

COMMONWEALTH OF MASSACHUSETTS
STATE ETHICS COMMISSION

SUFFOLK, ss.

COMMISSION ADJUDICATORY
DOCKET NO. 18-0004

IN THE MATTER

OF

GLORIA FOX

ORDER TO SHOW CAUSE

1. The State Ethics Commission is authorized to enforce G.L. c. 268B, the Financial Disclosure Law, and in that regard, to initiate and conduct adjudicatory proceedings.

2. On December 21, 2017, the Commission found reasonable cause to believe that Gloria Fox violated G.L. c. 268B, § 5, and authorized the initiation of adjudicatory proceedings.

FACTS

3. Fox served as a Massachusetts State Representative for more than thirty days in 2016. Fox is no longer serving as a State Representative.

4. State Representatives are public officials as defined in GL. C. 268B, § 1.

5. In accordance with G.L. c. 268B § 5(b), every public official shall file a statement of financial interests for the proceeding calendar year with the commission on

or before the last Tuesday in May, unless that person served less than thirty (30) days in that calendar year.

6. Having served as a State Representative for more than thirty (30) days in 2016, Fox was required to file an SFI for calendar year 2016 in accordance with G.L. c. 268B.

7. In accordance with G.L. c. 268B, § 5, Fox was required to file her 2016 SFI on or before May 30, 2017.

8. Fox did not file her 2016 SFI on or before May 30, 2017.

9. On June 6, 2017, the Commission sent a notice entitled, Notice of Failure to Comply with Filing Deadline for Statement of Financial Interests for Calendar Year 2016, to Fox. The Notice advised Fox that (1) the Commission had not received her 2016 SFI; (2) the 2016 SFI was due May 30, 2017, (3) if she failed to file her 2016 SFI by June 19, 2017, the Commission would impose civil penalties; and (4) she would not incur civil penalties if she filed her SFI by June 19, 2017.

10. Fox filed her 2016 SFI on November 22, 2017.

11. By failing to timely file her 2016 SFI after receiving the Notice, Fox violated G.L. c. 268B, § 5.

LAW

12. General Laws chapter 268B, § 4 authorizes the Commission to impose a civil penalty of up to \$10,000 for each violation of chapter 268B.

13. G.L. c. 268B § 5 states that failure to file a SFI within ten days of receiving written notice from the Commission that a filing is delinquent, with the penalties for failure, is a violation of G.L. c. 268B.

14. The Commission has adopted the following civil penalty schedule for SFIs filed more than 10 days after receipt of the Notice.

1-10 days late	\$100
11-20 days late	\$200
21-30 days late	\$300
31-40 days late	\$400
41-50 days late	\$500
51-60 days late	\$600
61-70 days late	\$700
71-80 days late	\$800
81-90 days late	\$900
91-100 days late	\$1,000
101- 110 days late	\$1,100
111-120 days late	\$1,200
121 days to the day before an Order to Show Cause is issued	\$1,250
The date an Order to Show Cause is issued to the day before a Decision and Order is issued by the Commission	\$2,500
The date a Decision and Order is issued by the Commission	Up to \$10,000

15. Based on the above schedule, Fox is subject to a \$1,250 civil penalty.

16. To date, Fox has not paid the civil penalty associated with her late filing.

WHEREFORE, Petitioner asks that the Commission:

- a) find that Gloria Fox violated G.L. c. 268B, § 5 by failing to file her 2016 SFI within ten (10) days of receiving written notice from the Commission that she was delinquent in filing her 2016 SFI; and
- b) impose a civil penalty pursuant to

G.L. c. 268B, § 4(j) and the Commission's
civil penalty schedule.

Respectfully submitted,
Petitioner State Ethics Commission
By its attorneys,

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