

STATE OF RHODE ISLAND BOARD OF ELECTIONS

CAMPAIGN FINANCE AUDIT

NICOLE LEBOEUF

CAMPAIGN FINANCE AUDIT



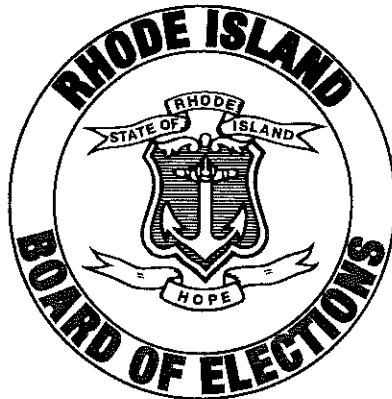
Audit Conducted By: Richard E. Thornton, Director of Campaign Finance

**STATE OF RHODE ISLAND
BOARD OF ELECTIONS**

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Nicole LeBoeuf

TABLE OF CONTENTS

Introduction	4
Scope	5
Methodology	5
History	5
Findings.....	5
Summary	6
Auditee Response	7
Action.....	7

Nicole LeBoeuf

INTRODUCTION

Audit Authority

Pursuant to Rhode Island General Law §17-25-5(a)(8), the Board of Elections is authorized to perform any duties that are necessary to implement the provisions of Chapter 25 of Title 17. Without limiting the generality of this provision, the Board is authorized and empowered to: Conduct compliance reviews and audits of campaign accounts as necessary, and in a manner consistent with the provisions of Chapter 25, Title 17.

Audit Purpose

Campaign Finance audits assist the Board of Elections with enforcement of campaign finance laws, provides a tool to evaluate the effectiveness of those laws and the campaign finance reporting process, verifies the accuracy and propriety of campaign finance receipts and validity and legality of campaign finance expenses and helps provide timely and accurate information to the public.

Campaign Finance audits assist and encourage candidate compliance with campaign finance reporting laws and promotes candidate accountability and integrity.

Nicole LeBoeuf

Scope: Review campaign finance reports and supporting documentation for the period June 1, 2022 through March 31, 2023.

Methodology: Review Contributions:

- Compare contributions received to bank statement deposits
- Compare contributions received to contributions reported on campaign finance reports
- Verify there are no prohibited contributions
- Verify contributions do not exceed aggregate annual limit

Review Expenditures:

- Compare expenditures made to bank statement checks/debits
- Compare expenditures made to expenditures reported on campaign finance reports
- Verify there are no prohibited uses of campaign funds
- Verify campaign expenditures are valid and legal

History: Nicole LeBoeuf (“LeBoeuf”), a Democrat, ran unsuccessfully for Pawtucket City Council- At-Large in 2022.

In May 2023, the Board initiated an audit of LeBoeuf’s campaign finances pursuant to R.I.G.L. §17-25-5(a), due to her failure to file five (5) campaign finance reports, pursuant to R.I.G.L. §17-25-11, and her failure to submit a copy of her December 2022 campaign bank account statement pursuant to R.I.G.L. §17-25-11(c)(2).

On May 30, 2023, the Board received via subpoena served upon the bank of LeBoeuf’s campaign account, campaign depository account bank statements, bank deposits, and checks/money orders deposited into and checks written from the account, for the period June 1, 2022 through March 31, 2023.

On June 1, 2023, the Board received voluntarily from LeBoeuf, ActBlue statements for July 2022 through October 2022.

Nicole LeBoeuf

Findings: The following are Findings of campaign finance violations discovered during the Audit Review of campaign finances, campaign bank account and supporting documentation for LeBoeuf:

Contributions:

Total contributions received during 2022: \$2,598.79

- Contributions (41) not reported: \$2,598.79

Expenditures:

Total expenditures made or incurred during 2022: \$1,370.81

- Expenditures (27) paid not reported: \$370.81
- Expenditure (1) incurred (Accounts Payable) not reported: \$1,000.00

Other:

Campaign Finance reports that were not filed:

- 2022 28 Days Before Primary
- 2022 7 Days Before Primary
- 2022 28 Days After Primary
- 2022 On-Going Qrtly (4th)
- 2023 On-Going Qrtly (1st)

Summary: The Audit Review of LeBoeuf's campaign finances, campaign bank account and supporting documentation for the period June 1, 2022 through March 31, 2023 demonstrates:

- Contributions totaling \$2,598.79 were disclosed on campaign bank account statements or ActBlue statements, but not disclosed on campaign finance reports, in violation of R.I.G.L. § § 17-25-7 and 17-25-11;
- Expenditures totaling \$370.81 were disclosed on campaign bank account statements or ActBlue statements, but not disclosed on campaign finance reports, in violation of R.I.G.L. § § 17-25-7 and 17-25-11;
- Expenditure totaling \$1,000.00 was incurred (Accounts Payable), but not disclosed on campaign finance reports, in violation of R.I.G.L. § § 17-25-7 and 17-25-11; and
- Five (5) campaign finance reports were not filed, in violation of R.I.G.L. § 17-25-11;

Nicole LeBoeuf

Auditee Response: The campaign was stopped due to personal health issues.

Action: Consent Order (follows)

State of Rhode Island
Board of Elections

CONSENT ORDER

In Re: Nicole LeBoeuf

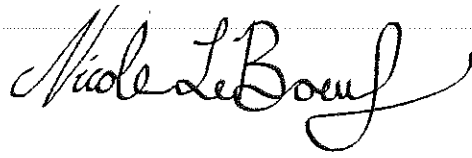
Nicole LeBoeuf ("LeBoeuf") hereby agrees to the entry of this Order and to each term and condition set forth herein:

1. At all times relevant hereto, LeBoeuf has been subject to the reporting requirements set forth in Title 17, Chapter 25 of the General Laws, pertaining to campaign contributions and expenditures.
2. In May 2023, the Board of Elections ("Board") initiated an audit of the campaign account of LeBoeuf pursuant to R.I.G.L. §17-25-5(a), due to her failure to file five (5) campaign finance reports, pursuant to R.I.G.L. §17-25-11, and her failure to submit a copy of her December 2022 campaign bank account statement pursuant to R.I.G.L. §17-25-11(c)(2).
3. The Board conducted a full review of campaign finance reports, supporting documentation, bank records and ActBlue statements to verify the accuracy and propriety of campaign receipts and expenditures for the period June 1, 2022 through March 31, 2023. The review determined the following:
 - Contributions totaling \$2,598.79 were disclosed on campaign bank account statements or ActBlue statements, but not disclosed on campaign finance reports, in violation of R.I.G.L. § § 17-25-7 and 17-25-11;
 - Expenditures totaling \$370.81 were disclosed on campaign bank account statements or ActBlue statements, but not disclosed on campaign finance reports, in violation of R.I.G.L. § § 17-25-7 and 17-25-11;
 - Expenditure totaling \$1,000.00 was incurred (Accounts Payable), but not disclosed on campaign finance reports, in violation of R.I.G.L. § § 17-25-7 and 17-25-11; and
 - Five (5) campaign finance reports were not filed, in violation of R.I.G.L. § 17-25-11.

4. LeBoeuf hereby acknowledges that she violated the provisions of Title 17, Chapter 25, as summarized in Paragraph 3. LeBoeuf campaign finance reporting is now complete and accurate through 2023 1st quarter.
5. LeBoeuf hereby waives her right to any further hearing before the Board, and her right to bring any legal challenge before any state or federal court and expressly consents to a finding by the Board that her actions, as more fully described in Section 3, violate the reporting and compliance requirements of Title 17, Chapter 25.
6. LeBoeuf further consents to the entry of this Order; consents to pay in full the Accounts Payable balance due the vendor, in the amount of \$1,000.00; consents to the imposition of a fine by the Board pursuant to R.I.G.L. §17-25-13(b), in the amount of \$500.00 to be paid personally by her; and consents to dissolve her account with the Board.
7. LeBoeuf hereby agrees to the following schedule for accounts payable repayment and fine payment:
 - \$1,000.00 payment from the Friends of Nicole campaign account to the vendor owed the accounts payable within thirty (30) days of the execution of this Consent Order; and
 - \$500.00 fine to be paid personally by Nicole LeBoeuf by December 31, 2023.
8. LeBoeuf agrees to make the accounts payable and fine payment described above on or before the Due Date. In the event LeBoeuf fails to make a payment by the corresponding Due Date, the Board shall notify LeBoeuf both by U.S. Mail First Class and electronically at the residence and email address set forth in her Notice of Organization ("Delinquency Notice"). LeBoeuf shall be afforded ten (10) calendar days from the date of the Delinquency Notice to make the overdue payment. In the event the aforesaid payment is not made within the ten (10) day notice period, LeBoeuf agrees that any unpaid portion of the fine shall double, which shall immediately become due and payable to the Board and that the Board shall refer the unpaid debt to the Department of Revenue-Central Collections Unit for collection. LeBoeuf consents to the personal jurisdiction and entry of this Order as a final judgment and waives any and all defenses that she may have to its enforcement.

The fine contained herein relates only to the violations identified in this Order and do not cover any violations not listed.

I, Nicole LeBoeuf, agree to each and every term set forth above and further agree to the entry of this Order.



Nicole LeBoeuf

07/09/2023

Date

So entered this 9th day of July, 2023.



Diane Mederos, Chairwoman