



2010-969

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LOUISIANA BOARD OF ETHICS

DATE: June 17, 2011 OPINION NO.: 2010-969

RE: In the Matter of the Committee to Re-Elect Judge Mark Jeansonne

The Board of Ethics, acting as the Supervisory Committee on Campaign Finance Disclosure (the "Board"), conducted a confidential investigation after reviewing campaign finance disclosure reports filed by Judge Mark Jeansonne in connection with his candidacy for Judge, 12th Judicial District Court, in the October 4, 2008 election. The campaign finance disclosure report filed by The Committee to Elect Judge Jeansonne in connection with the election showed that the campaign received contributions in excess of the \$2,500 contribution limit.

On the basis of information obtained by the Board during the course of the investigation, and with the concurrence of The Committee to Re-Elect Judge Mark Jeansonne, the Board now makes the following:

I. FINDINGS OF FACTS

1.

Mark Jeansonne was a successful candidate for Judge, 12th Judicial District, in the October 4, 2008 election.

2.

Mark Jeansonne was a "district office" candidate with a \$2,500 contribution limit per person per election.

3.

The Committee to Re-Elect Judge Mark Jeansonne (the Committee) filed a 2009 Supplemental campaign finance disclosure report on January 29, 2010 in connection with the October 4, 2008 election that disclosed the receipt of a \$1,000 contribution from John Boatner on January 29, 2009.

4.

Prior reports filed by the Committee indicated that John Boatner also made a contribution of \$1,000 on March 2, 2008, and a contribution of \$1,000 on August 9, 2007 in connection with the October 4, 2008 election.

5.

The Committee filed a 2009 Supplemental campaign finance disclosure report on January 29, 2010 in connection with the October 4, 2008 election that disclosed the receipt of a \$1,000 contribution from Edward Knoll, Jr. on February 6, 2009.

6.

Prior reports filed by the Committee indicated that Edward Knoll, Jr. also made a contribution of \$1,000 on December 30, 2009, and a contribution of \$1,000 on August 24, 2007 in connection with the October 4, 2008 election.

7.

The Committee filed a 2009 Supplemental campaign finance disclosure report on January 29, 2010 in connection with the October 4, 2008 election that disclosed the receipt of a \$1,000 contribution from Edward Knoll on February 6, 2009.

8.

Prior reports filed by the Committee indicated that Edward Knoll also made a contribution of \$1,000 on December 30, 2009, and a contribution of \$1,000 on August 24, 2007 in connection with the October 4, 2008 election.

9.

The Committee filed a 2009 Supplemental campaign finance disclosure report on January 29, 2010 in connection with the October 4, 2008 election that disclosed the receipt of a \$1,000 contribution from Edmond Knoll on February 6, 2009.

10.

Prior reports filed by the Committee indicated that Edmond Knoll also made a contribution of \$1,000 on December 30, 2009, and a contribution of \$1,000 on August 24, 2007 in connection with the October 4, 2008 election.

11.

The Committee filed a 2009 Supplemental campaign finance disclosure report on January 29, 2010 in connection with the October 4, 2008 election that disclosed the receipt of a \$1,000 contribution from Triston Knoll on February 6, 2009.

12.

Prior reports filed by the Committee indicated that Triston Knoll also made a contribution of \$1,000 on December 30, 2009, and a contribution of \$1,000 on August 24, 2007 in connection with the October 4, 2008 election.

13.

The Committee filed a 2009 Supplemental campaign finance disclosure report on January 29, 2010 in connection with the October 4, 2008 election that disclosed the receipt of a \$1,250 contribution from TBI PAC on February 6, 2009 and a \$1,250 contribution on December 30, 2009.

14.

Prior reports filed by the Committee indicated that TBI PAC also made a contribution of \$1,250 on August 24, 2007 in connection with the October 4, 2008 election.

15.

Mark Jeansonne was elected in the October 4, 2008 primary election and did not participate in the general election.

16.

The Committee reimbursed the amounts received in excess of his \$2,500 contribution limit.

17.

If called to testify, Judge Jeansonne would state that in accordance with his interpretation of the Judicial Canons:

(a) he did not participate in the preparation of Campaign Finance Disclosure Reports filed with the Board. Rather, such reports were filed by the Committee, a separate entity.

(b) Judge Jeansonne would also testify that when he was notified by the Board and the Committee, he immediately ordered the Committee to issue refunds to anyone who overpaid. Judge Jeansonne further notified the Board that he would cooperate in any review, and informed the Board that the Committee was issuing refunds.

(c) If called to testify, the Committee would state that it was unaware that contributions were limited to \$2,500 per election per person or entity; rather the Committee erroneously assumed that the contributions could equal \$2,500 per year.

(d) If called to testify, Judge Jeansonne would testify that the Committee members serve without pay, completely voluntarily.

APPLICABLE LAW

1.

Section 1505.2 H (1) provides as follows:

The following contribution limits are established for contributions made to candidates or the principal campaign committee and any subsidiary committee of a candidate for the following offices:

(I) Major office - five thousand dollars.

(ii) District office - two thousand five hundred dollars.

(iii) Other office - one thousand dollars.

2.

Section 1505.2 H (3)© provides :

No candidate . . . shall accept from the same contributor a loan, transfer funds, or contribution . . . in the aggregate for all reporting periods of an election . . . in excess of the contribution limits

established in Paragraph (1) of this Subsection . . .

III.

OPINION

It is the opinion of the Board that The Committee to Re-Elect Judge Mark Jeansonne violated the contribution limits contained in Section 1505.2H of the Campaign Finance Disclosure Act by its receipt of \$3,250 in excessive contributions in connection with the October 4, 2008 election. Mark Jeansonne was a "district office" candidate with a \$2,500 contribution limit.

Contribution limits for Mark Jeansonne's election began with the Annual report covering the period from January 1, 2007 through December 31, 2007. Mark Jeansonne was elected in the October 4, 2008 primary election and did not participate in the general election.

It is the decision of the Board that the interest of the public would be served by the publication of this opinion and the imposition of a \$500 fine upon The Committee to Re-Elect Judge Mark Jeansonne for its violations of the Campaign Finance Disclosure Act.

IV.

DECREE AND ORDER

For the foregoing reasons:

IT IS ORDERED, ADJUDGED AND DECREED that the Board finds as a matter of fact and as a conclusion of law that The Committee to Re-Elect Judge Mark Jeansonne violated Section 1505.2.H of the Campaign Finance Disclosure Act.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a civil penalty of \$500, payable to the Treasurer of the State of Louisiana, be imposed upon The Committee to Re-Elect Judge Mark Jeansonne for the violations of the Campaign Finance Disclosure Act.

By Order of the Board this 17th day of June 2011.

s/Frank P. Simoneaux s/Blake Monrose

Frank P. Simoneaux, Chairman Blake Monrose, Vice Chairman

s/Terry Backhus s/Julie E. Blewer

Terry D. Backhus Julie E. Blewer

s/Reverend Gail E. Bowman s/Gary G. Hymel

Reverend Gail Bowman Gary G. Hymel

s/Jean M. Ingrassia s/Dr. Cedric W. Lowrey

Jean M. Ingrassia Dr. Cedric W. Lowrey

s/Dr. Louis Leggio s/Scott D. Schneider

Dr. Louis W. Leggio Scott D. Schneider

s/David Grove Stafford, Jr.
David Grove Stafford, Jr.

CONSENT

The undersigned (a) stipulates to the facts found by the Board; (b) waives the procedural requirements contained in Section 1141 of the Code; (c) admits that its conduct, as described above, violated La. R.S. 18:1505.2H of the Campaign Finance Disclosure Act; (d) consents to the publication of this opinion; (e) agrees to comply with the conditions and orders set forth in this opinion; and (f) agrees not to seek judicial review of the findings and actions taken in this opinion.

s/Judge Mark Jeansonne
The Committee to Re-Elect Judge Mark Jeansonne

1/31/11
Date

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