

THE COMMONWEALTH OF MASSACHUSETTS  
OFFICE OF CAMPAIGN & POLITICAL FINANCE

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July 8, 2009

Sam Yoon  
The Committee to Elect Sam Yoon  
1411 Dorchester Avenue  
Boston, MA 02122

Re: CPF-09-28

Dear Mr. Yoon:

This office has completed its review of a complaint we received regarding an April 24, 2009, fundraising solicitation that was sent by the Yoon Committee via e-mail to public employees at their place of work. The complaint alleged that this e-mail was sent in violation of Section 14 of Chapter 55, the Massachusetts campaign finance law.

Section 14 states, in relevant part, that "[n]o person shall in any building or part thereof occupied for state, county or municipal purposes demand, solicit or receive any payment or gift of money or other thing of value for any political purpose." We have concluded that the e-mail solicitations, to the extent that they were sent to public employees at their places of employment, were inconsistent with Section 14. According to your statements, 241 e-mails were sent to public employee e-mail addresses at their place of work. In response to this e-mail, you received a \$150 contribution from one public employee.

The campaign finance law prohibits the solicitation or receipt of political contributions by any person in "any building or part thereof occupied for state, county or municipal purposes." See M.G.L. c. 55, § 14. This section prohibits solicitation in a public building whether done in person or by mail. See United States v. Thayer, 209 U.S. 39 (1909) interpreting an analogous federal law, now codified at 18 U.S.C. § 607. There is no similar prohibition on mailing a solicitation to a public employee at his or her home address.

While sending these e-mails to governmental employees at their place of work was inconsistent with the campaign finance law, the Committee has cooperated fully in



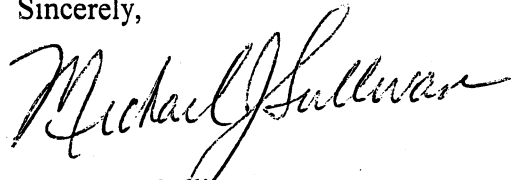
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this review and disgorged the \$150 raised, by making a donation to a charity in that amount. Accordingly, this matter may be closed at this time. We anticipate that our review and guidance will ensure future compliance with the campaign finance law.

In accordance with an opinion of the Supervisor of Public Records, this letter is a public record. A copy is being provided to the person(s) who brought this matter to our attention. Thank you for your cooperation in resolving this matter.

If you have any questions about this letter or any other campaign finance matter, please do not hesitate to contact this office.

Sincerely,

A handwritten signature in black ink that reads "Michael J. Sullivan". The signature is written in a cursive, flowing style.

Michael J. Sullivan  
Director

MJS/sh