § 10A.025, subd. 2 (a). The Board may impose a civil penalty of up to \$3,000 against a person who signs and certifies a campaign finance report knowing that it contains false information or omits required information. Minn. Stat. § 10A.025, subd. 2 (d). The Board also may impose a civil penalty of up to \$3,000 on a party unit affiliated with a person who signs and certifies to be true a report knowing that it contains false information or knowing that it omits required information. Minn. Stat. § 10A.025, subd. 2 (e).

The record here supports the conclusion that Ms. Jones signed the 2014 and 2015 year-end reports and the 2016 pre-primary and pre-general reports knowing that they were false or omitted required information. Although the record shows that Ms. Jones did not have details for all unitemized contributions or a receipted bill for every expense over \$100, she stated that she used the banks statements and the check register to prepare the reports. However, as discussed in the Background section, Table 1 shows that the balance, deposit, and payment amounts on the bank statements do not match those amounts on the party unit's reports of receipts and expenditures.

Table 1

Year	Beg. Balance Discrepancy	Receipt Discrepancy	Expenditure Discrepancy	End. Balance Discrepancy
2014	242.27	(2,780.00)	(1,648.93)	(888.80)
2015	(1,138.80)	(3,958.00)	(12,842.57)	6,862.05
2016 (pre-general report)*	6,862.05	(2,000.00)	(735.00)	5,597.05

*No year-end report was filed in 2016.

The discrepancies between the bank statements and the reports are not small amounts that could be attributed to inadvertent error. Instead, nearly all of the discrepancies are in the thousands of dollars. Most egregiously, Ms. Jones omitted nearly \$17,000 in transactions from the party unit report in 2015. The total amount of these omitted transactions is greater than the total amount of transactions disclosed on the 2015 report.

In addition, in 2016, Ms. Jones filed pre-primary and pre-general reports stating that the party unit had not had any financial activity when it actually had had nearly \$3,000 in transactions. In short, the balance, receipt, and expenditure discrepancies for each year are so large that even a cursory comparison of the bank statement to the report would have alerted a treasurer that the report was wrong. The only conclusion that can be reached from these facts is that Ms. Jones knew that every report was inaccurate but she signed and submitted those reports anyway in order to meet the filing deadlines or to stop a late fee from accruing.

As discussed above, the Board recognizes that volunteer treasurers may not be able to adequately carry out all of their recordkeeping responsibilities at all times. But even if some required recordkeeping has not occurred, a treasurer cannot file a report that she knows is wrong simply to meet a filing deadline or to stop a late fee from accruing. Instead, a treasurer must immediately seek help from other party unit officials or the Board to ensure that all filed reports are accurate. Because Ms. Jones recognized that she needed help with the reports but

failed to seek that help, the Board will impose the following civil penalties against her for false certification of reports: 1) \$250 for the 2014 year-end report, 2) \$250 for the 2015 year-end report, and 3) \$250, in total, for the 2016 pre-primary and pre-general reports.

The Duluth DFL also must bear some responsibility for the falsely certified reports. As discussed above, during Ms. Jones's tenure as treasurer, the party unit did not have recordkeeping procedures in place that would have required her to obtain the records necessary to prepare accurate reports. More importantly, the party unit did not regularly discuss or review a treasurer's report or other information about its financial status at its meetings. This lack of oversight allowed Ms. Jones to continue to file reports with the Board that were extremely inaccurate. In addition, although there were clear indications that Ms. Jones was not taking care of routine financial matters and had filed inaccurate and late reports, no one from the party unit investigated and Ms. Jones was allowed to continue serving as treasurer for three years. Finally, the party unit recognized in 2017 that it needed help with the inaccurate reports but it failed to seek that help until the Board started litigation in August of 2018. For these reasons, the Board will impose a civil penalty of \$1,500 against the Duluth DFL for being affiliated with a person who falsely certified a campaign finance report.

Based on the above analysis, the Board makes the following:

Findings of fact

1. Tamara Jones withdrew \$2,600 in cash from the Duluth DFL bank account on November 3, 2015. She used \$1,365 of these funds to pay canvassers who had worked for the Duluth DFL and other members of a coordinated campaign on election day in Duluth in 2015. The record does not show any other party unit purpose for which the remaining \$1,235 could have been used.
2. Ms. Jones withdrew less cash from her personal account in November 2015 than she had in the previous and subsequent months. Ms. Jones also had low balances in her personal account in November 2015 and the surrounding months and her deposits into her account in those months were just sufficient to cover the withdrawals and payments from the account.
3. The check written on July 31, 2015, from the Duluth DFL to Ms. Jones with "Spirit Valley Days Reg" in the memo line was not for a party unit purpose because the registration fee for this event already had been paid directly to the event and Ms. Jones could not name any other expense for which the party unit needed to reimburse her. Ms. Jones deposited the \$100 check into her account on August 3, 2015. Before the \$100 deposit, the balance in Ms. Jones's account was \$1.96.
4. When serving as the Duluth DFL's treasurer, Ms. Jones did not obtain the name and address of every contributor of more than \$20 nor obtain a receipted bill for every expense over \$100. She also did not transfer party unit bank records to the new treasurer.

5. Ms. Jones had family responsibilities and work issues during her tenure as treasurer that prevented her from directing her full attention to party unit matters.
6. The Duluth DFL did not have recordkeeping procedures in place while Ms. Jones was treasurer. The party unit, however, has since instituted procedures to ensure that all required information is collected about contributors and expenses. The party unit also has created an electronic storage system for its records that can be accessed by party unit officers.
7. Although Ms. Jones did not have all of the records required by Chapter 10A, she used the party unit's bank statements and check register to prepare year-end reports of receipts and expenditures for 2014 and 2015 and pre-primary and pre-general reports for 2016. There are very large discrepancies between the balances, receipts, and expenditures in the party unit's bank account and the balances, receipts, and expenditures on the party unit's reports filed by Ms. Jones. None of the reports filed by Ms. Jones accurately reflect the party unit's financial transactions in the reporting period.
8. Ms. Jones signed and certified to be true the 2014 and 2015 year-end reports and the 2016 pre-primary and pre-general reports knowing that they were false and omitted required information.
9. The Duluth DFL's lack of recordkeeping procedures and financial oversight allowed Ms. Jones to continue to file inaccurate reports with the Board. When the Duluth DFL realized that the reports filed by Ms. Jones were inaccurate, it did not act to address the situation until the Board started litigation to obtain the missing reports.

Based on the analysis and the findings of fact, the Board makes the following:

Conclusions of law

1. Tamara Jones violated Minnesota Statutes section 211B.12 by converting \$1,335 in party unit funds to personal use.
2. Tamara Jones violated Minnesota Statutes sections 10A.025, subdivision 3, and 10A.13, in 2014, 2015, and 2016 by not keeping all required records of the party unit's transactions.
3. Tamara Jones violated Minnesota Statutes section 10A.025, subdivision 2, by signing and certifying to be true the party unit's 2014 and 2015 year-end reports and 2016 pre-primary and pre-general reports knowing that they were false and omitted required information.

Based on the analysis, findings of fact, and conclusions of law, the Board issues the following:

Order

1. Tamara Jones must repay the Duluth DFL \$1,335 for the party unit funds that were converted to personal use.
2. The Board imposes a civil penalty of \$2,000 against Ms. Jones for the conversion to personal use violation.
3. The Board declines to impose a civil penalty against Ms. Jones for inadequate recordkeeping.
4. The Board declines to impose a civil penalty against the Duluth DFL for being associated with someone who kept inadequate records.
5. The Board imposes a civil penalty of \$750 against Tamara Jones for false certification of the 2014 and 2015 year-end reports and the 2016 pre-primary and pre-general reports.
6. The Board imposes a civil penalty of \$1,500 against the Duluth DFL for being affiliated with a person who falsely certified a campaign finance report.
7. The executive director is authorized to enter into an agreement with Tamara Jones that provides for repayment of the \$1,335 to the Duluth DFL and for payment of the \$2,750 in civil penalties to the State of Minnesota over the four years following the date of this order. Payments must be made according to the terms of the payment agreement.
8. The Duluth DFL must file amended 2014 and 2015 year-end reports and original 2016 and 2019 year-end reports by August 31, 2020. The executive director is authorized to work with the Duluth DFL to ensure that all transactions are reported accurately based on the information discovered during the investigation.
9. If Tamara Jones or the Duluth DFL do not comply with the provisions of this order, the Board's executive director may request that the attorney general bring an action on behalf of the Board for the remedies available under Minnesota Statutes section 10A.34.
10. The Board investigation of this matter is concluded and hereby made a part of the public records of the Board pursuant to Minnesota Statutes section 10A.022, subdivision 5.



Gary Haugen, Chair
Campaign Finance and Public Disclosure Board

Date: August 14, 2020