



STATE OF MAINE
COMMISSION ON GOVERNMENTAL ETHICS
AND ELECTION PRACTICES
135 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0135

To: Commission
From: Jonathan Wayne, Executive Director
Date: January 23, 2022
Re: Update on Mathew Toth and Clinton Collamore

This memo is to update you on developments in two cases of misconduct by 2022 candidates for the Maine House of Representatives in their efforts to qualify for Maine Clean Election Act (MCEA) funding. To qualify for public campaign funds, candidates for the House must collect qualifying contributions (QCs) of \$5 from at least 60 registered voters in the candidate's district and submit them to our office by April 20th of the election year. In order for a QC to be valid, the contributor must:

- give \$5 in the form of a check, cash or online payment, and
- sign a form affirming that they made the contribution with their personal funds.

The contributor's signature on the form is important to the integrity of the program because it verifies that a \$5 contribution was actually made in support of the candidate.

Every election year, around 200 candidates for the Legislature participate in the MCEA program. The Commission staff closely examines the QCs and supporting documents submitted by candidates. In our experience, fraud is rare. Almost all candidates qualify the right way and follow the rules. In 2022, the Commission staff spotted irregularities in forms that two candidates submitted to our office. We conducted our own investigations and referred these cases to the Office of the Attorney General (OAG) for further investigation. The OAG sought and obtained criminal indictments for both candidates.

MCEA candidates can avoid this outcome by taking two simple precautions:

- 1) make sure they actually receive \$5 of personal funds from each person listed as a contributor, and
- 2) do not let anyone but the contributor sign the contributor's name on forms submitted to the Commission.

Matthew Toth. Mr. Toth of Sanford was a candidate for State Representative, District 143. He applied for MCEA funding. During Candidate Registrar Emma Burke's review of his application, she noticed irregularities in the contributor signatures on forms Mr. Toth submitted to our office. The Commission staff concluded that signatures submitted for at least 12 contributors were not genuine.

The Commission staff interviewed nine of the contributors or their spouses/domestic partners. They indicated that signatures on Mr. Toth's forms for seven contributors were not authentic, that is, someone had forged the contributors' signatures on the forms. Even more troublingly, it appeared that three of the people identified as contributors had not made a QC. The Commission staff referred the matter to the OAG for further investigation.

Based on the staff's investigation, we denied MCEA funding to Mr. Toth in April 2022. He withdrew from the general election ballot. The Attorney General's office sought and obtained an indictment of Mr. Toth on December 5, 2022.

Clinton Collamore. Mr. Collamore of Waldoboro ran for the Maine House of Representatives, District 45. He was elected in the November 8, 2022 general election and is currently serving.

In April 2022, Mr. Collamore qualified for initial payments for the primary and general elections. By submitting additional QCs, he later qualified for six supplemental payments. In total, he received \$14,274 in MCEA funds.

During the summer of 2022, Candidate Registrar Erin Gordon noticed a pattern in the contributor signatures on Mr. Collamore's forms. The staff re-examined the forms and identified more than 30 contributors whose signatures did not seem genuine. Our opinion was that the candidate had signed for the contributors. We attempted to interview some of them. Four contributors reviewed the forms Mr. Collamore had submitted to our office and confirmed that they did not sign the forms. We referred the matter to the OAG for further investigation. The OAG sought and obtained an indictment of Rep. Collamore on December 15, 2022. The Commission staff is waiting to see the outcome of the criminal prosecution before recommending any enforcement action by the Commission. Thank you.