

Monroe A. Miller Jr.
19 Big Spruce Lane
Waynesville, NC 28786
May 13, 2015

Joe Patton, Field Auditor
Campaign Finance Division
NC Board of Elections
(919) 733-7173
(866) 522-4723
campaign.reporting@ncsbe.gov

Subject: Complaint Against Mike Clampitt and David Sawyer.

I am filing a complaint against both Mike Clampitt [R] and David Sawyer [R] for irregularities discovered with their campaign reporting documentation pursuant to § 163-278.11 (a)(1,2). Much of the information contained within this complaint was brought to my attention, and I have attempted to resolve these issues with both Mike Clampitt and David Sawyer, to no avail. I therefore find it credible enough that it should warrant your investigating these irregularities. Maybe you will have better luck than I.

Mike Clampitt was a 2014 Republican candidate for District 119 of the North Carolina House of Representatives. He was defeated by Joe Sam Queen [D]. Clampitt ran in the 2012 election for North Carolina House of Representatives District 119. He ran unopposed in the Republican primary on May 8, 2012. He was defeated by Joe Sam Queen [D] in the general election which took place on November 6, 2012.

David Sawyer is Chair of the GOP 11th District Executive Committee, and has been for years.

Mike Clampitt and David Sawyer are first cousins. From Mike Clampitt's Facebook page, Mike Clampitt is on the right, and David Sawyer is second from the right behind Mike Clampitt's mother.



On April 21, 2015, a list of concerns regarding both David Sawyer and Mike Clampitt was brought to my attention. This was just prior to the 11th District Convention, to be held in Haywood County. I sent the following e-mail to David Sawyer and Mike Clampitt, along with a significant copy list.

Subject: Re: 11th District Executive Meeting

Date: Tue, 21 Apr 2015 10:50:38 -0400

From: Monroe Miller

To: Mike Clampitt <mike6222@live.com>, David Sawyer <dasawyer13@msn.com>

CC: EDDIE CABE, Claude Pope <claud.pope@ncgop.org>, Carolyn Justice <carolynjustice16@gmail.com>, Michael Lyons <mjameslyons@gmail.com>, Todd Poole <todd.poole@ncgop.org>, Mark Zaffrann, Lisa Womack, Denny King, Jonnie Cure, Andrew Jackson, Barbara Buck, Valerie Newkirk, Mike Matthews, Phillip Wight, Ken Hensen, Tomile Cure, Jeremy Davis, Lisa Baldwin, Pat Carr <carr4pat@aol.com>, Jim Meyer <ncgop11@gmail.com>, Hunter Murphy <hunter@huntermurphyllaw.com>

Mr. Sawyer and Mr. Clampitt,

Since we are already having this informative conversation (although so far, it appears to be only one-way), I bring to you some additional questions that have been brought to my attention. In fact, I am being inundated. Please take the time to look these over and let me know your thoughts.

- Mike Clampitt received a \$2,500 donation from the 11th District GOP, deposited into Mike4House Campaign Committee, on 1/03/13, which is a date AFTER the 2012 election and just a few months before Mike Clampitt would announce in June.
- Why was the money deposited into this account before a primary?
- What business does the 11th District GOP have giving money to committees that aren't even supposed to be active?
- Where did Mike4House report this on his official contribution documents? (This would be a Class I Felony under § 163-278.14 which states that no 'anonymous' contributions may be given.) [re: <http://www.ncleg.net/gascripts/statutes/statutelookup.pl?statute=163-278.14>]
- Why, for that matter, was Mike Clampitt's account still open? Why is it still open even today? Is he a perpetual candidate?
- Mike Clampitt was a member at large of the 11th district executive committee at the time of receiving this contribution. So he had to vote on the allocation of these funds. Where are the minutes proving both the disbursement of the funds and the approval of Mike Clampitt to the executive board?
- The party distributed unequal contributions to other candidate committees. Only \$600 was given to Elect Mark Crawford Committee and The Committee To Elect Michelle Presnell. At the end of the day, over \$3100 was given to Mike Clampitt. This certainly gives the appearance of impropriety. Please explain the rational.
- 05/09/2014 and 04/18/2014 on the NC Board of Elections Website are penalty notices where David Sawyer failed to complete the reports on time, costing the district party \$500 per violation, totaling \$1000 of donated money. This seems incredibly irresponsible. Please explain.
- Link to Mike Clampitt's reports page:
http://app.ncsbe.gov/webapps/cf_rpt_search_org/cf_report_doc_results.aspx?ID=STA-506364-C-001&OGID=22098
- Link to 11th District GOP reports page:
http://app.ncsbe.gov/webapps/cf_rpt_search_org/cf_report_doc_results.aspx?ID=STA-C4172N-C-001&OGID=4471

The following images were included within this e-mail.

Disbursements

Pg 1 of 1

Amendment Yes No

Use this form to report expenditures from the committee for; operating expenses, contributions to candidate/political committees and coordinated party expenditures.

1. Committee Full Name (and Fund if applicable) 11th Congressional District Republican Party		2. ID Number STA-C4172N-C-001			
3. Type of Disbursement (Please use separate CRO-1310 forms for each type of Disbursement.) <input type="checkbox"/> Operating Expenses <input checked="" type="checkbox"/> Contributions to Candidates/Political Committees <input type="checkbox"/> Coordinated Party Expenditures					
4. Payee Information <input checked="" type="checkbox"/> Add <input type="checkbox"/> Remove					
a. Full Name, Mailing Address & Phone (include city, state, & zip) Mike4House PO Box 386 Bryson City, NC 28713		b. Coordinated Committee Name		d. Comments	
		c. Level Registered (Specify) <input type="checkbox"/> Federal <input type="checkbox"/> County: <input checked="" type="checkbox"/> State <input type="checkbox"/> Municipality:		e. Election Sum to Date \$ 2,500.00	
f. Account Code	g. Form of Payment	h. Purpose Code	i. Date (mm/dd/yyyy)	j. Amount	k. Required Remarks
2	Check	G	01/04/2013	\$2,500.00	To Mike4House Campaign
				\$	

Disbursements

Pg 1 of 1

Amendment Yes No

Use this form to report expenditures from the committee for operating expenses, contributions to candidate/political committees and coordinated party expenditures

1. Committee Full Name (and Fund if applicable) 11th CONGRESSIONAL DISTRICT REPUBLICAN PARTY		2. ID Number STA-C4172N-C-001			
3. Type of Disbursement (Please use separate CRO-1310 forms for each type of Disbursement.) <input checked="" type="checkbox"/> Operating Expenses <input type="checkbox"/> Contributions to Candidates/Political Committees <input type="checkbox"/> Coordinated Party Expenditures					
4. Payee Information <input type="checkbox"/> Add <input type="checkbox"/> Remove					
a. Full Name, Mailing Address & Phone (include city, state, & zip) JAMES M. CLAMPITT P.O. Box 2000 BRYSON CITY, NC 28713		b. Coordinated Committee Name		d. Comments	
		c. Level Registered (Specify) <input checked="" type="checkbox"/> Federal <input type="checkbox"/> County: <input type="checkbox"/> State <input type="checkbox"/> Municipality:		e. Election Sum to Date \$ 81.84	
f. Account Code	g. Form of Payment	h. Purpose Code	i. Date (mm/dd/yyyy)	j. Amount	k. Required Remarks
1	CK	K	04/24/2014	\$ 81.84	OFFICE SUPPLIES
				\$	

Disbursements

Pg 1 of 2

Amendment Yes No

Use this form to report expenditures from the committee for operating expenses, contributions to candidate/political committees and coordinated party expenditures

1. Committee Full Name (and Fund if applicable) 11th CONGRESSIONAL DISTRICT REPUBLICAN PARTY		2. ID Number STA-C4172N-C-001			
3. Type of Disbursement (Please use separate CRO-1310 forms for each type of Disbursement.) <input type="checkbox"/> Operating Expenses <input checked="" type="checkbox"/> Contributions to Candidates/Political Committees <input type="checkbox"/> Coordinated Party Expenditures					
4. Payee Information <input type="checkbox"/> Add <input type="checkbox"/> Remove					
a. Full Name, Mailing Address & Phone (include city, state, & zip) Mike 4 House PO Box 2000 Bryson City, NC 28713		b. Coordinated Committee Name		d. Comments	
		c. Level Registered (Specify) <input checked="" type="checkbox"/> Federal <input type="checkbox"/> County: <input type="checkbox"/> State <input type="checkbox"/> Municipality:		e. Election Sum to Date \$ 2500.00	
f. Account Code	g. Form of Payment	h. Purpose Code	i. Date (mm/dd/yyyy)	j. Amount	k. Required Remarks
	CK	D	10/20/2014	\$ 600.00	
				\$	

Disbursements

Use this form to report expenditures from the committee for operating expenses, contributions to candidate/political committees and coordinated party expenditures

Committee Name (and Fund if applicable)						2014 Number	
11th CONGRESSIONAL DISTRICT REPUBLICAN PARTY						STA-24172N-C-001	
<input type="checkbox"/> Operating Expenses <input checked="" type="checkbox"/> Contributions to Candidates/Political Committees <input type="checkbox"/> Coordinated Party Expenditures							
Payee Information							
a. Full Name, Mailing Address & Phone (include city, state, & zip)				b. Coordinated Committee Name		d. Comments	
Mike 4 House PO Box 2000 Bryson City, NC 28713							
c. Level Registered (Specify)						e. Election Sum to Date	
<input checked="" type="checkbox"/> Federal <input type="checkbox"/> County: <input type="checkbox"/> State <input type="checkbox"/> Municipality:						\$ 2500.00	
f. Account Code	g. Form of Payment	h. Purpose Code	i. Date (mm/dd/yyyy)	j. Amount	k. Required Remarks		
	CR	D	10/20/2014	\$ 600.00			
				\$			

Payee Information							
a. Full Name, Mailing Address & Phone (include city, state, & zip)				b. Coordinated Committee Name		d. Comments	
Presnell for House 316 Woodstock Dr Burrhead, NC 28714							
c. Level Registered (Specify)						e. Election Sum to Date	
<input checked="" type="checkbox"/> Federal <input type="checkbox"/> County: <input type="checkbox"/> State <input type="checkbox"/> Municipality:						\$ -0-	
f. Account Code	g. Form of Payment	h. Purpose Code	i. Date (mm/dd/yyyy)	j. Amount	k. Required Remarks		
	CR	D	10/21/2014	\$ 600.00			
				\$			
Total						\$ 1800.00	
(This line goes in line 13a of Detailed Summary Page CRO-1100 of Operating Expenses) (This line goes in line 13b of Detailed Summary Page CRO-1100 of Contrib to Candidates/Political Comm) (This line goes in line 13c of Detailed Summary Page CRO-1100 of Coordinated Party Expenditures)						\$	

Mike Clampitt has never responded. David Sawyer finally responded to a partial list of questions that had been submitted to him. The issue of the \$2,500 has never been addressed by Sawyer or Clampitt. Sawyer's response was delivered the evening prior to the Convention, and as follows.

Eleventh Congressional District
Republican Party

April 24, 2015

VIA Electronic Mail

Haywood County Republican Party
Kenneth Henson, Chair
Mark Zaffrann, Vice Chair

Re: Inquiries from Members of the Haywood County Republican Party Executive Committee

Gentlemen,

Over the past few days, various members of the 11th Congressional District Executive Committee have received inquiries from several members of the Haywood County Republican Party Executive Committee. These have included Monroe Miller (Chairman, Allens Creek Precinct, HCGOP), Eddie Cabe (Chairman, Beaverdam 1 Precinct) and Debbie King (Secretary, HCGOP). In addition, Facebook postings from Jeremy Davis (HCGOP Finance Chair) have been made to one or more Facebook accounts making inquiry.

It is unclear whether these inquiries are being made on behalf, or with the authority, of the Haywood County Republican Party. And, as there has been no formal showing as to what authority they are acting upon, this letter is being sent to you as officers of the HCGOP and members of the 11th Congressional District Republican Executive Committee. Moreover, inasmuch as several of these inquiries relate to the Haywood County Republican Party, a response to the Party is appropriate.

The inquiries and responses are set forth below.

First, an inquiry was made as to whether or not the undersigned was involved in any way in criminal and/or civil proceedings brought against HCGOP Executive Committee member Monroe Miller in Guilford County. The answer is no.

Second, an inquiry was made as to whether the undersigned was involved in "sending" Matthew Hebb, Michael Lyons, or Leo Phillips to "fix" the Haywood County Republican Party. This question is premised upon the idea that someone sent one or more individuals to Haywood County to "fix" a situation there. I do not know that that occurred. But, if it did, the undersigned did not take part in "sending" those persons.

Third, an inquiry has been made regarding donations made by the 11th District Republican Party to James Michael Clampitt, a candidate for the North Carolina House in 2012. Prior to the 2012 election, the 11th District Republican Party Executive Committee met and, during that regularly scheduled meeting, authorized the disbursements of District money to two candidates in connection with the 2012 election. One such candidate was Mr. Clampitt, who was to receive \$2,500.00. In accordance with the directive of the 11th District Executive Committee, a check was tendered to Mr. Clampitt's campaign for that amount. This donation was reported by the 11th District Republican Party on campaign-finance reports. The candidate designated to receive the other donation advised that his campaign was sufficiently funded and disbursement of the money was not necessary. Therefore, no check was tendered in that case.

Similarly, prior to the election of 2014, the 11th District Executive Committee again met, at a regularly scheduled meeting, and directed that certain sums of District money be donated to the campaigns of Michelle Presnell, Mark Crawford and Mr. Clampitt. Each of these donations was to be for \$600. Again, in accordance with that directive, checks were tendered to the campaigns of those three individuals. In addition, \$2,000 was allocated to a get out the vote effort, which was directed, in large part, to getting out the vote in Haywood County.

Fourth, a inquiry has been made regarding the filing of reports by the 11th District Republican Party with the North Carolina State Board of Elections. Specifically, reference is made to letters received from the State Board of Elections, dated April 18, 2014 and May 9,2014. In May 2014, it came to the attention of the undersigned that one or more reports had not been timely filed by the 11th District Republican Party treasurer. As a result, I contacted the N.C. State Board of Elections and made inquiry as to the matter. I was advised by Board personnel that the Board's primary interest was to secure the filing of the reports. They were in fact filed. With respect to the penalty notices, I was advised by Board personnel to submit an appeal of the penalty to the State Board of Elections. This appeal was submitted. The State Board has taken no further action in pursuance of the penalty. The 11th District Republican Party has paid no money to the State Board of Elections as a result of these notices.

We have also received inquiry regarding the family relationship between the undersigned, and James Michael Clampitt. We are first cousins, a fact which has been well known to members of the 11th District Republican Party Executive Committee and North Carolina GOP officials for years.

Inquiries have also been made regarding minutes of the 11 th District Republican Party meetings for the past two years. That matter is under review and will be addressed at the next regularly scheduled 11th District Republican Party Executive Committee meeting. The matters discussed above will also be addressed at that meeting.

Thank you for your attention. At your convenience, please advise whether the inquiries referenced above were made under the authority of the Haywood County Republican Party.

Respectfully,
David A. Sawyer

Chair, 11 th Congressional District Republican Party

Angela Moore, 11 th District Vice Chair
Matthew Wechtel, 11 th District Vice Chair

P.O. Box 1963, Bryson City, North Carolina 28713

I had a particular problem with David Sawyer's response to his first question, and so I responded to David Sawyer's letter on 5/1/2015 as follows:

[Editors Note: This letter has been redacted from the on-line version]

On 5/12/2015, I received the following e-mail from Jeremy Davis.

Subject: Interesting letter I just received

Date: Tue, 12 May 2015 15:51:50 -0400

From: Jeremy Davis

To: Monroe Miller, EDDIE CABE, Denny King, Jonnie Cure, Tomile Cure, Mark Zaffrann, Andrew Lee Jackson and Wife

To the State Board:

I am writing today to bring your attention to a dire issue in campaign finance in Western North Carolina. Pursuant to § 163-278.11 (a)(1,2), treasurers are required to keep an accurate record of both disbursements and contributions. I am writing to inform you of five omissions of a contribution, and one omission of a disbursement. The two committees that are relevant to this discussion are the 11TH CONG DIST REC [STA-C4172N-C-001] and MIKE 4 HOUSE (JAMES MICHAEL CLAMPITT) [STA-506364-C-001].

During the 2013-2014 election cycle, the 11th REC reported \$3,100 in contributions to the MIKE 4 HOUSE committee. During this time, the recipient committee failed to list this contribution on five separate reports, violating § 163-278.11 (a)(1) five separate times. Additionally, there is inaccurate reporting among several of these reports, including a discrepancy of 1049.45 reported as cash on hand between December 31, 2012 and January 1st, 2013.

Pursuant to § 163-278.11 (a)(2) a treasurer is required to submit all disbursements from a committee. Over \$1,000 in disbursements are missing and are presently unaccounted for.

Additionally, an amended report submitted by MIKE 4 HOUSE lists a \$2,500 donation in December of 2012. There is no report of any such donation made in December of 2012 from the 11th REC.

2012 Q4

Page 2 claims the cash on hand as of December 31, 2012 is 5363.01 on line 19.

2013 semi-Annual

Page 1 claims cash on hand as of January 1, 2013 4,313.56 in box 11 d. Mike 4House Claims a contribution from the REC 11 in the amount of \$2,500, yet this is not on the REC 11 reports for the same dates. Mike4House claims it was received in 2012. The REC 11 claims it was disbursed in 2013.

2013 Year End

Page 2 incorrectly attributes the Start of the Election cycle as January 1, 2014, not 2013. Line 7 omits the aforementioned \$2,500 donation.

2014 Q1

Line 7 omits the aforementioned \$2,500 contribution from REC11 under the column 'Total this Election Cycle'. Line 12 "total Receipts" incorrectly states 2312.56. This should read 2190.00 as per the above form.

2014 Q2

Page 2 omits Cash on Hand at Start for both 'This Period' and 'This Election Cycle'. Line 7 omits \$2,500 given in January 2013 under 'Total This Election Cycle'.

2014 Q3

Page 1 has no Period Begin balance, which makes it impossible to verify other numbers. It also omits Cash on Hand for both 'This period' and 'This election cycle', which makes it impossible to verify other numbers. Line 7 omits the \$2,500 contribution given in January of 2013, as confirmed by the REC 11 Reports.

2014 Q4

Page 1 has no Period Begin Balance, which makes it impossible to verify other numbers. Page 2 omits cash on hand for both the reporting period, and the election cycle to date. Line 7 fails to list and include the contribution of \$2,500 given in January of 2013, as confirmed by the REC 11 Reports. Page 6 omits a contribution of \$2,500, given in January of 2013, as confirmed by the REC 11 reports.

I would urge the State board to immediately take a closer look at these reports. Below is detailed list of issues with each of MIKE4HOUSE's reports, and questions that I now have concerning these reports.

As you can imagine, many of us in the 11th District are concerned over these misreported figures, and the law must be upheld.

Please respond as soon as possible.

Sincerely,

A Concerned Voter

§ 163-278.11. Contents of treasurer's statement of receipts and expenditures.

(1) Contributions. - Except as provided in subsection (a1) of this section, a list of all contributions received by or on behalf of a candidate, political committee, or referendum committee.

(2) Expenditures. - A list of all expenditures required under G.S. 163-278.8 made by or on behalf of a candidate, political committee, or referendum committee. The statement shall list the name and complete mailing address of each payee, the amount paid, the purpose, and the date such payment was made. The total sum of all expenditures to date shall be plainly exhibited.

Please let me know if anything else is required for submission of this complaint against Mike Clampitt and David Sawyer, and I will do my best to accommodate you.

Monroe A. Miller Jr.
HCGOP Precinct Chair, Allens Creek