



NEWS RELEASE

N.J. Election Law Enforcement Commission

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The Election Law Enforcement Commission has fined John Mesisca \$1,000 for filing a campaign finance report which bore a fabricated date stamp of the office of the Bergen County Clerk. Mesisca served as the campaign treasurer for John DeSena and Nancy Sarube, who were candidates seeking election to the Fairview Borough Council in November 1981.

The fine was imposed as part of an Order of Consent and Settlement agreed to by Mesisca and candidates DeSena and Sarube. The proceeding was initiated when the candidates and their treasurer failed to file a 25-day pre-election report in connection with their candidacy for the 1981 general election. After the candidates and treasurer were served with a complaint from the Commission, Mesisca, in a letter dated April 21, 1982, transmitted photostats of documents that were purported to be 25-day pre-election reports on behalf of the candidates. On the front page of each photostatic copy was a photocopied date stamp from the office of the Bergen County Clerk showing receipt in that office on October 9, 1981 at 10:45 a.m. Those photostatic copies had been offered to the Commission in support of Mesisca's representation that the candidates had filed timely 25-day pre-election reports for the 1981 general election.

However, the Commission determined that the photostatic copies submitted on behalf of the candidates were not what they purported to be in that no 25-day pre-election reports on behalf of either candidate had been filed on October 9, 1981 in the office of the Bergen County Clerk. Rather, it appeared that a copy of the date stamp from another document was affixed to the reports which were submitted to the Commission by the treasurer.

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The Commission also concluded that candidates DeSena and Sarube had provided, on a timely basis, their treasurer with appropriate data for their respective 25-day campaign finance reports and had in fact signed the reports. However, the reports were not filed by the treasurer. Based upon the record of the proceeding, the Commission concluded that the candidates had acted reasonably in relying upon Mesisca to file the reports and, therefore, imposed no fine or penalty on either John DeSena or Nancy Sarube.

Falsely certifying campaign finance reports and improperly affixing representations of the Bergen County Clerk's date stamp to campaign finance reports can subject a violator to criminal sanctions. The Commission referred this matter to the Division of Criminal Justice which deferred prosecution in response to the action taken by the Commission.

Scott Weiner, the Commission's Executive Director, indicated that the penalty imposed by the Commission reflects the seriousness with which the Commission viewed the actions by John Mesisca. "The Commission viewed the actions of John Mesisca as an egregious violation of the Campaign Reporting Act requiring the imposition of the maximum penalty available to the Commission. In addition, his actions exhibited a disregard of the requirements of the Campaign Reporting Act and the responsibilities imposed upon a campaign treasurer to be publicly accountable for the receipt, expenditure and disclosure of campaign funds."

Copies of the complaint and final decision are available at the Commission's office.

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