



# NORTH CAROLINA STATE BOARD OF ELECTIONS

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## CLOSURE REPORT

December 21, 2020

Complaint Number: 2020-CF-018

Complainant: Jonathan Andrew Jackson  
Complaint Date: August 19, 2020

Respondent: NCAE PAC; Citizens for Dan Blue  
Response Date: August 31, 2020; August 21, 2020

On August 19, 2020, a complaint was filed alleging excess contributions from NCAE PAC to Citizens for Dan Blue in violation of N.C.G.S. § 163-278.13(a). Pursuant to N.C.G.S. § 163-278.22(7), it is the duty of the NCSBE to investigate alleged violations of Chapter 163, Articles 22A and 22M of the North Carolina General Statutes.

Upon review, the NCAE PAC disclosed an erroneous contribution to Citizens for Dan Blue for \$2,900.00 on 2/25/2020. The reported contribution was never actually made to the candidates.

The NCAE PAC made a \$2,900 contribution to Citizens for Dan Blue on 02/26/2020. This contribution resulted in the sum to date for the primary election exceeding the \$5,400 limit. As a result, Citizens for Dan Blue refunded the NCAE PAC the excess of \$2,000 on 03/03/2020. The investigation found the excess contribution and refund were reported by Citizens for Dan Blue and handled consistent with agency guidance.

The NCAE PAC did receive the refund from Citizens for Dan Blue but omitted the refund from the PAC's 2020 second quarter report. The investigation found that the omission, and the erroneous contribution, appear to have resulted from data entry errors. There is insufficient evidence to establish that any incorrect disclosure was intentional.

The NCAE PAC was asked to amend the 2020 second quarter report to remove the erroneous contribution and to disclose the refund received consistent with the reporting obligations in Article 22A. The amended report was received October 27, 2020.

Due to the foregoing findings, this complaint has been closed by the NCSBE as to all respondents. Please take notice that if the complainant becomes aware of new facts that were not known at the time the original complaint was filed, then a new complaint may be filed.

If you have any questions, please don't hesitate to contact me.

BY:

A handwritten signature in blue ink that reads "Lindsey E. Wakely". The signature is written in a cursive style with a large initial 'L'.

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Lindsey Wakely  
Associate General Counsel  
North Carolina State Board of Elections