



STATE OF RHODE ISLAND BOARD OF ELECTIONS

CAMPAIGN FINANCE AUDIT

WARWICK COUNCILWOMAN DONNA M. TRAVIS

CAMPAIGN FINANCE AUDIT



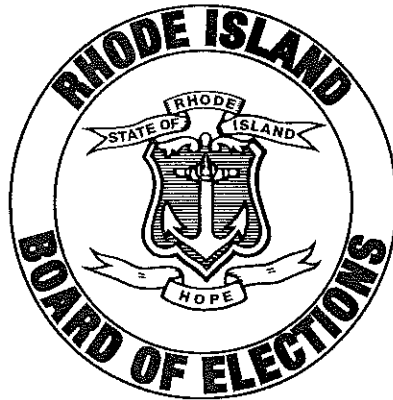
Audit Conducted By: Richard E. Thornton, Director of Campaign Finance
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INTRODUCTION

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.

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Scope: Review campaign finance reports and supporting documentation for the period January 1, 2014 through June 30, 2017.

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: On March 29, 2017, Councilwoman Donna M. Travis ("Travis") submitted her campaign account bank statement for the period ending December 31, 2016, pursuant to R.I.G.L. 17-25-11(c)(2). The balance in her campaign bank account was \$10,056.67, while the balance on her campaign finance report filed with the Board of Elections was \$6,215.05; resulting in a variance of \$3,841.62.

On June 13, 2017, the Board requested an audit of Councilwoman Travis' campaign account pursuant to R.I.G.L. §17-25-5(a) for the period January 1, 2014 through June 30, 2017.

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Findings: The following are findings from the audit:

1. Balance reported to the Board as of January 1, 2014 was \$5,666.16, compared to the bank balance of \$3,294.41, resulting in a starting variance of \$2,371.75.

2. For 2014:

- Contributions reported to the Board totaled \$0.00; while contributions deposited in the bank totaled \$3,919.00; resulting in \$3,919.00 unreported contributions.
- Accepted \$530.00 in anonymous cash contributions.
- Accepted \$50.00 contribution from Federal campaign account.
- Accepted \$200.00 in contributions from businesses.
- Expenditures reported to the Board totaled \$1,987.26, while expenditures from the bank totaled \$3,639.29; resulting in \$1,652.03 unreported expenditures.
- Expended campaign funds for dues/memberships totaling \$213.00.

3. For 2015:

- Contributions reported to the Board totaled \$0.00; while contributions deposited in the bank totaled \$4,390.00; resulting in \$4,390.00 unreported contributions.
- Accepted \$80.00 in contributions from businesses.
- Accepted \$720.00 in identifiable cash contributions, but deposited only \$705.00.
- Expenditures reported to the Board totaled \$1,350.00; while expenditures from the bank totaled \$4,021.42; resulting in \$2,671.42 unreported expenditures.
- Expended campaign funds for dues/membership totaling \$90.00.

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Findings:

4. For 2016:

- Contributions reported to the Board totaled \$6,240.00; while contributions deposited in the bank totaled \$10,775.00; resulting in \$4,535.00 unreported contributions.
- Accepted \$210.00 in contributions from businesses.
- 9 instances where contributor or amount contributed was misreported in filed report.
- Expenditures reported to the Board totaled \$2,819.40, while expenditures from the bank totaled \$5,027.87, resulting in \$2,208.47 unreported expenditures.
- Expended campaign funds for dues/membership totaling \$110.00.

5. For 2017:

- Contributions reported to the Board totaled \$2,100.00, while contributions deposited in the bank totaled \$2,770.00, resulting in \$670.00 unreported contributions.
- Accepted \$220.00 in contributions from businesses.
- 11 instances where contributor was misreported in filed report.
- Expenditures reported to the Board totaled \$1,258.00, while expenditures from the bank totaled \$1,601.50, resulting in \$343.50 unreported expenditures.
- Expended campaign funds for dues/membership totaling \$15.00.

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Summary: For the Audit Review period January 1, 2014 through June 30, 2017:

- As of 01/01/2014 (the beginning of the audit period) there was \$2,371.25 less in the candidate's campaign bank account than the balance reported to the Board of Elections.
- Contributions were under-reported by a total of \$13,514.00.
- Expenditures were under-reported by a total of \$6,875.42.
- Illegal contributions totaled \$1,290.00.
- Illegal use of campaign funds totaled \$543.00.
- There were 20 instances when the contributor was not correctly identified.

Action: Consent Order

State of Rhode Island
Board of Elections

CONSENT ORDER

In Re: Donna M. Travis

Donna M. Travis (“Travis”) hereby agrees to the entry of this Order and to each term and condition set forth herein:

1. At all times relevant hereto, Ms. Travis 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 March 2017, the Board of Elections (“Board”) conducted a preliminary review of campaign finance reports filed by Ms. Travis when it noted a discrepancy between the balance disclosed on her campaign finance report filed with the Board and the balance in her campaign bank account for the similar period, resulting in a request by the Board for bank records and supporting documentation for the period January 1, 2014 through June 30, 2017.
3. The Board conducted a full review of campaign finance reports, supporting documentation and bank records to verify the accuracy and propriety of campaign receipts and expenditures. The review determined Ms. Travis originally failed to report the following:
 - 1) \$13,514.00 in Campaign Contributions; and
 - 2) \$6,875.42 in Campaign Expenditures.
4. The review determined Ms. Travis accepted illegal contributions totaling \$1,290.00, consisting of contributions from business entities and anonymous contributions.

5. The review determined Ms. Travis expended campaign funds improperly for personal use, including to pay for membership dues totaling \$543.00.
6. Further, as of January 1, 2014, the campaign finance report filed by Ms. Travis reported a balance of \$5,666.16; whereas Ms. Travis' campaign bank account disclosed a balance of \$3,294.41, resulting in a starting discrepancy of \$2,371.75.
7. Ms. Travis hereby acknowledges that from January 2014 through June 2017, she originally failed to report campaign contributions and campaign expenditures (as set forth in paragraph 3 above); accepted illegal contributions (as set forth in paragraph 4 above); and expended campaign funds improperly (as set forth in paragraph 5 above).
8. Ms. Travis 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 above, violate the reporting requirements of Title 17, Chapter 25.
9. Ms. Travis will at the direction of the Board of Elections, appoint a new campaign treasurer who will receive training on the Electronic Reporting and Tracking System and amend all previously filed reports to accurately report all contributions and expenditures, to be completed no later than December 31, 2017.
10. Ms. Travis has at all times been cooperative with the Board of Elections and has timely responded to all inquiries. The Board has determined that the candidate improperly failed to review expenditures, contributions and campaign reports.
11. Ms. Travis further consents to the entry of this Order and the imposition of a fine in the amount of \$1,500.00 to be paid personally by her; consents to a forfeiture of campaign funds of \$1,290.00 to the State of RI for the acceptance of illegal contributions and the personal use of campaign funds; and consents to a forfeiture of campaign funds of \$1,500.00 to the State of RI for unreported contributions and expenditures and consents to submit documentation to the Board

supporting her campaign finance reports from the present through the fourth quarter of 2018.

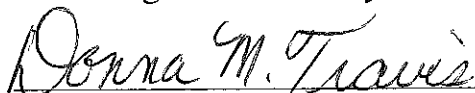
12. Ms. Travis hereby agrees to make the following payments of forfeitures and fines to the Board:

- 1) \$2,790.00 forfeiture from the Donna M. Travis' campaign account within thirty (30) days of the execution of this Consent Order; and
- 2) \$1,500.00 fine to be paid personally by Donna M. Travis according to the following schedule:
 - \$500.00 on or before March 31, 2018;
 - \$500.00 on or before June 30, 2018; and
 - \$500.00 on or before September 30, 2018.

13. Ms. Travis agrees to make each payment described above on or before the Due Date. In the event Ms. Travis fails to make any payment by the corresponding Due Date, the Board shall notify Ms. Travis both by U.S. Mail First Class and electronically at the residence and email address set forth below ("Delinquency Notice"). Ms. Travis 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, Ms. Travis agrees that the entire amount shall immediately become due and payable to the Board. Ms. Travis consents to the personal jurisdiction and entry of this Order as a final judgment in the superior court and waives any and all defenses that she may have to its enforcement and collection. In the event of a lawsuit filed to enforce any term or payment required by this Order, Ms. Travis agrees to fully reimburse the Board for all costs and reasonable legal fees incurred as a result therefrom.

The fines and forfeitures contained herein relate only to the violations identified in this Order and do not cover any violations not listed.

I, Donna M. Travis, agree to each and every term set forth above and further agree to the entry of this Order.

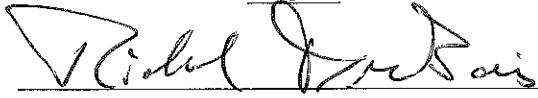


Donna N. Travis
M.

11-9-17

Date

So entered this 6 of December, 2017.



Richard Dubois, Chairman