

**STATE OF LOUISIANA
DIVISION OF ADMINISTRATIVE LAW**

BOARD OF ETHICS

*** DOCKET NO. 2021-8631-ETHICS-B**

IN THE MATTER OF

CASSANDRA “CASSIE” WILLIAMS

*** AGENCY TRACKING NO. 5121-081**

DECISION AND ORDER

The Louisiana Board of Ethics, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, requested an adjudicatory hearing to have the Ethics Adjudicatory Board determine whether Cassandra “Cassie” Williams knowingly failed to file her 40-G campaign finance disclosure report by the eleventh day after it was due, in connection with her 2021 candidacy for the office of Louisiana State Board of Elementary and Secondary Education, District Four. The Louisiana Board of Ethics proved by clear and convincing evidence that Cassandra “Cassie” Williams knowingly failed to file the report as alleged. The Louisiana Board of Ethics is authorized to impose an additional civil penalty not to exceed \$10,000 against Cassandra “Cassie” Williams for the report she failed to file pursuant to Louisiana Revised Statutes (La. R.S.) 18:1505.4(A)(4)(b).

APPEARANCES

An adjudicatory hearing was conducted April 27, 2023, in Baton Rouge, Louisiana, before Panel B of the Ethics Adjudicatory Board (EAB).¹ Charles Reeves appeared as counsel on behalf of the Louisiana Board of Ethics (BOE). Although duly noticed, Cassandra “Cassie” Williams (Respondent) did not appear for the hearing, and no one appeared on her behalf.²

¹ The Panel B of the Ethics Adjudicatory Board consists of administrative law judges Anthony J. Russo (presiding), Monique D. Baham, and Greta Gilmore.

² On February 16, 2023, a *Notice of Hearing* was mailed by the Administrative Hearings Clerk for the Division of Administrative Law to Respondent at: 436 Hancock Drive, Bossier City, Louisiana, 71112. This is the same address the BOE mailed Respondent the charges contained in its *Request for Hearing*, its *Late Fee Assessment Orders*, and its discovery, including *Requests for Admissions*, all by certified mail, returned receipt requested, and the BOE received the certified mail receipts; BOE Exhibits 5, 6, 8, and 9. This is the same address Respondent listed as her mailing

JURISDICTIONAL AUTHORITY

The EAB is a legislatively created board, as contemplated by Article X, Section 21 of the Louisiana Constitution. The EAB has original jurisdiction under La. R.S. 42:1141.5 to determine whether violations of the Code of Governmental Ethics, La. R.S. 42:1101 *et seq.*, have occurred and to conduct hearings under La. R.S. 18:1505.4 for specific violations of the Campaign Finance Disclosure Act (CFDA), La. R.S. 18:1481 *et seq.*

This adjudication is conducted in accordance with the CFDA, the Code of Governmental Ethics, the Administrative Procedure Act, La. R.S. 49:950 *et seq.*, and the enabling legislation for the Division of Administrative Law, La. R.S. 49:991 *et seq.*

STATEMENT OF THE CASE

The BOE, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, alleged that Respondent failed to file a campaign finance disclosure report by the deadline in connection with her 2021 candidacy for the office of Louisiana State Board of Elementary and Secondary Education, District Four.

The BOE requested that the EAB conduct an adjudicatory hearing to determine whether Respondent knowingly failed to file her 40-G campaign finance disclosure report by the eleventh day after it was due, which could subject her to an additional civil penalty not to exceed \$10,000 for the report, pursuant to La. R.S. 18:1505.4(A)(4)(b).

At the hearing, the BOE offered its exhibits, numbered BOE-1 through BOE-14, which were admitted into evidence. Counsel presented the case on behalf of the BOE, the record was closed, and the matter was taken under advisement for a determination of whether Respondent failed to file her 40-G campaign finance disclosure report in violation of La. R.S. 18:1495.4(B)(6)

address on her *Notice of Candidacy (Qualifying Form)*; BOE-2. Additionally, this is the same address where Respondent was personally served with the *Request for Hearing* by the Bossier Parish Sheriff's Office on March 31, 2022.

and would therefore be subject to an additional civil penalty pursuant to La. R.S. 18:1505.4(A)(4)(b) for the late report.

FINDINGS OF FACT

Respondent qualified as a candidate for the office of Louisiana State Board of Elementary and Secondary Education, District Four, in a primary election held March 20, 2021.³ The office of Louisiana State Board of Elementary and Secondary Education, District Four, is a “major” level public office.⁴ Respondent received sufficient votes in the primary election and participated in the general election held on April 24, 2021.⁵

Respondent was required to file a requisite campaign finance disclosure report that was due 40 days after the general election of April 24, 2021, (also known as a 40-G report), due on June 3, 2021.⁶

The BOE is the Supervisory Committee on Campaign Finance Disclosure under the CFDA.⁷ Candidates qualifying to run for office are notified that they are subject to the provisions of the CFDA.⁸

Respondent did not file the required 40-G report by the due date, June 3, 2021, or by the eleventh day after the report was due.⁹ On July 14, 2021, the BOE issued a *Late Fee Assessment Order* and assessed a fine of \$2,500, pursuant to La. R.S. 18:1505.4(A)(2)(a)(i), because Respondent failed to file her 40-G report.¹⁰ The *Late Fee Assessment Order* was sent by certified mail, return receipt requested, to Respondent at her address at 436 Hancock Drive, Bossier City,

³ See BOE-2; BOE-3. Respondent admitted, by operation of La. C.C.P. art. 1467(A), that she was a candidate for the office of Board of Elementary and Secondary Education, District Four; BOE-8.

⁴ See BOE-4, p. 2.

⁵ See BOE-3, pp. 1-3.

⁶ BOE-4.

⁷ La. R.S. 18:1483(19).

⁸ See BOE-2, p. 2. The Campaign Finance Disclosure Act, La. R.S. 18:1481, *et seq.*, also provides the same schedule of reports due. La. R.S. 18:1495.4(B)(6).

⁹ BOE-7.

¹⁰ BOE-6. The assessment of the \$2,500 fine is not before the EAB.

Louisiana, 71112, and the BOE received the certified mail receipt.¹¹ In the letter accompanying the *Late Fee Assessment Order*, Respondent was notified that she was required to file the 40-G campaign finance disclosure report and that she could be subject to an additional civil penalty of \$10,000, pursuant to La. R.S. 18:1505.4(A)(4), if she failed to file the report.¹²

On March 29, 2022, the BOE propounded to Respondent written discovery, including *Requests for Admissions*, to admit or deny that she failed to file her 40-G campaign finance disclosure report.¹³ The written discovery was requested to be served on Respondent at the 436 Hancock Drive, Bossier City, Louisiana, 71112, address, and she was personally served by the Bossier Parish Sheriff's Office on March 31, 2022.¹⁴

On May 6, 2022, the BOE requested Respondent participate in a Rule 10.1 Discovery Conference because Respondent did not respond to the BOE's discovery requests.¹⁵

As of June 14, 2022, Respondent had not filed her 40-G campaign finance disclosure report¹⁶ and, as of April 27, 2023, had not filed responses to the BOE's *Requests for Admissions*.¹⁷

CONCLUSIONS OF LAW

The BOE proved by clear and convincing evidence that Respondent knowingly failed to file her 40-G campaign finance disclosure report by the eleventh day after it was due. The BOE is authorized to impose upon Respondent an additional civil penalty not to exceed \$10,000 for the report, as allowed by La. R.S. 18:1505.4(A)(4)(b).¹⁸

¹¹ *Id.* at p. 3.

¹² *Id.* at p. 1.

¹³ BOE-8.

¹⁴ BOE-8, p. 7.

¹⁵ BOE-9.

¹⁶ BOE-7.

¹⁷ BOE-14. Respondent admitted, by operation of La. C.C.P. art. 1467(A), that she did not file her 40-G campaign finance disclosure reports; BOE-8.

¹⁸ La. R.S. 18:1505.4(A)(4)(b) of the CFDA provides that, if after conducting an adjudicatory hearing, the EAB determines that a candidate knowingly failed to file the required 40-G report more than eleven days late, then the BOE, functioning as the Supervisory Committee on Campaign Finance Disclosure, may impose upon the candidate additional civil penalties not to exceed \$10,000 for the late-filed report.

In hearings under the CFDA before the EAB, the BOE must prove by clear and convincing evidence that the candidate knowingly failed to timely file a required campaign finance disclosure report.¹⁹ Failure to timely submit required reports constitutes a violation of the CFDA.²⁰

The office of Louisiana State Board of Elementary and Secondary Education, District Four, is a “major” level public office.²¹ Every candidate for “major” level public office (or their campaign treasurer) is required to file certain campaign finance disclosure reports by the statutory deadlines.²² Failure to timely submit required reports constitutes a violation of the CFDA.²³

As a candidate for Louisiana State Board of Elementary and Secondary Education, District Four, a “major” level public office,²⁴ Respondent was required to file a 40-G report by June 3, 2021, which was the 40th day after the general election.²⁵ As of June 14, 2022, Respondent had not filed her 40-G campaign finance disclosure report.²⁶

Respondent knew she was obligated to meet the CFDA filing requirements by the statutory deadlines and that additional civil penalties, not to exceed \$10,000 per report, could be imposed if she did not file the 40-G campaign finance disclosure report. The BOE proved by clear and convincing evidence that Respondent knowingly failed to file her 40-G campaign finance disclosure report by the statutory deadline.

Additionally, Respondent’s failure to file her 40-G campaign finance disclosure report within three days after the final date for filing creates a rebuttable presumption of intent to not file the reports.²⁷ Nothing in evidence rebuts this statutory presumption.

¹⁹ La. R.S. 42:1141.5(C). “‘Clear and convincing evidence’, in general, means that the fact of guilt must be proven to a greater degree than by ‘a mere preponderance of the evidence’ but less than by ‘beyond a reasonable doubt.’” *Louisiana State Bar Ass’n v. Edwins*, 329 So. 2d 437, 442 (La. 1976).

²⁰ La. R.S. 18:1505.1(B).

²¹ La. R.S. 18:1483(11); La. R.S. 18:1484(1).

²² La. R.S. 18:1495.4.

²³ La. R.S. 18:1505.1(B); La. R.S. 18:1481(1).

²⁴ See BOE-2, p. 2.

²⁵ La. R.S. 18:1495.4(B)(6); BOE-4.

²⁶ BOE-7.

²⁷ La. R.S. 18:1505.1(A).

If, after conducting an adjudicatory hearing, the EAB determines that Respondent knowingly failed to file the required campaign finance disclosure report by the eleventh day after the report was due, then the BOE may impose an additional civil penalty, not to exceed \$10,000, against Respondent for the report that she failed to timely file.²⁸

The BOE proved by clear and convincing evidence that Respondent, a candidate for a “major” level office, knowingly violated the CFDA by failing to file her 40-G campaign finance disclosure report by the statutory deadline and by the eleventh day after the report was due.

The BOE, in its capacity as the Supervisory Committee for Campaign Finance Disclosure, is authorized to impose against Respondent an additional civil penalty under authority of La. R.S. 18:1505.4(A)(4)(b), not to exceed \$10,000 for the report.

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²⁸ La. R.S. 18:1505.4(A)(4)(b).

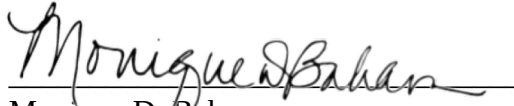
ORDER

IT IS ORDERED that the Louisiana Board of Ethics, in its capacity as the Supervisory Committee on Campaign Finance Disclosure, is authorized to impose an additional civil penalty not to exceed \$10,000 against Cassandra “Cassie” Williams for failing to file her 40-G campaign finance disclosure report, in connection with her 2021 candidacy for the office of Louisiana State Board of Elementary and Secondary Education, District Four, by the eleventh day after it was due.

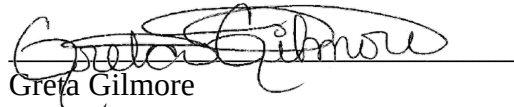
Rendered and signed on June 1, 2023, in Baton Rouge, Louisiana.



Anthony J. Russo
Presiding Administrative Law Judge
Ethics Adjudicatory Board, Panel B



Monique D. Baham
Administrative Law Judge
Ethics Adjudicatory Board, Panel B



Greta Gilmore
Administrative Law Judge
Ethics Adjudicatory Board, Panel B

NOTICE OF TRANSMISSION OF DECISION OR ORDER

I certify that on Friday, June 02, 2023, I have sent a copy of
this decision/order to all parties of this matter.



Division of Administrative Law

REVIEW RIGHTS

This is the final decision of the Ethics Adjudicatory Board. You may seek rehearing or reconsideration of this decision, subject to the grounds for and time limitations provided in Louisiana Revised Statutes 49:977.1. A request for rehearing must be sent to one of the addresses listed below.

EMAIL:**FAX:** (225) 342-1812**HAND DELIVERY TO:**

1020 Florida Street, Baton Rouge, LA 70802

MAIL:Division of Administrative Law
ATTN: Ethics Adjudicatory Board
P.O. Box 44033
Baton Rouge, LA 70804-4033

You have the right to appeal this decision to the Court of Appeal, First Circuit, in accordance with Louisiana Revised Statutes 42:1142. You must file a written motion for appeal with the Ethics Adjudicatory Board within thirty (30) days after the transmittal of notice of this decision.