

Susan L. Abbott

August 8, 2011

Office of Attorney General Martha Coakley
and Office of Campaign and Political Finance
One Ashburton Place, Room 411
Boston, MA 02108

Re: Alleged Violations of MGL c.55 and/or Actions by Unregistered Political Action Committees, Unregistered/Unfiled Charitable Organizations, Unregistered Ballot Committees

To Those Concerned,

I am a resident and voter in the Town of Yarmouth and was troubled to discover the actions of a number of public employees, two of the candidates for school committee and several organized groups during our most recent election which undoubtedly had significant and unfair impact on the results of the election and which, I believe, are in specific violation of provisions of MGL c.55. I have contacted the appropriate office/departments and have been told that none of these groups are registered as PACs, Charitable Organizations or Ballot Committees and, as such, appear to be violating a wide range of state laws and/or requirements for such organizations – not the least of which is that they are not filing the appropriate tax forms.

These groups consist of many of the same primary members, but act under a variety of different group names. I have gathered some materials which I believe strongly evidence my claims and they are enclosed herewith and enumerated below. The names of the groups are:

- A. **DY Schools Are Great (sometimes “DYSAG”)**
- B. **Dennis-Yarmouth Support Our Schools (sometimes “DYSOS”)**
- C. **Leading Yarmouth Forward**
- D. **DY Faces of Our Future**

1. The materials contained herein were printed from the DYSAG website and evidence the involvement and activities of this group in fundraising, contributing and actively campaigning for two of the School Committee candidates, John Poole and Andrea St. Germaine, as well as in support of a Prop 2½ ballot question.
2. This is an excerpt from the DYSAG website evidencing that a silent auction was held by Faces of Our Future and promoted by DYSAG.
3. This is a print-out of the DYSOS website naming primary members and describing the group’s primary focus – which they have significantly strayed from during elections.
4. This is an email newsletter which evidences one of the many ways which DYSAG openly campaigned for, contributed to and supported the ballot question regarding the school override.
5. These materials were forwarded to a parent from one of our schools via email. This parent did NOT sign up to receive the emails and the email address was obtained from the school

administration, which I believe to be wholly complicit in these groups' active campaigning for two of the candidates and in support of the override. Joyce Flynn (the individual named under the "Who am I?" page) is a member of DYSAG and DYSOS. Ms. Flynn also was observed with candidate signs and a banner supporting the override on her car during the campaign period.

6. These materials evidence DYSAG as a PAC (although unregistered as such).
7. This is the 5/16/11 email of DYSAG's newsletter sent out during the campaign evidencing support for the override ballot question, although the group is not registered as a Ballot Committee.
8. These are emails which show the sequence of events leading up to the so-called "Candidates' Night" and the issues raised by a number of people about its impropriety in that it was hosted and run by DYSOS (who openly supported two of the candidates and the passage of the override) on school property. Note: See the highlighted text from the 5/6/11 email invitation provided to the Superintendent. The description of the event was wholly inaccurate and in no way resembled what actually took place at that event. DYSOS sponsored and one of its members, Dick McGarr, moderated the "Candidate's Night" which was held at the Station Avenue Elementary School, using the school's system for televising school committee meetings (rather than the community television studio) and which only introduced these two candidates, as Douglas Peabody and Michael Shea were not invited until the eleventh hour and were not available. It was originally stated that a student advisor was going to moderate the event for the benefit of the students, but ended up being chaired/moderated by Mr. McGarr from DYSOS. This event was posted on the school district website and was held in the school – and materials were distributed supporting the override.
9. The materials contained herein evidence the following:
 - a. Andrea St. Germaine filed her first campaign finance report, due May 9, 2011, well after the deadline;
 - b. Contributions were made to Andrea prior to organization date;
 - c. One contribution made to Andrea St. Germaine by Dick McGarr was entered with no date;
 - d. Neither John Poole's first nor final finance reports were signed by him;
 - e. John Poole reported in his final finance report the ice cream truck as a campaign expense but, in fact, all signage and campaign advertising and materials which were posted on the truck and which were being handed out were for both Andrea St. Germaine **and** John Poole. As such, Andrea St. Germaine should have but neglected to report the campaign expense of half of the ice cream truck;
 - f. John Poole's dissolution report states that the balance remaining in his account was given to DYSOS, an organization which is **not** registered as a PAC, a Ballot Committee or a Charitable Organization;
 - g. Andrea St. Germaine has, as yet, not submitted her final campaign finance report which was due June 17, 2011.
10. In violation of *Anderson v. City of Boston*, public resources were used to support the Proposition 2½ override ballot question and the materials herein evidence that the school district's All Call/Alert Now system were used to not only encourage parents to vote, but also to thank parents for passing the override after the election in 2010. This list of Alert Now calls establishes a pattern evidencing that Superintendent Carol Woodbury and her administrators use the school district's resources to encourage parents to attend Annual Town

Meetings (ATM) where the required first vote on the budget override is made (Alert Now calls are made only to parents and have not been made during non-override years) and to vote at the election for the override. She has done so during at least the last two years' elections.

11. This is an example of the materials which the Superintendent utilizes to convince parents to vote for the override each year, again in violation of *Anderson v. City of Boston*. By this date, the budget had already been decided; thus, there was no other reason to produce such a document for distribution.
12. The materials herein contain a packet of information which was taped on various mailboxes in Yarmouth prior to the election and clearly state (see highlighted line at the bottom of the third page) that the information was compiled by DYSOS (Dennis Yarmouth Support Our Schools, an unregistered PAC and/or unregistered Ballot Committee) **and** the DY School Administration and Town Officials.
13. This is an email sent first by the Superintendent to members of DYSOS/DYSAG asking them to forward it to others (the head of the Democratic Town Committee, John Poole's Treasurer, etc.) with a link to a school-funded survey which was also linked on the school district website and which was conducted by the Superintendent evidencing the Superintendent's clear and undeniable push toward passing the override under the guise of "budget confusion re: formula". No results to this survey have been posted to date, further supporting that it was not an effort to clarify "budget confusion" (for a budget which had already been voted) but rather, was intended to promote votes for the override. Links to this survey were sent out 12 days prior to the election.
14. May 13, 2011 letter which was sent to all parents of Station Avenue Elementary School (4 days prior to the election) which evidences the staff pushing parents to vote for the override and also reminds them of a fundraising event by "Faces of Our Future", which I believe to be an unregistered Charitable Organization.
15. This is an email chain which evidences Superintendent Woodbury's pattern of involvement with the unregistered PAC and/or unregistered Ballot Committee, DYSAG and exchanging information with them regarding how to get people to vote for overrides.
16. This is the agenda notifying parents and others that the group, DYSOS, acting as an unregistered PAC and/or Ballot Committee, would be attending a school council meeting to answer questions about the school district budget and the override. The attached materials were given out at the Mattacheese Middle School Council meeting (referenced in Item #8) on March 21st and evidences the tie-in of Dennis-Yarmouth Parents with DYSOS. As such, they were allowed to use a public school and public school event to further their political positions. It has been reported that Mr. McGarr also appeared at other school council meetings distributing these and/or similar materials and making presentations. Many of the members of DYSOS are also members of DYSAG and this so-called parent group. At the 3/21/11 meeting, he stated that he had been at the high school registering students to vote. DYSOS members were all contributors to Andrea St. Germaine's and John Poole's candidacies and were all very vocal in local newspapers in support of the override and St. Germaine and Poole as candidates for the school committee.
17. In violation of Section 13 of MGL c.55, these are two emails of eye-witness accounts of the ice cream truck with St. Germaine's and Poole's campaign banners, which was only reported on John Poole's filing.
18. These are a variety of newspaper articles and letters to the editor from various members of the aforementioned groups (unregistered PACs, unregistered Ballot Committees and/or

unfiled Charitable Organizations) clearly supporting two specific candidates for school committee and supporting the override. Also of note: One of the articles/letters was written by Stacy Ferreira, who was an employee of the school district during 2010 and may well continue to be during 2011; and is a member of Faces of Our Future and the other aforementioned groups.

- 19.** This is an email chain with attachments from Stacy Ferreira, a school district employee and member of Faces of Our Future, an unregistered/unfiled Charitable Organization, which clearly raised funds for the school district.
- 20.** This is a print-out from the DYSAG website thanking readers for passing the override.

I trust that these matters will be thoroughly investigated by the appropriate authorities. In my estimation, the current Superintendent and other school district employees have extensively collaborated with members of unregistered groups/organization to profoundly influence the election with regard to the Proposition 2½ override ballot question and the election of two specific school committee candidates. The candidates were complicit in these endeavors and I believe that I have gathered sufficient evidence to support my allegations.

It has been a daunting task to gather these materials and has taken me some time to organize and catalog them sufficiently. When I began this endeavor, I had no real concept of the magnitude and complexity of the insidious nature of these groups' actions and was even more disappointed and concerned to find the level with which the Superintendent, administrators and district employees collaborated in their efforts.

Kind regards,

Susan L. Abbott

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enclosures