



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2774

DATE FILMED 9/24/91 CAMERA NO. 4

CAMERAMAN AS

2104036500

OCTOBER 5, 1988

06C#688
RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

88 OCT 11 PM 2:27

FEDERAL ELECTIONS COMMISSION
999 E. STREET N.W.
WASHINGTON D.C. 20463

RE; CRUTCHER FOR CONGRESS COMMITTEE - OHIO 3RD DISTRICT

PLEASE BE INFORMED THAT THE FOLLOWING STATEMENTS ARE SUBMITTED
TO FEC AS COMPLAINTS AGAINST THE ABOVE MENTIONED COMMITTEE.

1. Ron Crutcher, candidate, has channeled contributions including a check from the NRCC for approximately \$5000, into savings account that the Campaign Manager, Financial Director and Treasurer had no knowledge of or of the existence of this account. Evidence suggest intermingling of funds.

Delbera Crutcher, wife of candidate, controls this savings account.

Check Society Bank of Dayton or First National Bank of Dayton to find where this account is located.

2. Just came to knowledge of Campaign Manager that the Committee's checking account at First National Bank, Dayton, Acct.# 042200279 058 3543 is recorded under an address that is not the Campaign Headquarters address. The staff is unaware of any Committee P.O. Box and neither the Campaign Manager or the Treasurer have received any bank statements.

For your information: the P.O. Box 174 is listed under the business name of Midwest One Communications.

3. It has been questioned that we are not receiving mail or checks to our Campaign address. Therefore, Manager has no control over mail or possible contributions coming through direct mail. It has been discovered that Ron Crutcher is using five different mailing addresses to receive Crutcher for Congress Committee mail. These addresses are:

* P.O. Box 174, Dayton, Oh 45402

(This also belongs to his business, and his brother Jim under the name: Midwest One Communications 513-274-5226

* 323 Salem Avenue, Dayton, OH 45406

(This address is also the business address to Midwest One Communications and wife's business- Medical Answering Service and Business Organizers) 513-222-7506 and 513-274-5226

88 OCT 11 PM 4:32

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5
2
- * 220 Otterbein Avenue, Dayton, Oh 45406 513-276-5226
(Ron Crutcher's former home address)
 - * 1538 Bryn Mawr, Dayton, Oh 45406 513-276-5226
(Ron Crutcher and Jim Crutcher's present home address)
 - * Crutcher for Congress Committee
521 E. Fifth St. Dayton, OH
513-222-4630
(This is our Campaign Headquarters and the ONLY ADDRESS our staff is using and has knowledge of.)

4. Candidate accepts illegal contributions-corporate checks.

Example: Financial Counseling Inc. (Arvin M. Vaughan)
7811 Mad River Road Centerville, Oh
* (reported to FEC per phone week of 9-26-88)

Campaign Manager, Financial Director, volunteer Dick Wiley, Jim Crutcher witnessed Ron Crutcher trying to persuade the Treasurer, Bob Gilbert, to deposit a Corporate Check \$1000 into the Campaign Committee's checking account.

(This check of \$1000 - Dayton Lubrication, Inc. signed by Bill Johnson is being returned by Financial Director.)

5. Campaign Manager had no knowledge of any equipment bought with campaign funds and discovered that a IBM AT compatible computer, bought with campaign funds was being used by family owned businesses. It has been at 323 Salem Ave. Dayton, Oh and used in part daily in the operations of the wife's business, (this was witnessed by Financial Director and Alex Ugolini and admitted by candidate himself) Candidate was confronted by Campaign Manager to move this computer to Campaign Headquarters. Following 6 weeks of staunch protest by Campaign Manager, Financial Director, Consultant Rick Woodrow, Target Consulting, candidate allowed us to move computer on or about Sept. 22.

Please note * (This question was raised in a telecon with FEC on or about numerous call between Aug. 25 - Sept. 22)

Please note * (This question was also raise and called into NRCC Legal Dept. on or about week of Sept 1.)

Complaint: Illegal use of campaign equipment

6. Payroll check of \$525 made out to Richard Vara in July bounced. Campaign Manager personally covered the check. Returned check was given to Treasurer and has never been re imbursement.

Bounced checks include Post Office, Arcade Printing, Ohio Bell, Midtown Development (office rent) and others. Contact

Bounced checks include Post Office, Arcade Printing, Ohio Bell, Midtown Development (office rent) and others. Contact Treasurer, Bob Gilbert, for information.

7. Ron Crutcher has breached contract and has failed to pay salaries to Campaign Manager and Financial Director since July 23, 1988. Candidate made comment to the effect to Campaign Manager that "he felt that there were more important priorities to pay in this campaign"

Complaint: Candidate to date has failed to honor weekly payroll obligations. Please note that litigation has been filed by the previous campaign manager, Bill Kintner, for like complaint.

Donna Van Pelt
Campaign Manager

Donna Van Pelt 10-4-88

Richard Vara
Financial Director

Richard Vara 10-4-88

10-6-88 Betty J. Shockley
BETTY J. SHOCKLEY, Notary Public
for the State of Ohio
My Commission Expires May 27, 1992

cc: Donald Brey, Esq.

FBI - Dayton Field Office

Tim Meyer, National Republican Congressional Committee

Bob Bennett, Chairman Ohio Republican Party

Pat Flannigan, Chairman Montgomery County Rep. Party

Donna Van Pelt
5480 N. Main St.
Dayton, OH 45415
513-275-3176

Richard J. Vara
6209 Doewood Ct.
Columbus, OH 43229
614-891-6739

31040363503

October 5, 1988

Mr. Ron Crutcher
Crutcher for Congress Committee
521 E. Fifth St.
Dayton, OH 45402

Subject Matter: Letter of Resignation

Dear Mr. Crutcher:


This is to inform you that effective today, October 5, 1988,
I resign as Campaign Manager for the Crutcher for Congress
Committee 88'.

I refuse to condone, support or be party to your questionable,
improper or possibly illegal activities.

It is evident that your standard method of operation is
unethical and does not meet Federal, State or County regulations
concerning fundraising, management of funds and Committee
property.

I find that you have been dishonest with me as well as with
this community and I can no longer associate myself with you.

My attorney will contact you concerning collection of personal
money loaned to you and my full back salary.


Donna Van Pelt
Campaign Manager

October 5, 1988

cc: Donald Brey, Esq.

Federal Election Commission

Tim Meyer, NRCC

Bob Bennett, Chairman Ohio Republican Party

Pat Flannigan, Chairman Montgomery County Rep. Party

October 5, 1988

Mr. Ron Crutcher
Crutcher for Congress Committee
521 E. Fifth St.
Dayton, OH 45402

Subject Matter: Letter of Resignation

Dear Mr. Crutcher:


This is to inform you that effective today, October 5, 1988,
I resign as Finance Director for the Crutcher for Congress
Committee 88'.

I refuse to condone, support or be party to your questionable,
improper or possibly illegal activities.

It is evident that your standard method of operation is
unethical and does not meet Federal, State or County regulations
concerning fundraising, management of funds and Committee
property.

I find that you have been dishonest with me as well as with
this community and I can no longer associate myself with you.

My attorney will contact you concerning collection of my full
back salary.


Richard J. Vara
Financial Director

October 5, 1988

cc: Donald Brey, Esq.

Federal Election Commission

Tim Meyer, NRCC

Bob Bennett, Chairman Ohio Republican Party

Pat Flannigan, Chairman Montgomery County Rep. Party

RECEIVED
FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

OGC-702

OCTOBER 15, 1988 OCT 20 PM 2:41

88 OCT 20 PM 12:15

FEDERAL ELECTIONS COMMISSION
999 E. STREET N.W.
WASHINGTON D.C. 20463

RE; CRUTCHER FOR CONGRESS COMMITTEE - OHIO 3RD DISTRICT
Ron Crutcher - Candidate
521 E. Fifth St.
Dayton, OH 45402
(513) 222-4630

PLEASE BE INFORMED THAT THE FOLLOWING STATEMENTS ARE SUBMITTED
TO FEC AS COMPLAINTS AGAINST THE ABOVE MENTIONED COMMITTEE.

1. Ron Crutcher, candidate, channeled contribution, a check from the NRCC for approximately \$5000, into a savings account. The Campaign Manager, Financial Director and Treasurer had no knowledge of the existence of this account. Evidence suggest intermingling of funds.

Delbera Crutcher, wife of candidate, controls this savings account. This is what Mr. Crutcher says.

I was not aware that this savings account existed at all. This account is at the Society Bank, Salem Ave. Dayton, Oh under the name: Crutcher for Congress.

Our Treasurer, Robert L. Gilbert, told me he was unaware of any savings account. He only opened a checking acct. at First National Bank #042200279: 058 3543 around August 1-5, 1988.

FEC was contacted by Richard Vara, Finance Director and was informed that FEC has no record of such savings account. It was never reported to FEC in 1988 or in 1986.

Candidate withheld the existence of this savings account from me and the treasurer. Also, candidate would not have told me that he had intercepted this check and deposited it until I confronted him following a phone conversation with NRCC that in fact they had sent out a check to campaign weeks prior.

Mr. Crutcher admitted to me on or about Sept. 25, 1988 that he had this savings account.

See enclosed copy of cashier's check drawn off this acct. supposedly this is all that was left of the National Republican Congressional Committee check of almost \$5000.

2. Just came to my knowledge that our Crutcher for Congress checking Acct# 042200279 058 3543 at First National Bank Dayton

Ohio is recorded under an address that is not the Campaign Headquarters address. It is listed under: P.O. Box 174, Dayton OH 45402 (See enclosed copy of deposit slip)

I was hired the last week of July at the Campaign Headquarters located at: 521 E. Fifth St. DAYton, OH 45402

Myself, treasurer and finance director have no knowledge of a P.O. Box 174 and as seen by next statement, I question this withholding of information from me and staff and also question why the need for multiple addresses when dealing with direct mail, bank statements and contributions.

See enclosed for businesses at the address of P.O. Box 174. I highly question this and also if this address was used in 1986 campaign why wasn't I told of its existence in 1988 and why didn't the candidate put a change of address in to the post office to change it to our 521 E. Fifth St. DAYton, Oh? It seems evident that Mr. Crutcher intends to have full control of any monies coming through mail as evident from the NRCC check he received and had no intention of informing the treasurer or myself.

Please note: When confronted about that NRCC check, Mr. Crutcher told me he had given it to Mr. Gilbert. HE lied. When I confronted the Treasurer he had no knowledge of such a check.

For your information: the P.O. Box 174 is listed under the business name of Midwest One Communications. (See enclosed)

3. It has been questioned that we are not receiving mail or checks to our Campaign address. Therefore, Manager has no control over mail or possible contributions coming through direct mail. It has been discovered that Ron Crutcher is using five different mailing addresses to receive Crutcher for Congress Committee mail. These addresses are: (See enclosed)

* P.O. Box 174, Dayton, Oh 45402

(This also belongs to his business, and his brother Jim under the name: Midwest One Communications 513-274-5226

* 323 Salem Avenue, Dayton, OH 45406

(This address is also the business address to Midwest One Communications and wife's business- Medical Answering Service and Business Organizers) 513-222-7506 and 513-274-5226

21040363507

* 220 Otterbein Avenue, Dayton, Oh 45406 513-276-5226
(Ron Crutcher's former home address)

* 1538 Bryn Mawr, Dayton, Oh 45406 513-276-6226
(Ron Crutcher and Jim Crutcher's present home address)

* Crutcher for Congress Committee
521 E. Fifth St. Dayton, OH
513-222-4630

(This is our Campaign Headquarters and the ONLY ADDRESS our staff is using and has knowledge of.)

Again, I question the withholding of this information and all these addresses from me. I question, why the need for more than one address when the only address I was aware of was: 521 E. Fifth St. Dayton, OH 45402. I reiterate here, if Mr. Crutcher was on the up and up, why didn't he put in change of addresses for all the above to the new address as of mid July? It also seems highly unethical to be receiving any Committee mail at his numerous business addresses.

*WITH SO MANY ADDRESSES, I HIGHLY QUESTION HOW MANY, IF ANY, CONTRIBUTIONS DID MR. CRUTCHER RECEIVE AT ALL OF THESE ADDRESSES AND WERE THEY EVER REPORTED? AGAIN, I REFER BACK TO THE NRCC CHECK OF ALMOST \$5000 THAT HE RECEIVED AT ONE OF THE OTHER ADDRESSES, NOT THE CAMPAIGN HEADQUARTERS. IF MR. CRUTCHER WAS NOT GOING TO INFORM ME OR THE TREASURER THAT HE RECEIVED THIS CHECK, THEN I MUST SUSPECT THERE MAY HAVE BEEN OTHERS.

*MR. CRUTCHER ADMITTED THAT HIS WIFE ALWAYS MADE OUT THANK YOU LETTERS TO CONTRIBUTORS WHILE IN HIS BUSINESS OFFICE ON THE COMPUTER. I HAVE NEVER SEEN THIS LIST AND SUPPOSE THAT IT WAS PART OF THE INFORMATION TAKEN OFF THE HARD DISK WHEN COMPUTER WAS FINALLY MOVED TO OUR CAMPAIGN OFFICE.

4. Candidate accepts illegal contributions-corporate checks.

Example: Financial Counseling Inc. (Arvin M. Vaughan)
7811 Mad River Road Centerville, Oh
* (reported to FEC per phone week of 9-26-88)

Mr. Crutcher called me on phone and admitted taking this check. Amount unknown, I think he said it was for \$100. Mr. Crutcher was selling tickets to a fundraiser event on Oct. 10, 1988, sponsored by Crutcher for Congress Committee.

Campaign Manager, Financial Director, volunteer Dick Wiley, Jim Crutcher witnessed Ron Crutcher trying to persuade the Treasurer, Bob Gilbert, to deposit a Corporate Check \$1000 into the Campaign Committee's checking account.

(This check of \$1000 - Dayton Lubrication, Inc. signed by Bill Johnson is being returned by Financial Director.)

I witnessed with others, Mr. Crutcher say to Mr. Gilbert, "find a way to put this check into our checking account"

I immediately dissented and informed Mr. Crutcher that he knew the law and I would not allow any illegal transactions on this campaign. Mr. Gilbert agreed. I question if Mr. Crutcher has received other corporate checks that I am not aware of.

5. I had no knowledge of any equipment bought with campaign funds and discovered that a IBM AT compatible computer, bought with campaign funds was being used by Crutcher businesses. It has been at 323 Salem Ave. DAYton, Oh and used in part daily in the operations of the wife's business, (this was witnessed by Financial Director and Alex Ugolini and admitted by candidate himself) Candidate was confronted by Campaign Manager to move this computer to Campaign Headquarters. Following threats of resignation by myself, Finance Director and, Rick Woodrow, (Target Consulting, 3602 Colby Ave. Everett, WA 98201 206-353-7933) on Sept. 18, Mr. Crutcher finally allowed us to move the computer to our campaign office on Sept. 22.

I specifically asked Mr. Crutcher in July if the Committee owned a computer or ever bought one and he said no. Upon questioning Mr. Crutcher, the last week of August again, he admitted that the Committee did indeed own a computer which he was using in his business office. He tried to convince me it was legal to keep it in his business and I protested and we called FEC and NRCC legal Dept. and were told the opposite. That campaign equipment was for campaign use ONLY and to be in the office of the CAMPAIGN HEADQUARTERS.

Please note* (This question was raised with FEC in calls between August 25 - Sept. 22)

Please note * (This question was also raised to NRCC Legal Dept. on or about week of Sept 1.)

Complaint: Illegal use of campaign equipment

It was admitted to volunteer Alex Ugolini and Mr. Richard Vara by Wife, Delbera that she could not get by in running her business (Medical Answering Service) without that computer. Mr. Crutcher also admitted wife's use of computer to myself.

Prior to moving this computer, Alex Ugolini found the hard disk to be 40% full. Upon moving the computer to our campaign office Alex Ugolini found the hard disk to be ONLY 5%

full. (refer back to complaint #3 - what was taken off?)

6. Payroll check of \$525 made out to Richard Vara in July bounced. I countersigned this check to cash it for Mr. Vara as he did not have a bank account, and this payroll check BOUNCED! THEREFORE, THE \$525 WAS TAKEN OUT OF MY BANK ACCOUNT. I INFORMED THE TREASURER, GAVE HIM THE RETURNED CHECK AND HAVE NEVER BEEN REIMBURSED.

Bounced checks include Post Office, Arcade Printing, Ohio Bell, Midtown Development (office rent) and others. Contact Treasurer, Bob Gilbert, for information.

IT SEEMS THAT PRIOR TO OPENING CHECKING ACCT. WITH NEW TREASURER, ROBERT L. GILBERT, CHECKS WERE MADE OUT AGAINST A -0- BALANCE. Audit should be done on books under prior treasurer, Dolbera Crutcher. Presently, Mr. Gilbert is still trying to reconcile checking account.

7. Ron Crutcher has breached contract and has failed to pay salaries to Campaign Manager and Financial Director since July 23, 1988. Candidate made comment to the effect to Campaign Manager that "he felt that there were more important priorities to pay in this campaign" also that running campaigns were different than running a business, in campaigns "you don't have to pay your bills" and you can't get blood from rock.

Complaint: Candidate to date has failed to honor weekly payroll obligations. Please note that litigation has been filed by the previous campaign manager, Bill Kintner, for like complaint.

Donna Van Pelt
Campaign Manager

Donna Van Pelt

10-15-88

I, Donna Van Pelt, *Donna Van Pelt*, this day of October 15, 1988, hereby swear before the Notary Public, *Philip E. Fennell* that the contents of these complaints are true to the best of my knowledge.

STATE OF OHIO *Philip E. Fennell*
MY COMMISSION EXPIRES
SEPT 9, 1990

Donna Van Pelt
5480 N. Main St.
Dayton, OH 45415
(513) 275 3176

cc: Donald Brey, Esq. 8 East Broad St. Columbus, OH 43215
FBI - Dayton Field Office - Bob Siller
Tim Meyer, National Republican Congressional Committee
Bob Bennett, Chairman Ohio Republican Party
Pat Flanagan, Chairman Montgomery County Rep. Party

Enclosures

Richard Vara, Finance Director
6209 Doewood Ct. Columbus, Ohio 43229
(614) 891-6739

Robert L. Gilbert, Treasurer
(513) 268-3237
(513) 263-9574
(513) 837-6374

Dick Wiley, volunteer
4736 Celtic Drive
Dayton, OH
(513) 253-8840

Alex Ugolini, volunteer
(513) 445-2689
(513) 859-7414
(513) 275-6527

Bill Kintner - c/o Attorney
Hanaghan & Hanaghan
Society Bank Bldg.
Dayton, OH
(513) 223-8194

Rick Woodrow, Target Consulting - Hired as Consultant to write
Campaign Plan for Crutcher,
3602 Colby Avenue
Everett, WA 98201
(206) 353-7933
(206) 743-1326

*Midtown Development Co. "Lessor" Rented Campaign Office at:
263 Wayne Avenue 521 E. Fifth St. Dayton, OH 45402
Dayton, OH "Lessee" Crutcher for Congress
(513) 228-0303

*LEASE WAS SIGNED - JUNE 1988

COUNTERSIGNATURE	Society BANK NA		CASHIER'S CHECK	No. 312013
	88-29 422			
	PAY	*****\$854 DOLLARS AND 25 CENTS		
	TO THE ORDER OF	*****CRUTCHER FOR CONGRESS*****		
	REMITTER	CRUTCHER FOR CONGRESS		
SEP30-88	3114 9579	<i>[Signature]</i>		*****\$854.25
DATE	AUTHORIZED SIGNATURE: COUNTERSIGNATURE REQUIRED OVER \$25,000			AMOUNT

⑈312013⑈ ⑆042200295⑆ 89⑈0002973⑈

This cashier's check was drawn off
a savings account under name:
Crutcher for Congress - Society Bank

Mr. Crutcher claims this is what is left
from NACC check of approx. \$5000
that he deposited in this account -

Mr. Gilbert and I had no knowledge of this account.

CASHIER'S CHECK

No. 312013

Society
BANK NA

PAY *****\$854 DOLLARS AND 25 CENTS

TO THE ORDER OF
REMITTER CRUTCHER FOR CONGRESS

SEP30-88 3114 9579

DATE

AUTHORIZED SIGNATURE: *[Signature]* COUNTERSIGNATURE REQUIRED OVER \$25,000

AMOUNT *****\$854.25

036 COUNTERSIGNATURE

312013 0422002951 89-0002973

This cashier's check was drawn off
a savings account under name:
Crutcher for Congress - Society Bank

Mr. Crutcher claims this is what is left
from NACC check of approx. \$5000
that he deposited in this account -

Mr. Gilbert and I had no knowledge of this account!

James H. Crutcher, Jr.
President



323 Salem Ave.
The Crutcher Group Suite
Dayton, Ohio 45406
(513) 274-5226

P.O. Box 174
Dayton, Ohio 45402



Ron Crutcher

Candidate
United States Congress
Ohio, 3rd District

521 E. Fifth St.
Dayton, OH
222-4630

R & D ASSOCIATES
Management & Financial Consultants

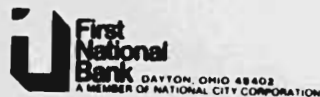
P.O. BOX 174 • DAYTON, OHIO 45402

DEPOSIT TICKET



CRUTCHER FOR CONGRESS
P. O. BOX 174
DAYTON, OH 45402

DATE _____ 19 _____



⑆042200279⑆ 058 3543⑈

CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE PROVISIONS OF THE UNIFORM COMMERCIAL CODE OR ANY APPLICABLE COLLECTION AGREEMENT

CASH	CURRENCY		
	COIN		
LIST CHECKS SEPARATELY			
TOTAL FROM OTHER SIDE			
TOTAL			
LESS CASH RECEIVED			
NET DEPOSIT			

56-27/422

USE OTHER SIDE FOR
ADDITIONAL LISTING

BE SURE EACH ITEM IS
PROPERLY ENDORSED

1-88

4 1 5 2 5 0 4 0 1 2

MIDWEST ONE COMMUNICATIONS

MEDIA CONSULTANTS

DAYTON, OHIO 45402 • (513) 274-5226

CLIENT Crutcher Congress BOO Wtr A&B

CITY/STATE Dayton, OH MKT Day. Metro

→ P.O. BOX 174

DATE: June 13, 1989

MEDIUM TV/RADIO/ ECT	DATE(S)	LENGTH	TIME	FREQUENCY	DAY(S)	TOTAL	COST	# ADULTS	COMMENTS
Television TN 2	6/5	:30	11:46a 11:51a	1x 1x	Sun		775.00 75.00	11,000 11,000	
	6/12	:30	11:45a 11:53a	1x 1x.	Sun	2x	75.00 75.00	11,000 11,000	
	6/19	:30	11:46a 11:51a	1x 1x	Sun	2x	75.00 75.00	11,000 11,000	
	6/26	:30	11:45a 11:53a	1x 1x	Sun	2x	75.00 75.00	11,000 11,000	
GRAND TOTAL						8x	600.00 Gross 90.00 Agy 510.00	88,000	
Net now due									

51579041

Tribulations converge on candidate

Crutcher sees destiny; ex-aides raise doubts

By Tom Boyerlein
STAFF WRITER

Ronald James Crutcher says he entered the political arena because of a calling from God.

"When God gives you the gift of leadership, He expects you to use it," Crutcher said Friday. "When you're associated with it, you know what your mission is in life. The gift has been bestowed on me."

But if there's a divine plan for Ron Crutcher's life, the moment of triumph has yet to arrive. His current situation might more aptly be likened to a solitary walk in the wilderness.

Four of the Republican congressional candidate's closest advisers have left his campaign since February, all of them saying Crutcher personally took charge of campaign contributions and kept his staff in the dark about financial matters.

Crutcher's campaign is deeply in debt, and he has a long history of personal financial problems, according to records in Dayton Municipal and Montgomery County Common Pleas courts, and reports filed by Crutcher with the Federal Election Commission.

The spotlight fell on Crutcher's campaign earlier this month when his campaign manager and finance director resigned and filed a complaint charging Crutcher with mismanagement of contributions and misuse of campaign committee property. The charges were filed with the Federal Election Commission, the FBI and county, state and national Republican Party officials. A copy of the FEC complaint was obtained from Patrick Flanagan, chairman of the Montgomery County Republican Party.

Donna Van Pelt, the campaign manager, and Richard Vara, the finance director, contend in their complaint that Crutcher put contributions into bank accounts they didn't know existed and accepted donations from corporations.

An election commission spokesman said making and accepting corporate donations is illegal in federal campaigns.

Vara and Van Pelt also claim Crutcher used a campaign-owned computer for personal business and failed to pay them thousands of dollars in back pay.



Ronald Crutcher

Crutcher's opponent, U.S. Rep. Tony Hall, D-Dayton, has declined to comment on the allegations.

Flanagan said Friday he plans to inspect Crutcher's campaign records over the weekend and announce his findings within a few days. A Federal Election Commission investigation could take more than seven months, the commission spokesman said.

Crutcher, 34, denies any mismanagement. He said he believes Miss Van Pelt and Vara are in league with the Hall campaign and brought their charges to discredit him, and said Vara's failure to generate contributions is the reason they were not paid.

He also said that if any corporate contributions were accepted by his campaign, "then she (Miss Van Pelt) is responsible."

Crutcher, who is black, suggested that racism is behind the charges, a contention denied by Miss Van Pelt, who is white. Vara also is white.

"All over the country, when blacks have risen to the level I've risen to... when that happens, he becomes a target," Crutcher said.

How high Crutcher has risen depends on one's perspective. He holds

SEE CRUTCHER/11A

Crutcher

CONTINUED FROM/1A

the title of president of Cardinal Air Freight, but he lost his home through a foreclosure earlier this year and now lives with his parents. He is a partner in a tax service and investment firm, but has faced several court proceedings because of a failure to pay his debts. He is the Republican candidate for the 2nd Congressional District, but his 1986 showing against Hall was disastrous — he pulled only 27 percent of the vote — and he enjoys mixed support even among black Republicans.

Dayton Daily News

Pg 1 of 2

10/16/88

Dayton

Daily News

Crutcher was born in Detroit on Sept. 28, 1954, the second of four children. He said his grandfather, Porter Crutcher, was a schoolteacher active in the struggle for equal employment opportunities for black teachers in the Detroit city schools. His father, James H. Crutcher Sr., was a "Realist," a word coined by black real estate agents who at the time were not permitted to become Realtors.

The senior Crutcher had lived success in Detroit. In 1961, the Crutcher family stopped in Dayton to visit relatives while en route to a new start in California, but "one thing led to another" and the family settled here, Crutcher said. James Crutcher started an interior decorating company and his wife, Annie, became a registered nurse.

Crutcher attended Westwood and Jefferson elementary schools and Colonel White High School, from which he graduated in 1972. During the early '70s, he and his brother Reggie belonged to a band called Stone Soul Image which Crutcher said auditioned for Motown Records, though a record deal never materialized.

In 1977, Crutcher received a bachelor's degree in political science from Wright State University. He married Diane Tucker in 1979, the same year he got his first foothold on the local political scene.

Crutcher worked on the 1979 campaign of Dayton Municipal Judge Alice O. McCollum and when she won, he became her bailiff.

'Honest and trustworthy'

"I found him to be extremely honest and trustworthy," McCollum said Friday. "He was a hard-working person, an extremely family-oriented and church-oriented person. The kind of person you like to have around."

But Ms. Tucker said Crutcher was more committed to his political ambitions than to his marriage. He dreamed of being Ohio's first black governor, she said, and the marriage suffered because of the amount of time he devoted to politics.

"He was a person who was driven," she said. "I could tell he truly wanted to succeed, and he would eventually succeed — at all costs. He would sacrifice relationships for success and power. It was not a desire, it was an obsession. Something always had to be a means to an end."

"I always felt Ron married me because I'd make a good wife for a politician — I'm educated, I can carry on a good conversation, I'm a great hostess," Ms. Tucker said. The marriage was dissolved July 29, 1981.

In the game of politics, it's like when you drop a rock into the water. You may see some waves for a while, but pretty soon you see nothing and you forget the rock was even there.

— Ronald Crutcher

Crutcher acknowledged his political activity caused problems at home. But he said he feels it is sometimes necessary to sacrifice time with the family for the demands of service to the "extended family" of the community.

"Someone has to do it," he said. "I wish it wasn't me, but when the Lord calls me to do something, I'm obedient."

After the divorce, Crutcher became increasingly active in Republican politics. He joined the Ohio League of Young Republicans and in 1982, was named the state's outstanding young Republican of the year.

Proposed food baskets

In early 1983, he enraged some local blacks with the suggestion that the county Republican Party hand out a food basket each month to a needy black family as a way to build minority support for the GOP. Critics called the idea "patronizing," "tacky" and "abominable." One man wrote a letter to the editor advising Crutcher that "doggie bags are not what the poor and minorities need."

Crutcher married his second wife, Delbera, on Sept. 4, 1983. Their first child, Xavier, was born 26 days later, on Crutcher's 29th birthday. They also have a 2-year-old son, Jonathan.

Crutcher's political fortunes seemed on the rise. He was a delegate to the 1984 Republican National Convention. He received a presidential appointment to the U.S. Commission for the Afro-American Museum and Cultural Center at Wilberforce. He was second vice chairman of the county GOP for 1985 and 1986.

And in early 1985, Clarence McGill began preparing him for his first congressional race. McGill had been involved in local campaigns since 1972, and felt Crutcher had political promise.

"He was a good student — he wanted to learn politics," McGill said. "He was committed. I thought Ron would be the kind of guy we needed to attract younger blacks to the Republican Party. That's why I was so excited about Ron in the beginning, and that's why I invested three years in him."

National attention

He began getting national attention. *The Wall Street Journal* featured him in an August 1986 story, foreshadowing the wide exposure he got during the 1988 Republican National Convention in New Orleans, when he was interviewed by the NBC, *USA Today* and ABC-TV's *Good Morning America*.

But he also found himself in serious financial trouble.

According to municipal and common pleas court records, Crutcher's financial headaches included:

■ Delinquent payments totaling \$5,494 on Crutcher's 1981 loan for the purchase of a Gettysburg Avenue apartment building. He paid off the debt by October 1986.

■ An overdue MasterCard balance of \$1,184 in April 1986, a \$1,670 default on a bill-consolidation loan in late 1986 and debts to Bank One totaling \$3,886. Court records now show the debts as partially satisfied because of the sale of the house he lost through foreclosure.

■ A \$4,904 debt to Associates Financial Services of Toledo from an October 1986 loan. Crutcher met with Associates' attorney Richard Hammond on Friday. After the meeting, Hammond said, "I don't think he has any present ability to pay it, so there's no sense in me pushing it." He said he'll talk to Crutcher again after the November election.

■ McGill said Crutcher's car was repossessed in early 1987.

Crutcher declined to discuss his financial problems in detail, but said many of them stem from his ill-fated 1986 campaign. He said he took out personal loans to keep the drive going in the final weeks before the election.

His 1988 campaign treasury is no less besieged with debt. According to the last available election commission report, filed in July, the campaign has piled up debts of \$15,336, some of which were carried over from 1986.

Crutcher professes little concern about his financial problems. "In the game of politics, it's like when you drop a rock into the water. You may see some waves for a while, but pretty soon you see nothing and you forget the rock was even there."

McGill, who served as Crutcher's volunteer "political director," said he left the staff in February after he discovered Crutcher's second wife — who, over McGill's protest, was campaign treasurer — had been writing checks for major campaign expenses without the knowledge of the candidate's staff.

"When (Vara) was making these charges, I knew exactly what he was talking about," McGill said.

Bill Klatner became campaign manager in early June. He said Crutcher owed him "a substantial amount" of back pay when he quit in mid-July in a dispute over the handling of campaign funds. Crutcher said he fired Klatner.

Vara, the finance director for most of the summer, said Crutcher owes him about \$6,000 in back pay. Miss Van Pelt, the last of the campaign managers, said Crutcher owes her \$6,500 in back pay plus \$2,700 to repay a loan she made to the campaign out of her own pocket. The money Klatner, Vara and Van Pelt claim Crutcher owes them is on top of the \$15,336 Crutcher acknowledges he owes other creditors.

"I'm left now broke, totally broke," Miss Van Pelt said. "I kept that campaign going. I gave everything to that man. I feel really foolish."

"(When I first joined the campaign) somebody told me, 'This man's either the kindest, loveliest servant of God I've ever met, or the biggest con artist,'" she said. "He's good, he's really good. He's a ~~winner~~ war."

Pg 2 of 2

10/16/88

Dayton Daily

DAYTON DAILY NEWS — Oct. 7, 1978

Congressional candidate denies mismanaging funds

By Tom Beyerlein
STAFF WRITER

Republican congressional candidate Ron Crutcher denied allegations Thursday by two campaign staffers that he mismanaged campaign funds and misused campaign committee property.

"We have done nothing wrong," Crutcher, 34, of Dayton said at a news conference. "All the activities of this campaign — every dollar — is public record."

He said he was saddened by the resignations Wednesday of campaign manager Donna Van Pelt and finance director Richard Vara, but he doesn't expect the charges they have filed with the Federal Election Commission and



Crutcher

other agencies to derail his campaign.

"We are going forward," he said.

Miss Van Pelt said she and Vara — two of the campaign's three paid staff members — filed several charges with the elections commission and "the appropriate federal, state and county authorities" for investigation.

She declined to specify the agencies or the charges, but said they involved "mismanagement of campaign funds and misuse of committee property."

Miss Van Pelt is the second campaign manager this summer to leave Crutcher's uphill campaign against U.S. Rep. Tony Hall amid charges of financial mismanagement by Crutcher.

She also said Crutcher was receiving contributions at addresses other than his campaign headquarters and depositing them in bank accounts that she was unaware existed.

"As soon as I found out about it, I reported it and confronted the candi-

SEE CRUTCHER/6A

Crutcher

CONTINUED FROM/1A

date," she said.

In a letter of resignation to Crutcher late Wednesday, Miss Van Pelt said: "I refuse to condone, support or be party to your questionable, improper or possibly illegal activities. It is evident that your standard method of operation is unethical and does not meet federal, state or county regulations concerning fund-raising, management of funds and committee property. I find you have been dishonest with me as well as with this community and I can no longer associate myself with you."

Vara could not be reached for comment Thursday.

Miss Van Pelt, 34, said Crutcher also owes her \$9,200 — \$6,500 in back pay and \$2,700 for a loan she made to the campaign. She became campaign manager in late July.

She's not the only one who wants to collect money from Crutcher.

Bill Kintner, Crutcher's campaign manager from early June until July 19, said Crutcher "owes me a substantial amount of money" in back pay. "I think he'd contest that. I think we'll see him in court."

Kintner said he broke with Crutcher because the candidate would not allow him to handle the finances and control other aspects of the campaign.

"I never knew how much money came in and I never knew where it went," Kintner said. "All I knew is we didn't have any."

"I never saw anything that was conclusively illegal," he said. "It's just sloppy and a bad way to do business."

Crutcher denied he owes money to Kintner. He said Kintner was "terminated" for failing to write a campaign plan and organize precinct volunteers.

Party to investigate Crutcher's finances

Ex-campaign officials allege mishandling

By Tom Boyertown
STAFF WRITER

Montgomery County Republican Party officials hope this weekend to audit the campaign records of congressional candidate Ron Crutcher, who is accused by his former campaign manager and finance director of mishandling contributions.



Flanagan

Patrick Flanagan, chairman of the Montgomery County Republican Party, said he

asked Crutcher on Friday to turn over records from his campaign against Rep. Tony Hall, D-Dayton, immediately. The audit will be performed by Flanagan and local party treasurer Linda Timmons. Flanagan said he expects to

make an announcement of the audit findings early next week.

"The Republican party plans to get to the bottom of this immediately and see if there's any truth to these allegations," Flanagan said.

Crutcher's former finance director said Friday that Crutcher, 34, improperly intercepted thousands of dollars in campaign contributions and banked them in unapproved accounts.

Richard Vara, who resigned Wednesday in tandem with campaign manager Donna Van Pelt, charged that one of the improperly handled donations was a check for nearly \$5,000 from the National Republican Congressional Committee. "A great amount" in private contributions also was improperly handled, he said.

Vara, 27, said he and Van Pelt, 34, were exploited by Crutcher to legitimize the campaign.

SEE CRUTCHER/4A

Crutcher

CONTINUED FROM 1A

"He was using the campaign as a machine to bring money in the door," Vara said. "We're running a principle-oriented campaign, then we find out our candidate isn't living his life by these principles."

Crutcher, who did not return phone calls Friday, had denied the allegations Thursday in a news conference.

Vara said he became concerned about the campaign's finances last week when he failed to receive the check he expected from the National Republican Congressional Committee. He said Crutcher admitted the check was deposited in an account that campaign officials didn't know existed.

Vara said he spoke earlier this week with some contributors whose donations did not show up in the campaign's records.

Vara and Van Pelt took a close look at the records earlier this week and found that many other contributions were improperly handled, he said. He would not say how much money was involved.

Vara and Van Pelt said they have filed allegations against Crutcher with the Federal Elections Commission and

other federal, state and local officials, charging the candidate with "mismanaging campaign funds and misusing campaign committee property."

Fred Elland, a spokesman for the Federal Election Commission, said it is the commission's policy not to discuss pending cases.

But he said agents of a campaign — including the candidate — are required by law to submit any contributions they collect to the campaign treasurer within 10 days, and all contributions must be deposited in bank accounts that have been listed in reports to the elections commission.

Elland said it takes an average of 7½ months for the commission to complete the investigation of a complaint.

Among Vara's charges is the allegation that Crutcher improperly used a computer owned by the campaign for personal business. Crutcher is president of Cardinal Air Freight.

Vara was hired in late June by Bill Kintner, who served as Crutcher's campaign manager until he and Crutcher had a falling out in mid-July. Kintner said the discord concerned the candidate's refusal to let Kintner handle the finances. Crutcher said Thursday he fired Kintner for failing to perform his

duties.

Kintner said Crutcher owes him a substantial amount in back pay. Van Pelt said he owes her \$6,500 in back pay and \$2,700 for a loan she made to the campaign. Vara said Crutcher owes him about \$6,000 in back pay.

Rich Galen, a spokesman for the National Republican Congressional Committee, said Crutcher's race against Hall was "not a campaign we would have expected to win under any circumstances," but that the party "decided to take a flier and send some seed money to try to get something going" because of Crutcher's success in attracting local and even national publicity.

The committee wrote Crutcher a check for \$4,932 on Sept. 13, Galen said. The canceled check has not yet

come back from the bank.

Galen said Van Pelt called the committee earlier this week and made allegations about Crutcher's handling of the money.

He said the committee has no independent evidence of any wrongdoing by Crutcher.

Galen said candidates run the risk of being accused of wrongdoing, though, when they personally handle campaign contributions.

On financial reports to the election commission, Crutcher previously listed his wife, Delbera, as his treasurer, according to Amy Wendel, of the Ohio Secretary of State's office. More recently, Robert L. Gilbert has served as treasurer. Neither could be reached Friday.



□ Crutcher

CONTINUED FROM/1A

County Republican Party chairman, was scheduled to audit Crutcher's finance records over the weekend to determine whether the allegations are true.

Vara said last week that he and Ms. Van Pelt were exploited by Crutcher and hinted that the candidate was using the campaign to profit financially.

But Crutcher dismissed the charge and said both former staff members were angry at him for refusing to pay them back pay with the check from the National Republican Committee.

"When Mr. Vara joined as financial director, his job was to raise campaign funds, and he assured me that he was competent enough to raise enough money for the campaign to pay our salaried employees (and) to pay for all

campaign expenditures. Mr. Vara did not raise the funds as he had promised, therefore the campaign funds were always too low to pay all of his salary," Crutcher said reading from the prepared text.

"Both Ms. Van Pelt and Mr. Vara became angry and hostile when I refused to allow my treasurer to submit every penny of the \$4,989 (from the Republican committee) to both of them, even though I had informed them that they would be paid the balance of their payroll upon the successful completion of the scheduled fund raisers," Crutcher said.

Flanagan said he expects to make an announcement of the audit findings sometime this week.

Crutcher is challenging Rep. Tony Hall, D-Dayton, in the 3rd Congressional District.

Crutcher calls misuse charges a sabotage bid

By Phillip Morris
STAFF WRITER

Ron Crutcher, Republican congressional candidate, accused his former campaign manager Sunday of attempting to sabotage his run for office and denied again her allegations that he has mismanaged campaign donations and misused campaign committee property.

Speaking at a news conference, Crutcher said that all campaign funds were deposited properly in "Crutcher for Congress bank accounts" and blamed his former manager, Donna Van Pelt, for donations that were improperly sent to his former campaign headquarters at 323 Salem Ave. rather than his office at 521 E. Fifth St., which he moved to in July.

"Because Ms. Van Pelt failed to submit a simple change-of-address form to the post office, as it was her duty to do so, half of the mail was received at the old headquarters and half of the mail was received at the new headquarters. I'm sure Ms. Van Pelt did not intend to confuse my supporters, by her failure to perform a simple task, but she did confuse them."

Crutcher stumbled verbally when he said, "but she did confuse them." It was at this point that he diverged from the prepared statement he released to the media before he spoke.

In the prepared text Crutcher wrote "... but I am sure that she intended to hurt my campaign."

Ms. Van Pelt could not be reached after the news conference.

The candidate left the news media office immediately after his short statement and declined to answer reporters' questions, including why his finance director was not informed of at least one account that contributed campaign funds.

Ms. Van Pelt and Crutcher's finance director, Richard Vara, resigned from the campaign Wednesday. Both filed charges with the Federal Election Commission alleging that Crutcher had mismanaged contributions, including a check for nearly \$5,000 from the National Republican Congressional Committee and "a great amount" of private contributions, according to Vara.

Patrick Flanagan, Montgomery

SEE CRUTCHER/4A

on Crutcher responds to allegations of misuse of campaign funds, but declines to take questions



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

800A828
RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

88 OCT 29 AM 11:01

Mun 2755

October 21, 1988

Donna Van Pelt
5480 N. Main Street
Dayton, Ohio 45415

Dear Ms. Van Pelt:

On October 20, 1988, the Federal Election Commission received your letter dated October 15, 1988, alleging violations of the Federal Election Campaign Act of 1971, as amended ("the Act") by Ron Crutcher and the Crutcher for Congress Committee. Although the notary stated as part of the jurat that you swore before him that the content of your complaint was true, the notary failed to indicate as part of the jurat that you signed the complaint in his presence. The suggested form in the State of Ohio is as follows: "Sworn to before me and subscribed in my presence this day of, 19.. ."

We are unable to act on your complaint until this defect is corrected. The file regarding this correspondence will remain confidential for a 15 day time period during which you may file an amended complaint as specified above.

If we can be of any further assistance, please do not hesitate to contact me at (202)376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

88 OCT 31 PM 11:35

10400521

OCTOBER 26, 1988

FEDERAL ELECTIONS COMMISSION
999 E. STREET N.W.
WASHINGTON D.C. 20463

RE: CRUTCHER FOR CONGRESS COMMITTEE - OHIO 3RD DISTRICT
Ron Crutcher - Candidate
521 E. Fifth St.
Dayton, OH 45402
(513) 222-4630

PLEASE BE INFORMED THAT THE FOLLOWING STATEMENTS ARE SUBMITTED
TO FEC AS COMPLAINTS AGAINST THE ABOVE MENTIONED COMMITTEE.

1. Ron Crutcher, candidate, channeled contribution, a check from the NRCC for approximately \$5000, into a savings account. The Campaign Manager, Financial Director and Treasurer had no knowledge of the existence of this account. Evidence suggest intermingling of funds.

Delbera Crutcher, wife of candidate, controls this savings account. This is what Mr. Crutcher says.

I was not aware that this savings account existed at all. This account is at the Society Bank, Salem Ave. Dayton, Oh under the name: Crutcher for Congress.

Our Treasurer, Robert L. Gilbert, told me he was unaware of any savings account. He only opened a checking acct. at First National Bank #042200279: 058 3543 around August 1-5, 1988.

FEC was contacted by Richard Vara, Finance Director and was informed that FEC has no record of such savings account. It was never reported to FEC in 1988 or in 1986.

Candidate withheld the existence of this savings account from me and the treasurer. Also, candidate would not have told me that he had intercepted this check and deposited it until I confronted him following a phone conversation with NRCC that in fact they had sent out a check to campaign weeks prior.

Mr. Crutcher admitted to me on or about Sept. 25, 1988 that he had this savings account.

See enclosed copy of cashier's check drawn off this acct. supposedly this is all that was left of the National Republican Congressional Committee check of almost \$5000.

2. Just came to my knowledge that our Crutcher for Congress checking Acct# 042200279 058 3543 at First National Bank Dayton

Ohio is recorded under an address that is not the Campaign Headquarters address. It is listed under: P.O. Box 174, Dayton OH 45402 (See enclosed copy of deposit slip)

I was hired the last week of July at the Campaign Headquarters located at: 521 E. Fifth St. Dayton, OH 45402

Myself, treasurer and finance director have no knowledge of a P.O. Box 174 and as seen by next statement, I question this withholding of information from me and staff and also question why the need for multiple addresses when dealing with direct mail, bank statements and contributions.

See enclosed for businesses at the address of P.O. Box 174. I highly question this and also if this address was used in 1986 campaign why wasn't I told of its existence in 1988 and why didn't the candidate put a change of address in to the post office to change it to our 521 E. Fifth St. Dayton, Oh? It seems evident that Mr. Crutcher intends to have full control of any monies coming through mail as evident from the NRCC check he received and had no intention of informing the treasurer or myself.

Please note: When confronted about that NRCC check, Mr. Crutcher told me he had given it to Mr. Gilbert. HE lied. When I confronted the Treasurer he had no knowledge of such a check.

For your information: the P.O. Box 174 is listed under the business name of Midwest One Communications. (See enclosed)

3. It has been questioned that we are not receiving mail or checks to our Campaign address. Therefore, Manager has no control over mail or possible contributions coming through direct mail. It has been discovered that Ron Crutcher is using five different mailing addresses to receive Crutcher for Congress Committee mail. These addresses are: (See enclosed)

* P.O. Box 174, Dayton, Oh 45402

(This also belongs to his business, and his brother Jim under the name: Midwest One Communications 513-274-5226

* 323 Salem Avenue, Dayton, OH 45406

(This address is also the business address to Midwest One Communications and wife's business- Medical Answering Service and Business Organizers) 513-222-7506 and 513-274-5226

2104033523

2 1 0 4 0 3 6 2 5 2 4
* 220 Otterbein Avenue, Dayton, Oh 45406 513-278-5226
(Ron Crutcher's former home address)

* 1538 Bryn Mawr, Dayton, Oh 45406 513-278-5226
(Ron Crutcher and Jim Crutcher's present home address)

* Crutcher for Congress Committee
521 E. Fifth St. Dayton, OH
513-222-4630

(This is our Campaign Headquarters and the ONLY ADDRESS our staff is using and has knowledge of.)

Again, I question the withholding of this information and all these addresses from me. I question, why the need for more than one address when the only address I was aware of was: 521 E. Fifth St. Dayton, OH 45402. I reiterate here, if Mr. Crutcher was on the up and up, why didn't he put in change of addresses for all the above to the new address as of mid July? It also seems highly unethical to be receiving any Committee mail at his numerous business addresses.

*WITH SO MANY ADDRESSES, I HIGHLY QUESTION HOW MANY, IF ANY, CONTRIBUTIONS DID MR. CRUTCHER RECEIVE AT ALL OF THESE ADDRESSES AND WERE THEY EVER REPORTED? AGAIN, I REFER BACK TO THE NRCC CHECK OF ALMOST \$5000 THAT HE RECEIVED AT ONE OF THE OTHER ADDRESSES, NOT THE CAMPAIGN HEADQUARTERS. IF MR. CRUTCHER WAS NOT GOING TO INFORM ME OR THE TREASURER THAT HE RECEIVED THIS CHECK, THEN I MUST SUSPECT THERE MAY HAVE BEEN OTHERS.

*MR. CRUTCHER ADMITTED THAT HIS WIFE ALWAYS MADE OUT THANK YOU LETTERS TO CONTRIBUTORS WHILE IN HIS BUSINESS OFFICE ON THE COMPUTER. I HAVE NEVER SEEN THIS LIST AND SUPPOSE THAT IT WAS PART OF THE INFORMATION TAKEN OFF THE HARD DISK WHEN COMPUTER WAS FINALLY MOVED TO OUR CAMPAIGN OFFICE.

4. Candidate accepts illegal contributions-corporate checks.

Example: Financial Counseling Inc. (Arvin M. Vaughan)
7811 Mad River Road Centerville, Oh

* (reported to FEC per phone week of 9-26-88)

Mr. Crutcher called me on phone and admitted taking this check. Amount unknown, I think he said it was for \$100. Mr. Crutcher was selling tickets to a fundraiser event on Oct. 10, 1988, sponsored by Crutcher for Congress Committee.

Campaign Manager, Financial Director, volunteer Dick Wiley, Jim Crutcher witnessed Ron Crutcher trying to persuade the Treasurer, Bob Gilbert, to deposit a Corporate Check \$1000 into the Campaign Committee's checking account.

(This check of \$1000 - Dayton Lubrication, Inc. signed by Bill Johnson is being returned by Financial Director.)

I witnessed with others, Mr. Crutcher say to Mr. Gilbert, "find a way to put this check into our checking account"

I immediately dissented and informed Mr. Crutcher that he knew the law and I would not allow any illegal transactions on this campaign. Mr. Gilbert agreed. I question if Mr. Crutcher has received other corporate checks that I am not aware of.

5. I had no knowledge of any equipment bought with campaign funds and discovered that a IBM AT compatible computer, bought with campaign funds was being used by Crutcher businesses. It has been at 323 Salem Ave. Dayton, Oh and used in part daily in the operations of the wife's business, (this was witnessed by Financial Director and Alex Ugolini and admitted by candidate himself) Candidate was confronted by Campaign Manager to move this computer to Campaign Headquarters. Following threats of resignation by myself, Finance Director and, Rick Woodrow, (Target Consulting, 3602 Colby Ave. Everett, WA 98201 206-353-7933) on Sept. 18, Mr. Crutcher finally allowed us to move the computer to our campaign office on Sept. 22.

I specifically asked Mr. Crutcher in July if the Committee owned a computer or ever bought one and he said no. Upon questioning Mr. Crutcher, the last week of August again, he admitted that the Committee did indeed own a computer which he was using in his business office. He tried to convince me it was legal to keep it in his business and I protested and we called FEC and NRCC legal Dept. and were told the opposite. That campaign equipment was for campaign use ONLY and to be in the office of the CAMPAIGN HEADQUARTERS.

Please note: (This question was raised with FEC in calls between August 25 - Sept. 22)

Please note * (This question was also raised to NRCC Legal Dept. on or about week of Sept 1.)

Complaint: Illegal use of campaign equipment

It was admitted to volunteer Alex Ugolini and Mr. Richard Vara by Wife, Delbera that she could not get by in running her business (Medical Answering Service) without that computer. Mr. Crutcher also admitted wife's use of computer to myself.

Prior to moving this computer, Alex Ugolini found the hard disk to be 40% full. Upon moving the computer to our campaign office Alex Ugolini found the hard disk to be ONLY 5%

full. (refer back to complaint #3 - what was taken off?)

6. Payroll check of \$525 made out to Richard Vara in July bounced. I countersigned this check to cash it for Mr. Vara as he did not have a bank account, and this payroll check BOUNCED! THEREFORE, THE \$525 WAS TAKEN OUT OF MY BANK ACCOUNT. I INFORMED THE TREASURER, GAVE HIM THE RETURNED CHECK AND HAVE NEVER BEEN REIMBURSED.

Bounced checks include Post Office, Arcade Printing, Ohio Bell, Midtown Development (office rent) and others. Contact Treasurer, Bob Gilbert, for information.

IT SEEMS THAT PRIOR TO OPENING CHECKING ACCT. WITH NEW TREASURER, ROBERT L. GILBERT, CHECKS WERE MADE OUT AGAINST A -0- BALANCE. Audit should be done on books under prior treasurer, Delbera Crutcher. Presently, Mr. Gilbert is still trying to reconcile checking account.

7. Ron Crutcher has breached contract and has failed to pay salaries to Campaign Manager and Financial Director since July 23, 1988. Candidate made comment to the effect to Campaign Manager that "he felt that there were more important priorities to pay in this campaign" also that running campaigns were different than running a business, in campaigns "you don't have to pay your bills" and you can't get blood from rock.

Complaint: Candidate to date has failed to honor weekly payroll obligations. Please note that litigation has been filed by the previous campaign manager, Bill Kintner, for like complaint.

Donna Van Pelt *
Campaign Manager

*5480 N. Main St.
Dayton, OH 45415
(513) 275-3176

I, Donna Van Pelt Donna Van Pelt, hereby swear that the contents of these complaints are true to the best of my knowledge.

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 26 DAY OF OCTOBER, 1988.

Donna Van Pelt
5480 N. Main St.
Dayton, OH 45415
(513) 275-3176

Elizabeth A. Meyers
ELIZABETH A. MEYERS, Notary Public
in and for the State of Ohio
My Commission Expires July 25, 1993

cc: Donald Brey, Esq. 8 East Broad St. Columbus, OH 43215
FBI - Dayton Field Office - Bob Siller
Tim Meyer, National Republican Congressional Committee
Bob Bennett, Chairman Ohio Republican Party
Pat Flanagan, Chairman Montgomery County Rep. Party

Enclosures

Richard Vara, Finance Director
6209 Doewood Ct. Columbus, Ohio 43229
(614) 891-6739

Robert L. Gilbert, Treasurer
(513) 268-3237
(513) 263-9574
(513) 837-6374

Dick Wiley, volunteer
4736 Celtic Drive
Dayton, OH
(513) 253-8840

Alex Ugolini, volunteer
(513) 445-2689
(513) 859-7414
(513) 275-6527

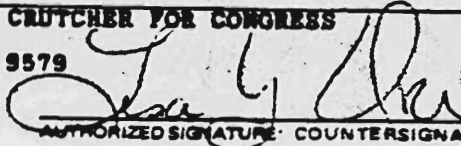
Bill Kintner - c/o Attorney
Hanaghan & Hanaghan
Society Bank Bldg.
Dayton, OH
(513) 223-8194

Rick Woodrow, Target Consulting - Hired as Consultant to write
Campaign Plan for Crutcher,
3602 Colby Avenue
Everett, WA 98201
(206) 353-7933
(206) 743-1326

*Midtown Development Co. "Lessor" Rented Campaign Office at:
263 Wayne Avenue 521 E. Fifth St. Dayton, OH 45402
Dayton, OH "Lessee" Crutcher for Congress
(513) 228-0303

*LEASE WAS SIGNED - JUNE 1988

9 1 0 4 0 5 5 2 7

COUNTERSIGNATURE	Society BANK NA		CASHIER'S CHECK	08-29 422
				No. 312013
	PAY *****\$854 DOLLARS AND 25 CENTS			
	TO THE ORDER OF REMITTER CRUTCHER FOR CONGRESS			
	SEP30-88 3114 9579	 <small>AUTHORIZED SIGNATURE COUNTERSIGNATURE REQUIRED OVER \$25,000</small>		*****\$854.25
DATE		AMOUNT		
⑆312013⑆ ⑆042200295⑆ 89-0002973⑆				

This cashier's check was drawn off
 a savings account under name:
 Crutcher for Congress - Society Bank

Mr. Crutcher claims this is what is left
 from NACC check of approx. \$5000
 that he deposited in this account -

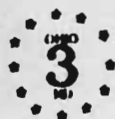
Mr. Gilbert and I had no knowledge of this account!

MIDWEST ONE COMMUNICATIONS

MEDIA CONSULTANTS

**323 Salem Ave.
The Crutcher Group Suite
Dayton, Ohio 45406
(513) 274-5226**

**P O. Box 174
Dayton, Ohio 45402**



Ron Crutcher

**Candidate
United States Congress
Ohio, 3rd District**

**521 E. Fifth St.
Dayton, OH
222-4630**

R & D ASSOCIATES

Management & Financial Consultants

P. O. BOX 174 • DAYTON, OHIO 45402

DEPOSIT TICKET



CRUTCHER FOR CONGRESS

P. O. BOX 174
DAYTON, OH 45402

DATE _____ 19____



First National Bank

DATTON, OHIO 45408
OF NATIONAL CITY CORPORATION

042200279: 058 3543W

NOTES: CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE PROVISIONS OF THE UNIFORM COMMERCIAL CODE OR ANY APPLICABLE COLLECTION AGREEMENT.

CASH	CURRENCY		
	COIN		
LAST CHECKS ONLY			
TOTAL FROM OTHER SIDE			
TOTAL			
LESS CASH RECEIVED			
NET DEPOSIT			

58-271422

USE OTHER SIDE FOR
ADDITIONAL LISTING

**BE SURE EACH ITEM IS
PROPERLY ENDORSED**

1-88

670900401

MIDWEST ONE COMMUNICATIONS

MEDIA CONSULTANTS

DAYTON, OHIO 45402 • (513) 274-5226

CLIENT Crutcher Congress BOOWtr A.B

CITY/STATE Dayton, OH MKT Day. metro

→ P.O. BOX 174

DATE: June 13, 1989

MEDIUM TV/RADIO/ ECT	DATE(S)	LENGTH	TIME	FREQUENCY	DAY(S)	TOTAL	COST	# ADULTS	COMMENTS	
television WDTN 2	6/5	:30	11:46a	1x	Sun	2x	775.00	11,000		
			11:51a	1x			75.00	11,000		
	6/12	:30	11:45a	1x	Sun	2x	75.00	11,000		
			11:53a	1x.			75.00	11,000		
	6/19	:30	11:46a	1x	Sun	2x	75.00	11,000		
			11:51a	1x			75.00	11,000		
	6/26	:30	11:45a	1x	Sun	2x	75.00	11,000		
			11:53a	1x			75.00	11,000		
	GRAND TOTAL						8x	600.00 Gross		88,000
								90.00 Agy		
							510.00			
Net now due										
0 5 8 7 9 0 0 1 6										

Tribulations converge on candidate

Crutcher sees destiny, ex-aides raise doubts

By Tom Beyerlein
STAFF WRITER

Ronald James Crutcher says he entered the political arena because of a calling from God.

"When God gives you the gift of leadership, He expects you to use it," Crutcher said Friday. "When you're appointed with it, you know what your mission is in life. The gift has been bestowed on me."

But if there's a divine plan for Ron Crutcher's life, the moment of triumph has yet to arrive. His current situation might more aptly be likened to a solitary walk in the wilderness.

Four of the Republican congressional candidate's closest advisers have left his campaign since February, all of them saying Crutcher personally took charge of campaign contributions and kept his staff in the dark about financial matters.

Crutcher's campaign is deeply in debt, and he has a long history of personal financial problems, according to records in Dayton Municipal and Montgomery County Common Pleas courts, and reports filed by Crutcher with the Federal Election Commission.

The spotlight fell on Crutcher's campaign earlier this month when his campaign manager and finance director resigned and filed a complaint charging Crutcher with mismanagement of contributions and misuse of campaign committee property. The charges were filed with the Federal Election Commission, the FBI and county, state and national Republican Party officials. A copy of the FEC complaint was obtained from Patrick Flanagan, chairman of the Montgomery County Republican Party.

Donna Van Pelt, the campaign manager, and Richard Vara, the finance director, contend in their complaint that Crutcher put contributions into bank accounts they didn't know existed and accepted donations from corporations.

An election commission spokesman said making and accepting corporate donations is illegal in federal campaigns.

Vara and Van Pelt also claim Crutcher used a campaign-owned computer for personal business and failed to pay them thousands of dollars in back pay.



Ronald Crutcher

Crutcher's opponent, U.S. Rep. Tony Hall, D-Dayton, has declined to comment on the allegations.

Flanagan said Friday he plans to inspect Crutcher's campaign records over the weekend and announce his findings within a few days. A Federal Election Commission investigation could take more than seven months, the commission spokesman said.

Crutcher, 34, denies any mismanagement. He said he believes Miss Van Pelt and Vara are in league with the Hall campaign and brought their charges to discredit him, and said Vara's failure to generate contributions is the reason they were not paid.

He also said that if any corporate contributions were accepted by his campaign, "then she (Miss Van Pelt) is responsible."

Crutcher, who is black, suggested that racism is behind the charges, a contention denied by Miss Van Pelt, who is white. Vara also is white.

"All over the country, when blacks have risen to the level I've risen to... when that happens, he becomes a target," Crutcher said.

How high Crutcher has risen depends on one's perspective. He holds

SEE CRUTCHER/11A

Crutcher

CONTINUED FROM/1A

the title of president of Cardinal Air Freight, but he lost his home through a foreclosure earlier this year and now lives with his parents. He is a partner in a tax service and investment firm, but has faced several court proceedings because of a failure to pay his debts. He is the Republican candidate for the 3rd Congressional District, but his 1986 showing against Hall was disastrous — he polled only 27 percent of the vote — and he enjoys mixed support even among black Republicans.

Crutcher's past

Crutcher was born in Detroit on Sept. 30, 1951, the second of four children. He said his grandfather, Porter Crutcher, was a schoolteacher active in the struggle for equal employment opportunities for black teachers in the Detroit city schools. His father, James H. Crutcher Sr., was a "hustler," a word coined by black real estate agents who at the time were not permitted to become Realtors.

The senior Crutcher had failed success in Detroit. In 1961, the Crutcher family stopped in Dayton to visit relatives while en route to a new start in California, but "one thing led to another" and the family settled here, Crutcher said. James Crutcher started an interior decorating company and his wife, Annie, became a registered nurse.

Ron Crutcher attended Westwood and Jefferson elementary schools and Colonial White High School, from which he graduated in 1972. During the early '70s, he and his brother Reggie belonged to a band called Stone Soul Image which Crutcher said auditioned for Motown Records, though a record deal never materialized.

In 1977, Crutcher received a bachelor's degree in political science from Wright State University. He married Diane Tucker in 1979, the same year he got his first toehold on the local political scene.

Crutcher worked on the 1979 campaign of Dayton Municipal Judge Alice O. McCollum and when she won, he became her bailiff.

"Honest and trustworthy"

"I found him to be extremely honest and trustworthy," McCollum said Friday. "He was a hard-working person — an extremely family-oriented and church-oriented person. The kind of person you like to have around."

But Mrs. Tucker said Crutcher was more committed to his political ambitions than to his marriage. He dreamed of being Ohio's first black governor, she said, and the marriage suffered because of the amount of time he devoted to politics.

"He was a person who was driven," she said. "I could tell he truly wanted to succeed, and he would eventually succeed — at all costs. He would sacrifice relationships for success and power. It was not a desire, it was an obsession. Something always had to be a means to an end."

"I always felt Ron married me because I'd make a good wife for a politician — I'm educated, I can carry on a good conversation, I'm a great hostess," Mrs. Tucker said. The marriage was dissolved July 29, 1981.

Pg 1 of 2
10/16/86
Dayton
Daily News

'I *is the game of politics, it's like when you drop a rock into the water. You may see some waves for a while, but pretty soon you see nothing and you forget the rock was even there.'*

— Ronald Crutcher

Crutcher acknowledged his political activity caused problems at home. But he said he feels it is sometimes necessary to sacrifice time with the family for the demands of service to the "extended family" of the community.

"Someone has to do it," he said. "I wish it wasn't me, but when the Lord calls me to do something, I'm obedient."

After the divorce, Crutcher became increasingly active in Republican politics. He joined the Ohio League of Young Republicans and in 1982, was named the state's outstanding young Republican of the year.

Proposed food baskets

In early 1983, he enraged some local blacks with the suggestion that the county Republican Party hand out a food basket each month to a needy black family as a way to build minority support for the GOP. Critics called the idea "patronizing," "tacky" and "abominable." One man wrote a letter to the editor advising Crutcher that "joggie bags are not what the poor and minorities need."

Crutcher married his second wife, Delbera, on Sept. 4, 1983. Their first child, Xavier, was born 28 days later, on Crutcher's 29th birthday. They also have a 2-year-old son, Jonathan.

Crutcher's political fortunes seemed on the rise. He was a delegate to the 1984 Republican National Convention. He received a presidential appointment to the U.S. Commission for the Afro-American Museum and Cultural Center at Wilberforce. He was second vice chairman of the county GOP for 1985 and 1986.

And in early 1985, Clarence McGill began preparing him for his first congressional race. McGill had been involved in local campaigns since 1972, and felt Crutcher had political promise.

"He was a good student — he wanted to learn politics," McGill said. "He was committed. I thought Ron would be the kind of guy we needed to attract younger blacks to the Republican Party. That's why I was so excited about Ron in the beginning, and that's why I invested three years in him."

National attention

He began getting national attention. The *Wall Street Journal* featured him in an August 1986 story, foreshadowing the wide exposure he got during the 1988 Republican National Convention in New Orleans, when he was interviewed by the NBC, CBS *Today* and ABC-TV's *Good Morning, America*.

But he also found himself in serious financial trouble.

According to municipal and common pleas court records, Crutcher's financial headaches included:

■ Delinquent payments totaling \$3,494 on Crutcher's 1981 loan for the purchase of a Gettysburg Avenue apartment building. He paid off the debt by October 1986.

■ An overdue MasterCard balance of \$1,184 in April 1986, a \$1,679 default on a bill-consolidation loan in late 1986 and debts to Bank One totaling \$3,586. Court records now show the debts as partially satisfied because of the sale of the house he lost through foreclosure.

■ A \$4,894 debt to Associates Financial Services of Toledo from an October 1986 loan. Crutcher met with Associates' attorney Richard Hammond on Friday. After the meeting, Hammond said, "I don't think he has any present ability to pay it, so there's no sense in me pushing it." He said he'll talk to Crutcher again after the November election.

■ McGill said Crutcher's car was repossessed in early 1987.

Crutcher declined to discuss his financial problems in detail, but said many of them stem from his ill-fated 1986 campaign. He said he took out personal loans to keep the drive going in the final weeks before the election.

His 1986 campaign treasury is no less besieged with debt. According to the last available election commission report, filed in July, the campaign has piled up debts of \$15,336, some of which were carried over from 1986.

Crutcher professes little concern about his financial problems. "In the game of politics, it's like when you drop a rock into the water. You may see some waves for a while, but pretty soon you see nothing and you forget the rock was even there."

McGill, who served as Crutcher's volunteer "political director," said he left the staff in February after he discovered Crutcher's second wife — who, over McGill's protest, was campaign treasurer — had been writing checks for major campaign expenses without the knowledge of the candidate's staff.

"When (Vara) was making these charges, I knew exactly what he was talking about," McGill said.

Kistner became campaign manager in early June. He said Crutcher owed him "a substantial amount" of back pay when he quit in mid-July in a dispute over the handling of campaign funds. Crutcher said he fired Kistner.

Vara, the finance director for most of the campaign, said Crutcher owes him about \$8,000 in back pay. Miss Van Pelt, the last of the campaign managers, said Crutcher owes her \$6,500 in back pay plus \$2,700 to repay a loan she made to the campaign out of her own pocket. The money Kistner, Vara and Van Pelt claim Crutcher owes them is on top of the \$15,336 Crutcher acknowledges he owes other creditors.

"I'm left now broke, totally broke," Miss Van Pelt said. "I kept that campaign going. I gave everything to that man. I feel really foolish."

"(When I first joined the campaign) somebody told me, 'This man's either the kindest, lovingest servant of God I've ever met, or the biggest con artist,'" she said. "He's good, he's really good. He's a saint of a liar."

Ps 2 of

10/16/88

Dayton Daily



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 1, 1988

SPECIAL DELIVERY

Ms. Donna Van Pelt
5437 N. Main Street
Dayton, OH 45415

RE: MUR 2755

Dear Ms. Van Pelt:

This letter acknowledges receipt on October 31, 1988, of your complaint against the Crutcher For Congress Committee and Delbert Crutcher, as treasurer, Ron Crutcher, Financial Counseling, Inc., and Dayton Lubrication, Inc., alleging violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within 14 days. You will be notified as soon as the Commission takes final action on your complaint. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Please be advised that this matter shall remain confidential in accordance with 2 U.S.C. Sections 437g(a)(4)(B) and 437g(a)(1)(D) unless the respondents notify the Commission in writing that they wish the matter to be made public.

Sincerely,

Lawrence M. Noole
General Counsel

By: Lois E. Lerner
Associate General Counsel

Enclosure
11/1/88



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 1, 1988

SPECIAL DELIVERY

Delbera Crutcher, Treasurer
Crutcher For Congress Committee
PO Box 174
Dayton, OH 45401

RE: MUR 2755
Crutcher For Congress
Committee and Delbera
Crutcher, as treasurer

Dear Mr. Crutcher:

This letter is to notify you that on October 31, 1988, the Federal Election Commission received a complaint which alleges that the Crutcher For Congress Committee and you, as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2755. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you and the Crutcher For Congress Committee in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. You are encouraged to respond to this notification promptly. In order to facilitate an expeditious response, we have enclosed a pre-addressed, postage paid, special delivery envelope. If no response is received within 15 days, the Commission may take further action based on the available information.

The complaint may be dismissed by the Commission prior to the receipt of your response if the evidence submitted does not indicate that a violation of the Act has been committed. Should the Commission dismiss the complaint, you will be notified by overnight express mail.

This matter will remain confidential in accordance with Section 437g(a)(4)(B) and Section 437g(a)(12)(A) of Title 2 unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Keith Morgan at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel



By: Lois G. Lerner
Associate General Counsel

Enclosures
Complaint
Procedures
Envelope
Form

21040362535



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 1, 1988

SPECIAL DELIVERY

Mr. Ron Crutcher
220 Otterbein
Dayton, OH 45406

RE: MUR 2755
Ron Crutcher

Dear Mr. Crutcher:

This letter is to notify you that on October 31, 1988, the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2755. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. You are encouraged to respond to this notification promptly. In order to facilitate an expeditious response, we have provided a pre-addressed, postage paid, special delivery envelope. If no response is received within 15 days, the Commission may take further action based on the available information.

The complaint may be dismissed by the Commission prior to the receipt of your response if the evidence submitted does not indicate that a violation of the Act has been committed. Should the Commission dismiss the complaint, you will be notified by certified express mail.

This letter will remain confidential in accordance with Section 437(a)(4)(B) and Section 437(a)(10)(A) of Title 2 unless you advise the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission. =

If you have any questions, please contact Keith Morgan at 202) 376-8200. =

Sincerely,

Lawrence M. Noble
General Counsel



By: Lois G. Lerner
Associate General Counsel

Enclosures
Complaint
Procedures
Envelope
Form

21040362537



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 1, 1988

SPECIAL DELIVERY

Mr. Richard Hecock
Dayton Lubrication, Inc.
8613 Winsor Mill Road
Baltimore, MD 21207

RE: MUR 2755
Dayton Lubrication,
Inc.

Dear Mr. Hecock:

This letter is to notify you that on October 31, 1988, the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2755. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. You are encouraged to respond to this notification promptly. In order to facilitate an expeditious response, we have enclosed a pre-addressed, postage paid, special delivery envelope. If no response is received within 15 days, the Commission may take further action based on the available information.

The complaint may be dismissed by the Commission prior to the receipt of your response if the evidence submitted does not indicate that a violation of the Act has been committed. Should the Commission dismiss the complaint, you will be notified by overnight express mail.

This matter will remain confidential in accordance with Section 437(g)(4)(B) and Section 437(g)(1)(D)(ii) of Title 2 unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Keith Morgan at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel



By: Lois G. Lerner
Associate General Counsel

Enclosures
Complaint
Procedures
Envelope
H-100

21040362539



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 1, 1988

SPECIAL DELIVERY

Mr. Arvin M. Vaughan
Financial Counseling, Inc.
7311 Mad River Road
Centerville, OH 45459

RE: MUR 2755
Financial Counseling,
Inc.

Dear Mr. Vaughan:

This letter is to notify you that on October 31, 1988, the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2755. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. You are encouraged to respond to this notification promptly. In order to facilitate an expeditious response, we have enclosed a pre-addressed, postage paid, special delivery envelope. If no response is received within 15 days, the Commission may take further action based on the available information.

The complaint may be dismissed by the Commission prior to the receipt of your response if the evidence submitted does not indicate that a violation of the Act has been committed. Should the Commission dismiss the complaint, you will be notified by overnight express mail.

This matter will remain confidential in accordance with Section 417(a)(4)(B) and Section 417(a)(12)(A) of Title 2 unless you notify the Commission in writing that you wish the matter to be made public.

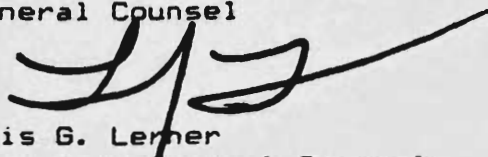
21040362540

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Keith Morgan at 202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel



By: Lois G. Lerner
Associate General Counsel

Enclosures
Complaint
Procedures
Envelope

210406541

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
SECRET

88 NOV -1 PH 3:15

EXPEDITED FIRST GENERAL COUNSEL'S REPORT

MUR: 2755
STAFF: Morgan

SENSITIVE

COMPLAINANT: Donna Van Pelt

RESPONDENTS: Ron Crutcher
Crutcher for Congress Committee, and
Delbera Crutcher, as Treasurer
Financial Counseling, Inc.
Dayton Lubrication, Inc.

SUMMARY OF ALLEGATIONS

210403542
The Office of the General Counsel received a complaint on October 29, 1988, from Donna Van Pelt. Named as respondents are: Ron Crutcher; the Crutcher for Congress Committee and Delbera Crutcher, as treasurer; Dayton Lubrication, Inc.; and Financial Counseling, Inc. The complaint alleges that a 1988 Congressional candidate, Ron Crutcher ("the Candidate"), accepted illegal corporate contributions, deposited a campaign contribution into his personal savings account, made personal use of campaign contributions and equipment. In addition, the complaint alleges that the Crutcher for Congress Committee ("the Committee") accepted illegal corporate contributions and did not report all banks and depositories used by the Committee. The complaint also alleges that two corporations, Financial Counseling, Inc. and Dayton Lubrication, Inc., made illegal corporate contributions to the Crutcher campaign.

PRELIMINARY FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 433(b)(6) political committees are required to list all banks, safety deposit boxes, or other depositories used by the committee. Funds received by a candidate as contributions that are in excess of any amount necessary to defray his expenditures may not be converted by any person to any personal use. 2 U.S.C. § 439a. In addition, the Act prohibits corporations from making contributions or expenditures in connection with a federal election, and federal candidates and committees are prohibited from knowingly accepting corporate contributions. 2 U.S.C. § 441b.

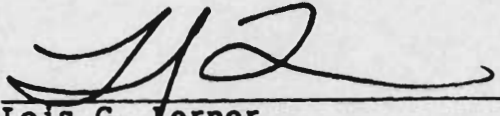
In the instant case the complaint raises several issues of fact: 1) whether Dayton Lubrication, Inc., and Financial Counseling, Inc., made corporate contribution to the Crutcher campaign in violation of 2 U.S.C. § 441b; 2) whether Ron Crutcher and the Crutcher for Congress Committee knowingly accepted corporate funds, in possible violation of 2 U.S.C. § 441b; 3) whether the Candidate made illegal personal use of campaign resources; and, 4) whether the Candidate and the Committee satisfied the reporting requirements of the Act. Therefore, the respondents must be afforded the statutory mandated fifteen day response period to respond to the allegations in the complaint.

Accordingly, this Office will report to the Commission at the expiration of that time.

Lawrence M. Noble
General Counsel

11/1/88
Date

BY:


Lois G. Lerner
Associate General Counsel

2104006544



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: *MWS* MARJORIE W. EMMONS/JOSHUA MCFADDEN *JM*

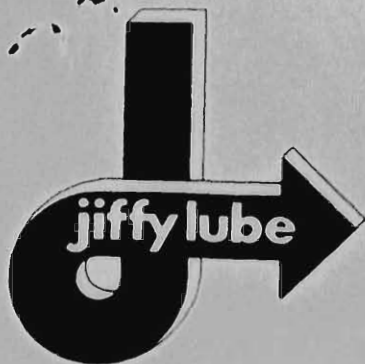
DATE: NOVEMBER 2, 1988

SUBJECT: MUR 2755
FIRST GENERAL COUNSEL'S REPORT
SIGNED NOVEMBER 1, 1988

The above-captioned report was received in the Secretariat at 3:15 p.m. on Tuesday, November 1, 1988 and circulated to the Commission on a ~~24-hour~~ no-objection basis at 4:00 p.m. on Tuesday, November 1, 1988.

There were no objections to the report.

91340362545



Main Office
9267 Baltimore National Pike
Ellicott City, Maryland 21043

06C 10 33
RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

88 NOV 14 PM 1:50

Jiffy Lube of Ellicott City
9267 Baltimore National Pike
Ellicott City, Maryland 21043

Jiffy Lube of Columbia
6405 Dobbins Way
Columbia, Maryland 21045

CJL, Inc.
2088 Berkmar Drive
Charlottesville, Virginia 22901

Eastern Shore Lube
1000 South Salisbury Boulevard
Salisbury, Maryland 21801

Rockville Lube Center, Inc.
806 Rockville Pike
Rockville, Maryland 20850

Lubrication Centers, Inc.
109 North Queen Street
Martinsburg, West Virginia 25401

Federal Election Commission
Washington, D.C. 20463

RE: MUR 2755
Dayton Lubrication, Inc.

Dear Sirs:

Dayton Lubrication, Inc. ceased to do any business in Dayton, Ohio after January 31, 1988.

There should not have been any transactions after that date other than the normal actions necessary to close out a business.

A check to a campaign fund, legal or not, was not a necessary transaction.

I respectfully request for more information you contact the maker of this check, Bill Johnson, at:

Jamos Lube Management, Inc.
5 W. Whipp Road
Dayton, OH 45459

Sincerely,

Richard D. Heacock
Richard D. Heacock

RH:ch

88 NOV 14 PM 4:44

financial counseling inc.

7811 Mad River Road
Centerville, OH 45459
(513) 439-4595

06C#1031
RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

88 NOV 14 PM 1:50

88 NOV 14 PM 4:40
FEDERAL ELECTION COMMISSION

November 7, 1988

Lois G. Lerner
Associate General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

Dear Ms. Lerner:

I have received your letter, dated November 1, 1988, notifying me that you have received a complaint, which alleges that I have violated certain sections of the Federal Election's Campaign Act of 1971.

I do not have a clue as to who Donna Van Pelt is and her concern for my alleged violation.

Mr. Ron Crutcher, a candidate for Congress in the Ohio Third District, visited my office and introduced himself and explained his position on various issues of interest. Before he left, I asked my secretary to write him a check for \$100. She wrote him the check and handed it to him as he left, and I don't think he even looked at the check when he received it. However, it was just one or two days later when I received a call from Ron Crutcher's office informing me that they could not accept a corporate check. I did not realize that so I asked my wife to write a personal check for the same amount, and she did so. The corporate check was returned to us and voided from our records.

If you would like to have any additional information, please feel free to contact me.

Sincerely,

Arvin M. Vaughan

Arvin M. Vaughan

AMV:hw

registered investment advisor

OGC# 921

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

November 3, 1988

88 NOV -7 AM 10:39

WWT 2773

FEDERAL ELECTIONS COMMISSION
999 E. STREET N.W.
WASHINGTON D.C. 20463

RE: CRUTCHER FOR CONGRESS COMMITTEE - OHIO 3RD DISTRICT

PLEASE BE INFORMED THAT THE FOLLOWING STATEMENTS ARE SUBMITTED
TO FEC AS COMPLAINTS AGAINST THE ABOVE MENTIONED COMMITTEE.

1. Ron Crutcher, candidate, has channeled contributions including a check from the NRCC for approximately \$5000, into a savings account that the Campaign Manager, Financial Director and Treasurer had no knowledge of or of the existence of this account. Evidence suggest intermingling of funds.

Delbera Crutcher, wife of candidate, controls this savings account.

Check Society Bank of Dayton or First National Bank of Dayton to find where this account is located.

2. Just came to knowledge of Campaign Manager that the Committee's checking account at First National Bank, Dayton, Acct.# 042200279 058 3543 is recorded under an address that is not the Campaign Headquarters address. The staff is unaware of any Committee P.O. Box and neither the Campaign Manager or the Treasurer have received any bank statements.

For your information: the P.O. Box 174 is listed under the business name of Midwest One Communications.

3. It has been questioned that we are not receiving mail or checks to our Campaign address. Therefore, Manager has no control over mail or possible contributions coming through direct mail. It has been discovered that Ron Crutcher is using five different mailing addresses to receive Crutcher for Congress Committee mail. These addresses are:

* P.O. Box 174, Dayton, Oh 45402

(This also belongs to his business, and his brother Jim under the name: Midwest One Communications 513-274-5226

* 323 Salem Avenue, Dayton, OH 45406

(This address is also the business address to Midwest One Communications and wife's business- Medical Answering Service and Business Organizers) 513-222-7506 and 513-274-5226

88 NOV -7 PM 1:25

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9
- * 220 Otterbein Avenue, Dayton, Oh 45406 513-276-5226
(Ron Crutcher's former home address)
 - * 1538 Bryn Mawr, Dayton, Oh 45406 513-276-5226
(Ron Crutcher and Jim Crutcher's present home address)

- * Crutcher for Congress Committee
521 E. Fifth St. Dayton, OH
513-222-4630

(This is our Campaign Headquarters and the ONLY ADDRESS our staff is using and has knowledge of.)

4. Candidate accepts illegal contributions-corporate checks.

Example: Financial Counseling Inc. (Arvin M. Vaughan)
7811 Mad River Road Centerville, Oh
* (reported to FEC per phone week of 9-26-88)

Campaign Manager, Financial Director, volunteer Dick Wiley, Jim Crutcher witnessed Ron Crutcher trying to persuade the Treasurer, Bob Gilbert, to deposit a Corporate Check \$1000 into the Campaign Committee's checking account.

(This check of \$1000 - Dayton Lubrication, Inc. signed by Bill Johnson is being returned by Financial Director.)

5. Campaign Manager had no knowledge of any equipment bought with campaign funds and discovered that a IBM AT compatible computer, bought with campaign funds was being used by family owned businesses. It has been at 323 Salem Ave. Dayton, Oh and used in part daily in the operations of the wife's business, (this was witnessed by Financial Director and Alex Ugolini and admitted by candidate himself) Candidate was confronted by Campaign Manager to move this computer to Campaign Headquarters.

Following 6 weeks of staunch protest by Campaign Manager, Financial Director, Consultant Rick Woodrow, Target Consulting, candidate allowed us to move computer on or about Sept. 22.

Please note * (This question was raised in a telecon with FEC on or about numerous call between Aug. 25 - Sept. 22)

Please note * (This question was also raised to NRCC Legal Dept. on or about week of Sept 1.)

Complaint: Illegal use of campaign equipment

6. Payroll check of \$525 made out to Richard Vara in July bounced. Campaign Manager personally covered the check. Returned check was given to Treasurer and has never been reimbursed.

Bounced checks include Post Office, Arcade Printing, Ohio Bell, Midtown Development (office rent) and others. Contact Treasurer, Bob Gilbert, for information.

7. Ron Crutcher has breached contract and has failed to pay salaries to Campaign Manager and Financial Director since July 23, 1988. Candidate made comment to the effect to Campaign Manager that "he felt that there were more important priorities to pay in this campaign"

Complaint: Candidate to date has failed to honor weekly payroll obligations. Please note that litigation has been filed by the previous campaign manager, Bill Kintner, for like complaint.

Richard Vara
Financial Director

10-88

I, *Richard J. Vara*, *Richard J. Vara* hereby swear that the contents of these complaints are true to the best of my knowledge.

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE THIS 3 DAY OF *November*, 1988.

Ray H. Meyers
RAY H. MEYERS
Notary Public, State of Ohio
My Commission Expires Dec. 22, 1991

Richard J. Vara
6209 Daewood Ct.
Columbus, OH 43229
(614) 891-6739

21040362550

Crutcher

CONTINUED FROM 1A

Crutcher was pleased with Flanagan's report.

"I'm just happy that the people of this community who weren't sure, now know that there was never anything wrong," he said. "I'm glad that the public knows that and we can go forward."

Flanagan concluded that Crutcher did not accept illegal contributions or use a campaign-owned computer for his business, as alleged by former campaign manager Donna Van Pelt and former finance director Richard Vara. Van Pelt, Vara and two other key Crutcher advisers have resigned this year over the handling of campaign finances.

Flanagan said Crutcher's campaign treasurer did fail to notify the commission about the existence of a campaign savings account and about a change of address for the campaign headquarters. But, Flanagan said these errors are "technical in nature" and are not subject to election commission penalties. Van Pelt, however, said Flanagan is "really making a big mistake putting himself on the line like this. He has no right to judge this. What's going to take the FEC months to judge, he's doing by looking at one set of books."

Vara said, "I'm getting letters from the FEC right now and they don't deem this as something technical. This may be an image they (local Republicans) are trying to project before the election."

Forecasting a harsh judgment by the FEC, Vara said Crutcher and his advisers "will probably have a peaceful Christmas and a nice New Year's celebration, but 1989 is not going to be a good year for the campaign committee. The day of reckoning is yet to come."

Van Pelt and Vara resigned and filed charges with the Federal Elections Commission on Oct. 5 claiming

Crutcher deposited a check for about \$5,000 from the National Republican Congressional Committee into a savings account controlled by Crutcher's wife, Delbera. They said they were not told the account existed.

Flanagan said Crutcher, in an Oct. 15 report to the election commission, acknowledged receiving the check, but Flanagan said Crutcher's treasurer has failed to report the existence of the savings account at Society Bank.

Delbera Crutcher was her husband's campaign treasurer until early this summer, when she was replaced by accountant Robert Gilbert. Flanagan said the check was deposited in the savings account Sept. 26.

Crutcher said part of his problems stem from the fact that he really does not know about campaign finances in detail and that he relies on his campaign treasurer and other staff members to oversee the finances.

"When a candidate has to get into finances and accounting he isn't going to be very effective as a candidate," Crutcher said.

Gwen Bowers, Crutcher's attorney, conceded the candidate owes back pay to Van Pelt and Vara, but called the other allegations "malicious (and) very untrue."

"I really question these people's motives," Bowers said. "I think it's just a power play, an ego trip."

4 2 5 3 1 GOP chief:

Audit clears Crutcher

By Tom Beyerlein
STAFF WRITER

The Montgomery County Republican Party chairman said Wednesday he could find no evidence of intentional wrongdoing on the part of congressional candidate Ronald Crutcher, as two Crutcher campaign staffers have charged.

After an audit of campaign and bank records, GOP Chairman Patrick Flanagan Crutcher said he found some technical violations of federal election law, but nothing that would warrant penalties.

"I've reviewed the charges and I don't find the candidate Ronnie Crutcher has done anything wrong," Flanagan said.

Crutcher's former campaign manager and finance director — who resigned in protest over what they called Crutcher's questionable financial practices — disputed Flanagan's assessment, however.

They predicted Crutcher's campaign will be found guilty of "blatant violations" of federal policy when the Federal Election Commission completes an investigation.

Crutcher, a 34-year-old Dayton Republican, is trying to unseat U.S. Rep. Tony Hall, D-Dayton, in the 3rd Congressional District.



Crutcher
GOP Chairman

Crutcher names Xenia to head campaign office

Republican congressional candidate Ron Crutcher on Friday appointed a new campaign manager in the wake of a GOP audit clearing him of charges that he mismanaged campaign funds.

Bob Steele, 56, of Xenia will assume control of the campaign immediately.

"This is the best thing that could have ever happened to the campaign," Crutcher said. "Very few campaigns in the last 11 days could have a resurgence like this one," said Crutcher.

Crutcher is challenging incumbent 3rd District Rep. Tony Hall, D-Dayton.

Steele replaces Donna Van Pelt, who recently resigned in protest with finance director Richard Vara over what they said were questionable financial

practices.

"I'm here to fight an 11-day war to bring the American Dream back to this community," said Steele, who offered Crutcher his services for free. "I believe in him. . . . This country is tired of liberals like Tony Hall."

Patrick Flanagan, Montgomery County Republican Party chairman, reviewed Crutcher's campaign records after Vara's and Van Pelt's resignations. Flanagan concluded Crutcher may have made some minor, technical campaign violations but had not accepted illegal contributions or used a campaign-owned computer for his business, as was charged.

SEE CRUTCHER/4A



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 9, 1988

SPECIAL DELIVERY

Mr. Richard J. Vana
6209 Doewood Court
Columbus, OH 43229

RE: MUR 2773


Dear Mr. Vana:

This letter acknowledges receipt on November 7, 1988, of your complaint against the Crutcher For Congress Committee and Delberta Crutcher, as treasurer, Ron Crutcher, Dayton Lubrication, Inc., and Financial Counseling, Inc., alleging violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within 24 hours. You will be notified as soon as the Commission takes final action on your complaint. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Please be advised that this matter shall remain confidential in accordance with 2 U.S.C. Sections 437g(a)(4)(B) and 437g(a)(12)(A) unless the respondents notify the Commission in writing that they wish the matter to be made public.

Sincerely,

Lawrence M. Noble
General Counsel

By: 
Lois G. Lerner
Associate General Counsel

Enclosure
Procedures

21040362552



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 9, 1988

SPECIAL DELIVERY

Delbera Crutcher, Treasurer
Crutcher For Congress Committee
PO Box 174
Mid City Station
Dayton, OH 45401

RE: MUR 2773
Crutcher For Congress
Committee and Delbera
Crutcher, as treasurer

Dear Ms. Crutcher:

This letter is to notify you that on November 7, 1988, the Federal Election Commission received a complaint which alleges that the Crutcher For Congress Committee and you, as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2773. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you and the Crutcher For Congress Committee in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. You are encouraged to respond to this notification promptly. In order to facilitate an expeditious response, we have enclosed a pre-addressed, postage paid, special delivery envelope. If no response is received within 15 days, the Commission may take further action based on the available information.

The complaint may be dismissed by the Commission prior to the receipt of your response if the evidence submitted does not indicate that a violation of the Act has been committed. Should the Commission dismiss the complaint, you will be notified by overnight express mail.

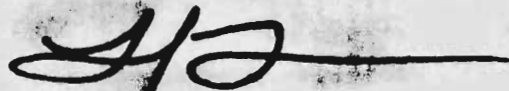
This matter will remain confidential in accordance with Section 437g(a)(4)(B) and Section 437g(a)(12)(A) of Title 2 unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Keith Morgan at (202) 376-8200.

Sincerely,

Lawrence R. Noble
General Counsel



By: Lois G. Lerner
Associate General Counsel

Enclosures
Complaint
Procedures
Envelope
Form

cc: Ron Crutcher
220 Otterbein
Dayton, OH 45406

21040032354



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 9, 1988

SPECIAL DELIVERY

Mr. Ron Crutcher
220 Otterbein
Dayton, OH 45406

RE: MUR 2773
Ron Crutcher

Dear Mr. Crutcher:

2104036255
This letter is to notify you that on November 7, 1988, the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2773. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. You are encouraged to respond to this notification promptly. In order to facilitate an expeditious response, we have enclosed a pre-addressed, postage paid, special delivery envelope. If no response is received within 15 days, the Commission may take further action based on the available information.

The complaint may be dismissed by the Commission prior to the receipt of your response if the evidence submitted does not indicate that a violation of the Act has been committed. Should the Commission dismiss the complaint, you will be notified by overnight express mail.


This matter will remain confidential in accordance with Section 437g(a)(4)(B) and Section 437g(a)(12)(A) of Title 2 unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Keith Morgan at (202) 376-8200.

Sincerely,

Lawrence H. Noble
General Counsel

By: 
Lois B. Lerner
Associate General Counsel

Enclosures
Complaint
Procedures
Envelope
Form

cc: Delbera Crutcher, Treasurer
Crutcher For Congress Committee
PO Box 174
Mid City Station
Dayton, OH 45401

21040362556



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 9, 1988

SPECIAL DELIVERY

Richard Hedcock, President
Dayton Lubrication, Inc.
8613 Winsor Mill Road
Baltimore, MD 21207

RE: MUR 2773
Dayton Lubrication,
Inc.

Dear Mr. Hedcock:

This letter is to notify you that on November 7, 1988, the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2773. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. You are encouraged to respond to this notification promptly. In order to facilitate an expeditious response, we have enclosed a pre-addressed, postage paid, special delivery envelope. If no response is received within 15 days, the Commission may take further action based on the available information.

The complaint may be dismissed by the Commission prior to the receipt of your response if the evidence submitted does not indicate that a violation of the Act has been committed. Should the Commission dismiss the complaint, you will be notified by overnight express mail.

This matter will remain confidential in accordance with Section 437g(a)(4)(B) and Section 437g(a)(12)(A) of Title 2 unless you notify the Commission in writing that you wish the matter to be made public.

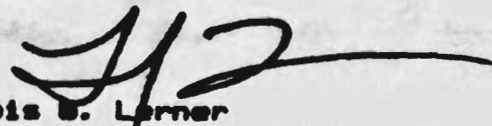
21-40362557

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form, stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Keith Morgan at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel


By: Lois E. Lerner
Associate General Counsel

Enclosures
Complaint
Procedures
Envelope
Form

91040362553



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 9, 1988

SPECIAL DELIVERY

Arvin M. Vaughan, President
Financial Counseling, Inc.
7811 Mad River Road
Centerville, OH 45459

RE: MUR 2773
Financial Counseling,
Inc.

Dear Mr. Vaughan:

This letter is to notify you that on November 7, 1988, the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2773. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. You are encouraged to respond to this notification promptly. In order to facilitate an expeditious response, we have enclosed a pre-addressed, postage paid, special delivery envelope. If no response is received within 15 days, the Commission may take further action based on the available information.

The complaint may be dismissed by the Commission prior to the receipt of your response if the evidence submitted does not indicate that a violation of the Act has been committed. Should the Commission dismiss the complaint, you will be notified by overnight express mail.

This matter will remain confidential in accordance with Section 437g(a)(4)(B) and Section 437g(a)(12)(A) of Title 2 unless you notify the Commission in writing that you wish the matter to be made public.

2104036259

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Keith Morgan at (202) 376-8200.

Sincerely,

Lawrence R. Lerner
General Counsel



By: Lois B. Lerner
Associate General Counsel

Enclosures
Complaint
Procedures
Envelope
Form

91040362560

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

88 NOV -9 AM 11:43

MUR: 2773
STAFF: Morgan

SENSITIVE

SUMMARY OF ALLEGATIONS

The Office of the General Counsel received a complaint on November 7, 1988, from Richard J. Vara. Named as respondents are: Ron Crutcher; the Crutcher for Congress Committee and Delbera Crutcher, as treasurer; Dayton Lubrication, Inc.; and Financial Counseling, Inc. The complaint alleges that a 1988 Congressional candidate, Ron Crutcher (the "Candidate"), accepted illegal corporate contributions, deposited a campaign contribution into his personal savings account, and made personal use of campaign contributions and equipment. In addition, the complaint alleges that the Crutcher for Congress Committee (the "Committee") accepted illegal corporate contributions and did not report all banks and depositories used by the Committee. The complaint also alleges that two corporations, Financial Counseling, Inc. and Dayton Lubrication, Inc., made illegal corporate contributions to the Crutcher campaign.

PRELIMINARY FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 433(b)(6) political committees are required to list all banks, safety deposit boxes, or other depositories used by the committee. Funds received by a candidate as contributions that are in excess of any amount necessary to defray his expenditures may not be converted by any person to any personal use. 2 U.S.C. § 439a. In addition, the Act prohibits corporations from making contributions or expenditures in connection with a federal election, and federal candidates and committees are prohibited from knowingly accepting corporate contributions. 2 U.S.C. § 441b.

In the instant case the complaint raises several issues of fact: 1) whether Dayton Lubrication, Inc., and Financial Counseling, Inc., made corporate contribution to the Crutcher campaign in violation of 2 U.S.C. § 441b; 2) whether Ron Crutcher and the Crutcher for Congress Committee knowingly accepted corporate funds, in possible violation of 2 U.S.C. § 441b; 3) whether the Candidate made illegal personal use of campaign resources; and, 4) whether the Candidate and the Committee satisfied the reporting requirements of the Act. Therefore, the respondents must be afforded the statutory mandated fifteen day time period to reply to the allegations raised in the complaint.

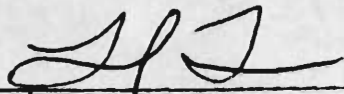
Accordingly, this Office will report to the Commission at the expiration of that period.

Lawrence M. Noble
General Counsel

Date

11/8/88

BY:


Lois G. Lerner
Associate General Counsel

21040362563



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: *MWE* MARJORIE W. EMMONS/JOSHUA MCFADDEN *JM*

DATE: NOVEMBER 10, 1988

SUBJECT: MUR 2773
FIRST GENERAL COUNSEL'S REPORT
SIGNED NOVEMBER 8, 1988

The above-captioned report was received in the Secretariat at 11:43 a.m. on Wednesday, November 9, 1988 and circulated to the Commission on an expedited no-objection basis at 12:00 p.m. on Wednesday, November 9, 1988.

There were no objections to the report.

406362564



U.S. Department of Justice

06C1435
RECEIVED
FEDERAL ELECTION COMMISSION

88 DEC 22 AM 10:28

GEMcD:LJR:CCD:mab

Washington, D.C. 20530

DEC 20 1988

MUR 2773

88 DEC 22 AM 11:36

Mr. Lawrence M. Noble
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Mr. Noble:

Re: Ronald J. Crutcher

Enclosed is a Federal Bureau of Investigation Letterhead Memorandum reflecting the substance of a complaint concerning the use of campaign funds by Ohio Republican Congressional candidate Ronald J. Crutcher. The complainant in this matter is a former employee of Mr. Crutcher's principal campaign committee.

According to this complaint, a \$5,000 political contribution received by the Crutcher campaign from the Republican National Congressional Committee may have been deposited into the candidate's personal savings account, and computer equipment purchased with campaign funds may have been used for personal business purposes by the candidate. Such matters, if true, could entail violations of 2 U.S.C. § 439a, as well as reporting and record keeping violations of 2 U.S.C. §§ 432 and 434.

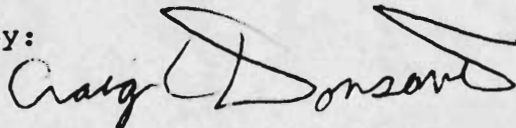
The facts of this matter as they are known at present do not reflect factually aggravated, intentional violation of the Federal Election Campaign Act as might support a criminal prosecution under either 2 U.S.C. § 437g(d), or general federal fraud laws such as 18 U.S.C. § 371 or § 1001. As such, we are declining prosecution of this matter, and referring it to the Commission for such administrative attention as may be warranted.

If we can assist you further in this matter, please let us know.

Sincerely,

Gerald E. McDowell
Chief, Public Integrity Section
Criminal Division

By:



Craig C. Donsanto
Director, Election Crimes Branch
Public Integrity Section
Criminal Division

Enclosure

21040364566



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 13, 1989

Craig C. Donsanto
Director, Election Crimes Branch
Criminal Division
U.S. Department of Justice
Washington, D.C. 20530

RE: Ronald J. Crutcher
MUR 2773

Dear Mr. Donsanto:

This is to acknowledge receipt of your letter dated December 20, 1988, advising us of the possibility of a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") by Ronald J. Crutcher. We are currently reviewing the matter and will advise you of the Commission's determination.

If you have any questions or additional information, please call Keith V. Morgan, the attorney assigned to this matter, at (202) 376-5690. Our file number for this matter is MUR 2773.

Pursuant to 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A), the Commission's review of this matter shall remain confidential until the file has been closed.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

21040363567

88 NOV -7 AM 10:40

Mon 2774

Alex P. Ugolini, Jr.
25A Highpoint Drive
Miamisburg, OH 45342
(513)445-2689
November 4, 1988

Federal Elections Commission
999 East St. NW
Washington, DC 20463

SUBJECT: Crutcher for Congress Committee investigation, Ohio 3rd District.

To Whom It May Concern:

During the first week of August, Ron and I talked about a computer, an IBM PC/AT compatible, he had at his business. It was my understanding that it was his business computer, but that he did some campaign work on it.

I work as a computer systems analyst and I thought up a project for the campaign, but would have needed to use his computer for the project. Richard Vara and I visited the Crutchers' business office to find out the capacity of the computer. The computer was being used in the business, and had almost half of the hard disk space in use.

I wanted to move the machine to campaign headquarters, but Mrs. Crutcher said that she couldn't get along without having the computer in her business (Medical Answering Service) office.

Around September 1st, the staff found out that the computer belonged to the committee. I offered to help move it, but the offer was brushed aside by Ron. The computer was moved to headquarters weeks later, after much protest and threats to resign by the staff and Rick Woodrow. At headquarters, the 8 megabytes of disk that had been in use was freed, indicating that all the data that had been on the machine when I first saw it had been erased. The computer was never put into use in headquarters from the time it was brought over until the time the staff resigned.

CONCLUSIONS:

1. Ron led the staff and myself to believe that the Crutcher for Congress Committee did not own a computer.
2. Ron was using the computer for his and his wife's business.

88 NOV -7 PM 1:25

FEDERAL ELECTION COMMISSION

3. The computer had LAN (local area network) program files, suggesting that LAN equipment had also been purchased, to allow the computer to be linked with other computers to share data and programs. This was a foolish use of money for a campaign computer, since only one computer was available. However, the Crutchers did have another computer in their business office, and the purchase of the LAN would have been ideal for the computers in the business office.

4. It is evident that the computer was primarily purchased for use in the business, and not for use in the campaign. This is the only way to justify the purchase of the LAN.

5. Richard Vara told me that Ron told him that he had "purchased the computer from himself", that he was a sales representative for the company from which he bought the computer. When we first talked about the computer, I remember him telling me what he paid for it, although I don't remember the amount. I do remember that he didn't get any bargain on the equipment, and that he could have gotten it for less. This raises the question of a conflict of interests. Is it legal for the candidate to profit at the expense of the campaign?

6. While I was at the business office, I asked Mrs. Crutcher for the name of the salesman that sold Ron the equipment. I wanted to find out from the salesman exactly what Ron bought. She gave me the name

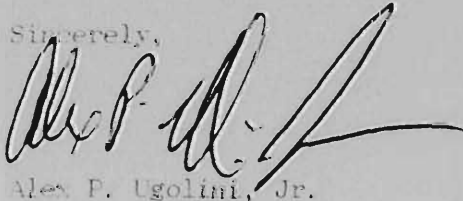
John Dublin
1536 Cole Blvd. #180
Golden, CO 80401
(800)225-7798
(303)279-8781

but I never talked to him. (See enclosure, which is in Mrs. Crutcher's handwriting.)

7. Pat Flanagan, head of the Montgomery County Republican Party, announced through the media that he would be conducting his own investigation. He was quoted in the Dayton Daily News as saying "I've reviewed the charges and I don't find the candidate Ronnie Crutcher has done anything wrong." It is my understanding that Mr. Flanagan was given a copy of the staff's complaint to the FEC, which included my name and phone number. Mr. Flanagan never contacted me, and I believe that he didn't contact any of the witnesses. Mr. Flanagan lied to the public and was evidently covering-up for Crutcher. Perhaps Mr. Flanagan was also interfering with the FEC's own investigation.

8. **SUGGESTION:** I recommend that the FEC confiscate the computer as soon as possible. There are several programs available, such as PC Tools and Norton Utilities, and will allow erased data to be recovered. Whatever was erased off the computer will still be available through these programs, unless the disk space holding it is reused. Recovering this data would give additional validation to the charges.

Sincerely,



Alex P. Ugolini, Jr.

21040362569

I Alex P. Ugolini, Jr., *Alex P. Ugolini, Jr.* hereby swear that
these statements are true to the best of my knowledge.

Sworn to before me and subscribed in my presence this 5th day of
November, 1988.

R. D. Thorne
R. D. THORNE, Notary Public
In and for the State of Ohio
My Commission Expires Aug. 30, 1993

21040562570

91040362571

John Seelin

TO	DATE	TIME	A.M. P.M.
FROM M	1234 Lake Blvd #100		
OF	80401		
PHONE ()	Golden CO	EXT.	TELEPHONED
MESSAGE	1-800 225-9798		RETURNED YOUR CALL
	303 274-8781		PLEASE CALL
			WILL CALL AGAIN
			CAME TO SEE YOU
			WANTS TO SEE YOU
SIGNED			URGENT

Crutcher

CONTINUED FROM/1A

Crutcher was pleased with Flanagan's report.

"I'm just happy that the people of this community who weren't sure, now know that there was never anything wrong," he said. "I'm glad that the public knows that and we can go forward."

Flanagan concluded that Crutcher did not accept illegal contributions or use a campaign-owned computer for his business, as alleged by former campaign manager Donna Van Pelt and former finance director Richard Vara.

Van Pelt, Vara and two other key Crutcher advisers have resigned this year over the handling of campaign finances.

Flanagan said Crutcher's campaign treasurer did fail to notify the commission about the existence of a campaign savings account and about a change of address for the campaign headquarters. But Flanagan said these errors are "technical in nature" and are not subject to election commission penalties.

Van Pelt, however, said Flanagan is "really making a big mistake putting himself on the line like this. He has no right to judge this. What's going to take the FEC months to judge, he's doing by looking at one set of books."

Vara said, "I'm getting letters from the FEC right now and they don't deem this as something technical. This may be an image they (local Republicans) are trying to project before the election."

Forecasting a harsh judgment by the FEC, Vara said Crutcher and his advisors "will probably have a peaceful Christmas and a nice New Year's celebration, but 1989 is not going to be a good year for the campaign committee. The day of reckoning is yet to come."

Van Pelt and Vara resigned and filed charges with the Federal Elections Commission on Oct. 5 claiming

Crutcher deposited a check for about \$5,000 from the National Republican Congressional Committee into a savings account controlled by Crutcher's wife, Delbera. They said they were not told the account existed.

Flanagan said Crutcher, in an Oct. 15 report to the election commission, acknowledged receiving the check, but Flanagan said Crutcher's treasurer has failed to report the existence of the savings account at Society Bank.

Delbera Crutcher was her husband's campaign treasurer until early this summer, when she was replaced by accountant Robert Gilbert. Flanagan said the check was deposited in the savings account Sept. 26.

Crutcher said part of his problems stem from the fact that he really does not know about campaign finances in detail and that he relies on his campaign treasurer and other staff members to oversee the finances.

"When a candidate has to get into finances and accounting he isn't going to be very effective as a candidate," Crutcher said.

Gwen Bowers, Crutcher's attorney, conceded the candidate owes back pay to Van Pelt and Vara, but called the other allegations "malicious (and) very untrue."

"I really question these people's motives," Bowers said. "I think it's just a power play, an ego trip."

GOP chief: Audit clears Crutcher

By Tom Beyerlein
STAFF WRITER

The Montgomery County Republican Party chairman said Wednesday he could find no evidence of intentional wrongdoing on the part of congressional candidate Ronald Crutcher, as two Crutcher campaign staffers have charged.



After an audit of campaign and bank records, GOP Chairman Patrick Flanagan Crutcher said he found some technical violations of federal election law, but nothing that would warrant penalties.

"I've reviewed the charges and I don't find the candidate Ronnie Crutcher has done anything wrong," Flanagan said.

Crutcher's former campaign manager and finance director — who resigned in protest over what they called Crutcher's questionable financial practices — disputed Flanagan's assessment, however.

They predicted Crutcher's campaign will be found guilty of "blatant violations" of federal policy when the Federal Election Commission completes an investigation.

Crutcher, a 34-year-old Dayton Republican, is trying to unseat U.S. Rep. Tony Hall, D-Dayton, in the 3rd Congressional District.

SEE CRUTCHER/4A

21040362572



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

November 9, 1988

SPECIAL DELIVERY

Mr. Alex P. Ugolini, Jr.
25A Highpoint Drive
Miamisburg, OH 45342

RE: MUR 2774

Dear Mr. Ugolini:

This letter acknowledges receipt on November 7, 1988, of your complaint against the Crutcher For Congress Committee and Delbera Crutcher, as treasurer, and Ron Crutcher, alleging violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within 24 hours. You will be notified as soon as the Commission takes final action on your complaint. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Please be advised that this matter shall remain confidential in accordance with 2 U.S.C. Sections 437g(a)(4)(B) and 437g(a)(12)(A) unless the respondents notify the Commission in writing that they wish the matter to be made public.

Sincerely,

Lawrence M. Noble
General Counsel

By: Lois G. Lerner
Associate General Counsel

Enclosure
Procedures



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 9, 1988

SPECIAL DELIVERY

Delbera Crutcher, Treasurer
Crutcher For Congress Committee
PO Box 174
Mid City Station
Dayton, OH 45401

RE: MUR 2774
Crutcher For Congress
Committee and Delbera
Crutcher, as treasurer

Dear Ms. Crutcher:

This letter is to notify you that on November 7, 1988, the Federal Election Commission received a complaint which alleges that the Crutcher For Congress Committee and you, as treasurer, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2774. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you and the Crutcher For Congress Committee in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. You are encouraged to respond to this notification promptly. In order to facilitate an expeditious response, we have enclosed a pre-addressed, postage paid, special delivery envelope. If no response is received within 15 days, the Commission may take further action based on the available information.

The complaint may be dismissed by the Commission prior to the receipt of your response if the evidence submitted does not indicate that a violation of the Act has been committed. Should the Commission dismiss the complaint, you will be notified by overnight express mail.

This matter will remain confidential in accordance with Section 437g(a)(4)(B) and Section 437g(a)(12)(A) of Title 2 unless you notify the Commission in writing that you wish the matter to be made public.

21040362574

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Keith Morgan at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel


By: Lois G. Verner
Associate General Counsel

Enclosures
Complaint
Procedures
Envelope
Form

cc: Ron Crutcher
220 Otterbein
Dayton, OH 45406

21040362515



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

November 9, 1988

SPECIAL DELIVERY

Mr. Ron Crutcher
220 Otterbein
Dayton, OH 45406

RE: MUR 2774
Ron Crutcher

Dear Mr. Crutcher:

This letter is to notify you that on November 7, 1988, the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2774. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. You are encouraged to respond to this notification promptly. In order to facilitate an expeditious response, we have enclosed a pre-addressed, postage paid, special delivery envelope. If no response is received within 15 days, the Commission may take further action based on the available information.

The complaint may be dismissed by the Commission prior to the receipt of your response if the evidence submitted does not indicate that a violation of the Act has been committed. Should the Commission dismiss the complaint, you will be notified by overnight express mail.

This matter will remain confidential in accordance with Section 437g(a)(4)(B) and Section 437g(a)(12)(A) of Title 2 unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Keith Morgan at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

By: 
Lois G. Lerner
Associate General Counsel

Enclosures
Complaint
Procedures
Envelope
Form

cc: Delbera Crutcher, Treasurer
Crutcher For Congress Committee
PO Box 174
Mid City Station
Dayton, OH 45401

21040362577

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
SECRET

88 NOV -9 AM 11:43

EXPEDITED FIRST GENERAL COUNSEL'S REPORT

MUR: 2774
STAFF: K. Morgan

SENSITIVE

COMPLAINANT: Alex Ugolini, Jr.

RESPONDENTS: Ron Crutcher
Crutcher for Congress Committee, and
Delbera Crutcher as Treasurer

SUMMARY OF ALLEGATIONS

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The Office of the General Counsel received a complaint on November 7, 1988, from Alex P. Ugolini, Jr. Named as respondents are Ron Crutcher and the Crutcher for Congress Committee and Delbera Crutcher, as treasurer. The complaint alleges that Ron Crutcher, a 1988 Congressional candidate (the "Candidate"), made personal use of campaign equipment. In addition, the complaint raises the question of whether the Crutcher for Congress Committee (the "Committee") reported all of its disbursements as required by the FECA.

PRELIMINARY FACTUAL AND LEGAL ANALYSIS

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Pursuant to 2 U.S.C. § 439a funds received by a candidate as a contribution that are in excess of any amount necessary to defray his expenditures may not be converted by any person to personal use. A treasurer of a political committee is required to file periodic reports with the Commission, which shall include the receipts and disbursements made by the committee during the period covered by the report. 2 U.S.C. § 434(a).

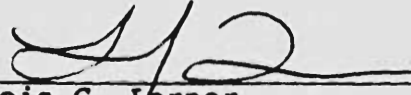
The instant case raises two issues of fact. The first is whether the candidate made illegal personal use of campaign resources. The second is whether the Committee complied with its reporting obligations in accordance with 2 U.S.C. § 434(a). Therefore, respondents must be afforded the statutorily mandated fifteen day time period to reply to the allegations raised in the complaint. Accordingly, this Office will report to the Commission after the expiration of that period.

Lawrence M. Noble
General Counsel

91040363 / 3
Date

11/8/88

BY:


Lois G. Lerner
Associate General Counsel



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: *MW* MARJORIE W. EMMONS/JOSHUA MCFADDEN *JM*

DATE: NOVEMBER 10, 1988

SUBJECT: MUR 2774
FIRST GENERAL COUNSEL'S REPORT
SIGNED NOVEMBER 8, 1988

The above-captioned report was received in the Secretariat at 11:43 a.m. on Wednesday, November 9, 1988 and circulated to the Commission on an expedited no-objection basis at 12:00 p.m. on Wednesday, November 9, 1988.

There were no objections to the report.

10405500

OCC#1124

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

88 NOV 21 AM 9:57

November 17, 1988

Mr. Lawrence M. Noble, General Counsel
Federal Election Commission
1325 K Street NW
Washington, DC 20463

88 NOV 21 PM 12:38

RE: MUR 2774
Crutcher for Congress Committee
Delbera D. Crutcher, treasurer

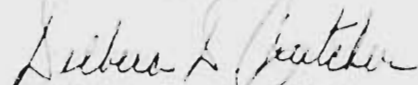
Dear Mr. Noble:

I am in receipt of the charges alleged against the Crutcher for Congress Committee and Delbera D. Crutcher, treasurer.

After reviewing these alleged charges, I find these allegations to be unfounded and untrue.

Therefore, I respectfully request that the commission dismiss all charges.

Sincerely,


Delbera D. Crutcher

01040531

November 17, 1988

Mr. Lawrence M. Noble, General Counsel
Federal Election Commission
1325 K Street NW
Washington, DC 20463

RE: MUR 2774
Ron Crutcher

Dear Mr. Noble:

I am in receipt of the charges alleged against the Crutcher for Congress Committee and Delbera D. Crutcher, treasurer.

After reviewing these alleged charges with my staff, I find these allegations to be unfounded and untrue.

Therefore, I respectfully request that the commission dismiss all charges.

Sincerely,


Ron Crutcher

21040362502

STATEMENT OF DESIGNATION OF COUNSEL

OGC 1204

MUR 2774

NAME OF COUNSEL: GWENDOLYN R. BOWERS

ADDRESS: 1712 W. THIRD ST.
DAYTON, OHIO
45407

TELEPHONE: (513) 461-9297

08 NOV 29 PM 2:44

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

Nov 1988
Date

Ron Crutcher
Signature

RESPONDENT'S NAME: RON CRUTCHER

ADDRESS: 1538 BRYN MAWR
DAYTON, OHIO
45406

HOME PHONE: (513) 274-5226

BUSINESS PHONE: _____

89 NOV 28 AM 10: 03

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)
)
Ronald Crutcher)
Delbera Crutcher)
Crutcher for Congress Committee,)
and Delbera Crutcher, as treasurer)
Financial Counseling, Inc.)
Dayton Lubrication, Inc.)
Bill Johnson)
Arvin Vaughan)

MURs 2755, 2773
and 2774

GENERAL COUNSEL'S REPORT

I. GENERATION OF MATTERS

These matters arose from signed and sworn complaints received from three former members of Ronald Crutcher's campaign staff. Each complaint alleges that Mr. Crutcher and his principal campaign committee, the Crutcher for Congress Committee (the "Committee") and Delbera Crutcher, as treasurer, violated sections of the Federal Election Campaign Act of 1971, as amended (the "Act"), during Crutcher's unsuccessful 1988 campaign for Ohio's Third Congressional District seat. One of the complainants, Ms. Van Pelt, also filed a complaint containing these same allegations with the Federal Bureau of Investigation. That complaint then was referred to the Commission by the Department of Justice (Attachment 1).

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II. FACTUAL AND LEGAL ANALYSIS

A. Factual Background

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The complainants, Donna Van Pelt, Richard Vara and Alex Ugolini, all base their complaints on information they gained while serving as Crutcher's campaign manager, financial director and computer operator, respectively. Mr. Vara and Ms. Van Pelt allege that Crutcher commingled campaign funds with his personal funds and accepted corporate contributions. They also allege that the Committee failed to amend its Statement of Organization so as to include numerous addresses used by the campaign to receive contributions. Vara and Van Pelt are joined by Mr. Ugolini in alleging that Crutcher purchased a personal computer with campaign funds, which the candidate then used primarily for his and his wife's private businesses.

B. The Law

These allegations raise the possibility of several violations of the Act by the Crutcher campaign. Pursuant to 2 U.S.C. § 432(b)(3) all funds of a political committee shall be segregated from, and may not be commingled with the personal funds of any individual. A political committee is required to list in its Statement of Organization all banks, safety deposit boxes, or other depositories used by the committee. 2 U.S.C. § 433(b)(6). Section 432(h)(1) requires that a political committee deposit its receipts only in accounts that have been designated on the committee's Statement of Organization as campaign depositories. Section 433(c) of the Act requires a committee to report any

C. The Analysis

1. Compliance With Depository and Reporting Requirements

Ms. Van Pelt and Mr. Vara allege that Crutcher deposited a \$5,000 campaign contribution from the National Republican Congressional Committee (NRCC) into a savings account that his wife controlled. The complainants state that Crutcher's campaign staff including his treasurer, Mr. Robert Gilbert (who has been replaced as treasurer by Crutcher's wife), were not aware that Crutcher had received this check or that the savings account he deposited it into even existed. Ms. Van Pelt, Crutcher's campaign manager, states that she became aware of the check only after phone conversations with the NRCC. On September 25, 1988, several weeks after he had received the check and only after having been asked about it by his staff, Crutcher acknowledged receiving the check and told Van Pelt about the savings account. On September 30, 1988, Crutcher tendered a check for \$854 to the Committee, claiming that it was all that was left from the \$5,000 NRCC contribution. A copy of this check attached to Ms. Van Pelt's complaint reveals that it was a cashier's check from Society Bank and that the name typed in as the remitter was Crutcher For Congress. There is no account at Society Bank designated on the Committee's Statement of Organization as a campaign depository.

Section 432(h)(1) requires political committees to deposit their receipts only in accounts that have been so designated. The savings account into which Crutcher apparently deposited and then

withdrew the NRCC funds is not designated on the Committee's Statement of Organization as a depository for the Committee's campaign funds. Accordingly, this Office recommends that the Commission find reason to believe the Crutcher for Congress Committee and Delbera Crutcher, as treasurer violated 2 U.S.C. §§ 432(h)(1) and 433(b)(6).

As noted above, Section 432(b)(3) expressly forbids any individual from commingling a political committee's funds with personal funds. Because Mr. and Mrs. Crutcher flatly deny the charges in the complaint without ever addressing the substance of the allegations, there is little information presently available about the bank account into which the \$5,000 check from the NRCC allegedly was deposited. However, given that the account apparently was controlled by the Crutchers and was not a designated campaign depository, it may well have contained personal funds of the candidate or his wife. Thus, this Office recommends that the Commission find reason to believe Ronald Crutcher and Delbera Crutcher violated 2 U.S.C. § 432(b)(3) and approve interrogatories that address this issue.²

Van Pelt and Vara further allege that Crutcher used five different addresses to collect campaign contributions and mail. Those addresses are alleged to include his brother's business address, his wife's business address and his home address.

2. It is not known presently what Crutcher did with the other \$4,046 from the NRCC check. Our investigation will address the use of those funds and this Office will report its findings with appropriate recommendations at the completion of the investigation.

Contrary to the requirements of 2 U.S.C. § 433(b)(1), only one of the addresses is designated on the Committee's Statement of Organization as the Committee's address. Moreover, Section 433(c) of the Act requires a committee to amend its Statement of Organization within 10 days of any change in the information contained in the original statement. The Committee did not amend its Statement of Organization to include any of the different campaign addresses allegedly used by the Crutcher campaign. Accordingly, this Office recommends that the Commission find reason to believe the Crutcher for Congress Committee and Delbera Crutcher, as treasurer, violated 2 U.S.C. §§ 433(b)(1) and 433(c).

2. Corporate Contributions

In addition, Vara and Van Pelt allege that Crutcher accepted illegal corporate contributions. In support of this allegation, they cite his use of various undesignated addresses and bank accounts, and their knowledge of at least two occasions where Crutcher allegedly received corporate checks. The first instance involved a \$100 check from Financial Counseling, Inc., an Ohio Corporation. The second instance of an alleged corporate contribution consisted of a \$1,000 check from Dayton Lubrication, Inc.

Section 441b(a) of the Act makes it unlawful for corporations to make contributions to federal campaigns and likewise prohibits federal candidates and committees from accepting corporate contributions. Section 441b(a) also makes it unlawful for corporate officers and directors to consent to the use of

corporate funds in connection with federal campaigns. Under 11 C.F.R. § 103.3(b), a treasurer must examine all contributions received to determine their legality. Contributions presenting genuine questions of legality may be returned to the contributor within 10 days or deposited into a campaign depository pending inquiry into their legality.

With regard to the check from Financial Counseling, Inc., Ms. Van Pelt alleges that Crutcher acknowledged having received the check as payment for tickets to an October 10, 1988 Crutcher Committee fundraising event. According to Mr. Arvin Vaughan, the President of Financial Counseling, Inc., Crutcher came to his office to introduce himself and to explain his position on various issues. At the conclusion of the visit, Mr. Vaughan had his secretary write a \$100 check to the Crutcher campaign. Within a day or two, Crutcher's campaign staff apparently called Mr. Vaughan to tell him they could not accept a corporate check. Mr. Vaughan claims that his wife wrote a \$100 personal check to the Crutcher campaign, which replaced the corporate check. The Crutcher campaign then returned the corporate check to Mr. Vaughan and he voided it. (Attachment 4). Thus, since this check was examined and returned by the treasurer in accordance with 11 C.F.R. § 103.3(b), this Office recommends that the Commission find no reason to believe that Ronald Crutcher, the Crutcher for Congress Committee and Delbera Crutcher, as treasurer, violated 2 U.S.C. § 441b(a) with regard to the check from Financial Counseling, Inc. Additionally, this office recommends that the

Commission find no reason to believe that Arvin Vaughan or Financial Counseling, Inc., violated 2 U.S.C. § 441b(a).

With respect to the second alleged corporate contribution, Ms. Van Pelt states that she witnessed Mr. Crutcher attempting to persuade the Committee's treasurer at the time, Mr. Gilbert, to deposit a \$1,000 check from Dayton Lubrication, Inc. into the Committee's checking account. Both Ms. Van Pelt and Mr. Vara suggest that the contribution was going to be returned to Dayton Lubrication, Inc., however, neither has indicated when, if ever, it was returned, or if it was ever deposited into the Committee's checking account. Mr. Richard Heacock of the Jiffy Lube Corporation responded on behalf of Dayton Lubrication, Inc. (Attachment 5). He states that Dayton Lubrication Inc. ceased doing business in Dayton, Ohio on January 31, 1988, and suggests that we contact the maker of the check, Mr. Bill Johnson, about the contribution.³ In short, the information presently available regarding this \$1,000 corporate contribution is insufficient to determine whether the treasurer complied with the requirements of 11 C.F.R. § 103.3(b). Therefore, this Office recommends that the Commission find reason to believe that Ronald Crutcher, the Crutcher for Congress Committee and Delbera Crutcher, as treasurer, Bill Johnson and Dayton Lubrication, Inc., violated

3. According to the Maryland Department of Assessments and Taxation, Bill Johnson is the president of Jamos Lube, Inc., the company that bought Dayton Lubrication's Ohio assets. This Office has prepared questions for Mr. Johnson to determine which corporation he was affiliated with when he signed the check.

2 U.S.C. § 441b(a) with regard to this contribution. This Office further recommends that the Commission approved the attached discovery requests designed to elicit additional information regarding the handling of this contribution.

3. Conversion of Campaign Funds to Personal Use

Ugolini, Vara and Van Pelt all allege that Crutcher purchased a personal computer with campaign funds, and then attempted to conceal its existence from his campaign staff. According to the complainants, Crutcher used the computer for non-campaign related, personal business at the offices of his family-owned business, Medical Answering Service.

Vara and Van Pelt assert that they tried to convince Crutcher that it was illegal to keep the computer at his business office and claim that they called the Commission to prove this to Crutcher. They state that Crutcher only relented and allowed the computer to be moved to campaign headquarters when several of his staff members threatened to resign if it was not moved.

Mr. Ugolini, the campaign's computer operator, alleges that when he examined the computer while it was still at the Crutchers' business office he discovered that 40% of the computer's hard disk space already was in use. Mr. Ugolini states that when he asked to move the computer to the campaign's headquarters, Delbera Crutcher, the candidate's wife and subsequent Committee treasurer, replied that she could not get along at Medical Answering Service without the computer. After the computer was moved to campaign headquarters, Mr. Ugolini re-examined it and discovered that most

of the space previously in use had been erased from the hard disc.⁴

Section 439a prohibits, with an exception not applicable here, a candidate or holder of federal office from converting excess campaign funds for personal use. The computer, which the three complainants allege Crutcher purchased with campaign funds and used in his personal business, does not appear to qualify as "an ordinary and necessary expense" incurred in connection with a campaign. Accordingly, this Office recommends that the Commission find reason to believe Ronald Crutcher violated 2 U.S.C. § 439a.

D. Merger

There are several common legal and factual issues raised in these three matters (MUR 2755, 2773 and 2774) involving the Ronald Crutcher Congressional Campaign. Crutcher's use of a computer allegedly purchased with campaign funds is questioned in all three and complainants, Vara and Van Pelt, make virtually identical allegations against Crutcher. Therefore, this Office recommends that the Commission merge MURs 2755 and 2773 together with 2774.

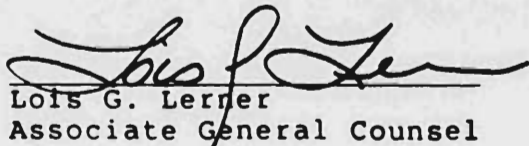
4. According to Ugolini this computer had local area network files (LAN), suggesting that the computer was to be linked to other computers to share data and programs. The purchase of the LAN would not appear to make sense for the campaign, since the Committee only had one computer. However, Ugolini contends that the LAN equipment would have been ideal for the computers at the Crutchers' business. Ugolini concludes that Crutcher purchased the computer with campaign funds, but intended to use it primarily for his private business.

III. RECOMMENDATIONS

1. Merge MURs 2755 and 2773 with 2774.
2. Find reason to believe that the Crutcher for Congress Committee and Delbera Crutcher, as treasurer violated 2 U.S.C. §§ 441b(a), 433(b)(6), 433(b)(1), 433(c), and 432(h)(1).
3. Find reason to believe that Delbera Crutcher violated 2 U.S.C. § 432(b)(3).
4. Find reason to believe that Ronald Crutcher violated 2 U.S.C. §§ 441b(a), 432(b)(3), and 439a.
5. Find reason to believe that Bill Johnson and Dayton Lubrication, Inc. ("Jamos Lubrication, Inc.") violated 2 U.S.C. § 441b(a).
6. Find no reason to believe that Financial Counseling, Inc., or Arvin Vaughan violated 2 U.S.C. § 441b(a).
7. Approve the attached letters, factual and legal analyses, document requests and questions.

Lawrence M. Noble
General Counsel

Date 11-27-89

BY: 
Lois G. Lerner
Associate General Counsel

Attachments

1. Department of Justice Referral letter
2. Ronald Crutcher's response
3. Delbera Crutcher's response
4. Financial Counseling Inc.'s response
5. Dayton Lubrication Inc.'s response
6. Proposed Letters
7. Factual and Legal Analyses
8. Questions.

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20461

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS /DELORES HARRIS *OH*
COMMISSION SECRETARY

DATE: DECEMBER 1, 1989

SUBJECT: MURs 2774, 2773 & 2755 - GENERAL COUNSEL'S REPORT
DATED NOVEMBER 27, 1989

The above-captioned document was circulated to the
Commission on Tuesday, November 28, 1989 at 4:00 p.m..

Objection(s) have been received from the Commissioner(s)
as indicated by the name(s) checked below:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Josefiak	_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	XXXX

This matter will be placed on the meeting agenda
for Tuesday, December 5, 1989 at 10:00 a.m..

Please notify us who will represent your Division before the
Commission on this matter.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Ronald Crutcher)
Delbera Crutcher)
Crutcher for Congress Committee) MURs 2755, 2773, 2774
and Delbera Crutcher, as treasurer)
Financial Counseling, Inc.)
Dayton Lubrication, Inc.)

CERTIFICATION

I, Hilda Arnold, recording secretary for the Federal Election Commission executive session of December 5, 1989, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions with respect to MURs 2755, 2773 and 2774:

1. Merge MURs 2755 and 2773 with 2774 as recommended in the General Counsel's Report dated November 27, 1989.
2. Find reason to believe that the Crutcher for Congress Committee and Delbera Crutcher, as treasurer, violated 2 U.S.C. §§ 441b(a), 433(b)(6), 433(b)(1), 433(c) and 432(h)(1).
3. Find reason to believe that Delbera Crutcher violated 2 U.S.C. § 432(b)(3).
4. Find reason to believe that Ronald Crutcher violated 2 U.S.C. §§ 441b(a), 432(b)(3) and 439a.

(continued)

01040063526

FEDERAL ELECTION COMMISSION
CERTIFICATION FOR MURS 2755,
2773 and 2774
DECEMBER 5, 1989

PAGE 2

5. Find reason to believe that Bill Johnson and Dayton Lubrication, Inc. ("Jamos Lubrication, Inc.") violated 2 U.S.C. § 441b(a).
6. Find no reason to believe that Financial Counseling, Inc., or Arvin Vaughan violated 2 U.S.C. § 441b(a).
7. Approve the letters, factual and legal analyses, document requests and questions, subject to amendment of the factual and legal analysis to Ronald Crutcher, as discussed at the meeting.

Commissioners Aikens, Elliott, Josefiak, McDonald,
McGarry and Thomas voted affirmatively for the decision.

12/6/89

Date

Hilda Arnold

Hilda Arnold

Administrative Assistant

91040362597



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

December 19, 1989

Gwendolyn R. Bowers, Esquire
1712 West Third Street
Dayton, Ohio 45407

RE: MUR 2774
Ronald Crutcher
Crutcher for Congress and
Delbera Crutcher, as treasurer

Dear Ms. Bowers:

On November 1 and 9, 1988, the Federal Election Commission notified Ronald Crutcher and the Crutcher for Congress Committee and Delbera Crutcher, as treasurer (collectively "the Committee"), of complaints alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of these complaints were forwarded to your clients at that time.

Upon further review of the allegations contained in the complaints, and information supplied by your clients, the Commission, on December 5, 1989, found that there is reason to believe Ronald Crutcher violated 2 U.S.C. §§ 441b(a), 439a and 432(b)(3), and that the Committee violated 2 U.S.C. §§ 441b(a), 433(b)(6), 433(b)(1), 433(c), and 432(h)(1), provisions of the Act. The Factual and Legal Analyses, which formed a basis for the Commission's findings, are attached for your information. On December 5, 1989, the Commission also decided to merge these matters together. They will all be known as MUR 2774.

Under the Act, you have an opportunity to demonstrate that no action should be taken against your clients. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office along with answers to the enclosed questions within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

Gwendolyn R. Bowers, Esquire
Page 2

In the absence of any additional information demonstrating that no further action should be taken against your clients the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Questions
Factual & Legal Analyses

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

MUR: 2774

RESPONDENT: Ronald Crutcher

21 40363500
This matter arose from signed and sworn complaints from three former members of Ronald Crutcher's campaign staff. Each complaint alleges that Mr. Crutcher violated sections of the Federal Election Campaign Act of 1971, as amended (the "Act") during his unsuccessful 1988 campaign for Ohio's Third Congressional District seat. The complainants, Donna Van Pelt, Richard Vara and Alex Ugolini, all base their complaints on information they gained while serving as Crutcher's campaign manager, financial director and computer operator, respectively.

These allegations raise the possibility of several violations of the Act by Ronald Crutcher. Pursuant to 2 U.S.C. § 432(b)(3) all funds of a political committee shall be segregated from, and may not be commingled with the personal funds of any individual. Under 2 U.S.C. § 439a, with one exception not pertinent here, funds received by a candidate as contributions that are in excess of any amount necessary to defray the candidate's expenditures may not be converted to any personal use. Finally, section 441b(a) of the Act prohibits corporations from making contributions or expenditures in connection with federal elections, and federal candidates and political committees from knowingly accepting such contributions.

Ms. Van Pelt and Mr. Vara allege that Crutcher deposited a \$5,000 campaign contribution from the National Republican

As noted above, Section 432(b)(3) expressly forbids any individual from commingling a political committee's funds with personal funds. Because Mr. Crutcher flatly denies the charges in the complaints without ever addressing the substance of the allegations, there is little information presently available about the bank account into which the \$5,000 check from the NRCC was allegedly deposited. However, given that the account was controlled by the Crutchers and was not a designated campaign depository, it may well have contained personal funds of the candidate. Thus, there is reason to believe Ronald Crutcher violated 2 U.S.C. § 432(b)(3).

In addition, Vara and Van Pelt allege that Crutcher accepted

illegal corporate contributions. In support of this allegation, they cite his use of various undesignated addresses and bank accounts, and their knowledge of at least two occasions where Crutcher allegedly accepted corporate checks. The first instance involved a \$100 contribution from Financial Counseling, Inc., an Ohio Corporation. The second instance of an alleged corporate contribution consisted of a \$1,000 check from Dayton Lubrication, Inc.

Section 441b(a) of the Act makes it unlawful for corporations to make contributions to federal campaigns and likewise prohibits federal candidates and committees from accepting corporate contributions. Section 441b(a) also makes it unlawful for corporate officers and directors to consent to the use of corporate funds in connection with federal campaigns. Under 11 C.F.R. § 103.3(b), a treasurer must examine all contributions received to determine their legality. Contributions presenting genuine questions of legality may be returned to the contributor within 10 days or deposited into a campaign depository pending inquiry into their legality.

With regard to the check from Financial Counseling, Inc., Ms. Van Pelt alleges that Crutcher acknowledged having received the check as payment for tickets to an October 10, 1988 Crutcher Committee fundraising event. According to Mr. Arvin Vaughan, the President of Financial Counseling, Inc., Crutcher came to his office to introduce himself and to explain his position on various issues. At the conclusion of the visit, Mr. Vaughan had his secretary write a \$100 check to the Crutcher campaign. Within a day or two, Crutcher's campaign staff apparently called

Mr. Vaughan to tell him they could not accept a corporate check. Mr. Vaughan claims that his wife wrote a \$100 personal check to the Crutcher campaign, which replaced the corporate check. The Crutcher campaign then returned the corporate check to Mr. Vaughan and he voided it. (Attachment 4). Thus, since this check was examined and returned by the treasurer in accordance with 11 C.F.R. § 103.3(b), there is no reason to believe that Ronald Crutcher violated 2 U.S.C. § 441b(a) with regard to the check from Financial Counseling, Inc.

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With respect to the second alleged corporate contribution, Ms. Van Pelt states that she witnessed Mr. Crutcher attempting to persuade the Committee's treasurer at the time, Robert Gilbert, to deposit a \$1,000 check from Dayton Lubrication, Inc. into the Committee's checking account. Both Ms. Van Pelt and Mr. Vara suggest that the contribution was going to be returned to Dayton Lubrication, Inc., however, neither has indicated when, if ever, it was returned, or if it was ever deposited into the Committee's checking account. Therefore, there is reason to believe that Ronald Crutcher violated 2 U.S.C. § 441b(a) with regard to this contribution.

Ugolini, Vara and Van Pelt all allege that Crutcher purchased a personal computer with campaign funds, and then attempted to conceal its existence from his campaign staff. According to the complainants, Crutcher used the computer for non-campaign related, personal business at the offices of his family-owned business, Medical Answering Service. Vara and Van Pelt assert that they tried to convince Crutcher that it was illegal to keep the computer at his business office and claim that

they called the Commission to prove this to Crutcher. They state that Crutcher only relented and allowed the computer to be moved to campaign headquarters when several of his staff members threatened to resign if it was not moved.

Mr. Ugolini, the campaign's computer operator, alleges that when he examined the computer while it was still at the Crutchers' business office he discovered that 40% of the computer's hard disk space already was in use. Mr. Ugolini states that when he asked to move the computer to the campaign's headquarters, Delbera Crutcher, the candidate's wife and subsequent Committee treasurer, replied that she could not get along at Medical Answering Service without the computer. After the computer was moved to campaign headquarters, Mr. Ugolini re-examined it and discovered that most of the space previously in use had been erased from the hard disc.

Section 439a prohibits, with an exception not applicable here, a candidate or holder of federal office from converting excess campaign funds for personal use. Crutcher allegedly purchased the computer with campaign funds and used it in his personal business. Accordingly, this Office recommends that the Commission find reason to believe Ronald Crutcher violated 2 U.S.C. § 439a.

21040362504

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
) MUR 2774
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**QUESTIONS AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

TO: Ronald Crutcher
c/o Gwendolyn R. Bowers, Esquire
1712 West Third Street
Dayton, Ohio 45407

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In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from May 1, 1988 to November 8, 1988.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

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"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

BEFORE THE FEDERAL ELECTION COMMISSION

QUESTIONS AND DOCUMENT REQUESTS

1. In regards to a \$5000 contribution you received from the National Republican Congressional Committee (NRCC) provide the following information:

- a. the date you received this contribution;
- b. the address where you received this contribution;
- c. identify the account(s) by financial institution, number and name of account holder(s) that the contribution was deposited in, and identify the sources of all other funds deposited in each account;
- d. describe in detail how this contribution was used, including the date and purpose of each expenditure made from those funds; and
- e. produce each and every document that relates, pertains or in any way refers to the contribution, including but not limited to the 1988 bank statements for the account(s) identified in question 1c.

2. Identify each and every address at which you received contributions for your campaign. Include the dates, amounts and contributors' names for all the contributions received at each address.

3. With regard to Dayton Lubrication, Inc. (and any of its successor corporations), its officers, directors, agents or employees state the following:

- a. whether you received any contributions directly from Dayton Lubrication, Inc. If yes, provide the date, amount, name of the person(s) who authorized each contribution and identify the account into which each contribution was deposited;
- b. whether you received any individual contributions from any officer, director, agent or employee of Dayton Lubrication, Inc. If yes, for each contribution provide the date, amount and name of the contributor;
- c. explain your relationship with Bill Johnson; and

MUR 2774
Ronald Crutcher
Page 5

- d. produce each and every document that relates, pertains or any way refers to contributions received from Dayton Lubrication, Inc., its officers, agents or employees.

4. Regarding the purchase, use and storage of an IBM PC/AT compatible computer state the following:

- a. when the computer was purchased;
- b. how much was paid for the computer;
- c. where the funds came from to purchase the computer;
- d. provide the address for every place the computer was used and stored, and for each such address include the dates the computer was used or stored there;
- e. describe each and every project that the computer was used for; specify whether the project related to your 1988 Congressional campaign and include the dates for each activity; and
- f. produce each and every document that relates, pertains or in any way refers to the purchase or use of the computer.

21040062609

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

MUR: 2774

RESPONDENT: Crutcher for Congress
and Delbera Crutcher, as treasurer

010405310
This matter arose from signed and sworn complaints from three former members of Ronald Crutcher's campaign staff. Each complaint alleges that Mr. Crutcher's principal campaign committee, the Crutcher for Congress Committee (the "Committee") and Delbera Crutcher, as treasurer, violated sections of the Federal Election Campaign Act of 1971, as amended (the "Act") during Crutcher's unsuccessful 1988 campaign for Ohio's Third Congressional District seat. The complainants, Donna Van Pelt and Richard Vara Ugolini, base their complaints on information they gained while serving as Crutcher's campaign manager and financial director, respectively.

These allegations raise the possibility of several violations of the Act by the Crutcher campaign. Political committees are required to list in their Statement of Organization all banks, safety deposit boxes, or other depositories used by the committee. 2 U.S.C. § 433(b)(6). Section 432(h)(1) requires political committees to deposit their receipts only in accounts that have been designated on the committee's Statement of Organization as a campaign depository. Section 433(c) of the Act requires a committee to report any changes in information previously submitted in a Statement of Organization within ten days. Moreover, the Act prohibits corporations from making

contributions or expenditures in connection with federal elections, and federal candidates and political committees from knowingly accepting such contributions. 2 U.S.C. § 441b(a). Section 441b(a) also makes it a violation of the Act for an officer or director of a corporation to consent to any contributions or expenditures by the corporation in connection with a federal election.

Ms. Van Pelt and Mr. Vara allege that Crutcher deposited a \$5,000 campaign contribution from the National Republican Congressional Committee (NRCC) in a savings account that his wife controlled. The complainants state that Crutcher's campaign staff, including his treasurer at the time, were not aware that Crutcher had received this check or that the savings account he deposited it in even existed. Ms. Van Pelt, Crutcher's campaign manager, states that she became aware of the check only after phone conversations with the NRCC. On September 25, 1988, several weeks after he had received the check and only after having been asked about it by his staff, Crutcher acknowledged receiving the check and told Van Pelt about the savings account. On September 30, 1988, Crutcher tendered a check for \$854 to the Committee, claiming that it was all that was left from the \$5,000 NRCC contribution. A copy of this check attached to Ms. Van Pelt's complaint reveals that it was a cashier's check from Society Bank and that the name typed in as the remitter was Crutcher For Congress. There is no account at Society Bank designated on the Committee's Statement of Organization as a campaign depository.

Section 432(h)(1) requires political committees to deposit their receipts only in accounts that have been so designated. The savings account into which Crutcher apparently deposited and then withdrew the NRCC funds is not designated on the Committee's Statement of Organization as a depository for the Committee's campaign funds. Accordingly, there is reason to believe the Crutcher for Congress Committee and Delbera Crutcher, as treasurer, violated 2 U.S.C. §§ 432(h)(1) and 433(b)(6).

Van Pelt and Vara further allege that Crutcher used five different addresses to collect campaign contributions and mail. Those addresses are alleged to include his brother's business address, his wife's business address and his home address. Contrary to the requirements of 2 U.S.C. § 433(b)(1), only one of the addresses is designated on the Committee's Statement of Organization as the Committee's address. Moreover, section 433(c) of the Act requires a committee to amend its Statement of Organization within 10 days of any change in the information contained in the original statement. The Committee did not amend its Statement of Organization to include any of the different campaign addresses allegedly used by the Crutcher campaign. Accordingly, there is reason to believe the Crutcher for Congress Committee and Delbera Crutcher, as treasurer, violated 2 U.S.C. §§ 433(b)(1) and 433(c).

In addition, Vara and Van Pelt allege that Crutcher accepted illegal corporate contributions. In support of this allegation, they cite his use of various undesignated addresses and bank accounts, and their knowledge of at least two occasions where

Crutcher allegedly accepted corporate checks. The first instance involved a \$100 contribution from Financial Counseling, Inc., an Ohio Corporation. The second instance of an alleged corporate contribution consisted of a \$1,000 check from Dayton Lubrication, Inc.

Section 441b(a) of the Act makes it unlawful for corporations to make contributions to federal campaigns and likewise prohibits federal candidates and committees from accepting corporate contributions. Section 441b(a) also makes it unlawful for corporate officers and directors to consent to the use of corporate funds in connection with federal campaigns. Under 11 C.F.R. § 103.3(b), a treasurer must examine all contributions received to determine their legality. Contributions presenting genuine questions of legality may be returned to the contributor within 10 days or deposited into a campaign depository pending inquiry into their legality.

With regard to the check from Financial Counseling, Inc., Ms. Van Pelt alleges that Crutcher acknowledged having received the check as payment for tickets to an October 10, 1988 Crutcher Committee fundraising event. According to Mr. Arvin Vaughan, the President of Financial Counseling, Inc., Crutcher came to his office to introduce himself and to explain his position on various issues. At the conclusion of the visit, Mr. Vaughan had his secretary write a \$100 check to the Crutcher campaign. Within a day or two, Crutcher's campaign staff apparently called Mr. Vaughan to tell him they could not accept a corporate check. Mr. Vaughan claims that his wife wrote a \$100 personal check to

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the Crutcher campaign, which replaced the corporate check. The Crutcher campaign then returned the corporate check to Mr. Vaughan and he voided it. (Attachment 4). Thus, since this check was examined and returned by the treasurer in accordance with 11 C.F.R. § 103.3(b), there is no reason to believe that the Crutcher for Congress Committee and Delbera Crutcher, as treasurer, violated 2 U.S.C. § 441b(a) with regard to the check from Financial Counseling, Inc.

With respect to the second alleged corporate contribution, Ms. Van Pelt states that she witnessed Mr. Crutcher attempting to persuade the Committee's treasurer at the time, Robert Gilbert, to deposit a \$1,000 check from Dayton Lubrication, Inc. into the Committee's checking account. Both Ms. Van Pelt and Mr. Vara suggest that the contribution was going to be returned to Dayton Lubrication, Inc., however, neither has indicated when, if ever, it was returned, or if it was ever deposited into the Committee's checking account. Therefore, there is reason to believe that the Crutcher for Congress Committee and Delbera Crutcher, as treasurer, violated 2 U.S.C. § 441b(a) with regard to this contribution.

210405614

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
) MUR 2774
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**QUESTIONS AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

TO: Crutcher for Congress and
Delbera Crutcher, as treasurer
c/o Gwendolyn R. Bowers, Esquire
1712 West Third Street
Dayton, Ohio 45407

104006315
In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

MUR 2774

Crutcher for Congress and
Delbera Crutcher, as treasurer
Page 2

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from May 1, 1988 to November 8, 1988.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

MUR 2774

Crutcher for Congress and
Delbera Crutcher, as treasurer
Page 3

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

MUR 2774

Crutcher for Congress Committee and
Delbera Crutcher, as treasurer

Page 4

BEFORE THE FEDERAL ELECTION COMMISSION

QUESTIONS AND DOCUMENT REQUESTS

1. Identify each and every address used by the Crutcher for Congress Committee and Delbera Crutcher, as treasurer (the "Committee") to receive contributions. Include the contribution dates, amount and contributors' names for all the contributions received at each address.
2. Identify each and every bank account by financial institution, number and name of account holder into which you deposited campaign funds.
3. Regarding the \$1,000 contribution from Dayton Lubrication, Inc.:
 - a. identify the person(s) at Dayton Lubrication, Inc. responsible for making the contribution;
 - b. state whether the contribution was refunded, if yes, provide the date it was refunded; and
 - c. produce each and every document that relates, pertains or in any way refers to the contribution.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 19, 1989

Delbera Crutcher
220 Otterbein
Dayton, Ohio 45406

RE: MUR 2774
Delbera Crutcher

Dear Ms. Crutcher:

On December 5, 1989, the Federal Election Commission (the "Commission") found that there is reason to believe you violated 2 U.S.C. § 432(b)(3), a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office along with answers to the enclosed questions within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Delbera Crutcher
Page 2

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Questions
Designation of Counsel Form
Factual & Legal Analysis
Procedures

010403620

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

MUR: 2774

RESPONDENT: Delbera Crutcher

9104036221
This matter arose from signed and sworn complaints from former members of Ronald Crutcher's campaign staff. The complaints allege that Delbera Crutcher violated 2 U.S.C. § 432(b)(3), provisions of the Federal Election Campaign Act of 1971, as amended (the "Act"), during her husband's unsuccessful 1988 campaign for Ohio's Third Congressional District seat. The complainants, Donna Van Pelt, Richard Vara and Alex Ugolini, all base their complaints on information they gained while serving as Crutcher's campaign manager, financial director and computer operator, respectively.

Ms. Van Pelt and Mr. Vara allege that Crutcher deposited a \$5,000 campaign contribution from the National Republican Congressional Committee (NRCC) in a savings account that his wife controlled. The complainants state that Crutcher's campaign staff, including his treasurer at the time, were not aware that Crutcher had received this check or that the savings account he deposited it in even existed. Ms. Van Pelt, Crutcher's campaign manager, states that she became aware of the check only after phone conversations with the NRCC. On September 25, 1988, several weeks after he had received the check and only after having been asked about it by his staff, Crutcher acknowledged receiving the check and told Van Pelt about the savings account. On

September 30, 1988, Crutcher tendered a check for \$854 to the Committee, claiming that it was all that was left from the \$5,000 NRCC contribution. A copy of this check, attached to Ms. Van Pelt's complaint, reveals that it was a cashier's check from Society Bank and that the name typed in as the remitter was Crutcher For Congress.

Section 432(b)(3) expressly forbids any individual from commingling a political committee's funds with personal funds. Because Mr. and Mrs. Crutcher flatly deny the charges in the complaint without ever addressing the substance of the allegations, there is little information presently available about the bank account into which the \$5,000 check from the NRCC was allegedly deposited. However, given that the account was controlled by the Crutchers and was not a designated campaign depository, it may well have contained personal funds of the candidate and his wife. Thus, there is reason to believe Delbera Crutcher violated 2 U.S.C. § 432(b)(3).

21040062522

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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)
) MUR 2774
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)

**QUESTIONS AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

TO: Delbera Crutcher
220 Otterbein
Dayton, Ohio 45406

21040362623
In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

MUR 2774
Delbera Crutcher
Page 2

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from May 1, 1988 to November 8, 1988.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

01040562625

**QUESTIONS AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

1. State whether you ever had access to or control over a savings account or any other account at the Society Bank in Dayton, Ohio. State:
 - a. the account number(s);
 - b. the date each account was opened;
 - c. the name in which each account was opened;
 - d. the purpose(s) for the account(s);
 - e. the names of all other persons having access to or control over each account.
2. In regard to a \$5,000 contribution from the National Republican Congressional Committee for Ronald Crutcher's 1988 congressional campaign:
 - a. state the date the contribution was received and the address where you received it;
 - b. identify the account by financial institution, number and account holder that this contribution was deposited into, and identify the sources of the other funds in that account;
 - c. describe in detail how this contribution was used, including the date and purpose of each expenditure made from those funds; and
 - d. produce each and every document that relates, pertains or in any way refers to the contribution, including but not limited to the 1988 bank statements for the account identified in question no. 2., b., above.

104006626



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

December 19, 1989

Mr. Bill Johnson
c/o Jamos Lube Management, Inc.
5 West Whipp Road
Dayton, Ohio 45459

RE: MUR 2774
Bill Johnson
Dayton Lubrication, Inc.
("Jamos Lube Management, Inc.")

Dear Mr. Johnson:

On December 5, 1989, the Federal Election Commission found that there is reason to believe you and Jamos Lube Management, Inc. (formerly known as Dayton Lubrication, Inc.) violated 2 U.S.C. § 441b(a), a provision of Federal Election Campaign Act of 1971 as amended, ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's findings, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you or Jamos Lube Management, Inc. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office, along with answers to the enclosed questions, within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you and Jamos Lube Management, Inc. the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

2104036227

Bill Johnson
Page 2

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Danny L. McDonald
Chairman

Enclosures
Questions
Factual & Legal Analyses
Designation of Counsel Form
Procedures

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
) MUR 2774
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**QUESTIONS AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

TO: Mr. Bill Johnson
c/o James Lube Management, Inc.
5 West Whipp Road
Dayton, Ohio 45459

9 1 0 4 0 3 5 2 9

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

MUR 2774
Bill Johnson
Page 2

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from May 1, 1988 to November 8, 1988.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

01040362630

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

MUR 2774
Bill Johnson
Page 4

BEFORE THE FEDERAL ELECTION COMMISSION
QUESTIONS AND DOCUMENT REQUESTS

1. Regarding Dayton Lubrication, Inc.'s ("the Company") \$1,000 contribution to the Crutcher for Congress campaign:
 - a. identify the persons from the company who authorized the contribution and state the positions held by them at the company;
 - b. identify the person(s) from the Crutcher campaign who solicited the contribution;
 - c. state whether the contribution was refunded; and if so, provide the date it was refunded and the name of the person from the campaign who refunded it; and
 - d. produce each and every document that relates, pertains or in any way refers to the contribution.
2. Explain the Company's relationship to Jamos Lube Management, Inc. Produce an organizational chart of Dayton Lubrication, Inc. for 1988.

210403632

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

MUR: 2774

RESPONDENT: Bill Johnson and
Dayton Lubrication, Inc.
("Jamos Lube Management, Inc.")

9104033
This matter arose from signed and sworn complaints from two former members of Ronald Crutcher's campaign staff, Donna Van Pelt and Richard Vara. Each complaint alleges that Bill Johnson and Dayton Lubrication, Inc. violated a section of the Federal Election Campaign Act of 1971, as amended (the "Act") in connection with Crutcher's unsuccessful 1988 campaign for Ohio's Third Congressional District seat. The complainants base their complaints on information they gained while serving as Crutcher's campaign manager and financial director. They both allege that Dayton Lubrication, Inc. made a corporate contribution to Crutcher campaign.¹

The Act prohibits corporations from making contributions or expenditures in connection with federal elections, and federal candidates and political committees from knowingly accepting such contributions. 2 U.S.C. § 441b(a). Section 441b(a) also makes it a violation of the Act for an officer or director of a corporation to consent to any contributions or expenditures by the corporation in connection with a federal election. Under 11 C.F.R. § 103.3(b), a treasurer must examine all contributions received to

1. It appears that Dayton Lubricate, Inc. ceased doing business in Dayton, Ohio on January 31, 1988. According to the Maryland Department of Assessments and Taxation, Bill Johnson is the president of Jamos Lube Management, Inc., the company that bought Dayton Lubrication's Ohio assets.

determine their legality. Contributions presenting genuine questions of legality may be returned to the contributor within 10 days or deposited into a campaign depository pending inquiry into their legality.

Ms. Van Pelt states that she witnessed Mr. Crutcher attempting to persuade the Committee's treasurer at the time to deposit a \$1,000 check from Dayton Lubrication, Inc. into the Committee's checking account. Both Ms. Van Pelt and Mr. Vara suggest that the contribution was going to be returned to Dayton Lubrication, Inc., however, neither has indicated when, if ever, it was returned or if it was ever deposited into the Committee's checking account. Since Bill Johnson was an officer of Dayton Lubrication Inc., and because he appears to have signed a corporate check to the Crutcher campaign which may have been accepted, there is reason to believe that Bill Johnson and Dayton Lubrication, Inc., ("Jamos Lube Management, Inc.") violated 2 U.S.C. § 441b(a).

210403634



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 19, 1989.

Robert L. Gilbert
2661 Germantown Street
Dayton, Ohio 45408

RE: MUR 2774

Dear Mr Gilbert:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission has issued the attached questions in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

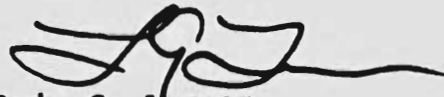
You may consult with an attorney and have an attorney assist you in the preparation of your responses to these questions. However, you are required to submit the information with 15 days of your receipt of these questions. All answers to questions must be submitted under oath.

Robert L. Gilbert
Page 2

If you have any questions, please contact Craig Douglas
Reffner, the attorney assigned to this matter, at (800)
424-9530 or (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
Questions

210406636

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Crutcher for Congress

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MUR 2774

**QUESTIONS AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

TO: Robert L. Gilbert
2661 Germantown Street
Dayton, Ohio 45408

21040362637

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from May 1, 1988 to November 8, 1988.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

9104036332

Robert L. Gilbert
Page 4

BEFORE THE FEDERAL ELECTION COMMISSION

QUESTIONS AND DOCUMENT REQUESTS

1. State the dates that you served as treasurer for the Crutcher for Congress Committee (the "Committee").
2. During your tenure as treasurer, did the candidate ever ask you to deposit corporate contributions into the campaign's bank accounts? If so, explain the circumstances surrounding each such instance and explain what you did with each contribution (e.g. returned to contributor, deposited or refunded).
3. Regarding the \$1,000 check from Dayton Lubrication, Inc.:
 - a. state whether the check was deposited into a campaign account; if yes, state the name of the bank where the account is located, the names of the persons who were listed on the account, and the bank account number;
 - b. state whether the check was refunded; if yes, provide the date it was refunded; and
 - c. produce each and every document that relates, pertains or in any way refers to the check.

21040063640



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

December 19, 1989

Mr. Arvin M. Vaughan
Financial Counseling, Inc.
7811 Mad River Road
Centreville, Ohio 45459

RE: MURs 2774
Financial Counseling, Inc.

Dear Mr. Vaughan:

On November 1 and 7, 1988, the Federal Election Commission notified you of complaints alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On December 3, 1989, the Commission found, on the basis of the information in the complaints, and information provided by you that there is no reason to believe that Financial Counseling, Inc., violated 2 U.S.C. § 441b(a). By same date, the Commission also decided to merge these matters together and to designate them as MUR 2774. Accordingly, the Commission closed its file in MUR 2774 as it pertains to Financial Counseling, Inc.

This matter will become a part of the public record within 30 days after the file has been closed with respect to all respondents. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

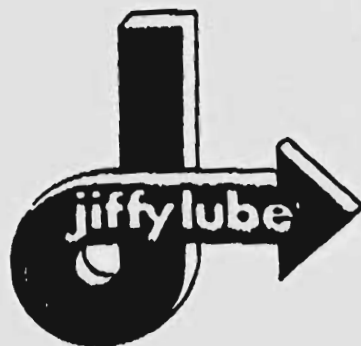
The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

21040362641



Jamco Lube Mgt. Inc.
6 West Whipp Road
Dayton, Ohio 45459
(513) 439-0644

DATE:-- 1/3/90

TO MR Craig Reffner Esq.
COMPANY NAME Office of the General Counsel

of Pages (Including This Page) 2

FROM BILL JOHNSON

JAMOS LUBE MANAGEMENT INC. d.b.a. "JIFFY LUBE"

OUR TELECOPY #: (513) 439-0643 DAYTON

(419) 472-2631 TOLEDO

DOCUMENTS BEING FAXED: Statement of
Designation of Counsel

MESSAGES: _____

STATEMENT OF DESIGNATION OF COUNSEL

MR 2774 BILL JOHNSON
NAME OF COUNSEL: MARC Gordon
ADDRESS: CASSTEVENS, HANNER, GUNTER & Gordon, P.A.
P.O. BOX 34607
Charlotte, NC 28234
TELEPHONE: (704) 372-2140

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

1/3/90
Date

Will A. Johnson
Signature
Bill Johnson

RESPONDENT'S NAME: MR BILL JOHNSON
ADDRESS: C/O JAMES LUBE MGT., INC.
5 W. Whipp Rd
Dayton, OHIO 45459
HOME PHONE: (513) 435-0462
BUSINESS PHONE: (513) 439-0644

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CASSTEVENS, HANNER, GUNTER & GORDON, P. A.

ATTORNEYS AT LAW

POST OFFICE BOX 34607

CHARLOTTE, NORTH CAROLINA 28234

NELSON M. CASSTEVENS, JR.
ROBERT P. HANNER, II
DORIAN H. GUNTER
MARC R. GORDON
TERESA L. CONRAD
ELIZABETH J. CALDWELL

January 3, 1990

OFFICES
602 EAST MOREHEAD STREET

TELEPHONE
(704) 372-2140

TELECOPIER
(704) 372-1150

FAX

Mr. Craig Douglas Reffner
Office of the General Counsel
Federal Election Commission
Room 659
999 E Street N.W.
Washington, D.C. 20463

RE: MUR 2774
Bill Johnson
Dayton Lubrication, Inc.
("Jamos Lube Management, Inc.")

Dear Mr. Reffner:

Pursuant to our telephone conversation of January 3, please accept this letter as a request on behalf of the above-referenced Respondent(s) for an extension of time up to and including January 21, 1990 1) to respond to the Interrogatories and Request for Production of Documents propounded by the Commission and 2) to further demonstrate that no action should be taken against Respondent(s). As the Interrogatories and Request for Production of Documents were received by Mr. Johnson on December 22, this constitutes a request for an extension of 15 additional days.

By the time you receive this letter, you should have received a FAX from Mr. Johnson of his Statement of Designation of Counsel.

Thank you for your assistance and consideration in this matter.

Very sincerely,

CASSTEVENS, HANNER, GUNTER & GORDON, P.A.

Marc R. Gordon
Marc R. Gordon

MRG/pl
cc: Mr. Bill Johnson

90 JAN -9 AM 10:28

90 JAN -9 PM 12:30

0104063644



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

January 8, 1990

Marc R. Gordon, Esquire
Casstevens, Hanner, Gunter, Gordon, P.A.
P. O. Box 34607
Charlotte, North Carolina 28234

RE: MUR 2774
Bill Johnson
Dayton Lubrication, Inc.
("Jamos Lube Management, Inc.")

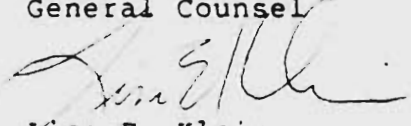
Dear Mr. Gordon:

This is in response to your letter dated January 3, 1990, which we received on January 5, 1990, requesting an extension of time to respond to the Commission's Interrogatories and Request for Production of Documents. After considering your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on Monday, January 22, 1990.

If you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lisa E. Klein
Assistant General Counsel

21040362645

OGC 5078

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

90 JAN -9 AM 9:23

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Crutcher for Congress

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MUR 2774

QUESTIONS AND REQUEST
FOR PRODUCTION OF DOCUMENTS

TO: Robert L. Gilbert
2661 Germantown Street
Dayton, Ohio 45408

90 JAN -9 PM 12:31

FEDERAL ELECTION COMMISSION
OFFICIAL MAIL ROOM

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In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

Robert L. Gilbert
Page 2

If you have any questions, please contact Craig Douglas
Reffner, the attorney assigned to this matter, at (800)
424-9530 or (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosure
Questions

21040362647

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

21040362643

BEFORE THE FEDERAL ELECTION COMMISSION

QUESTIONS AND DOCUMENT REQUESTS

1. State the dates that you served as treasurer for the Crutcher for Congress Committee (the "Committee").
2. During your tenure as treasurer, did the candidate ever ask you to deposit corporate contributions into the campaign's bank accounts? If so, explain the circumstances surrounding each such instance and explain what you did with each contribution (e.g. returned to contributor, deposited or refunded).
3. Regarding the \$1,000 check from Dayton Lubrication, Inc.:
 - a. state whether the check was deposited into a campaign account; if yes, state the name of the bank where the account is located, the names of the persons who were listed on the account, and the bank account number;
 - b. state whether the check was refunded; if yes, provide the date it was refunded; and
 - c. produce each and every document that relates, pertains or in any way refers to the check.

To Whom It May Concern:

I was asked by The Crutcher Campaign Committee to assume the responsibilities as Treasurer on or about July 19, 1988. However, it was discovered that the proper forms indicating the conversion was never filed by Mr. Richard Vara. I therefore continued with my original position as the accountant for the campaign.

I have never been advised by the candidate to accept or deposit corporate contributions.

According to the records available to me, I have never seen a contribution directly from the Dayton Lubrication, Inc.

Robert L. Gilbert

21040362649

CASSTEVENS, HANNER, GUNTER & GORDON, P. A.

ATTORNEYS AT LAW

POST OFFICE BOX 34607

CHARLOTTE, NORTH CAROLINA 28204

NELSON M. CASSTEVENS, JR.
ROBERT P. HANNER, II
DORIAN H. GUNTER
MARC R. GORDON
TERESA L. CONRAD
ELIZABETH J. CALDWELL

January 16, 1990

90 JAN 23 AM 9:49

OFFICES
602 EAST MOREHEAD STREET

TELEPHONE
(704) 372-2140

TELECOPIER
(704) 372-1150

Mr. Craig Douglas Reffner
Office of the General Counsel
Federal Election Commission
Room 659
999 E Street N.W.
Washington, D.C. 20463

RE: MUR 2774
Bill Johnson
Dayton Lubrication, Inc.
("Jamos Lube Management, Inc.")

Dear Mr. Reffner:

Enclosed please find the Responses to Questions and Request for Production of Documents of Bill Johnson along with our Factual and Legal Analysis of the above-referenced matter. As you will note, we feel very strongly that neither Jamos Lube Management, Inc. nor Bill Johnson has violated the Act.

In light of our position in this matter, Jamos Lube Management, Inc. and Mr. Johnson hereby make a request for pre-probable cause conciliation in the event (but only in the event) that the Commission does not concur with our request that it take no further action.

Thank you for your consideration in this matter.

Very sincerely,

CASSTEVENS, HANNER, GUNTER & GORDON, P.A.

Marc R. Gordon
Marc R. Gordon

MRG/pl
Enclosure
cc: Mr. Bill Johnson

90 JAN 23 PM 12:21

FEDERAL ELECTION COMMISSION

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
)

MUR 2774

RESPONSES TO QUESTIONS AND REQUEST FOR PRODUCTION OF DOCUMENTS

Bill Johnson, responding to the questions and request for production of documents propounded to him by the Federal Election Commission, alleges and says:

1. Regarding Dayton Lubrication, Inc.'s ("the Company") \$1,000 contribution to the Crutcher for Congress Campaign:

- a. identify the persons from the company who authorized the contribution and state the positions held by them at the Company;

RESPONSE: William A. Johnson, 6307 Karlsridge Drive, Dayton, Ohio 45459; (513)435-0462; (513)439-0644; President, Jamos Lube Management, Inc., 5 West Whipp Road, Dayton, Ohio 45459. Mr. Johnson, however, has at no time been affiliated with Dayton Lubrication, Inc. See response to Question 2.

- b. identify the person(s) from the Crutcher campaign who solicited the contribution;

RESPONSE: Ronald Crutcher; addresses and telephone numbers unknown.

- c. state whether the contribution was refunded; and if so, provide the date it was refunded and the name of the person from the campaign who refunded it; and

RESPONSE: Yes; approximately one week after the date of the check (September 21, 1988) the check was returned or caused to be returned by Richard Vara.

- d. produce each and every document that relates, pertains or in any way refers to the contribution.

RESPONSE: Produced. The signature block of the check was removed at the time the check was returned to Jamos Lube Management, Inc. pursuant to standard office procedures of the company relative to voided checks.

1040362351

2. Explain the Company's relationship to Jamos Lube Management, Inc. Produce an organizational chart of Dayton Lubrication, Inc. for 1988.

RESPONSE: Dayton Lubrication, Inc. sold substantially all of its assets to Jiffy Lube International, Inc., which in turn sold such assets to Jamos Lube Management, Inc. Jamos Lube Management, Inc. has no other relationship or affiliation with Dayton Lubrication, Inc. and, therefore, the responding party has no organizational chart of Dayton Lubrication, Inc. The check in question bears the name Dayton Lubrication, Inc. (as opposed to Jamos Lube Management, Inc.) because all of Dayton Lubrication, Inc.'s blank checks were included in the asset purchase and the bank who issued the checks (Society Bank) expressly authorized Jamos Lube Management, Inc. to use up the old checks prior to using new ones.

This the 18 day of January, 1990.

Bill Johnson
BILL JOHNSON

STATE OF OHIO

COUNTY OF Montgomery

BILL JOHNSON, being first duly sworn, deposes and says:

That he is the President of Jamos Lube Management, Inc.; that he has read the foregoing Responses to Questions and Request for Production of Documents and knows the contents thereof, and that the same is true of his own knowledge, except as to those matters and things therein stated upon information and belief, and as to those matters and things, he believes them to be true.

Bill Johnson
BILL JOHNSON

Sworn to and subscribed before me
this 18th day of January, 1990.

SUELLY DUSEY, Notary Public
In and for the State of Ohio
My Commission Expires June 23, 1994

Notary Public

My Commission Expires: June 23, 1994

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She said she could not do this. Several days later, Mr. Vara again telephoned Jamos Lube Management, Inc., informed the company that the check would need to be returned and promptly returned the check. Thereafter, neither Jamos Lube Management, Inc. nor Bill Johnson had any further contact or communication with any individual relative to the Crutcher campaign until December 22, 1989, when the Federal Election Commission served Mr. Johnson with a document entitled "Questions and Request for Production of Documents" and other materials.

21040362355
The Federal Election Campaign Act of 1971, as amended (the "Act") proscribes only such conduct as is knowing and willful. 2 U.S.C. §437g(d). Here, however, it is unmistakably clear that neither Jamos Lube Management, Inc. nor Bill Johnson has willfully violated the Act. The contribution in question was not furnished upon the initiative of the corporation; rather, it was given only pursuant to the direct, person-to-person solicitation of the candidate himself, Ronald Crutcher. Mr. Crutcher should certainly have known whether or not a corporate contribution could be made, and by reason of the fact that Mr. Crutcher made a contribution solicitation to Jamos Lube Management, Inc., Mr. Johnson quite reasonably assumed that such a contribution was entirely proper. Neither Jamos Lube Management, Inc. nor Mr. Johnson had any notion that federal law prohibits corporations from making certain types of political contributions. These circumstances plainly demonstrate that there has been no actionable violation of the Act. See American Federation of Labor and Congress of Indus.

Organizations (AFL-CIO) v. Federal Election Commission, 628 F.2d 97, 202 U.S.App.D.C. 97, cert. denied 101 S.Ct. 397, 449 U.S. 982, 66 L.Ed.2d 244 (1980); Federal Election Commission v. National Education Association, 457 F.Supp. 1102 (D.D.C. 1978).

It may also be argued in this case that the contribution in question was never "made" within the meaning of 2 U.S.C. §441b(a) because the check was neither accepted nor negotiated by the Crutcher campaign. Indeed, it would seem that the "10-day rule" with respect to the examination of campaign contributions was specifically designed to prevent the making of contributions proscribed by the Act, by, among other things, underscoring the notion that a contribution has not been made unless and until the campaign has accepted the contribution, which acceptance cannot occur prior to the expiration of the 10-day period.

For all of the foregoing reasons, it is strongly submitted that no violation of the Act has occurred and that the Federal Election Commission should take no further action against either Jamos Lube Management, Inc. or Bill Johnson in connection with this matter.

GWENDOLYN R. BOWERS CO., L.P.A.

ATTORNEY AT LAW
1712 WEST THIRD STREET
DAYTON, OHIO 45407
(513) 461-9297

06C 5238
RECEIVED
FEDERAL ELECTION COMMISSION
HAB. ROOM

90 JAN 29 AM 10:58

January 22, 1990

Mr. Craig Reffner
Federal Election Commission
Room 659
999 E. Street N.W.
Washington, D.C. 20463

90 JAN 29 PM 4:09

RECEIVED
FEDERAL ELECTION COMMISSION
HAB. ROOM

RE: Ronald Crutcher

Dear Mr. Reffner:

Pursuant to our telephone conversation last week, I am writing to give you an update and status report on the Crutcher Affair.

1. I received your request on December 21, 1989, which happened to be the first day of my vacation period.
2. I scheduled Mr. Crutcher for an appointment as soon as it was practicable after the vacation paperwork pile up.
3. Mr. Crutcher then scheduled an appointment with his Accountant - Treasurer who will meet with Mr. Crutcher this week to begin gathering the documents that you have requested.

I am requesting a 30 day continuance to secure all of the documents requested. And, if they are received prior to the 30 days requested, they will be promptly sent to your office.

Sincerely


GWENDOLYN R. BOWERS

GRB/dmw



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

February 5, 1990

Gwendolyn R. Bowers, Esq.
1712 West Third Street
Dayton, Ohio 45407

RE: MUR 2774

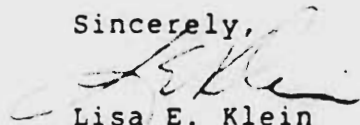
Dear Ms. Bowers:

This is in response to your letter of January 22, 1990, requesting a thirty (30) day extension to respond to the Federal Election Commission's discovery requests which accompanied the reason to believe notification in this matter.

Normally, such a request would not be granted less than five days prior to the due date of the response. After considering the circumstances presented in your letter, I have nonetheless granted the requested extension. Accordingly, your response is due by the close of business, February 12, 1990. In the future, please be aware that requests for extensions will not be considered unless they are made in writing at least five days prior to the due date of the response and specific good cause is demonstrated.

If you have any questions, please contact Craig Douglas Reffner, the attorney handling this matter, at (202) 376-5690.

Sincerely,


Lisa E. Klein

BY: Assistant General Counsel

21040362353

Mr. Craig D. Reffner
TO: Room 659, 999 E. Street N.W.
Washington, DC 20463

CC- 2-2-90
RECEIVED
MUR 2774
90 FEB 15 AM 11:41
Date: Feb 12, 1990

ENCLOSURE FOR YOUR INFORMATION

Re: Ronald Crutcher

We enclose the following to keep you informed of the progress of this matter:

Enclosed please find the following information on the above

captioned reference.

Please contact us if you have any questions.

Gwendolyn R. Bowers Co. L.P.A.

Attorney at Law
1712 West Third Street
Dayton, Ohio 45407
Phone: (513) 461-9297

Society Bank, N.A.
Salem Avenue Branch
Dayton, Ohio 45406

Acct. Name: Crutcher for Congress

Acct. No. 1831-535799-7

MUR 2774

90 FEB 15 PM 2:22

FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK

<u>Date</u>	<u>Transaction</u>	<u>Balance</u>
		135.25
9/26	Deposited \$5,004.00	5,139.25
	\$4,989 from Nat. Rep. Cong. Comm and \$15 donation	
9/28	Withdrawal \$3,620	1,519.25
	\$2,945.00 to Midwest One Communications for media buy	
	* \$675 HCA Enterprises/David Harper for campaign signs	
9/30	Withdrawal \$1,514.25	5.00
	\$ 160 to Minuteman Press for printing \$ 500 to Business Organizers for secretarial service \$ 854.25 check given to Donna Van Pelt	

* \$150 from petty cash was also given to HCA Enterprises for a total of \$825 (See report)

All transactions were reported on FEC filing statement.

All disbursements were by cashiers check.

Attachments:

- 1) FEC report
- 2) Copies of Cashier Checks
- 3) Copy of bank statement

01040362660

SOCIETY BANK, N.A.

Your Account Number

Date Of Last Statement

Date Of This Statement

/88

09/30/88

Balance As Shown
On Previous Statement

+

Total Amount Of Deposits
And Other Credits

-

Total Amount Of Checks
And Other Debits

-

Service
Charge

=

Balance As Of This Statement

Society
BANK

CRUTHCHER FOR CONGRESS
323 SALEM AVE SUITE 3-D
DAYTON OH 45406

ANY QUESTIONS YOU MAY HAVE
226-6211 OR 1-800-443-9786
HAMILTON 867-6130 OR WRITE
SOCIETY BANK, N.A.
P. O. BOX 1803
DAYTON, OHIO 45401

SAVINGS 1831-535799-7 THIS ACCOUNT IS NON-TRANSFERABLE
CRUTHCHER FOR CONGRESS

DATE	WITHDRAWAL	DEPOSIT	DESCRIPTION	BALANCE
07/31			BAL FRWD	1,439.39
08/03	736.70	5.80	INTEREST	1,445.19
08/31		3.04	INTEREST	708.49
09/16	576.28		WITHDRAWAL	711.53
09/26		5,004.00	DEPOSIT	135.25
09/28	3,620.00		WITHDRAWAL	5,139.25
09/30	1,514.25		WITHDRAWAL	1,519.25
09/30	1.00		WITHDRAWAL	5.00
09/30			SERVICE CHARGE	4.00
09/30		3.29	INTEREST	7.29

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MAKE A SOCIETY BANK IRA WORK HARDER FOR YOU TODAY--FOR YOUR TOMORROW.

Information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

<p>A. Full Name, Mailing Address and ZIP Code</p> <p>National Republican Congressional Committee - 320 1st St SE #30712K Washington, DC</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Political Committee</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$ 4,989.00</p>	<p>Date (month, day, year)</p> <p>9/12/88</p> <p>Amount of Each Receipt this Period</p> <p>\$4,989.00</p>
<p>B. Full Name, Mailing Address and ZIP Code</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$</p>	<p>Date (month, day, year)</p> <p>Amount of Each Receipt this Period</p>
<p>C. Full Name, Mailing Address and ZIP Code</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$</p>	<p>Date (month, day, year)</p> <p>Amount of Each Receipt this Period</p>
<p>D. Full Name, Mailing Address and ZIP Code</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$</p>	<p>Date (month, day, year)</p> <p>Amount of Each Receipt this Period</p>
<p>E. Full Name, Mailing Address and ZIP Code</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$</p>	<p>Date (month, day, year)</p> <p>Amount of Each Receipt this Period</p>
<p>F. Full Name, Mailing Address and ZIP Code</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$</p>	<p>Date (month, day, year)</p> <p>Amount of Each Receipt this Period</p>
<p>G. Full Name, Mailing Address and ZIP Code</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$</p>	<p>Date (month, day, year)</p> <p>Amount of Each Receipt this Period</p>

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

4,989.00

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Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

<p>A. Full Name, Mailing Address and ZIP Code</p> <p>U.S. Postmaster 5th & Keowee Street Dayton, OH 45401</p>	<p>Purpose of Disbursement</p> <p>Postage</p> <p>Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)</p>	<p>Date (month, day, year)</p> <p>7/8/88 7/20/88 9/17/88</p>	<p>Amount of Each Disbursement This Period</p> <p>125.00 250.00 125.00</p>
<p>B. Full Name, Mailing Address and ZIP Code</p> <p>Ohio Bell 369 W. First Street Dayton, OH 45401</p>	<p>Purpose of Disbursement</p> <p>Telephone</p> <p>Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)</p>	<p>Date (month, day, year)</p> <p>8/2/88 8/5/88 8/26/88 9/15/88</p>	<p>Amount of Each Disbursement This Period</p> <p>281.28 800.00 200.00 76.00 396.00</p>
<p>C. Full Name, Mailing Address and ZIP Code</p> <p>Midtown Development 307 Wayne Avenue Dayton, OH 45412</p>	<p>Purpose of Disbursement</p> <p>Headquarters-rent</p> <p>Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)</p>	<p>Date (month, day, year)</p> <p>7/5/88 8/2/88 9/13/88</p>	<p>Amount of Each Disbursement This Period</p> <p>300.00 400.00 520.00</p>
<p>D. Full Name, Mailing Address and ZIP Code</p> <p>Bill Kinter</p>	<p>Purpose of Disbursement</p> <p>Salary</p> <p>Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)</p>	<p>Date (month, day, year)</p> <p>7/5/88 7/13/88 7/20/88</p>	<p>Amount of Each Disbursement This Period</p> <p>200.00 300.00 700.00</p>
<p>E. Full Name, Mailing Address and ZIP Code</p> <p>Centerville Advertising 6566 Willowick Place Centerville, OH 45459</p>	<p>Purpose of Disbursement</p> <p>Bumper stickers</p> <p>Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)</p>	<p>Date (month, day, year)</p> <p>7/19/88 7/29/88</p>	<p>Amount of Each Disbursement This Period</p> <p>150.00 233.89</p>
<p>F. Full Name, Mailing Address and ZIP Code</p> <p>Target Consulting 3602 Colby Ave. Everett, Washington 98201</p>	<p>Purpose of Disbursement</p> <p>Political Consultant</p> <p>Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)</p>	<p>Date (month, day, year)</p> <p>8/2/88</p>	<p>Amount of Each Disbursement This Period</p> <p>1,875.00</p>
<p>G. Full Name, Mailing Address and ZIP Code</p> <p>N.A. Mamais & Associates 2229 Sonnington Drive Dublin, OH 43017</p>	<p>Purpose of Disbursement</p> <p>Fundraiser Consultant</p> <p>Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)</p>	<p>Date (month, day, year)</p> <p>7/14/88</p>	<p>Amount of Each Disbursement This Period</p> <p>2,000.00</p>
<p>H. Full Name, Mailing Address and ZIP Code</p> <p>Bob Penland</p>	<p>Purpose of Disbursement</p> <p>Political Consultant</p> <p>Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)</p>	<p>Date (month, day, year)</p> <p>8/31/88 8/31/88 9/16/88</p>	<p>Amount of Each Disbursement This Period</p> <p>170.00 500.00 650.00</p>
<p>I. Full Name, Mailing Address and ZIP Code</p> <p>Midwest One Communications 323 Salem Avenue Dayton, OH 45406</p>	<p>Purpose of Disbursement</p> <p>Media Consultant</p> <p>Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)</p>	<p>Date (month, day, year)</p> <p>8/20/88 8/12/88 9/30/88</p>	<p>Amount of Each Disbursement This Period</p> <p>300.00 225.00 2,945.00</p>

SUBTOTAL of Disbursements This Page (optional)

13,722.17

TOTAL This Period (last page this line number only)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
Troy Frazier 1414 Cory Drive Dayton, OH 45406	Film Production Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	8/31/88	224.00
B. Full Name, Mailing Address and ZIP Code B & M Printing Dayton, Ohio	Printing Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	9/13/88	399.62
C. Full Name, Mailing Address and ZIP Code Pip Printing 32 N. Wilkinson St. Dayton, OH 45402	Printing Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	7/21/88 7/20/88	115.23 436.62
D. Full Name, Mailing Address and ZIP Code Richard Vara	Salary Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	7/05/88 7/13/88 7/20/88	100.00 300.00 300.00
E. Full Name, Mailing Address and ZIP Code Bobbie Smith Travel Agency 101 Woodman Drive Dayton, OH	Airline Travel Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	8/12/88	1,102.00
F. Full Name, Mailing Address and ZIP Code James Crutcher, Jr. 1538 Bryn Mawr Dayton, OH 45406	Reimburse - car rental Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	8/9/88	251.89
G. Full Name, Mailing Address and ZIP Code Minuteman Press 105 E. Second Street Dayton, OH 45401	Printing Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	9/16/88 9/30/88 7/11/88	145.00 160.00 49.93
H. Full Name, Mailing Address and ZIP Code Business Organizers 323 Salem Avenue Dayton, OH 45406	Secretarial Services Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	9/30/88	500.00
I. Full Name, Mailing Address and ZIP Code David Harper/HCA Enterprises 2812 California Ave. Kettering, OH 45419	Signs Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	9/28/88	825.00

SUBTOTAL of Disbursements This Page (optional)

4,909.29

TOTAL This Period (last page this line number only)

Society
BANK NA

CASHIER'S CHECK

No. 31201

COUNTERSIGNATURE

PAY *****\$854 DOLLARS AND 25 CENTS

*****CRUTCHER FOR CONGRESS*****

TO THE ORDER OF
REMITTER CRUTCHER FOR CONGRESS

SEP30-88 3114 9579

*****\$

DATE

AUTHORIZED SIGNATURE COUNTERSIGNATURE (REQUIRED OVER \$25,000)

AMOUNT

⑈312013⑈ ⑆042200295⑆ 89⑈0002973⑈

CASHIER'S CHECK

No. 312011

*****\$500 DOLLARS AND 00 CENTS

*****THE BUSINESS ORGANIZERS*****

REMITTER CRUTCHER FOR CONGRESS

SEP30-88 3114 9577

*****\$500 00

NON-NEGOTIABLE

CASHIER'S CHECK

312013

*****\$854 DOLLARS AND 25 CENTS

*****CRUTCHER FOR CONGRESS*****

REMITTER CRUTCHER FOR CONGRESS

SEP30-88 3114 9579

*****\$854 25

NON-NEGOTIABLE

21040362665



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 5, 1990

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Gwendolyn R. Bowers, Esq.
1712 West Third Street
Dayton, Ohio 45407

RE: MUR 2774
Ronald Crutcher
Crutcher for Congress and
Delbera Crutcher, as
treasurer

Dear Ms. Bowers:

On December 5, 1989, pursuant to its investigation of this matter, the Federal Election Commission issued interrogatories and requests for production of documents to your clients, Ronald Crutcher and Crutcher for Congress and Delbera Crutcher, as treasurer. This Office sent the Commission's discovery requests to you on December 19, 1989. On January 29, 1990, this Office received your request for an extension of time to respond to the Commission's discovery requests. This Office granted you a 15 day extension, making February 12, 1990 the due date for your response. On February 15, 1990, this Office received a response from you on behalf of your clients.

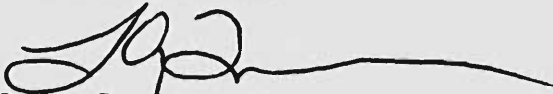
As discussed in a phone conversation with Craig Douglas Reffner, on February 27, 1990, your response does not answer all of the questions posed. You indicated that you no longer had a copy of the Commission's interrogatories and requests for production of documents. At your request, this Office is now providing you with additional copies of its previously served discovery requests. Given the delay already incurred, this Office requests your prompt attention in this matter. Accordingly, a complete response to the Commission's discovery requests is due no later than March 15, 1990. If you fail to respond in a timely manner, this Office will recommend that the Commission pursue other legal means to complete its investigation.

Gwendolyn R. Bowers, Esq.
Page 2

If you have any questions, please contact Craig Douglas
Reffner, the attorney assigned to this matter, at (202)
376-5690.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosure
Discovery Requests

21040362667

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
) MUR 2774
)

**QUESTIONS AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

TO: Ronald Crutcher
c/o Gwendolyn R. Bowers, Esquire
1712 West Third Street
Dayton, Ohio 45407

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In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from May 1, 1988 to November 8, 1988.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

2104036369

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

01040362670

BEFORE THE FEDERAL ELECTION COMMISSION

QUESTIONS AND DOCUMENT REQUESTS

1. In regards to a \$5000 contribution you received from the National Republican Congressional Committee (NRCC) provide the following information:

- a. the date you received this contribution;
- b. the address where you received this contribution;
- c. identify the account(s) by financial institution, number and name of account holder(s) that the contribution was deposited in, and identify the sources of all other funds deposited in each account;
- d. describe in detail how this contribution was used, including the date and purpose of each expenditure made from those funds; and
- e. produce each and every document that relates, pertains or in any way refers to the contribution, including but not limited to the 1988 bank statements for the account(s) identified in question 1c.

2. Identify each and every address at which you received contributions for your campaign. Include the dates, amounts and contributors' names for all the contributions received at each address.

3. With regard to Dayton Lubrication, Inc. (and any of its successor corporations), its officers, directors, agents or employees state the following:

- a. whether you received any contributions directly from Dayton Lubrication, Inc. If yes, provide the date, amount, name of the person(s) who authorized each contribution and identify the account into which each contribution was deposited;
- b. whether you received any individual contributions from any officer, director, agent or employee of Dayton Lubrication, Inc. If yes, for each contribution provide the date, amount and name of the contributor;
- c. explain your relationship with Bill Johnson; and

21040362671

MUR 2774
Ronald Crutcher
Page 5

- d. produce each and every document that relates, pertains or any way refers to contributions received from Dayton Lubrication, Inc., its officers, agents or employees.

4. Regarding the purchase, use and storage of an IBM PC/AT compatible computer state the following:

- a. when the computer was purchased;
- b. how much was paid for the computer;
- c. where the funds came from to purchase the computer;
- d. provide the address for every place the computer was used and stored, and for each such address include the dates the computer was used or stored there;
- e. describe each and every project that the computer was used for; specify whether the project related to your 1988 Congressional campaign and include the dates for each activity; and
- f. produce each and every document that relates, pertains or in any way refers to the purchase or use of the computer.

21040362672

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
) MUR 2774
)

**QUESTIONS AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

TO: Crutcher for Congress and
Delbera Crutcher, as treasurer
c/o Gwendolyn K. Bowers, Esquire
1712 West Third Street
Dayton, Ohio 45407

71040562673
In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

MUR 2774
Crutcher for Congress and
Delbera Crutcher, as treasurer
Page 2

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from May 1, 1988 to November 8, 1988.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

21040062674

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

21040062675

MUR 2774

Crutcher for Congress Committee and
Delbera Crutcher, as treasurer

Page 4

BEFORE THE FEDERAL ELECTION COMMISSION

QUESTIONS AND DOCUMENT REQUESTS

1. Identify each and every address used by the Crutcher for Congress Committee and Delbera Crutcher, as treasurer (the "Committee") to receive contributions. Include the contribution dates, amount and contributors' names for all the contributions received at each address.
2. Identify each and every bank account by financial institution, number and name of account holder into which you deposited campaign funds.
3. Regarding the \$1,000 contribution from Dayton Lubrication, Inc.:
 - a. identify the person(s) at Dayton Lubrication, Inc. responsible for making the contribution;
 - b. state whether the contribution was refunded, if yes, provide the date it was refunded; and
 - c. produce each and every document that relates, pertains or in any way refers to the contribution.

11040362576

90 MAR 15 AM 9:45

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)

Dayton Lubrication, Inc.)
Bill Johnson)

MUR 2774

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On December 5, 1989, the Federal Election Commission (the "Commission") found reason to believe that Dayton Lubrication, Inc. ("Jamos Lube Management, Inc.," or "Jamos Lube"), and Bill Johnson, the president of Jamos Lube, violated 2 U.S.C. § 441b(a). The basis for the Commission's finding arose from several complaints filed with the Commission, each alleging that Ronald Crutcher, a 1988 candidate for U.S. Congress, accepted a check drawn on the bank account of Dayton Lubrication, Inc. By same date, the Commission authorized discovery requests to be sent to respondents Jamos Lube and Bill Johnson to determine the circumstances surrounding the alleged corporate contribution. Respondents Jamos Lube and Bill Johnson responded to the Commission's discovery requests on January 23, 1990, and have requested to enter pre-probable cause conciliation.¹

1. The Commission also approved discovery requests to be served upon the following additional respondents: Ronald Crutcher, Delbera Crutcher, and Crutcher for Congress and Delbera Crutcher, as treasurer. To date, these three respondents have provided this Office with one late and inadequate response to the Commission's discovery requests. This Office contacted counsel for these respondents and anticipates that a supplemental response will be submitted shortly.

In response to the Commission's discovery requests, respondents Jamos Lube and Bill Johnson produced a photocopy of a September 21, 1988 check for \$1,000, drawn on the account of Dayton Lubrication, Inc., and signed by Bill Johnson.² According to his sworn response, Mr. Johnson gave this check, which was made payable to the Crutcher for Congress Committee ("the Committee"), to Ronald Crutcher during a visit by the candidate. The response further states that approximately one week after the check was given to Mr. Crutcher, Richard Vara, of the Committee, notified Bill Johnson that the check could not be accepted because it was drawn on a corporate account. The check, which was not deposited into the Committee's account, was then returned to Bill Johnson at Jamos Lube. See Attachment 1.

Pursuant to 11 C.F.R. § 103.3(b), a treasurer must examine all contributions received to determine their validity. Contributions presenting genuine questions of legality may be returned to the contributor within ten days of the treasurer's receipt. In this matter, the \$1,000 check from Jamos Lube was not accepted by the Crutcher campaign committee, but instead was returned to the contributor within the time frame established under 11 C.F.R. § 103.3. In light of the foregoing, this Office is prepared to recommend that the Commission find no probable

2. The respondents, who operate under the name Jamos Lube Management, Inc., have explained that the check in question was drawn on the account of Dayton Lubrication, Inc., because Jamos Lube Management purchased the assets of Dayton Lubrication, Inc., including Dayton Lubrication's bank accounts and checks. See Attachment 1.

cause to believe that Jamos Lube and Bill Johnson violated 2 U.S.C. § 441b(a). Accordingly, this Office recommends that the Commission decline to enter into pre-probable cause conciliation with Jamos Lube and Bill Johnson.

III. RECOMMENDATIONS

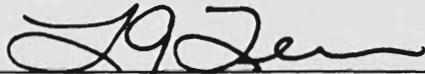
1. Decline to enter into pre-probable cause conciliation with Jamos Lube Management, Inc., and Bill Johnson at this time.
2. Approve the attached letter.

Lawrence M. Noble
General Counsel

Date

3/14/90

BY:


Lois G. Verner
Associate General Counsel

Attachments

1. Response from Bill Johnson and Jamos Lube Management, Inc.
2. Letter to respondents

Staff Assigned: Craig Douglas Reffner

910406612

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2774
Dayton Lubrication, Inc.)
Bill Johnson)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 30, 1990, the Commission decided by a vote of 6-0 to take the following actions in MUR 2774:

1. Decline to enter into pre-probable cause conciliation with Jamos Lube Management, Inc., and Bill Johnson at this time.
2. Approve the letter, as recommended in the General Counsel's report dated March 14, 1990.

Commissioners Aikens, Elliott, Josefiak, McDonald McGarry and Thomas voted affirmatively for the decision.

Attest:

3-30-90

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Thurs., March 15, 1990 9:45 a.m.
Circulated to the Commission: Thurs., March 15, 1990 4:00 p.m.
Deadline for vote: Fri., March 30, 1990 4:00 p.m.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 4, 1990

Marc R. Gordon, Esq.
Casstevens, Hanner, Gunter & Gordon, P.A.
Post Office Box 34607
Charlotte, North Carolina 28234

RE: MUR 2774
Bill Johnson
Jamos Lube Management, Inc.

Dear Mr. Gordon:

On December 19, 1989, you were notified that the Federal Election Commission found reason to believe that your clients, Bill Johnson and Jamos Lube Management, Inc., violated 2 U.S.C. § 441b(a). On January 16, 1990, you submitted a request to enter into conciliation negotiations prior to a finding of probable cause to believe.

The Commission has reviewed your request and determined to decline at this time to enter into conciliation prior to a finding of probable cause to believe. The Office of the General Counsel is prepared to recommend to the Commission that there is no probable cause to believe that your clients violated 2 U.S.C. § 441b(a). A brief setting forth the General Counsel's position will be mailed to you shortly.

If you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

90 MAR 15 AM 9:46

SENSITIVE

March 14, 1990

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

SUBJECT: MUR 2774

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of no probable cause to believe were mailed on March 14, 1990. Following receipt of the respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief
2. Letter to respondent

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FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

March 14, 1990

Marc R. Gordon, Esq.
Casstevens, Hanner, Gunter & Gordon, P.A.
Post Office Box 34607
Charlotte, North Carolina 28234

RE: MUR 2774
Bill Johnson
Jamos Lube Management, Inc.

Dear Mr. Gordon:

Based on a complaint filed with the Federal Election Commission and information supplied by your clients, the Commission, on December 5, 1989, found that there was reason to believe your clients, violated 2 U.S.C. § 441b(a), and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

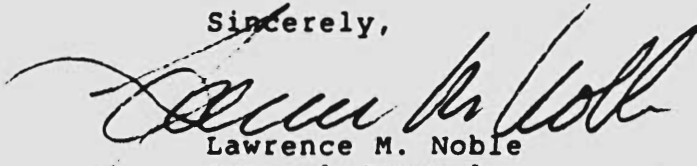
If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

Marc R. Gordon, Esq.
Page 2

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Brief

11040561334

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2774
Dayton Lubrication, Inc.)
Bill Johnson)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On December 5, 1989, the Federal Election Commission (the "Commission") found reason to believe that Dayton Lubrication, Inc. ("Jamos Lube Management, Inc.," or "Jamos Lube"), and Bill Johnson, the president of Jamos Lube, violated 2 U.S.C. § 441b(a). The basis for the Commission's finding arose from several complaints, filed with the Commission, each alleging that Ronald Crutcher, a 1988 candidate for U.S. Congress, accepted a check drawn on the bank account of Dayton Lubrication, Inc.

II. ANALYSIS

Under Section 441b(a) of the Federal Election Campaign Act of 1971, as amended (the "Act"), it is unlawful for corporations to make contributions to federal candidates from their general treasury funds and for candidates or their committees to accept such contributions. Pursuant to 11 C.F.R. § 103.3(a), a treasurer must examine all contributions received to determine their validity. Contributions presenting genuine questions of legality may be returned to the contributor within ten days of the treasurer's receipt.

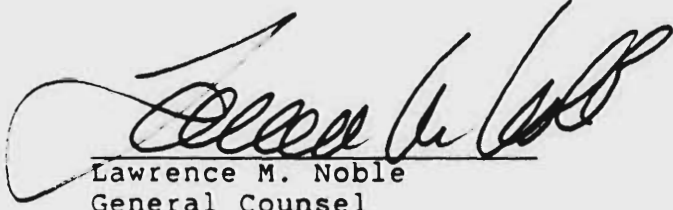
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In response to the Commission's discovery requests, respondents Jamos Lube and Bill Johnson produced a photocopy of a September 21, 1988 check for \$1,000, drawn on the account of Dayton Lubrication, Inc., and signed by Bill Johnson. According to his sworn response, Mr. Johnson gave this check, which was made payable to the Crutcher for Congress Committee ("the Committee"), to Ronald Crutcher during a visit by the candidate. The response further states that approximately one week after the check was given to Mr. Crutcher, Richard Vara, of the Committee, notified Bill Johnson that the check could not be accepted because it was drawn on a corporate account. The check, which was not deposited into the Committee's account, was then returned to Bill Johnson at Jamos Lube within 10 days. Since the \$1,000 check in question was not accepted by the Committee, and was returned within the time frame established by Section 103.3(a) of the Commission's regulations, there is no probable cause to believe that Jamos Lube Management, Inc., and Bill Johnson violated 2 U.S.C. § 441b(a).

III. GENERAL COUNSEL'S RECOMMENDATION

Find no probable cause to believe that Jamos Lube Management, Inc., and Bill Johnson violated 2 U.S.C. § 441b(a).

Date

3/14/90


Lawrence M. Noble
General Counsel

Staff Person: Craig Reffner

BEFORE THE FEDERAL ELECTION COMMISSION

90 MAR 15 PM 12:00

IN RE:

MUR 2774

RONALD CRUTCHER

RESPONSE TO IN-
TERROGATORIES

90 MAR 15 PM 3:34

1. (A) On or about September 12, 1988 - a total of \$4,989.00
 - (B) P.O. Box 174, Dayton, Ohio 45402
 - (C) Society National Bank, N.A. - Savings Acct. #1831-535799-7 - Crutcher for Congress Account. Source of additional 15.00 unknown combination of small contributors. This account was not commingled with personal funds.
 - (D) Contribution was used in the following manner:
 - 1) \$2,745.00 check to Midwest One Communications to purchase media time.
 - 2) \$825.00 check to H.C.A. Enterprises/David Harper for campaign signs.
 - 3) \$160.00 to Minuteman Press
 - 4) \$500.00 to Business Organizers (secretarial service)
 - 5) \$854.25 to Crutcher for Congress, given to Donna Van Pelt for deposit in the checking account.
2. (A) Contributions were primarily received at headquarters (1) P.O. Box 174, Dayton, Ohio; some contributions were mailed to the Crutcher home located at 1539 Bryn Mawr. The common addresses for headquarters was 323 Salem Avenue, Dayton, Ohio and 521 E. Fifth Street, Dayton, Ohio.
 - (B) Envelopes were not retained by the committee, therefore there is no possible way to determine what was received at each address.
 - (C) Names for all contributions between May 1, 1988 and November 1988 are attached.

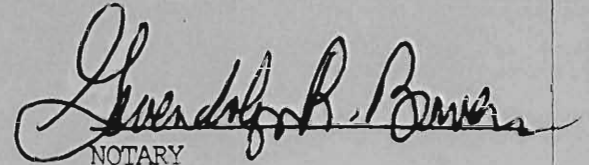
3. (A) Richard Vera accepted a corporate check from Dayton Lubrication. I do not recall the date and time. He was instructed to return the check, and he did. The check was never deposited in any Crutcher For Congress Account.
- (B) No! Originally, I had believed that Richard Vera had received a personal check from the owner of Dayton Lubrication in exchange for the corporate check, but in reviewing my records, I do not find any personal check from Bill Johnson, the owner. There is no evidence that Richard Vera submitted any personal check to the Treasurer.
- (C) I have no relationship with Bill Johnson. I met with the gentleman for approximately 20 minutes to ask for a campaign contribution. Subsequent to my meeting, Richard Vera collected a corporate check from Johnson, but was told to return the same. Bill Johnson has subsequently verified that he gave no personal check.
4. (A) March 18, 1988
- (B) \$1,610.00
- (C) Campaign funds
- (D) 323 Salem Avenue (3-18-88 to 10/88)
521 E. Fifth Street (10/88 to 11/11/88)
1538 Bryn Mawr (11/11/88)
- (E) Republican Information Network (RIN) Modum (daily)
Thank You Letters
Campaign Newsletters
Major Fundraiser Purposes
Notifications of Campaign Meetings, Republican Events
Letters to Request Funds - Helpers
- I do not have the dates for each activity, but I can say we used the RIN daily, as well as, writing letters for funds, helpers, - also thank you letters and notes when contributions were received.
- (F) See attached


RONALD CRUTCHER

STATE OF OHIO)
SS:
COUNTY OF MONTGOMERY)

Sworn to, before me a Notary, by RONALD CRUTCHER, this 14 day of March,
1990.

GWENDOLYN R. BOWERS, Attorney at Law
Notary Public, State of Ohio
My Commission has no Expiration Date.
Section 147.03 R.C.


NOTARY

Society BANK

34 North Main Street
Dayton, Ohio 45402

March 12, 1990

To Whom It May Concern:

The following Cashiers Checks were issued on September 28, 1988 by Society Bank NA; the remitter of both checks was Crutcher For Congress.

Cashiers Check No. 312000; payable to David Harper in the amount of \$825.00.

Cashiers Check No. 311999; payable to Midwest One Communications in the amount of \$2,795.00.

If you have any questions regarding the above information you can reach me at 278-7361.

Sincerely,
Ike Thornton
Ike Thornton
Managing Officer
Salem Officer

RON CRUTCHER

Candidate for U.S. Congress

REMARKS

October 9, 1988

In reference to the various allegations that have been made against me by Donna Van Pelt, Richard Vara, and Alex Ugolini, I am submitting a statement to respond to their allegations.

In reference to Richard Vara's allegations that I improperly intercepted thousands of dollars and banked them in unapproved accounts, let me state that the Crutcher for Congress bank accounts were in existence long before Mr. Vara came on board as a Financial Director. One account was designated for large expenditures such as for radio and TV time and the checking account was designated for the day to day operational expenses of the campaign. When Mr. Vara joined as financial director, his job was to raise campaign funds, and he assured me that he was competent enough to raise enough money for the campaign to pay our salaried employees, as well as, to pay for all campaign expenditures. Mr. Vara did not raise the funds as he had promised, therefore the campaign funds were always too low to pay all of his salary. Mr. Vara also failed to always understand that I was the candidate and his employer. I did not have to intercept any contributions, the contributions were submitted to me by my supporters, and all contributions were deposited into the long established Crutcher for Congress bank accounts.

The major problem occurred 2 weeks ago when my committee received a check in the amount of \$4,989 from the National Republican Congressional Committee. The check was deposited immediately in the Crutcher for Congress savings account. Richard Vara and Donna Van Pelt, demanded complete control over the money, and further demanded that our treasurer write checks for their salaries and other campaign expenditures. I personally stepped in and refused to yield to their demands, as the money had already been earmarked for the media and poster costs. Further, it became ridiculous to continue to pay Mr. Vara a large salary when he was not raising any money for the campaign. Both Ms. Van Pelt and Mr. Vara became angry and hostile when I refused to allow my treasurer to submit every penny of the \$4,989 to both of them, even though I had informed them that they would be paid the balance of their payroll upon the successful completion of the

scheduled fundraisers. In retrospect, I still see nothing wrong with policy decision I made in reference to the expenditure of earmarked funds, especially when timing was extremely important in tying up media contracts.

Further, it is important to note that Mr. Vara has never discussed these issues with me and I was first informed of his resignation by hearing it from the media.

In reference to Ms. Van Pelt's accusations, of me receiving campaign contributions at an address other than campaign headquarters, let me state that until July 1988, my headquarters were located at 323 Salem Avenue. Under the advice of my hired staff, the headquarters were moved to 521 E. Fifth Street. Because Ms. Van Pelt failed to submit a simple change of address form to the post office, as it was her duty to do so, half of the mail was received at the old headquarters and half of the mail was received at the new headquarters. I'm sure Ms. Van Pelt did not intend to confuse my supporters, by her failure to perform a simple task, but I am sure she intended to hurt my campaign by her statement inferring that I had committed some wrongdoings, because the mail was received at both headquarters.

In reference to the committee property, the computer, was originally located at my old headquarters, on Salem Avenue, and it is untrue that it was used for my personal business, as my business owns it's own computer, and Ms. Van Pelt and Alex was aware of this fact. At any rate, the hired staff, including Ms. Van Pelt and Alex urged me to move the computer to the new headquarters, but Data Link Computer system had urged me not to move the computer as it could be damaged in the transfer that it connected to the Republican Information Network (RIN), and if the modum was damaged in the transfer, the campaign would incur more expenses. However, the computer was eventually moved, and it was located at the new headquarters. It was still on the floor, on election day as Ms. Van Pelt and Alex never bothered to reconnect it, after insisting that it be moved immediately from Salem Avenue.

The most serious of her allegations was that I mismanaged campaign funds. As I stated to the press earlier, there has been no mismanagement of funds that I am aware of. All funds received were deposited. Any and all expenditures have been documented according to law.

Ron Crutcher
Ron Crutcher

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NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

<p>A. Full Name, Mailing Address and ZIP Code</p> <p>Robert L. Steele 3481 Office Park Drive Dayton, Ohio 45439</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>SELF Employed</p> <p>Occupation</p> <p>CONSULTANT</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>4/17/88</p>	<p>Amount of Each Receipt this Period</p> <p>500.00</p>
<p>B. Full Name, Mailing Address and ZIP Code</p> <p>Lee Byers 240 Kimbary Centerville, Ohio 45459</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>SELF Employed</p> <p>Occupation</p> <p>CONSULTANT</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>4/26/88</p>	<p>Amount of Each Receipt this Period</p> <p>500.00</p>
<p>C. Full Name, Mailing Address and ZIP Code</p> <p>Gayle B. Price, Jr. 4070 Tait Road Dayton, Ohio 45429</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Price Brothers</p> <p>Occupation</p> <p>President</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>4/25/88</p>	<p>Amount of Each Receipt this Period</p> <p>500.00</p>
<p>D. Full Name, Mailing Address and ZIP Code</p> <p>W.H. Kiefaber, Jr. 361 Wellesley Way Dayton, Ohio 45459</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>W.H. Kiefaber Co.</p> <p>Occupation</p> <p>President</p> <p>Aggregate Year-to-Date > \$ 200.00</p>	<p>Date (month, day, year)</p> <p>4/22/88</p>	<p>Amount of Each Receipt this Period</p> <p>200.00</p>
<p>E. Full Name, Mailing Address and ZIP Code</p> <p>Harry F. Gaeke 4578 Swigert Road Dayton, Ohio 45440</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Shook Construction</p> <p>Occupation</p> <p>President</p> <p>Aggregate Year-to-Date > \$ 200.00</p>	<p>Date (month, day, year)</p> <p>4/22/88</p>	<p>Amount of Each Receipt this Period</p> <p>200.00</p>
<p>F. Full Name, Mailing Address and ZIP Code</p> <p>Rita F. Price 4070 Tait Road Dayton, Ohio 45429</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>N/A</p> <p>Occupation</p> <p>Housewife</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>4/26/88</p>	<p>Amount of Each Receipt this Period</p> <p>500.00</p>
<p>G. Full Name, Mailing Address and ZIP Code</p> <p>Mark T. Stevens 7255 Pepperton Court Dayton, Ohio 45415</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Salem Lincoln Mercury</p> <p>Occupation</p> <p>President</p> <p>Aggregate Year-to-Date > \$ 1,000.00</p>	<p>Date (month, day, year)</p> <p>5/10/88</p>	<p>Amount of Each Receipt this Period</p> <p>1,000.00</p>

SUBTOTAL of Receipts This Page (optional)

3,400.00

TOTAL This Period (last page this line number only)

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NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

<p>A. Full Name, Mailing Address and ZIP Code</p> <p>Patricia Stevens 7255 Pepperton Court Dayton, Ohio 45415</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Self Employed</p> <p>Occupation</p> <p>ANALYST</p> <p>Aggregate Year-to-Date > \$ 1,000.00</p>	<p>Date (month, day, year)</p> <p>5/10/88</p>	<p>Amount of Each Receipt this Period</p> <p>1,000.00</p>
<p>B. Full Name, Mailing Address and ZIP Code</p> <p>James Walsh 6574 Fieldson Road Centerville, Ohio 45459</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Miller Valentine</p> <p>Occupation</p> <p>President</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>5/27/88</p>	<p>Amount of Each Receipt this Period</p> <p>500.00</p>
<p>C. Full Name, Mailing Address and ZIP Code</p> <p>Robert S. Margolis 1353 Stanley Dayton, Ohio 45404</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>GZK., Inc.</p> <p>Occupation</p> <p>MANAGER</p> <p>Aggregate Year-to-Date > \$ 200.00</p>	<p>Date (month, day, year)</p> <p>5/13/88</p>	<p>Amount of Each Receipt this Period</p> <p>200.00</p>
<p>D. Full Name, Mailing Address and ZIP Code</p> <p>George Dount 1143 Birchton Vandalia, Ohio</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>G.D. Associates</p> <p>Occupation</p> <p>SELF EMPLOYED</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>5/4/88</p>	<p>Amount of Each Receipt this Period</p> <p>500.00</p>
<p>E. Full Name, Mailing Address and ZIP Code</p> <p>John N. Taylor, Jr. 321 Glenridge Road Dayton, Ohio 45429</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Kurz Kasch</p> <p>Occupation</p> <p>Chairman</p> <p>Aggregate Year-to-Date > \$ 1,000.00</p>	<p>Date (month, day, year)</p> <p>6/6/88</p>	<p>Amount of Each Receipt this Period</p> <p>1,000.00</p>
<p>F. Full Name, Mailing Address and ZIP Code</p> <p>John B. Greene Courthouse Plaza, N.E. Dayton, Ohio 45402</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Cowen & Company</p> <p>Occupation</p> <p>MANAGER</p> <p>Aggregate Year-to-Date > \$ 1,000.00</p>	<p>Date (month, day, year)</p> <p>6/16/88</p>	<p>Amount of Each Receipt this Period</p> <p>1,000.00</p>
<p>G. Full Name, Mailing Address and ZIP Code</p> <p>Thomas A. Holton 96 W. Forrer Road Dayton, Ohio 45419</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Wright, Porter, Rice Morris & Arthur</p> <p>Occupation</p> <p>Attorney</p> <p>Aggregate Year-to-Date > \$ 300.00</p>	<p>Date (month, day, year)</p> <p>6/13/88</p>	<p>Amount of Each Receipt this Period</p> <p>300.00</p>

SUBTOTAL of Receipts This Page (optional)

4,500.00

TOTAL This Period (last page this line number only)

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NAME OF COMMITTEE (In Full)

CRUTCHER FOR CONGRESS

<p>A. Full Name, Mailing Address and ZIP Code R. Alan Baker, M.D. 3003 Windingway Kettering, Ohio 45419</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer N/A</p> <p>Occupation Retired</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year) 6/14/88</p>	<p>Amount of Each Receipt this Period 500.00</p>
<p>B. Full Name, Mailing Address and ZIP Code Frank E. Zorniger, Jr. 1620 Brown Street Dayton, Ohio 45409</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer Frank Z Chev.</p> <p>Occupation President</p> <p>Aggregate Year-to-Date > \$ 1,000.00</p>	<p>Date (month, day, year) 6/9/88</p>	<p>Amount of Each Receipt this Period 1,000.00</p>
<p>C. Full Name, Mailing Address and ZIP Code Alexander J. Williams 1800 Ridgeway Road Dayton, Ohio 45419</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer WING Radio</p> <p>Occupation President</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year) 6/21/88</p>	<p>Amount of Each Receipt this Period 500.00</p>
<p>D. Full Name, Mailing Address and ZIP Code Connie Mack Higgins 1620 Buchanan St., N.W. Washington, D.C. 20011</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer The Omega Group</p> <p>Occupation President</p> <p>Aggregate Year-to-Date > \$ 1,000.00</p>	<p>Date (month, day, year) 6/28/88</p>	<p>Amount of Each Receipt this Period 1,000.00</p>
<p>E. Full Name, Mailing Address and ZIP Code Robert J. Kegerreis, Ph.D. 40 N. Main Street Dayton, Ohio 45402</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer Self Employed</p> <p>Occupation PH.D.</p> <p>Aggregate Year-to-Date > \$ 200.00</p>	<p>Date (month, day, year) 6/20/88</p>	<p>Amount of Each Receipt this Period 200.00</p>
<p>F. Full Name, Mailing Address and ZIP Code</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$</p>	<p>Date (month, day, year)</p>	<p>Amount of Each Receipt this Period</p>
<p>G. Full Name, Mailing Address and ZIP Code</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$</p>	<p>Date (month, day, year)</p>	<p>Amount of Each Receipt this Period</p>

SUBTOTAL of Receipts This Page (optional)

3,200.00

TOTAL This Period (last page this line number only)

SUBTOTAL of Receipts This Page (optional)		
TOTAL This Period (last page this line number only)		978.29

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NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code

Mead Effective Citizenship Fund
 Mead World Headquarters
 Courthouse Plaza Northeast
 Dayton, OH 45463

Receipt For: ☐ Primary ☒ General
☐ Other (specify):

Name of Employer

PAC Contribution

Occupation

Date (month, day, year)

7/28/88

Amount of Each Receipt this Period

\$300.00

Aggregate Year-to-Date > \$300.00

B. Full Name, Mailing Address and ZIP Code

Campaign America
 919 Prince Street #200
 Alexandria, VA 22314

Receipt For: ☐ Primary ☒ General
☐ Other (specify):

Name of Employer

PAC Contribution

Occupation

Date (month, day, year)

8/8/88

Amount of Each Receipt this Period

\$1,000.00

Aggregate Year-to-Date > \$1,000.00

C. Full Name, Mailing Address and ZIP Code

The Central Corporation Inc.
 201 East Fifth St
 Cincinnati, OH 45202

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Name of Employer

PAC Contribution

Occupation

Date (month, day, year)

9/28/88

Amount of Each Receipt this Period

\$250.00

Aggregate Year-to-Date > \$250

D. Full Name, Mailing Address and ZIP Code

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Name of Employer

Occupation

Date (month, day, year)

Aggregate Year-to-Date > \$

Amount of Each Receipt this Period

E. Full Name, Mailing Address and ZIP Code

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Name of Employer

Occupation

Date (month, day, year)

Aggregate Year-to-Date > \$

Amount of Each Receipt this Period

F. Full Name, Mailing Address and ZIP Code

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Name of Employer

Occupation

Date (month, day, year)

Aggregate Year-to-Date > \$

Amount of Each Receipt this Period

G. Full Name, Mailing Address and ZIP Code

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Name of Employer

Occupation

Date (month, day, year)

Aggregate Year-to-Date > \$

Amount of Each Receipt this Period

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

 1,550.00
 1,300.00

21040362527

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NAME OF COMMITTEE (in Full)

C RUTCHER FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code Michael E. Dyer 8201 Rhineway Road Centerville, OH 45459 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$ 500.00	Date (month, day, year) 7/30/88	Amount of Each Receipt this Period \$500.00
B. Full Name, Mailing Address and ZIP Code John E. Kohnle 525 Lockerbie Lane Dayton, OH 45429 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Retired Occupation Aggregate Year-to-Date > \$ 250.00	Date (month, day, year) 7/27/88	Amount of Each Receipt this Period \$250.00
C. Full Name, Mailing Address and ZIP Code Ronald C. Vanderhorst 6229 North Dixie Drive Dayton, OH 45414 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation CPA Aggregate Year-to-Date > \$	Date (month, day, year) 7/29/88	Amount of Each Receipt this Period \$1,000.00
D. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year) 	Amount of Each Receipt this Period
E. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year) 	Amount of Each Receipt this Period
F. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year) 	Amount of Each Receipt this Period
G. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year) 	Amount of Each Receipt this Period

SUBTOTAL of Receipts This Page (optional)

750.00

TOTAL This Period (last page this line number only)

10,733.33

LE-A

ITEM RECEIPTS

 Unseparate schedule(s)
 category of the
 Detailed Summary Page

 PAGE 2 OF 11
 FOR LINE NUMBER

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NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code Dr. Percy Frazier 139 Wyoming Street Dayton, OH 45409 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Self Occupation Physician Aggregate Year-to-Date > \$1,500.00	Date (month, day, year) 8/22/88	Amount of Each Receipt this Period \$500.00
B. Full Name, Mailing Address and ZIP Code James B. Hobsetter, Jr. 425 Ivycrest Ter. Dayton, OH 45429 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer J.B. Hobsetter Rlty Occupation Realator Aggregate Year-to-Date > \$1,000.00	Date (month, day, year) 7/16/88	Amount of Each Receipt this Period \$1,000.00
C. Full Name, Mailing Address and ZIP Code Dr. Morris L. Brown 128 W. First Street Dayton, Ohio 45402 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Self Occupation Physician Aggregate Year-to-Date > \$1,500.00	Date (month, day, year) 7/23/88	Amount of Each Receipt this Period \$500.00
D. Full Name, Mailing Address and ZIP Code Tom Smith 5191 Peeble Brook Drive Englewood, OH 45322 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Tom Smith Enterprise Occupation President Aggregate Year-to-Date > \$1,000.00	Date (month, day, year) 9/11/88	Amount of Each Receipt this Period \$1,000.00
E. Full Name, Mailing Address and ZIP Code Dr. Allen E. Moore 5540 Far Hills Avenue Dayton, OH 45429 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Self Occupation Physician Aggregate Year-to-Date > \$ 600.00	Date (month, day, year) 7/30/88	Amount of Each Receipt this Period \$600.00
F. Full Name, Mailing Address and ZIP Code Debora S. Moore 5540 Far Hills Avenue Dayton, OH 45429 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Self Occupation Physician Aggregate Year-to-Date > \$600.00	Date (month, day, year) 7/30/88	Amount of Each Receipt this Period \$600.00
G. Full Name, Mailing Address and ZIP Code Frances A. Walther 6191 Wanlow Lane Dayton, OH 45459 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Self Occupation Physician Aggregate Year-to-Date > \$ 500.00	Date (month, day, year) 7/88	Amount of Each Receipt this Period \$500.00

SUBTOTAL of Receipts This Page (optional)

4,700.00

TOTAL This Period (last page this line number only)

Information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

<p>A. Full Name, Mailing Address and ZIP Code</p> <p>Dr. Clyde W. Esch 7021 Old Troy Pike Huber Heights, OH 45424</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Self employed</p> <p>Occupation</p> <p>Physician</p> <p>Aggregate Year-to-Date > \$ 1,000.00</p>	<p>Date (month, day, year)</p> <p>7/19/88</p>	<p>Amount of Each Receipt this Period</p> <p>\$1,000.00</p>
<p>B. Full Name, Mailing Address and ZIP Code</p> <p>Annette Smith 5191 Peeble Brook Drive Englewood, OH 45322</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Tom Smith Enterprise</p> <p>Occupation</p> <p>Vice President</p> <p>Aggregate Year-to-Date > \$ 1,000.00</p>	<p>Date (month, day, year)</p> <p>7/6/88</p>	<p>Amount of Each Receipt this Period</p> <p>\$1,000.00</p>
<p>C. Full Name, Mailing Address and ZIP Code</p> <p>Robert Siebenthaler 3001 Catalpa Drive Dayton, OH 45405</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Siebebthaler Nursery</p> <p>Occupation</p> <p>President</p> <p>Aggregate Year-to-Date > \$</p>	<p>Date (month, day, year)</p> <p>7/13/88</p>	<p>Amount of Each Receipt this Period</p> <p>\$250.00</p>
<p>D. Full Name, Mailing Address and ZIP Code</p> <p>E.J. Nutter 986 Trebein Road Xenia, OH 45385</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Retired</p> <p>Occupation</p> <p></p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>8/5/88</p>	<p>Amount of Each Receipt this Period</p> <p>\$500.00</p>
<p>E. Full Name, Mailing Address and ZIP Code</p> <p>Alex P. Ugolin, Jr. 25 A Highpoint Drive Miamisburg, OH 45342</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>NCR</p> <p>Occupation</p> <p>Computer Programmer</p> <p>Aggregate Year-to-Date > \$ 533.33</p>	<p>Date (month, day, year)</p> <p>8/14/88 9/6/88</p>	<p>Amount of Each Receipt this Period</p> <p>\$333.33 \$200.00</p>
<p>F. Full Name, Mailing Address and ZIP Code</p> <p>Robert E. Zipf, Sr. 3511 Indian Hill Drive Kettering, OH 45429</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Retired Physician</p> <p>Occupation</p> <p></p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>8/23/88</p>	<p>Amount of Each Receipt this Period</p> <p>\$500.00</p>
<p>G. Full Name, Mailing Address and ZIP Code</p> <p>Phillip Norean 4151 Knox School Road Homeworth, OH 44634</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Phillips Greenhouse</p> <p>Occupation</p> <p>Owner</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>9/1/88</p>	<p>Amount of Each Receipt this Period</p> <p>\$500.00</p>

<p>SUBTOTAL of Receipts This Page (optional)</p>	<p>4,283.33</p>
<p>TOTAL This Period (last page this line number only)</p>	<p></p>

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NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code National Republican Congressional Committee - 320 1st St SE #30712K Washington, DC Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Political Committee Occupation Aggregate Year-to-Date > \$ 4,989.00	Date (month, day, year) 9/12/88	Amount of Each Receipt this Period \$4,989.00
B. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
C. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
D. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
E. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
F. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
G. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

4,989.00

11040362701

LE A

IT RECEIPTS

Use separate schedule(s)
for each category of the
above listed Summary PagePAGE 1 OF 1
FOR LINE NUMBER

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NAME OF COMMITTEE (in Full)

CRUTCHER for Congress

A. Full Name, Mailing Address and ZIP Code The HANNA PAC 100 E View PLAZA CLEVELAND OHIO 44114 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$ 500.00	Date (month, day, year) 10/24/88	Amount of Each Receipt this Period 1500.00
B. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
C. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
D. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
E. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
F. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
G. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

500.00

11040362102

LEA

IT RECEIPTS

 If the separate schedule(s)
 in category of the
 Detailed Summary Page

 PAGE OF
 FOR LINE NUMBER

Information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committees.

NAME OF COMMITTEE (in Full)

CRUTCHER for Congress

A. Full Name, Mailing Address and ZIP Code Joshua Smith Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer MAXIMA CORP Occupation CEO Aggregate Year-to-Date > \$ 2,500.00	Date (month, day, year) 10/20/88	Amount of Each Receipt this Period 750.00
B. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
C. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
D. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
E. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
F. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
G. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

750.00

21040332703

Information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code Geoffrey A. Phillips 128 W. Sugartree St. Wilmington, OH 45177		Name of Employer Liberty Savings		Date (month, day, year) 10/10/88		Amount of Each Receipt this Period \$500.00	
Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation Banker		Aggregate Year-to-Date > \$500.00			
B. Full Name, Mailing Address and ZIP Code		Name of Employer		Date (month, day, year)		Amount of Each Receipt this Period	
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation		Aggregate Year-to-Date > \$			
C. Full Name, Mailing Address and ZIP Code		Name of Employer		Date (month, day, year)		Amount of Each Receipt this Period	
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation		Aggregate Year-to-Date > \$			
D. Full Name, Mailing Address and ZIP Code		Name of Employer		Date (month, day, year)		Amount of Each Receipt this Period	
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation		Aggregate Year-to-Date > \$			
E. Full Name, Mailing Address and ZIP Code		Name of Employer		Date (month, day, year)		Amount of Each Receipt this Period	
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation		Aggregate Year-to-Date > \$			
F. Full Name, Mailing Address and ZIP Code		Name of Employer		Date (month, day, year)		Amount of Each Receipt this Period	
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation		Aggregate Year-to-Date > \$			
G. Full Name, Mailing Address and ZIP Code		Name of Employer		Date (month, day, year)		Amount of Each Receipt this Period	
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation		Aggregate Year-to-Date > \$			

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

500.00

LE A

ITEM RECEIPTS

Indicate schedule(s)
category of the
Detailed Summary Page

PAGE OF
FOR LINE NUMBER

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NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code

The Right to Work Pac
5240 Port Royal Rd. #211
Springfield, VA 22151

Name of Employer

PAC

Occupation

Date (month,
day, year)

10/13/88

Amount of Each
Receipt this Period

150.00

Receipt For: ☐ Primary ☒ General
☐ Other (specify):

Aggregate Year-to-Date > \$

B. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)

Amount of Each
Receipt this Period

Occupation

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Aggregate Year-to-Date > \$

C. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)

Amount of Each
Receipt this Period

Occupation

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Aggregate Year-to-Date > \$

D. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)

Amount of Each
Receipt this Period

Occupation

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Aggregate Year-to-Date > \$

E. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)

Amount of Each
Receipt this Period

Occupation

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Aggregate Year-to-Date > \$

F. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)

Amount of Each
Receipt this Period

Occupation

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Aggregate Year-to-Date > \$

G. Full Name, Mailing Address and ZIP Code

Name of Employer

Date (month,
day, year)

Amount of Each
Receipt this Period

Occupation

Receipt For: ☐ Primary ☐ General
☐ Other (specify):

Aggregate Year-to-Date > \$

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

150.00

10040362705

No. 31201

ACCOUNTING SIGNATURE

PAY *****\$854 DOLLARS AND 25 CENTS

*****CRUTCHER FOR CONGRESS*****

TO THE ORDER OF REMITTER CRUTCHER FOR CONGRESS

SEP30-88 3114 9579

●●●●●●●●

DATE _____

AUTHORIZED SIGNATURE: COUNTY SIGNATURE: REQUIRED OVER \$25,000

ANKALI

№ 3 1 20 1 3 № 1:04 2 200 2 951: 89...000 2 973 №

CASHIER'S CHECK

NO. 312011

*****\$500 DOLLARS AND 00 CENTS

*****THE BUSINESS ORGANIZERS*****

REMITTER CRUTCHER FOR CONGRESS

SEP30-88 3114 9577

*****\$500.00

NON-NEGOTIABLE

ASHER'S CHEM. E.

312013

*****\$854 DOLLARS AND 25 CENTS

*****CRUTCHER FOR CONGRESS*****

REMITTER CRUTCHER FOR CONGRESS

SEP30-88 3114 9579

*****\$854.25

NON-NEGOTIABLE

21040363707

Society
BANK NA

CASHIER'S CHECK

No. 312012



PAY *****\$160 DOLLARS AND 00 CENTS

COUNTER SIGNATURE

TO THE ORDER OF
REMITTER CRUTCHER FOR CONGRESS

SEP30-88 3114 9578

NONNEGOTIABLE

*****\$160.00

DATE

AUTHORIZED SIGNATURE

COUNTERSIGNATURE REQUIRED OVER \$25,000

AMOUNT

CRUTCHER FOR CONGRESS

P. O. BOX 174
DAYTON, OH 45402

142

March 18, 1988

56-133
422

PAY TO THE
ORDER OF

Data Link Computer
One thousand six hundred ten dollars + ^{no}/₁₀₀

\$ 1,610 ⁰⁰/₁₀₀

DOLLARS



1 21 03-22-88 6200
UNITY BANK
1188 West Third St. Dayton, Ohio 45407

6200002000

Lillian S. Crutcher

MEMO
⑆042201333⑆

35 624 7⑆ 0142

⑆0000161000⑆

11040362703



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 20, 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Delbera Crutcher
1538 Bryn Mawr
Dayton, Ohio 45406

RE: MUR 2774
Delbera Crutcher

Dear Mrs. Crutcher:

On December 5, 1989, the Federal Election Commission (the "Commission") found that there is reason to believe you personally violated 2 U.S.C. § 432(b)(3), a provision of the Act. On that same date, the Commission also approved interrogatories and requests for production of documents in order to complete its investigation into this matter. On December 19, 1989, this Office mailed you notice of the Commission's finding and provided you with copies of the Commission's interrogatories and request for production of documents. On January 2, 1990, the notification letter and interrogatories were returned, undelivered, to this Office. On that same date, the letter and interrogatories were remailed to you at your current address noted above.

Your response to the Commission's finding and interrogatories and request for production of documents was due fifteen days from the date of receipt. To date, no response to either the Commission's finding or discovery request has been received from you. Additionally, you have not provided this Office with a designation of counsel form and as such, this Office is assuming you have chosen not to be represented by an attorney in this matter. Given the delay already incurred, this Office requests your prompt attention in this matter. A response to the previously served interrogatories and request for production of documents should be submitted without delay. If you fail to respond by April 5, 1990, this Office will recommend that the Commission pursue other legal means to complete its investigation.

91040362710

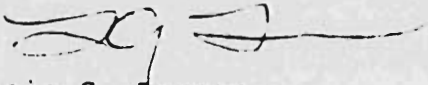
Delbera Crutcher
Page 2

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosures
Designation of Counsel Form

21040362711

OGC 5767

90 MAR 25 AM 10:56

To: Federal Election Commission

From: Selma Crutcher

RE: MUR 2774, Crutcher for Congress + Selma Crutcher, as treasurer

Dear Sir:

Attorney Gwen Bowers contacted me + had me pick up documents in which you had mailed to her + suggested that I reply.

Attached is my response.

Sincerely,

Selma Crutcher

11040362712

90 MAR 26 11 46 AM

90 MAR 26 PM 2:25

RE: MUR 2774

Crutcher for Congress + Selma Crutcher, as treasurer

1. Identify each + every address used by the Crutcher for Congress Committee + Selma Crutcher, as treasurer (the Committee) to receive contributions. Include the contribution dates, amounts + contributors name for all contributions received at each address.

323 Salom Ave, Dayton, Ohio

P.O. Box 174, Dayton, Ohio

521 E. Fifth Street, Dayton, Ohio

Attached is a copy of itemized receipts from contributors. Information on small contributors were not maintained since it was not required in July reports.

I have no idea which donations (large or small) were received at which address. I never kept a record on this. Some donations were mailed, some were delivered by the contributor + some were picked up by campaign staff.

11040362713

MUR 2774

Page 2

2. Identify each + every bank account by financial institution, number + name of acct. holder into which you deposited campaign funds.

<u>Bank</u>	<u>acct name</u>	<u>acct #</u>
1. Unity Bank -	Creditors for Congress	35-624-7
2. Priority Bank	Creditors for Congress	1831-535799-7
3. First National Bank	Creditors for Congress	000583543

3. Regarding the \$1,000 contribution from Dayton Lubrication Inc:

- Identify the person at Dayton Lubrication responsible for making the contribution,
 - state whether the contribution was repaid, by who, provide the date it was repaid; and
 - produce each + every document that relates, pertains or in any way refers to the contribution.
- a) First, there is no contribution from Dayton Lubrication Inc. or its officers. Richard Vara picked up a check from Dayton Lub. authorized by Bill Johnson for \$1,000. Since this check was written on a corporate account, Richard Vara was instructed to return this check + request a donation from Mr. Johnson's ^{personal} account. This check was returned + Mr. Johnson never issued a replacement check.
- No repaid was made because the check was never deposited. The original was returned
 - No documents because the check never reached the Treasurer.

11040362714

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NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

<p>A. Full Name, Mailing Address and ZIP Code</p> <p>Robert L. Steele 3481 Office Park Drive Dayton, Ohio 45439</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>SELF Employed</p> <p>Occupation</p> <p>CONSULTANT</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>4/17/88</p>	<p>Amount of Each Receipt this Period</p> <p>500.00</p>
<p>B. Full Name, Mailing Address and ZIP Code</p> <p>Lee Byers 240 Kimbary Centerville, Ohio 45459</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>SELF Employed</p> <p>Occupation</p> <p>CONSULTANT</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>4/26/88</p>	<p>Amount of Each Receipt this Period</p> <p>500.00</p>
<p>C. Full Name, Mailing Address and ZIP Code</p> <p>Gayle B. Price, Jr. 4070 Tait Road Dayton, Ohio 45429</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Price Brothers</p> <p>Occupation</p> <p>President</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>4/25/88</p>	<p>Amount of Each Receipt this Period</p> <p>500.00</p>
<p>D. Full Name, Mailing Address and ZIP Code</p> <p>W.H. Kiefaber, Jr. 361 Welleslay Way Dayton, Ohio 45459</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>W.H. Kiefaber Co.</p> <p>Occupation</p> <p>President</p> <p>Aggregate Year-to-Date > \$ 200.00</p>	<p>Date (month, day, year)</p> <p>4/22/88</p>	<p>Amount of Each Receipt this Period</p> <p>200.00</p>
<p>E. Full Name, Mailing Address and ZIP Code</p> <p>Harry F. Gaeke 4578 Swigert Road Dayton, Ohio 45440</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Shook Construction</p> <p>Occupation</p> <p>President</p> <p>Aggregate Year-to-Date > \$ 200.00</p>	<p>Date (month, day, year)</p> <p>4/22/88</p>	<p>Amount of Each Receipt this Period</p> <p>200.00</p>
<p>F. Full Name, Mailing Address and ZIP Code</p> <p>Rita F. Price 4970 Tait Road Dayton, Ohio 45429</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>N/A</p> <p>Occupation</p> <p>Housewife</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>4/26/88</p>	<p>Amount of Each Receipt this Period</p> <p>500.00</p>
<p>G. Full Name, Mailing Address and ZIP Code</p> <p>Mark T. Stevens 7255 Pepperton Court Dayton, Ohio 45415</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Salem Lincoln Mercury</p> <p>Occupation</p> <p>President</p> <p>Aggregate Year-to-Date > \$ 1,000.00</p>	<p>Date (month, day, year)</p> <p>5/10/88</p>	<p>Amount of Each Receipt this Period</p> <p>1,000.00</p>

SUBTOTAL of Receipts This Page (optional)

3,400.00

TOTAL This Period (last page this line number only)

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NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

<p>A. Full Name, Mailing Address and ZIP Code</p> <p>Patricia Stevens 7255 Pepperton Court Dayton, Ohio 45415</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Self Employed</p> <p>Occupation</p> <p>ANALYST</p> <p>Aggregate Year-to-Date</p> <p>\$ 1,000.00</p>	<p>Date (month, day, year)</p> <p>5/10/88</p>	<p>Amount of Each Receipt this Period</p> <p>1,000.00</p>
<p>B. Full Name, Mailing Address and ZIP Code</p> <p>James Walsh 6574 Fieldson Road Centerville, Ohio 45459</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Miller Valentine</p> <p>Occupation</p> <p>President</p> <p>Aggregate Year-to-Date</p> <p>\$ 500.00</p>	<p>Date (month, day, year)</p> <p>5/27/88</p>	<p>Amount of Each Receipt this Period</p> <p>500.00</p>
<p>C. Full Name, Mailing Address and ZIP Code</p> <p>Robert S. Margolis 1353 Stanley Dayton, Ohio 45404</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>GZK., Inc.</p> <p>Occupation</p> <p>MANAGER</p> <p>Aggregate Year-to-Date</p> <p>\$ 200.00</p>	<p>Date (month, day, year)</p> <p>5/13/88</p>	<p>Amount of Each Receipt this Period</p> <p>200.00</p>
<p>D. Full Name, Mailing Address and ZIP Code</p> <p>George Dount 1143 Birchton Vandalia, Ohio</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>G.D. Associates</p> <p>Occupation</p> <p>SELF EMPLOYED</p> <p>Aggregate Year-to-Date</p> <p>\$ 500.00</p>	<p>Date (month, day, year)</p> <p>5/4/88</p>	<p>Amount of Each Receipt this Period</p> <p>500.00</p>
<p>E. Full Name, Mailing Address and ZIP Code</p> <p>John N. Taylor, Jr. 321 Glenridge Road Dayton, Ohio 45429</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Kurz Kasch</p> <p>Occupation</p> <p>Chairman</p> <p>Aggregate Year-to-Date</p> <p>\$ 1,000.00</p>	<p>Date (month, day, year)</p> <p>6/6/88</p>	<p>Amount of Each Receipt this Period</p> <p>1,000.00</p>
<p>F. Full Name, Mailing Address and ZIP Code</p> <p>John B. Greene Courthouse Plaza, N.E. Dayton, Ohio 45402</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Cowen & Company</p> <p>Occupation</p> <p>MANAGER</p> <p>Aggregate Year-to-Date</p> <p>\$ 1,000.00</p>	<p>Date (month, day, year)</p> <p>6/16/88</p>	<p>Amount of Each Receipt this Period</p> <p>1,000.00</p>
<p>G. Full Name, Mailing Address and ZIP Code</p> <p>Thomas A. Holton 96 W. Forrer Road Dayton, Ohio 45419</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Wright, Porter, Rice Morris & Arthur</p> <p>Occupation</p> <p>Attorney</p> <p>Aggregate Year-to-Date</p> <p>\$ 300.00</p>	<p>Date (month, day, year)</p> <p>6/13/88</p>	<p>Amount of Each Receipt this Period</p> <p>300.00</p>

SUBTOTAL of Receipts This Page (optional)

4,500.00

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NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

<p>A. Full Name, Mailing Address and ZIP Code</p> <p>R. Alan Baker, M.D. 3003 Windingway Kettering, Ohio 45419</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>N/A</p> <p>Occupation</p> <p>Retired</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>6/14/88</p>	<p>Amount of Each Receipt this Period</p> <p>500.00</p>
<p>B. Full Name, Mailing Address and ZIP Code</p> <p>Frank E. Zorniger, Jr. 1620 Brown Street Dayton, Ohio 45409</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Frank Z Chev.</p> <p>Occupation</p> <p>President</p> <p>Aggregate Year-to-Date > \$ 1,000.00</p>	<p>Date (month, day, year)</p> <p>6/9/88</p>	<p>Amount of Each Receipt this Period</p> <p>1,000.00</p>
<p>C. Full Name, Mailing Address and ZIP Code</p> <p>Alexander J. Williams 1800 Ridgeway Road Dayton, Ohio 45419</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>WING Radio</p> <p>Occupation</p> <p>President</p> <p>Aggregate Year-to-Date > \$ 500.00</p>	<p>Date (month, day, year)</p> <p>6/21/88</p>	<p>Amount of Each Receipt this Period</p> <p>500.00</p>
<p>D. Full Name, Mailing Address and ZIP Code</p> <p>Connie Mack Higgins 1620 Buchanan St., N.W. Washington, D.C. 20011</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>The Omega Group</p> <p>Occupation</p> <p>President</p> <p>Aggregate Year-to-Date > \$ 1,000.00</p>	<p>Date (month, day, year)</p> <p>6/28/88</p>	<p>Amount of Each Receipt this Period</p> <p>1,000.00</p>
<p>E. Full Name, Mailing Address and ZIP Code</p> <p>Robert J. Kegerreis, Ph.D. 40 N. Main Street Dayton, Ohio 45402</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Self Employed</p> <p>Occupation</p> <p>PH.D.</p> <p>Aggregate Year-to-Date > \$ 200.00</p>	<p>Date (month, day, year)</p> <p>6/20/88</p>	<p>Amount of Each Receipt this Period</p> <p>200.00</p>
<p>F. Full Name, Mailing Address and ZIP Code</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$</p>	<p>Date (month, day, year)</p>	<p>Amount of Each Receipt this Period</p>
<p>G. Full Name, Mailing Address and ZIP Code</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$</p>	<p>Date (month, day, year)</p>	<p>Amount of Each Receipt this Period</p>

SUBTOTAL of Receipts This Page (optional)

3,200.00

TOTAL This Period (last page this line number only)

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NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code Campaign America 919 Prince St #200 Alexandria, VA 22314 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer IN-KIND TRAVEL Occupation Aggregate Year-to-Date > \$	Date (month, day, year) 8/15/88	Amount of Each Receipt this Period \$968.00
B. Full Name, Mailing Address and ZIP Code National Republican Congress. Comm. 320 1st St SE Rm 30712K Washington, DC Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer IN-KIND MEDIA Occupation Aggregate Year-to-Date > \$	Date (month, day, year) 7/7/88	Amount of Each Receipt this Period \$10.29
C. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
D. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
E. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
F. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
G. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

978.29

21040362718

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NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

<p>A. Full Name, Mailing Address and ZIP Code</p> <p>Mead Effective Citizenship Fund Mead World Headquarters Courthouse Plaza Northeast Dayton, OH 45463</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>PAC Contribution</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$300.00</p>	<p>Date (month, day, year)</p> <p>7/28/88</p>	<p>Amount of Each Receipt this Period</p> <p>\$300.00</p>
<p>B. Full Name, Mailing Address and ZIP Code</p> <p>Campaign America 919 Prince Street #200 Alexandria, VA 22314</p> <p>Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>PAC Contribution</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$1,000.00</p>	<p>Date (month, day, year)</p> <p>8/8/88</p>	<p>Amount of Each Receipt this Period</p> <p>\$1,000.00</p>
<p>C. Full Name, Mailing Address and ZIP Code</p> <p><i>The Central Corporation Inc</i> <i>201 East 14th St</i> <i>Cincinnati, OH 45202</i></p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p><i>PAC Contributor</i></p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$ 250</p>	<p>Date (month, day, year)</p> <p>9/28/88</p>	<p>Amount of Each Receipt this Period</p> <p><i>\$250.00</i></p>
<p>D. Full Name, Mailing Address and ZIP Code</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$</p>	<p>Date (month, day, year)</p>	<p>Amount of Each Receipt this Period</p>
<p>E. Full Name, Mailing Address and ZIP Code</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$</p>	<p>Date (month, day, year)</p>	<p>Amount of Each Receipt this Period</p>
<p>F. Full Name, Mailing Address and ZIP Code</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$</p>	<p>Date (month, day, year)</p>	<p>Amount of Each Receipt this Period</p>
<p>G. Full Name, Mailing Address and ZIP Code</p> <p>Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):</p>	<p>Name of Employer</p> <p>Occupation</p> <p>Aggregate Year-to-Date > \$</p>	<p>Date (month, day, year)</p>	<p>Amount of Each Receipt this Period</p>

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (last page this line number only)

1,550.00
1,300.00

21040362712

JLE A

ITEMIZED RECEIPTS

Use separate schedule(s)
for each copy of the
Detailed Primary PagePAGE 3 OF 11
FOR LINE NUMBER

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NAME OF COMMITTEE (in Full)

C RUTCHER FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code Michael E. Dyer 8201 Rhineway Road Centerville, OH 45459 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$ 500.00	Date (month, day, year) 7/30/88	Amount of Each Receipt this Period \$500.00
B. Full Name, Mailing Address and ZIP Code John E. Kohnle 525 Lockerbie Lane Dayton, OH 45429 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Retired Occupation Aggregate Year-to-Date > \$ 250.00	Date (month, day, year) 7/27/88	Amount of Each Receipt this Period \$250.00
C. Full Name, Mailing Address and ZIP Code Ronald C. Vanderhorst 6229 North Dixie Drive Dayton, OH 45414 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation CPA Aggregate Year-to-Date > \$	Date (month, day, year) 7/29/88	Amount of Each Receipt this Period \$1,000.00
D. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year) 	Amount of Each Receipt this Period
E. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year) 	Amount of Each Receipt this Period
F. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year) 	Amount of Each Receipt this Period
G. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year) 	Amount of Each Receipt this Period

SUBTOTAL of Receipts This Page (optional)

750.00

TOTAL This Period (last page this line number only)

10,733.33

21040362/20

LEA

ITEM RECEIPTS

Use separate schedule(s)
category of the
Primary PagePAGE 2 OF 1
FOR LINE NUMBER

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NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code Dr. Percy Frazier 139 Wyoming Street Dayton, OH 45409 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Self Occupation Physician Aggregate Year-to-Date > \$1,500.00	Date (month, day, year) 8/22/88	Amount of Each Receipt this Period \$500.00
B. Full Name, Mailing Address and ZIP Code James B. Hobsetter, Jr. 425 Ivycrest Ter. Dayton, OH 45429 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer J.B. Hobsetter Rlty Occupation Realator Aggregate Year-to-Date > \$1,000.00	Date (month, day, year) 7/16/88	Amount of Each Receipt this Period \$1,000.00
C. Full Name, Mailing Address and ZIP Code Dr. Morris L. Brown 128 W. First Street Dayton, Ohio 45402 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Self Occupation Physician Aggregate Year-to-Date > \$1,500.00	Date (month, day, year) 7/23/88	Amount of Each Receipt this Period \$500.00
D. Full Name, Mailing Address and ZIP Code Tom Smith 5191 Peeble Brook Drive Englewood, OH 45322 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Tom Smith Enterprise Occupation President Aggregate Year-to-Date > \$1,000.00	Date (month, day, year) 9/11/88	Amount of Each Receipt this Period \$1,000.00
E. Full Name, Mailing Address and ZIP Code Dr. Allen E. Moore 5540 Far Hills Avenue Dayton, OH 45429 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Self Occupation Physician Aggregate Year-to-Date > \$ 600.00	Date (month, day, year) 7/30/88	Amount of Each Receipt this Period \$600.00
F. Full Name, Mailing Address and ZIP Code Debora S. Moore 5540 Far Hills Avenue Dayton, OH 45429 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$600.00	Date (month, day, year) 7/30/88	Amount of Each Receipt this Period \$600.00
G. Full Name, Mailing Address and ZIP Code Frances A. Walther 6191 Wanlow Lane Dayton, OH 45459 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$ 500.00	Date (month, day, year) 7/88	Amount of Each Receipt this Period \$500.00

SUBTOTAL of Receipts This Page (optional)

4,700.00

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NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code Dr. Clyde W. Esch 7021 Old Troy Pike Huber Heights, OH 45424 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Self employed Occupation Physician Aggregate Year-to-Date > \$ 1,000.00	Date (month, day, year) 7/19/88	Amount of Each Receipt this Period \$1,000.00
B. Full Name, Mailing Address and ZIP Code Annette Smith 5191 Peeble Brook Drive Englewood, OH 45322 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Tom Smith Enterprise Occupation Vice President Aggregate Year-to-Date > \$ 1,000.00	Date (month, day, year) 7/6/88	Amount of Each Receipt this Period \$1,000.00
C. Full Name, Mailing Address and ZIP Code Robert Siebenthaler 3001 Catalpa Drive Dayton, OH 45405 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Siebenthaler Nursery Occupation President Aggregate Year-to-Date > \$	Date (month, day, year) 7/13/88	Amount of Each Receipt this Period \$250.00
D. Full Name, Mailing Address and ZIP Code E.J. Nutter 986 Trebein Road Xenia, OH 45385 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Retired Occupation Retired Aggregate Year-to-Date > \$ 500.00	Date (month, day, year) 8/5/88	Amount of Each Receipt this Period \$500.00
E. Full Name, Mailing Address and ZIP Code Alex P. Ugolin, Jr. 25 A Highpoint Drive Miamisburg, OH 45342 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer NCR Occupation Computer Programmer Aggregate Year-to-Date > \$ 533.33	Date (month, day, year) 8/14/88 9/6/88	Amount of Each Receipt this Period \$333.33 \$200.00
F. Full Name, Mailing Address and ZIP Code Robert E. Zipf, Sr. 3511 Indian Hill Drive Kettering, OH 45429 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Retired Physician Occupation Retired Physician Aggregate Year-to-Date > \$ 500.00	Date (month, day, year) 8/23/88	Amount of Each Receipt this Period \$500.00
G. Full Name, Mailing Address and ZIP Code Phillip Norean 4151 Knox School Road Homeworth, OH 44634 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Phillips Greenhouse Occupation Owner Aggregate Year-to-Date > \$ 500.00	Date (month, day, year) 9/1/88	Amount of Each Receipt this Period \$500.00

SUBTOTAL of Receipts This Page (optional)

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TOTAL This Period (last page this line number only)

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NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code National Republican Congressional Committee - 320 1st St SE #30712K Washington, DC Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Political Committee Occupation Aggregate Year-to-Date > \$ 4,989.00	Date (month, day, year) 9/12/88	Amount of Each Receipt this Period \$4,989.00
B. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
C. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
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NAME OF COMMITTEE (in Full)

CRUTCHER for Congress

A. Full Name, Mailing Address and ZIP Code THE HANNA PAC 1002 REVIEW PLAZA CLEVELAND OHIO 44114 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$ 500.00	Date (month, day, year) 10/24/88	Amount of Each Receipt this Period 500.00
B. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
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500.00

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NAME OF COMMITTEE (in Full)

CRUTCHER for Congress

A. Full Name, Mailing Address and ZIP Code Joshua Smith Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer MAXIMA CORP Occupation CEO Aggregate Year-to-Date > \$ 750.00	Date (month, day, year) 10/20/88	Amount of Each Receipt this Period 750.00
B. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
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NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code Geoffrey A. Phillips 128 W. Sugartree St. Wilmington, OH 45177 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Liberty Savings Occupation Banker Aggregate Year-to-Date > \$500.00	Date (month, day, year) 10/10/88	Amount of Each Receipt this Period \$500.00
B. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
C. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
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ITEM RECEIPTS

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Information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

CRUTCHER FOR CONGRESS

A. Full Name, Mailing Address and ZIP Code The Right to Work Pac 5240 Port Royal Rd. #211 Springfield, VA 22151 Receipt For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer PAC Occupation Aggregate Year-to-Date > \$	Date (month, day, year) 10/13/88	Amount of Each Receipt this Period 150.00
B. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Name of Employer Occupation Aggregate Year-to-Date > \$	Date (month, day, year)	Amount of Each Receipt this Period
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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Dayton Lubrication, Inc.)
("Jamos Lubrication, Inc."))

Bill Johnson)

MUR 2774

SENSITIVE

JUL 10 1990

EXECUTIVE SESSION

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter was initiated by several complaints which alleged, inter alia, that Ronald Crutcher, a 1988 candidate for U. S. Congress, accepted a corporate check from Dayton Lubrication, Inc., which was signed by Bill Johnson.¹ On December 5, 1989, the Commission found reason to believe that Bill Johnson and Dayton Lubrication, Inc. ("Jamos Lubrication, Inc."), violated 2 U.S.C. § 441b(a).² By same date, the Commission authorized discovery requests to be sent to Jamos Lube to determine the circumstances surrounding the alleged corporate contribution. Jamos Lube responded to the Commission's discovery requests and included a request for pre-probable cause conciliation. Because this Office was prepared to recommend that the Commission find no probable cause to believe that Bill Johnson and Dayton Lubrication, Inc.,

1. Respondents, who operate under the name of Jamos Lube Management, Inc., ("Jamos Lube") stated that Bill Johnson is the president of Jamos Lube and that the check in question was drawn on the account of Dayton Lubrication, Inc., because Jamos Lube purchased the assets of Dayton Lubrication, including the latter's bank accounts and checks.

2. The Commission also found reason to believe that other Respondents committed various violations of the Federal Election Campaign Act of 1971, as amended. This Office is in the process of drafting General Counsel's Briefs which will address these matters and will report to the Commission once responses to those briefs have been received.

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violated 2 U.S.C. § 441b(a), the Commission rejected the request for pre-probable cause conciliation. To date, no response to the General Counsel's Brief, dated March 14, 1990, has been received.

II. ANALYSIS

As noted in the General Counsel's Brief, incorporated herein by reference, a corporate check, signed by Bill Johnson, was given to Ronald Crutcher on September 21, 1988. Approximately one week after the check was given to Mr. Crutcher, an employee of Crutcher for Congress notified Bill Johnson that the check could not be accepted, as it was drawn on a corporate account. The check, which was not deposited into the Committee's account, was returned to Jamos Lube. Accordingly, this Office recommends that the Commission find no probable cause to believe that Bill Johnson and Dayton Lubrication, Inc. ("Jamos Lubrication, Inc."), violated 2 U.S.C. § 441b(a).

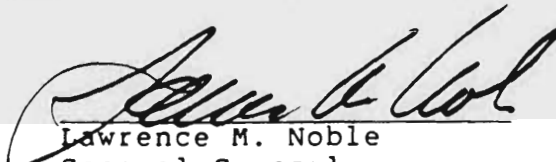
III. RECOMMENDATIONS

1. Find no probable cause to believe that Bill Johnson and Dayton Lubrication, Inc. ("Jamos Lubrication, Inc."), violated 2 U.S.C. § 441b(a).

2. Approve the appropriate letter.

3. Close the file as it pertains to Bill Johnson and Dayton Lubrication, Inc. ("Jamos Lubrication, Inc.").

7/2/90


Lawrence M. Noble
General Counsel

Staff Assigned: Craig Douglas Reffner

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Dayton Lubrication, Inc.
("Jamos Lubrication, Inc.")

Bill Johnson

)
) MUR 2774
)
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CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on July 10, 1990, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 2774:

1. Find no probable cause to believe that Bill Johnson and Dayton Lubrication, Inc. ("Jamos Lubrication, Inc."), violated 2 U.S.C. § 441b(a).
2. Approve the appropriate letter.
3. Close the file as it pertains to Bill Johnson and Dayton Lubrication, Inc. ("Jamos Lubrication, Inc.").

Commissioners Aikens, Elliott, Josefiak, McGarry, and Thomas voted affirmatively for the decision; Commissioner McDonald was not present.

Attest:

7-10-90
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 12, 1990

Marc R. Gordon, Esq.
Casstevens, Hanner, Gunter & Gordon, P.A.
Post Office Box 34607
Charlotte, North Carolina 28234

RE: MUR 2774
Bill Johnson
Dayton Lubrication, Inc.
("Jamos Lubrication, Inc.")

Dear Mr. Gordon:

This is to advise you that on July 10, 1990, the Federal Election Commission found that there is no probable cause to believe that your clients, Bill Johnson and Dayton Lubrication, Inc. ("Jamos Lubrication, Inc."), violated 2 U.S.C. § 441b(a). Accordingly, the file in this matter has been closed as it pertains to your clients.

The file will be made part of the public record within 30 days after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

If you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

90 DEC 27 PM 2:10

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

MUR 2774

Ronald Crutcher

Delbera Crutcher

Crutcher for Congress
and Delbera Crutcher,
as treasurer

SENSITIVE

GENERAL COUNSEL'S REPORT

The Office of the General Counsel is prepared to close the investigation in this matter as to all respondents, based on the assessment of the information presently available.

Date

12/27/90

Lawrence M. Noble
General Counsel

Lawrence M. Noble

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

90 DEC 27 PM 2:11

December 27, 1990

MEMORANDUM

TO: The Commission

FROM: Lawrence M. Noble
General Counsel

SUBJECT: MUR 2774

SENSITIVE

Attached for the Commission's review are briefs stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. Copies of these briefs and letters notifying the respondents of the General Counsel's intent to recommend to the Commission findings of no probable cause to believe as to the Section 441b(a) and Section 433(b)(1) violations by the Committee; no probable cause to believe as to all the violations by Ronald Crutcher and Delbera Crutcher; and probable cause to believe as to all other violations by the Committee were mailed on December 27, 1990. Following receipt of the respondents' replies to these notices, this Office will make a further report to the Commission.

Attachments

1. Briefs
2. Letters to respondents

21040362133



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 27, 1990

Delbera Crutcher, Treasurer
Crutcher for Congress
P. O. Box 174
Dayton, Ohio 45401

RE: MUR 2774
Crutcher for Congress and
Delbera Crutcher, as treasurer

Dear Mrs. Crutcher:

Based on complaints filed with the Federal Election Commission on October 31, 1988, and November 7, 1988, the Commission, on December 5, 1989, found that there was reason to believe Crutcher for Congress ("Committee") and you, as treasurer, violated 2 U.S.C. §§ 432(h)(1), 433(b)(6), 433(b)(1), 433(c) and 441b(a), and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that some violations have occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

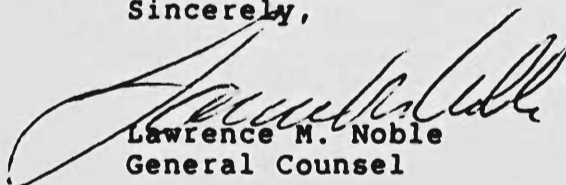
A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

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Delbera Crutcher, Treasurer
Page 2

Should you have any questions, please contact Craig Douglas
Reffner, the attorney assigned to this matter, at (202)
376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Brief

11040362735

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2774
Crutcher for Congress Committee)
and Delbera Crutcher, as treasurer)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On December 5, 1989, the Federal Election Commission (the "Commission") found reason to believe that the Crutcher for Congress Committee and Delbera Crutcher, as treasurer (collectively known as the "Committee"), violated 2 U.S.C. §§ 432(h)(1), 433(b)(6), 433(b)(1), 433(c) and 441b(a), provisions of the Federal Election Campaign Act of 1971, as amended (the "Act"). The basis for the Commission's findings arose from several complaints which alleged that the Committee accepted corporate contributions; failed to disclose in the statement of organization the existence of various bank accounts and addresses which were maintained and used for campaign purposes; and deposited a contribution into a bank account that was not disclosed on the statement of organization.

In response to discovery requests, the Committee acknowledges that it maintained various financial depositories and addresses other than the bank account and address originally provided on the statement of organization. Additionally, the Committee asserts that the corporate contribution in question was not deposited into any of the Committee's accounts but returned to the contributor.

II. ANALYSIS

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All political committees, including a candidate's authorized political committee, must file a statement of organization with the Commission. 2 U.S.C. § 433(a). To insure that communications from the Commission reach the appropriate person, the statement of organization must include the committee's address to which communications should be sent. 2 U.S.C. § 433(b)(1); 11 C.F.R. § 102.2(a)(i). See 45 Fed. Reg. 15080, 15083 (March 7, 1980). In addition, the statement of organization must include a listing of all banks, safety deposit boxes, or other depositories used by the committee. 2 U.S.C. § 433(b)(6). Section 432(h)(1) of the Act requires committees to designate at least one campaign depository on the statement of organization and further provides that all receipts received by a committee and all disbursements (other than petty cash disbursements) made by a committee be deposited into or made from the designated account. 2 U.S.C. § 432(h)(1). Finally, the committee must report any change in information contained in the statement of organization no later than 10 days after the date of change. 2 U.S.C. § 433(c).

Under Section 441b(a) of the Act, corporations are prohibited from making contributions from their general treasury funds to federal candidates, including the candidate's authorized political committee, while federal candidates, including their authorized political committees, are prohibited from knowingly accepting such contributions. Pursuant to Section 103.3(b) of the Commission's regulations, a contribution to a candidate's political committee may, within ten days of the treasurer's

receipt, be returned to the contributor. Since the committee's treasurer is responsible for determining that all contributions to the committee comply with the requirements and limitations of the Act, this ten-day rule permits a committee to return an impermissible contribution, such as that from a corporate source. See 11 C.F.R. § 103.3.

Crutcher for Congress is the authorized campaign committee for Ronald Crutcher, a 1988 candidate for U.S. Congress for Ohio's Third Congressional District. On December 2, 1985, the Committee filed a statement of organization showing the location of its financial depository at: Bank One, 1078 Patterson Road, Dayton, Ohio 45420.

The available evidence shows that in September 1988, the Committee received a check for four thousand and nine hundred and eighty-nine dollars (\$4,989.00) from the National Republican Congressional Committee. Contrary to the requirements of Section 432(h)(1), the Committee acknowledged depositing the check into an undisclosed savings account which it maintained at Society Bank, N.A., in Dayton, Ohio. The Committee also acknowledged maintaining other undisclosed campaign depositories at Unity Bank and First National Bank, both of Dayton, Ohio. Since the Committee deposited contributions in bank accounts not listed on the statement of organization, there is probable cause to believe that the Committee violated 2 U.S.C. § 432(h)(1). Additionally, since the Committee failed to list in the statement of organization any of the undisclosed bank accounts in question, or to amend the statement of organization to account for them, the

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General Counsel concludes that there is probable cause to believe that the Committee violated 2 U.S.C. §§ 433(b)(6) and 433(c).

In addition to using undisclosed bank accounts, the Committee acknowledged receiving mail, including contributions, at addresses other than the address provided on the statement of organization. The statement of organization listed the Committee's address as: One First National Plaza, Suite 1225, Dayton, Ohio 45420. The Committee has also listed in disclosure reports filed with the Commission two other addresses:

P. O. Box 174 Mid City Station, Dayton, Ohio and 4596 Salem Avenue, Dayton, Ohio. In response to discovery, the Committee has acknowledged using the following additional addresses: 323 Salem Avenue, Dayton, Ohio; and 521 East Fifth Street, Dayton, Ohio. While it is clear that the Committee maintained various addresses, there is no evidence to suggest that the Committee's address listed on the statement of organization should have been changed. Accordingly, the General Counsel concludes that there is no probable cause to believe that the Committee violated 2 U.S.C. § 433(b)(1).

Finally, information obtained during the course of the Commission's investigation shows that on September 21, 1988, a check for \$1,000, drawn on the account of Dayton Lubrication, Inc., and signed by Bill Johnson, was given to the Committee.¹

1. The complainants in this matter also alleged that the Committee received a corporate contribution from Financial Counseling, Inc. The Commission, however, found no reason to believe that the Committee violated 2 U.S.C. § 441b(a) with respect to this contribution.

Approximately one week after the check was received, Richard Vara, an employee of the Committee notified Mr. Johnson that the \$1,000 check could not be accepted.² The check, which was not deposited into the Committee's account, was returned to Bill Johnson at Dayton Lube. Since the \$1,000 check in question was not deposited by the Committee, and in fact was returned to the contributor within the time frame established by Section 103.3(b) of the Commission's regulations, the General Counsel concludes that there is no probable cause to believe that Crutcher for Congress and Delbera Crutcher, as treasurer, violated 2 U.S.C. § 441b(a).

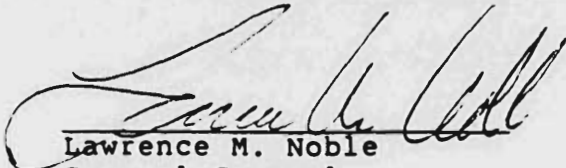
III. GENERAL COUNSEL'S RECOMMENDATIONS

1. Find probable cause to believe that the Crutcher for Congress Committee and Delbera Crutcher, as treasurer, violated 2 U.S.C. §§ 432(h)(1), 433(b)(6) and 433(c).

2. Find no probable cause to believe that the Crutcher for Congress Committee and Delbera Crutcher, as treasurer, violated 2 U.S.C. §§ 433(b)(1) and 441b(a).

Date

12/27/90


Lawrence M. Noble
General Counsel

2. There is contradictory evidence as to whom Mr. Johnson actually tendered this check. The complainants allege that it was given to Ronald Crutcher while Mr. Crutcher asserts that it was Mr. Vara, one of the complainants, who received the check. In any event, the available evidence shows that the check was not deposited into the Committee's account but returned to the corporation.

21540562740



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 27, 1990

Gwendolyn R. Bowers, Esq.
1712 West Third Street
Dayton, Ohio 45407

RE: MUR 2774
Ronald Crutcher

Dear Ms. Bowers:

Based on complaints filed with the Federal Election Commission on October 31, 1988, and November 7, 1988, the Commission, on December 5, 1989, found that there was reason to believe your client, Ronald Crutcher, violated 2 U.S.C. §§ 432(b)(3), 441b(a) and 439a, and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that any violations have occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

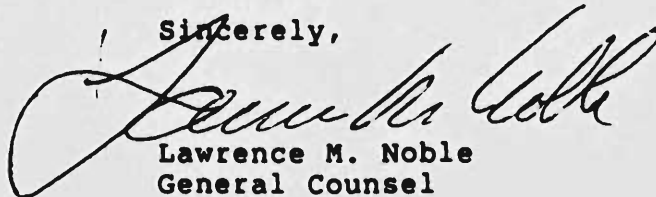
A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

2104052741

Gwendolyn R. Bowers, Esq.
Page 2

Should you have any questions, please contact Craig Douglas
Reffner, the attorney assigned to this matter, at (202)
376-5690.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lawrence M. Noble", is written over the typed name and title.

Lawrence M. Noble
General Counsel

Enclosure
Brief

01040562742

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Ronald Crutcher

)
)
)

MUR 2774

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On December 5, 1989, the Federal Election Commission (the "Commission") found reason to believe that Ronald Crutcher, a 1988 congressional candidate in Ohio's Third District, violated 2 U.S.C. §§ 432(b)(3), 441b(a) and 439a, provisions of the Federal Election Campaign Act of 1971, as amended (the "Act"). The basis for the Commission's findings arose from several complaints which alleged that Mr. Crutcher commingled his personal funds with campaign contributions; used campaign funds to purchase a computer that was used in his personal business; and received corporate contributions on behalf of his authorized campaign committee. Mr. Crutcher denies commingling any personal funds with campaign contributions as well as receiving any corporate contributions. Additionally, Mr. Crutcher asserts that the computer in question was used only at his campaign headquarters and only for campaign related activity.

II. ANALYSIS

Pursuant to 2 U.S.C. § 432(b)(3) all funds of a political committee shall be segregated from, and may not be commingled with the personal funds of any individual. Additionally, under 2 U.S.C. § 439a funds received by a candidate as contributions that are in excess of any amount necessary to defray the

candidate's expenditures may not, with one exception not applicable here, be converted by any person for any personal use.

Under Section 441b(a) of the Act, corporations are prohibited from making contributions from their general treasury funds to federal candidates, including the candidate's authorized political committee, while federal candidates, including their authorized political committees, are prohibited from knowingly accepting such contributions. Pursuant to Section 103.3(b) of the Commission's regulations, a contribution to a candidate's political committee may, within ten days of the treasurer's receipt, be returned to the contributor. Since the committee's treasurer is responsible for determining that all contributions to the committee comply with the requirements and limitations of the Act, this ten-day rule permits a committee to return an impermissible contribution, such as that from a corporate source. See 11 C.F.R. § 103.3(b).

In September 1988, Ronald Crutcher and his authorized campaign committee, Crutcher for Congress (the "Committee"), received a four thousand and nine hundred and eighty-nine dollar (\$4,989.00) contribution check from the National Republican Congressional Committee. Mr. Crutcher acknowledges receiving the check at P.O. Box 174, Dayton, Ohio, and depositing it into a savings account at Society Bank, N.A., in Dayton, Ohio. Given that neither the address nor the bank account were listed on the Committee's statement of organization as required under the Act, it appeared that the the contribution in question may have been

9104052144

commingled with the candidate's personal funds. The evidence adduced during discovery, however, shows that the undisclosed bank account was maintained by the Committee strictly for campaign purposes and apparently contained no personal funds of the candidate. A copy of the bank records for the account, produced by Mr. Crutcher, show that the title of the account is listed in the name of the Committee and that the account is "not transferable." Additionally, Mr. Crutcher produced copies of disclosure reports filed by the Committee which show the deposit of the contribution in question, as well as the subsequent withdrawal of funds, as being accounted for by the Committee. Accordingly, the General Counsel concludes that there is no probable cause to believe that Ronald Crutcher violated 2 U.S.C. § 432(b)(3).

With regard to the computer, evidence presented by Mr. Crutcher shows that the computer was purchased in March 1988, with a check for one thousand and six hundred and ten dollars (\$1,610.00), drawn on the Committee's account at Unity Bank. Mr. Crutcher has acknowledged that the computer was used at two locations during the 1988 election, both of which the Committee has acknowledged as campaign addresses. Accordingly, this Office recommends that the Commission find no probable cause to believe that Ronald Crutcher violated 2 U.S.C. § 439a.

Finally, information obtained during the course of the Commission's investigation shows that on September 21, 1988, a check for \$1,000, drawn on the account of Dayton Lubrication,

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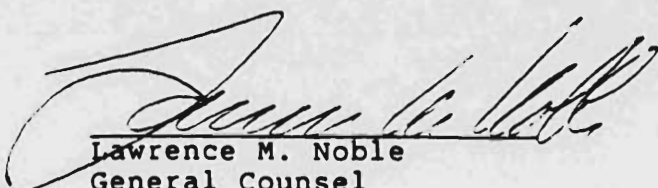
Inc., and signed by Bill Johnson, was given to the Committee.¹ Approximately one week after the check was received, Richard Vara, an employee of the Committee notified Mr. Johnson that the \$1,000 check could not be accepted.² The check, which was not deposited into the Committee's account, was returned to Bill Johnson at Dayton Lube. Since the \$1,000 check in question was not accepted by the Committee, and was returned to the contributor within the time frame established by Section 103.3 of the Commission's regulations, the General Counsel concludes that there is no probable cause to believe that Ronald Crutcher violated 2 U.S.C. § 441b(a).

III. GENERAL COUNSEL'S RECOMMENDATIONS

Find no probable cause to believe that Ronald Crutcher violated 2 U.S.C. §§ 432(b)(3), 439a and 441b(a).

Date

12/27/40


Lawrence M. Noble
General Counsel

1. The complainants in this matter also alleged that Mr. Crutcher received a corporate contribution from Financial Counseling, Inc. The Commission, however, found no reason to believe that Ronald Crutcher violated 2 U.S.C. § 441b(a) with respect to this contribution.

2. There is contradictory evidence as to whom Mr. Johnson actually tendered this check. The complainants allege that it was given to Ronald Crutcher while Mr. Crutcher asserts that it was Mr. Vara, one of the complainants, who received the check. In any event, the available evidence shows that the check was not deposited into the Committee's account but returned to the corporation.

21040562/46



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 27, 1990

Delbera Crutcher
P. O. Box 174
Dayton, Ohio 45401

RE: MUR 2774
Delbera Crutcher

Dear Ms. Crutcher:

Based on complaints filed with the Federal Election Commission on October 31, 1988, and November 7, 1988, the Commission, on December 5, 1989, found that there was reason to believe you violated 2 U.S.C. § 432(b)(3), and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

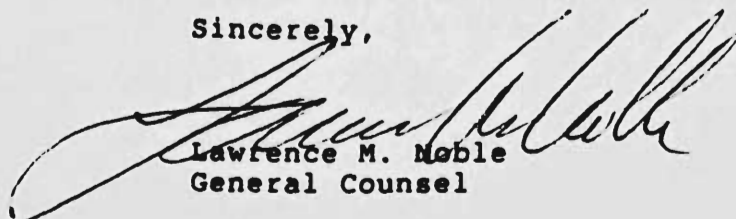
A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

71040362147

Delbera Crutcher
Page 2

Should you have any questions, please contact Craig Douglas
Reffner, the attorney staff member assigned to this matter, at
(202) 376-5690.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lawrence M. Noble", written over the typed name and title.

Lawrence M. Noble
General Counsel

Enclosure
Brief

11040362743

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Delbera Crutcher

)
)
)

MUR 2774

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On December 5, 1989, the Federal Election Commission (the "Commission") found reason to believe that Delbera Crutcher, the treasurer of the Crutcher for Congress Committee (the "Committee"), the authorized campaign committee for Ronald Crutcher, a 1988 candidate for congress for Ohio's Third Congressional District, violated 2 U.S.C. § 432(b)(3), a provision of the Federal Election Campaign Act of 1971, as amended (the "Act"). The basis for the Commission's finding arose out of several complaints which alleged that Ms. Crutcher commingled her personal funds with campaign contributions received by the Committee. Ms. Crutcher has responded to discovery requests served upon her in her capacity as treasurer of the Committee but not in her individual capacity. However, the evidence obtained through discovery adequately demonstrates that there is no probable cause to believe Delbera Crutcher violated 2 U.S.C. § 432(b)(3).

II. ANALYSIS

Pursuant to 2 U.S.C. § 432(b)(3) all funds of a political committee shall be segregated from, and may not be commingled with the personal funds of any individual.

In September 1988, the Committee received a four thousand and nine hundred and eighty-nine dollar (\$4,989.00) contribution

2104033142

check from the National Republican Congressional Committee. Ronald Crutcher acknowledges receiving and depositing this check into a savings account at Society Bank, N.A., in Dayton, Ohio. Given that neither the address nor the bank account were listed on the Committee's statement of organization, as required under the Act, it appeared that the the contribution in question may have been commingled with the personal funds of the candidate and his wife. The evidence adduced during discovery, however, shows that the undisclosed bank account was maintained by the Committee strictly for campaign purposes and contained no personal funds of the candidate or Delbera Crutcher. The bank records for the account list the account in the name of the Committee and also show that the account is "not transferable." Additionally, the Committee has accounted for the deposit of the contribution in question, as well as the subsequent withdrawal of funds, in its Reports filed with the Commission. In light of the foregoing, the General Counsel concludes that there is no probable cause to believe that Delbera Crutcher violated 2 U.S.C. § 432(b)(3).

III. GENERAL COUNSEL'S RECOMMENDATION

Find no probable cause to believe that Delbera Crutcher violated 2 U.S.C. § 432(b)(3).

12/27/90
Date


Lawrence M. Noble
General Counsel



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 5, 1991

POSTMASTER
Dayton, Ohio 45401

RE: MUR 2774

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265(d)(1), we request that you provide us with the present address of Ms. Delbera Crutcher. According to our records, the addresses of Ms. Crutcher were P. O. Box 174 Mid City Station, Dayton, OH 45401 and 1538 Bryn Mawr, Dayton, OH 45406 as of December 1, 1990.

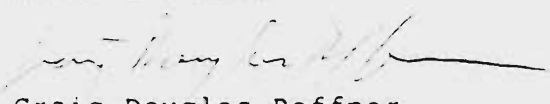
Under 39 C.F.R. § 265.8e(8)(iii), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted.

A return envelope is enclosed. Should you have any questions or require any further information, please call Craig Reffner, the attorney member assigned to this matter, at (202) 376-5690.

Thank you for your assistance.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Craig Douglas Reffner
Attorney

Enclosure
Envelope

21040562/31

06C 0108

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 FEB 20 AM 9:48



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 5, 1991

POSTMASTER
Dayton, Ohio 45401

RE: MUR 2774

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265(d)(1), we request that you provide us with the present address of Ms. Delbera Crutcher. According to our records, the addresses of Ms. Crutcher were P. O. Box 174 Mid City Station, Dayton, OH 45401 and 1538 Bryn Mawr, Dayton, OH 45406 as of December 1, 1990.

Under 39 C.F.R. § 265.8e(8)(iii), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted.

A return envelope is enclosed. Should you have any questions or require any further information, please call Craig Reffner, the attorney member assigned to this matter, at (202) 376-5690.

Thank you for your assistance.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Craig Douglas Reffner
Attorney

Enclosure
Envelope

A letter was in the P.O. Box 174 - Mid City Sta
but box rent not paid and box was closed
no forwarding address given
R. Bahel
Mid City B. 45402

91 FEB 20 AM 10:51

FEDERAL ELECTION COMMISSION



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 12, 1991

Delbera Crutcher
358 Burman
Troutwood, Ohio 45426

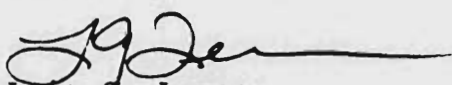
RE: MUR 2774
Delbera Crutcher
Crutcher for Congress and
Delbera Crutcher, as treasurer

Dear Ms. Crutcher:

Pursuant to your telephone conversation with Craig Reffner of this Office on March 8, 1991, enclosed are copies of the General Counsel's Briefs, which were first mailed to you on December 27, 1990.

Should you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosures
General Counsel's Brief for Delbera Crutcher
General Counsel's Brief for Crutcher for Congress and Delbera
Crutcher, as treasurer

91 APR -4 PM 4:28

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Crutcher for Congress and
Delbera Crutcher, as treasurer)

Ronald Crutcher)

Delbera Crutcher)

MUR 2774

SENSITIVE

COMPREHENSIVE INVESTIGATIVE REPORT

On December 27, 1990, this Office notified Crutcher for Congress and Delbera Crutcher, as treasurer (the "Committee"), that the General Counsel was prepared to recommend that the Commission find probable cause to believe that that the Committee and its treasurer violated 2 U.S.C. §§ 432(h)(1), 433(b)(6) and 433(c) and no probable cause to believe that the Committee violated 2 U.S.C. §§ 433(b)(1) and 441b(a).¹ The General Counsel's Brief was mailed to a Post Office Box, which is noted in Commission records as the Committee's current mailing address.

On January 8, 1991, the General Counsel's Brief was returned to this Office. After several unsuccessful attempts to contact the Committee's treasurer, this Office, on February 5, 1991, requested assistance from the Post Master in determining whether the Committee's Post Office Box remained current. On February 20, 1991, a response was received from the Post Master

1. The General Counsel also sent briefs to Ronald Crutcher and Delbera Crutcher notifying them respectively that the General Counsel was prepared to recommend that the Commission find no probable cause to believe that Ronald Crutcher violated 2 U.S.C. §§ 432(b)(3), 439a and 441b(a) and no probable cause to believe that Delbera Crutcher violated 2 U.S.C. § 432(b)(3).

stating that the Post Office Box in question had been closed and that no forwarding address had been provided. Subsequently, the Committee's treasurer was contacted and during phone conversations with staff of this Office, a current mailing address was provided. On March 12, 1991, a copy of the General Counsel's Brief was mailed to this address. After the Committee's response is received, this Office will prepare a report with the appropriate recommendations.

Lawrence M. Noble
General Counsel

21040362105
Date

BY:

Lois G. Lerner
Lois G. Lerner
Associate General Counsel

Staff assigned: Craig Douglas Reffner



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

TO: LAWRENCE NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/DONNA ROACH *OR*
SECRETARY OF THE COMMISSION

DATE: APRIL 8, 1991

SUBJECT: MUR 2774 - COMPREHENSIVE INVESTIGATIVE REPORT
DATED APRIL 4, 1991

The above-captioned matter was received in the
Commission Secretariat at 4:28 p.m. on Thurs. Apr. 4, 1991
and circulated on a 24-hour no-objection basis at
12:00 p.m. on Friday, April 5, 1991.

There were no objections to the above-captioned
matter.

RECEIVED
F.E.C.
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

91 JUL 31 PM 4:20

In the Matter of)

Ronald Crutcher, et al.)

MUR 2774

GENERAL COUNSEL'S REPORT

SENSITIVE
EXECUTIVE SESSION
AUG 13 1991

I. BACKGROUND

On December 5, 1989, the Commission found reason to believe that Ronald Crutcher violated 2 U.S.C. §§ 432(b)(3), 441b(a) and 439a; that Delbera Crutcher violated 2 U.S.C. § 432(b)(3); and that Crutcher for Congress and its treasurer (collectively referred to as the "Committee"), violated 2 U.S.C. §§ 432(h)(1), 433(b)(6), 433(b)(1), 433(c) and 441b(a).¹ The basis for the Commission's findings arose from several complaints which alleged that the Committee maintained various bank accounts and addresses which it failed to disclose in the statement of organization and that Ronald Crutcher accepted corporate contributions, converted campaign funds to his personal use and deposited a contribution into a bank account which contained his and his wife's personal funds.

Based upon the information provided during discovery (Attachments A, B and C), this Office sent Briefs to each of the

1. On March 18, 1991, the Committee's statement of organization was amended to reflect a change of treasurer. According to the amendment, Delbera Crutcher, the treasurer at the time of the violations, resigned and Robert L. Gilbert became the new treasurer. Previously, in response to the Commission's discovery request, Mr. Gilbert stated that he was asked to serve as the Committee's treasurer in July 1988, but that it was later discovered that "the proper forms was [sic] never filed." Attachment C at 4. Given the recent amendment to the Committee's statement of organization, it appears that Mr. Gilbert is the Committee's current treasurer.

Respondents notifying them that the General Counsel was prepared to recommend findings of no probable cause to believe as to all violations by Ronald Crutcher and Delbera Crutcher, no probable cause to believe as to the Section 441b(a) and Section 433(b)(1) violations by the Committee and probable cause to believe as to all other violations by the Committee. To date, no response has been received. See General Counsel's Comprehensive Investigative Report dated April 4, 1991.

II. ANALYSIS

As set forth more fully in the General Counsel's Briefs, incorporated herein by reference, this matter raises several issues, including the commingling of campaign funds, the conversion of campaign funds, the receipt of corporate contributions and various reporting violations.

With regard to the commingling of funds, Respondents acknowledge depositing a \$4,989 contribution from the National Republican Congressional Committee into an undisclosed bank account. The evidence adduced during discovery shows that the bank account in question was maintained by the Committee strictly for campaign purposes and apparently contained no personal funds of either the candidate or his wife. Documents produced by the Respondents include a copy of the bank records for the account, which show that the title of the account is listed in the name of the Committee, "Crutcher for Congress" and that the account is "not transferable." Attachment A at 2-3. Additionally, a review of disclosure reports filed by the Committee shows that the contribution in question was accounted

for as were all subsequent disbursements of funds from the account. Given these factors, it appears that Ronald Crutcher's campaign funds were not commingled with his personal funds or the personal funds of his wife, Delbera Crutcher. Accordingly, this Office recommends that the Commission find no probable cause to believe that Ronald Crutcher or Delbera Crutcher violated 2 U.S.C. § 432(b)(3).

104033-109
In addition to commingling personal funds with campaign funds, it was also alleged that Ronald Crutcher used campaign funds to purchase a computer for use in his personal business. While Mr. Crutcher acknowledges purchasing the computer with campaign funds, information obtained during discovery revealed that since its purchase in March 1988, the computer was used during the campaign at two locations, both of which the Committee has acknowledged as campaign addresses. In this regard, the computer in question appears to have been used by the Committee for campaign purposes and not for Mr. Crutcher's personal use. Accordingly, this Office recommends that the Commission find no probable cause to believe that Ronald Crutcher violated 2 U.S.C. § 439a.

With regard to Mr. Crutcher's receipt of corporate contributions, information obtained during the course of the Commission's investigation shows that on September 21, 1988, a check for \$1,000, drawn on the account of Dayton Lubrication,

Inc., and signed by Bill Johnson, was given to the Committee.² The check, which was not deposited into the Committee's account, was returned to Bill Johnson at Dayton Lubrication. Since the \$1,000 check in question was not accepted by the Committee, and was returned to the contributor within the time frame established by Section 103.3 of the Commission's regulations, this Office recommends that the Commission find no probable cause to believe that Ronald Crutcher or Crutcher for Congress and its treasurer violated 2 U.S.C. § 441b(a). See General Counsel's Reports dated March 14, 1990, and July 2, 1990, (Commission found no probable cause to believe that Bill Johnson and Dayton Lubrication, Inc., violated 2 U.S.C. § 441b(a)).

Finally, Respondents acknowledge maintaining three campaign depositories and two addresses, other than the depository and address disclosed on the Committee's statement of organization. Although the Committee acknowledges depositing contributions into these undisclosed bank accounts, it failed to amend the statement of organization to account for them. With regard to the additional addresses, however, there is no evidence to suggest that the address listed on the statement of organization should have been changed. Accordingly, this Office recommends that the Commission find probable cause to believe that Crutcher for Congress and its treasurer violated 2 U.S.C. §§ 432(h)(1),

2. The complainants in this matter also alleged that Mr. Crutcher received a corporate contribution from Financial Counseling, Inc. The Commission, however, found no reason to believe that Ronald Crutcher violated 2 U.S.C. § 441b(a) with respect to this contribution.

433(b)(6) and 433(c) and no probable cause to believe that Crutcher for Congress and its treasurer violated 2 U.S.C. § 433(b)(1).

In short, it appears that the only violations which remain outstanding concern the Committee's failure to disclose the use of three bank accounts on the statement of organization. Because the funds in these accounts appear to have been disclosed by the Committee in disclosure reports, and consistent with the proper ordering of the Commission's priorities and resources, see Heckler v. Chaney, 470 U.S. 821 (1985), this Office recommends that the Commission take no further action and close the file in this matter.

III. RECOMMENDATIONS

1. Find no probable cause to believe that Ronald Crutcher violated 2 U.S.C. §§ 432(b)(3), 441b(a) and 439a.
2. Find no probable cause to believe that Delbera Crutcher violated 2 U.S.C. § 432(b)(3).
3. Find no probable cause to believe that Crutcher for Congress and its treasurer violated 2 U.S.C. §§ 441b(a) or 433(b)(1).
4. Find probable cause to believe that Crutcher for Congress and its treasurer violated 2 U.S.C. §§ 432(h)(1), 433(b)(6) and 433(c), but take no further action.
5. Close the file.

6. Approve the appropriate letters.

Date 7/31/91

Lawrence M. Noble JP
Lawrence M. Noble
General Counsel

Attachments

- A. Responses of Ronald Crutcher
- B. Response of the Committee
- C. Response of Robert Gilbert

Staff Person: Craig Douglas Reffner

11040364/32

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2774
Ronald Crutcher, et al.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the
Federal Election Commission executive session on
August 13, 1991, do hereby certify that the Commission
decided by a vote of 5-1 to take the following actions
in MUR 2774:

1. Find no probable cause to believe that
Ronald Crutcher violated 2 U.S.C.
§§ 432(b)(3), 441b(a) and 439a.
2. Find no probable cause to believe that
Delbera Crutcher violated 2 U.S.C.
§ 432(b)(3).
3. Find no probable cause to believe that
Crutcher for Congress and its treasurer
violated 2 U.S.C. §§ 441b(a) or 433(b)(1).
4. Find probable cause to believe that
Crutcher for Congress and its treasurer
violated 2 U.S.C. §§ 432(h)(1), 433(b)(6)
and 433(c), but take no further action.
5. Close the file.

(continued)

Federal Election Commission
Certification for MUR 2774
August 13, 1991

Page 2

6. Approve the appropriate letters as recommended in the General Counsel's report dated July 31, 1991.

Commissioners Aikens, Elliott, McDonald, McGarry,
and Thomas voted affirmatively for the decision;
Commissioner Josefiak dissented.

Attest:

8-14-91
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

11040532164



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 28 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Donna Van Pelt
5480 North Main Street
Dayton, Ohio 45415

RE: MUR 2774 (formerly MUR 2755)
Ronald Crutcher
Delbera Crutcher
Crutcher for Congress and
its treasurer
Financial Counseling, Inc., and
Arvin M. Vaughan
Dayton Lubrication, Inc., and
Bill Johnson

Dear Ms. Van Pelt:

This is in reference to the complaint you filed with the Federal Election Commission on October 31, 1988, concerning Ronald Crutcher's 1988 campaign for U.S. Congress. On December 5, 1989, the Commission decided to merge MUR 2774 with your complaint, MUR 2755, and with MUR 2773. All of these matters will be known as MUR 2774. On that same date, the Commission found that there was no reason to believe that Financial Counseling, Inc., and Arvin M. Vaughan violated 2 U.S.C. § 441b(a), but that there was reason to believe that Dayton Lubrication Inc., and Bill Johnson violated 2 U.S.C. § 441b(a), that Ronald Crutcher violated 2 U.S.C. §§ 432(b)(3), 441b(a) and 439a, that Delbera Crutcher violated 2 U.S.C. § 432(b)(3) and that Crutcher for Congress and its treasurer (the "Committee") violated 2 U.S.C. §§ 433(b)(1), 441b(a), 432(h)(1), 433(b)(6) and 433(c), provisions of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation in the matter.

After an investigation was conducted and the General Counsel's brief was considered, on July 10, 1990, the Commission found that there was no probable cause to believe Dayton Lubrication Inc., and Bill Johnson violated 2 U.S.C. § 441b(a). Subsequently, on August 13, 1991, the Commission, after considering the General Counsel's briefs, found that there was no probable cause to believe that Ronald Crutcher violated 2 U.S.C. §§ 432(b)(3), 441b(a) and 439a, that Delbera Crutcher violated 2 U.S.C. § 432(b)(3) or that the Committee violated 2 U.S.C. §§ 433(b)(1) and 441b(a), but probable cause to believe that the Committee violated 2 U.S.C. §§ 432(h)(1), 433(b)(6) and 433(c). In consideration of the circumstances of the matter,

Ms. Donna Van Pelt

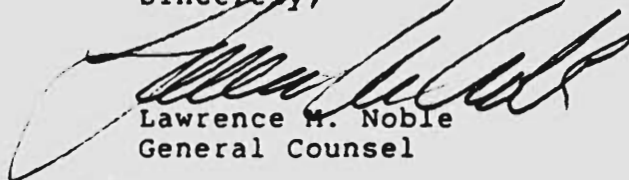
Page 2

however, the Commission determined on August 13, 1991, to take no further action against the Committee, and closed the file in this matter. This matter will become part of the public record within 30 days.

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

If you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
General Counsel's Report

2104006-166



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 21, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Richard J. Vara
6209 Doewood Court
Columbus, Ohio 43229

RE: MUR 2774 (formerly MUR 2773)
Ronald Crutcher
Delbera Crutcher
Crutcher for Congress and
its treasurer
Financial Counseling, Inc., and
Arvin M. Vaughan
Dayton Lubrication, Inc., and
Bill Johnson

Dear Mr. Vara:

This is in reference to the complaint you filed with the Federal Election Commission on November 7, 1988, concerning Ronald Crutcher's 1988 campaign for U.S. Congress. On December 5, 1989, the Commission decided to merge MUR 2774 with your complaint, MUR 2773, and with MUR 2755. All of these matters will be known as MUR 2774. On that same date, the Commission found that there was no reason to believe that Financial Counseling, Inc., and Arvin M. Vaughan violated 2 U.S.C. § 441b(a), but that there was reason to believe that Dayton Lubrication Inc., and Bill Johnson violated 2 U.S.C. § 441b(a), that Ronald Crutcher violated 2 U.S.C. §§ 432(b)(3), 441b(a) and 439a, that Delbera Crutcher violated 2 U.S.C. § 432(b)(3) and that Crutcher for Congress and its treasurer (the "Committee") violated 2 U.S.C. §§ 433(b)(1), 441b(a), 432(h)(1), 433(b)(6) and 433(c), provisions of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation in the matter.

After an investigation was conducted and the General Counsel's brief was considered, on July 10, 1990, the Commission found that there was no probable cause to believe Dayton Lubrication Inc., and Bill Johnson violated 2 U.S.C. § 441b(a). Subsequently, on August 13, 1991, the Commission, after considering the General Counsel's briefs, found that there was no probable cause to believe that Ronald Crutcher violated 2 U.S.C. §§ 432(b)(3), 441b(a) and 439a, that Delbera Crutcher violated 2 U.S.C. § 432(b)(3) or that the Committee violated 2 U.S.C. §§ 433(b)(1) and 441b(a), but probable cause to believe that the Committee violated 2 U.S.C. §§ 432(h)(1), 433(b)(6) and 433(c). In consideration of the circumstances of the matter,

Mr. Richard J. Vara

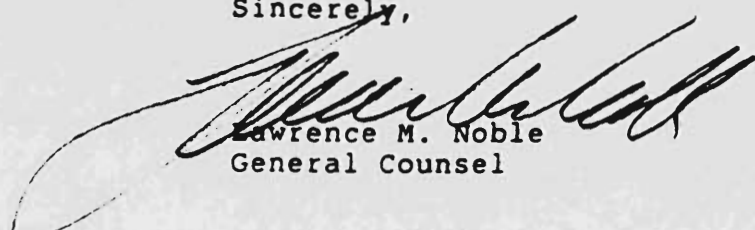
Page 2

however, the Commission determined on August 13, 1991, to take no further action against the Committee, and closed the file in this matter. This matter will become part of the public record within 30 days.

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

If you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
General Counsel's Report

11040352/58



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 21, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Alex P. Ugolini, Jr.
25A Highpoint Drive
Miamisburg, Ohio 45342

RE: MUR 2774
Ronald Crutcher
Delbera Crutcher
Crutcher for Congress and
its treasurer
Financial Counseling, Inc., and
Arvin M. Vaughan
Dayton Lubrication, Inc., and
Bill Johnson

Dear Mr. Ugolini:

This is in reference to the complaint you filed with the Federal Election Commission on November 7, 1988, concerning Ronald Crutcher's 1988 campaign for U.S. Congress. On December 5, 1989, the Commission decided to merge your complaint, MUR 2774, with MUR 2755 and MUR 2773. All of these matters will be referred to as MUR 2774. On that same date, the Commission found that there was no reason to believe that Financial Counseling, Inc., and Arvin M. Vaughan violated 2 U.S.C. § 441b(a), but that there was reason to believe that Dayton Lubrication Inc., and Bill Johnson violated 2 U.S.C. § 441b(a), that Ronald Crutcher violated 2 U.S.C. §§ 432(b)(3), 441b(a) and 439a, that Delbera Crutcher violated 2 U.S.C. § 432(b)(3) and that Crutcher for Congress and its treasurer (the "Committee") violated 2 U.S.C. §§ 433(b)(1), 441b(a), 432(h)(1), 433(b)(6) and 433(c), provisions of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation in the matter.

After an investigation was conducted and the General Counsel's brief was considered, on July 10, 1990, the Commission found that there was no probable cause to believe Dayton Lubrication Inc., and Bill Johnson violated 2 U.S.C. § 441b(a). Subsequently, on August 13, 1991, the Commission, after considering the General Counsel's briefs, found that there was no probable cause to believe that Ronald Crutcher violated 2 U.S.C. §§ 432(b)(3), 441b(a) and 439a, that Delbera Crutcher violated 2 U.S.C. § 432(b)(3) or that the Committee violated 2 U.S.C. §§ 433(b)(1) and 441b(a), but probable cause to believe that the Committee violated 2 U.S.C. §§ 432(h)(1), 433(b)(6) and 433(c). In consideration of the circumstances of the matter,

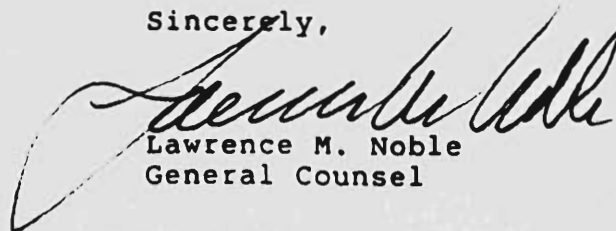
Mr. Alex P. Ugolini, Jr.
Page 2

however, the Commission determined on August 13, 1991, to take no further action against the Committee, and closed the file in this matter. This matter will become part of the public record within 30 days.

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

If you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
General Counsel's Report

1040362770



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 21, 1991

Craig C. Donsanto
Director, Election Crimes Branch
Criminal Division
U.S. Department of Justice
Washington, D.C. 20530

RE: MUR 2774 (formerly MUR 2773)
Ronald Crutcher
Delbera Crutcher
Crutcher for Congress and
its treasurer
Financial Counseling, Inc., and
Arvin M. Vaughan
Dayton Lubrication, Inc., and
Bill Johnson

Dear Mr. Donsanto:

This is in reference to the matter involving Ronald Crutcher's 1988 campaign for U.S. Congress, which your office referred to the Federal Election Commission on December 20, 1988.

On December 5, 1989, the Commission decided to merge MUR 2774 with MUR 2773 and MUR 2755. All of these matters will be referred to as MUR 2774. On that same date, the Commission found that there was no reason to believe that Financial Counseling, Inc., and Arvin M. Vaughan violated 2 U.S.C. § 441b(a), but that there was reason to believe that Dayton Lubrication Inc., and Bill Johnson violated 2 U.S.C. § 441b(a), that Ronald Crutcher violated 2 U.S.C. §§ 432(b)(3), 441b(a) and 439a, that Delbera Crutcher violated 2 U.S.C. § 432(b)(3) and that Crutcher for Congress and its treasurer (the "Committee") violated 2 U.S.C. §§ 433(b)(1), 441b(a), 432(h)(1), 433(b)(6) and 433(c), provisions of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation in the matter.

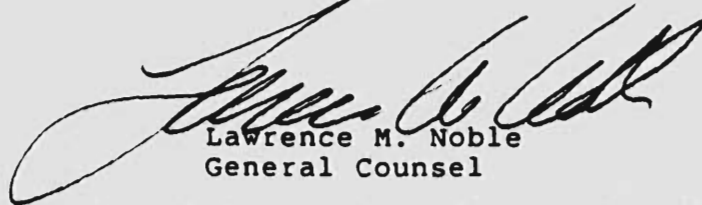
After an investigation was conducted and the General Counsel's brief was considered, on July 10, 1990, the Commission found that there was no probable cause to believe Dayton Lubrication Inc., and Bill Johnson violated 2 U.S.C. § 441b(a). Subsequently, on August 13, 1991, the Commission, after considering the General Counsel's briefs, found that there was no probable cause to believe that Ronald Crutcher violated 2 U.S.C. §§ 432(b)(3), 441b(a) and 439a, that Delbera Crutcher violated 2 U.S.C. § 432(b)(3) or that the Committee violated 2 U.S.C. §§ 433(b)(1) and 441b(a), but probable cause to believe

Craig C. Donsanto
Page 2

that the Committee violated 2 U.S.C. §§ 432(h)(1), 433(b)(6) and 433(c). In consideration of the circumstances of the matter, however, the Commission determined on August 13, 1991, to take no further action against the Committee, and closed the file in this matter. This matter will become part of the public record within 30 days.

We appreciate your cooperation in helping the Commission meet its enforcement responsibilities under the Act. If you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

21040362772



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 21, 1991

Ronald Crutcher
1538 Bryn Mawr
Dayton, Ohio 45406

RE: MUR 2774
Crutcher for Congress

Dear Mr. Crutcher:

This is to advise you that on August 13, 1991, the Federal Election Commission found that there is no probable cause to believe that Crutcher for Congress and its treasurer (the "Committee") violated 2 U.S.C. §§ 441b(a) and 433(b)(1), but probable cause to believe that the Committee violated 2 U.S.C. §§ 432(h)(1), 433(b)(6) and 433(c) by using a bank account which was not disclosed on the Committee's statement of organization. After considering the circumstances of this matter, however, the Commission also determined to take no further action against the Committee, and closed its file in this matter.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

If you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lawrence M. Noble", is written over the typed name.

Lawrence M. Noble
General Counsel



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 21, 1991

Gwendolyn R. Bowers, Esq.
1712 West Third Street
Dayton, Ohio 45407

RE: MUR 2774
Ronald Crutcher

Dear Ms. Bowers:

This is to advise you that on August 13, 1991, the Federal Election Commission found that there is no probable cause to believe your client, Ronald Crutcher, violated 2 U.S.C. §§ 432(b)(3), 441b(a) and 439a. Accordingly, the file in this matter has been closed.

The file will be made part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

If you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lawrence M. Noble", is written over the typed name and title.

Lawrence M. Noble
General Counsel

21040362774



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 21, 1991

Delbera Crutcher
358 Burman
Troutwood, Ohio 45426

RE: MUR 2774
Delbera Crutcher

Dear Ms. Crutcher:

This is to advise you that on August 13, 1991, the Federal Election Commission found that there is no probable cause to believe you violated 2 U.S.C. § 432(b)(3). Accordingly, the file in this matter has been closed.

The file will be made part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

If you have any questions, please contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lawrence M. Noble", is written over the typed name.

Lawrence M. Noble
General Counsel

2104006315



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

August 21, 1991

Arvin M. Vaughan
Financial Counseling, Inc.
7811 Mad River Road
Centerville, Ohio 45459

RE: MUR 2774
Financial Counseling, Inc.,
and Arvin M. Vaughn

Dear Mr. Vaughan:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Craig Douglas Reffner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

Lois G. Lerner
BY: Lois G. Lerner
Associate General Counsel

9104036216



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 21, 1991

Marc R. Gordon, Esq.
Casstevens, Hanner, Gunter & Gordon, P.A.
P. O. Box 34607
Charlotte, North Carolina 28234

RE: MUR 2774
Dayton Lubrication, Inc.
("Jamos Lubrication, Inc.")
and Bill Johnson

Dear Mr. Gordon:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact
Craig Douglas Reffner, the attorney assigned to this matter, at
(202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

Lois G. Lerner
3 *HLN*

BY: Lois G. Lerner
Associate General Counsel

2104055117



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

THIS IS THE END OF MUR # 8274

DATE FILMED 9/27/91 CAMERA NO. 4
CAMERAMAN AS

110405218



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 2774.

10/2/91

91040871667

FEDERAL

91 SEP 30 PM 2:31

06C 2950
Ref
John

September 25, 1991

Mr. Lawrence M. Noble
General Counsel
Federal Election Commission
Washington, DC 20463

RE: MUR 2774
Crutcher for Congress

Dear Mr. Noble:

This is to advise you that I am in receipt of your August 21st letter and further to advise you that the bank account in question was in fact disclosed as early as my 1986 report filings.

Therefore, The Crutcher for Congress Committee or its Treasurer did not violate 2U.S.C.55 432(h)(i), 433(b)(6) and 433(c) and expect to be vindicated of all allegations for with.

Sincerely,



Ronald J. Crutcher

RJC/pas

cc: Atty. Gwendolyn Bowers

91 SEP 30 PM 3:40

91040871668



FEDERAL ELECTION COMMISSION

WASHINGTON D C 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 2774.

11/8/91

91040374789

OBC 2950

FEDERAL ELECTION COMMISSION

91 SEP 30 PM 2:31

CLOSED

September 25, 1991

Mr. Lawrence M. Noble
General Counsel
Federal Election Commission
Washington, DC 20463

RE: MUR 2774
Crutcher for Congress

91 SEP 30 PM 3:40

Dear Mr. Noble:

This is to advise you that I am in receipt of your August 21st letter and further to advise you that the bank account in question was in fact disclosed as early as my 1986 report filings.

Therefore, The Crutcher for Congress Committee or its Treasurer did not violate 2U.S.C.55 432(h)(i), 433(b)(6) and 433(c) and expect to be vindicated of all allegations for with.

Sincerely,



Ronald J. Crutcher

RJC/pas

cc: Atty. Gwendolyn Bowers

91040374720