



STATE OF MAINE  
COMMISSION ON GOVERNMENTAL ETHICS  
AND ELECTION PRACTICES  
135 STATE HOUSE STATION  
AUGUSTA, MAINE  
04333-0135

June 3, 2020

By Email and Regular Mail

Joshua A. Tardy, Esq.  
Rudman Winchell  
P.O. Box 1401  
Bangor, Maine 04402

Dear Mr. Tardy,

The Ethics Commission staff's review of John Hiatt's application for Maine Clean Election Act funding found that twenty-one qualifying contributions (QCs) were made on the Commission's online QC service with three debit or credit cards ending in 4953, 6446, and 8005. The 21 QCs are listed in the attachment, which contains data administratively downloaded from the website. Each card was used to make contributions for multiple individuals who are registered to vote at different addresses and have no apparent relationship to each other.

The natural inference from this common use of cards is that the funds that were directly used to make the QCs were *not* from the personal funds of the contributors whose names were entered in the Commission's online QC service. In a May 28, 2020 telephone call to the Ethics Commission, Mr. Hiatt told Candidate Registrar Emma Burke that the card ending 6446 was his personal debit card and the card ending 4953 was a debit card belonging to his Senate campaign account that he had shared with "party operatives." We have received no information to date regarding the card ending 8005.

Most of the contributions were made on May 18, 2020, the day before the end of the qualifying period. In all but two cases, the billing address entered for the contributions does not match the actual billing address for the card. No email addresses were entered by the contributors, except for two of the contributions. Most of the phone numbers entered for the contributors are not accurate.

On their face, these transactions raise significant compliance concerns:

- Did the QCs consist of the personal funds of the contributors listed on the forms?
- Did the contributor listed, or someone else, make the payment on the Commission's online QC service?
- Did the contributor listed, or someone else, make the online acknowledgement that the card payment consisted of the personal funds of the contributor?

Based on the information provided to date, the Commission staff is doubtful that we can certify that Mr. Hiatt's application for MCEA funding did not contain any falsified acknowledgements or fraudulent QCs. This is a requirement under 21-A M.R.S. § 1125(5)(D-5) for the Commission staff to pay MCEA funding to a candidate.

#### Request for Information

This letter is to request information from Mr. Hiatt in support of his request for MCEA funding. Please provide the following information in writing. If we do not receive adequate assurance of compliance with the legal requirements for MCEA funding, the Commission staff will be unable to release MCEA funds to Mr. Hiatt.

1. Please specify the individual(s) who entered the information into the Commission's online QC service for the 21 QCs.
2. For each of the 21 QCs, if the money used to make a contribution consisted of the personal funds of the contributor, please provide an explanation of how that occurred, given the use of a common credit or debit card. If no explanation is provided, the Commission staff will likely conclude that the money used for each QC is not the personal funds of the contributor.
3. Please specify who are the authorized users for the debit or credit card ending in 6466? Please specify anyone else who regularly uses the card for personal expenses. What are the sources of funds for this bank account?
4. What is the financial account associated with the debit or credit card ending in 4953? Please specify all individuals to whom Mr. Hiatt has provided or authorized to use this card number.

Joshua A. Tardy, Esq.

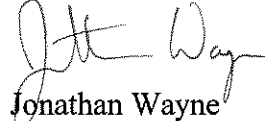
June 3, 2020

Page 3

5. Please describe the credit or debit card ending in 8005. What individual, organization or committee is associated with this account? Who was authorized to use this card? Why was this account used to make online QCs?

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Wayne". The signature is fluid and cursive, with the first name "Jonathan" and the last name "Wayne" clearly distinguishable.

Jonathan Wayne  
Executive Director

Last Name	First Name	PHYS_ADDRESS	PHYS_TOWN	BILLING_NAME	BILLING_ADDRESS	CC_LAST_4_DIGITS	Verified?	CONTRIBUTION_D ATE	Street Address Mis-match	BILLING_PHO NE	BILLING_EMAIL
Hiatt	Sean Patrick	174 MAIN ST	BANGOR	John D Hiatt	174 Main Street, Bangor, ME 04401	4953	Yes	5/19/2020 12:46	Yes	2075700213	(blank)
Arnold	Reginald	53 ASH LN	HERMON	Arnold Reginald	53 Ash, Hermon, ME 04401	4953	Yes	5/18/2020 10:44	Yes	2078485896	(blank)
Adam	Steven	121 GRANT ST	BANGOR	Steven Adam	121 Grant Street, Bangor, ME 04401	4953	Yes	5/18/2020 10:39	Yes	2079421448	(blank)
Bean	David	35 WESTWOOD RD	BANGOR	David Beal	35 Westwood Drive, Bangor, ME 04401	4953	Yes	5/18/2020 10:37	Yes	2979470039	(blank)
Brown	Daniel	97 ROYAL RD	BANGOR	Daniel Brown	97 Royal Road, Bangor, ME 04401	4953	Yes	5/18/2020 10:33	Yes	2079730574	(blank)
Stover	Mary Elizabeth	174 MAIN ST	BANGOR	John D Hiatt	174 Main Street, Bangor, ME 04401	4953	Yes	5/18/2020 0:29	Yes	2078844833	(blank)
Small	Norman Whitney	174 MAIN ST	BANGOR	John D Hiatt	174 Main Street, Bangor, ME 04401	4953	Yes	5/18/2020 0:18	Yes	2079473749	(blank)
Young	Bion W	513 HAMMOND ST	BANGOR	Bion Young	513 Hammond Street, Bangor, ME 04401	6466	Yes	5/18/2020 5:13	Yes	2079478193	(blank)
Young	Michele Irene	68 MOOSEHEAD BLVD	BANGOR	Michele Young	68 Moosehead Blvd, Bangor, ME 04401	6466	Yes	5/18/2020 5:03	Yes	2072995217	(blank)
YOUNG	ANN MARIE	68 MOOSEHEAD BLVD	BANGOR	Ann Young	68 Moosehead Blvd, Bangor, ME 04401	6466	Yes	5/18/2020 4:55	Yes	2079453711	(blank)
Frey	Jennifer Lynn	80 SUNSET AVE	BANGOR	Jennifer Frey	80 Sunset Ave, Bangor, ME 04401	6466	Yes	5/18/2020 4:51	Yes	2079515079	(blank)
Hiatt	Wesley Edward	174 MAIN ST	BANGOR	John D Hiatt	185 Moosehead Blvd, Bangor, ME 04401	6466	Yes	5/16/2020 20:41	No - "Good"	2076597255	Latebloomer1@roadrunner.com
Hiatt	Elizabeth Julia	174 MAIN ST	BANGOR	John D Hiatt	185 Moosehead Blvd, Bangor, ME 04401	6466	Yes	4/23/2020 16:09	No - "Good"	2076597255	Mijdh1982@gmail.com
Anderson	Joan	164 FOREST AVE	BANGOR	Joan Anderson	164 Forest Ave, Bangor, ME 04401	8005	Yes	5/18/2020 10:11	Yes	2079423584	(blank)
Partridge	Bonnie J	174 MAIN ST	BANGOR	Bonnie Partridge	174 Main Street, Bangor, ME 04401	8005	Yes	5/18/2020 7:10	Yes	2079453535	(blank)
Young	Michelle Lee	40 DEER ISLE RD	BANGOR	Michelle Young	40 Deer Isle, Bangor, ME 04401	8005	Yes	5/18/2020 7:04	Yes	2079498972	(blank)
Badger	Jonathan Wayne	52 KENDUSKEAG AVE	BANGOR	Jonathan Badger	52 KD Ave, Bangor, ME 04401	8005	Yes	5/18/2020 6:55	Yes	2076697256	(blank)
Kennedy	Damen Bradley	174 MAIN ST	BANGOR	Damon Kennedy	174 Main Street, Bangor, ME 04401	8005	Yes	5/18/2020 6:08	Yes	2072665853	(blank)
Ward	Earlene Joan	174 MAIN ST	BANGOR	Earlene Ward	174 Main Street, Bangor, ME 04401	8005	Yes	5/18/2020 6:03	Yes	2079553355	(blank)
Baron	Wendy	21 NEWTON ST	BANGOR	Wendy Baron	21 Newton, Bangor, ME 04401	8005	Yes	5/18/2020 5:51	Yes	2079423512	(blank)
Baron	Paul M	21 NEWTON ST	BANGOR	Paul M Baron	21 Newton, Bangor, ME 04401	8005	Yes	5/18/2020 5:47	Yes	2073857353	(blank)