



**THE HUMANE SOCIETY
OF THE UNITED STATES**

August 16, 2010

COPY

Ohio Elections Commission
21 West Broad Street, Suite 600
Columbus, OH 43215

Re: Complaint under ORC § 3517.13(G)(2)(a)

To whom it may concern:

On behalf of the Humane Society of the United States, this letter serves as a complaint against the Ohio Game Fowl Breeders Association Political Action Committee ("OGBA PAC"), for violating ORC § 3517.13(G)(2)(a) by contributing monetary donations to political campaigns in the name of another.¹ The Ohio Game Fowl Breeders Association ("OGBA"), the OGBA PAC's sister organization, is the Ohio state chapter of the United Game Fowl Breeders Association ("UGBA"). Both the OGBA PAC's, as well as the OGBA's agent is Elizabeth Turner, with a registered address of 26807 Kime Holderman Road, Circleville, OH, 43113.

Although the UGBA claims that it is an "organization [of] game fowl breeders and others who recognize the importance of preserving the game fowl industry," the group and its affiliates actively support illegal cockfighting, a cruel and inhumane blood sport in which trained and

¹ A substantially similar complaint was rejected by the Commission on August 9, 2010 for lack of a notarized signature. [Attachment 1](#).

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frequently drugged roosters have sharp spurs attached to their feet and are forced to fight each other to the death while onlookers cheer and place bets.² Cockfighting is illegal in every state and is a felony in 39.³ It is also a violation of federal law when it impacts interstate commerce.⁴

On at least two occasions, the OGBA has paid an individual, Joshua Codner, residing at 15150 Wildwood Lane, Marysville, Ohio, to make donations to political candidates. As explained below, one of these payments was made for the purpose of contributing to a candidate's campaign for the Ohio State Legislature, in violation of ORC § 3517.13(G)(2)(a). This statute explicitly forbids donations made in the name of another:

No person shall make a contribution to a campaign committee, political action committee, political contributing entity, legislative campaign fund, political party, or person making disbursements to pay the direct costs of producing or airing electioneering communications in the name of another person.

According to public records, on October 7, 2008, the OGBA paid Mr. Codner \$750 as a "reimbursement for Senator Wilson Donation."⁵ Two days later, on October 9, 2008, Mr. Codner then made a \$750 donation to "Jason Wilson for Senate," a committee to elect Wilson to the Ohio State Legislature.⁶ Thus, the OGBA PAC violated ORC § 3517.13 by making a contribution to the "Jason Wilson

² See <http://www.ugba.info/aboutus.htm>; see also <http://www.hsus.org/acf/news/cockfightinggroupindicted11808.html>; *United Gamefowl Breeders Assoc. v. Venemon*, Declaration of Sandy Johnson, CV03-0970LO (W.D. La. 2003); *U.S. v. Fannon*, *Indictment*, 3:08CR00043 (W.D. Va. 2008).

³ <http://www.humanesociety.org/issues/cockfighting>.

⁴ 7 U.S.C. § 2156.

⁵ Attachment 2 (generated by searching "Campaign Finance Disclosure" on Ohio Secretary of State website: <http://www.sos.state.oh.us/SOS/Campaign%20Finance/Database.aspx>).

⁶ Attachment 3 (generated by searching "Campaign Finance Disclosure" on Ohio Secretary of State website: <http://www.sos.state.oh.us/SOS/Campaign%20Finance/Database.aspx>).

for Senate" committee in Joshua Codner's name, rather than in its own name.⁷ The contribution by OGBA to Mr. Wilson's candidacy may have been made in this indirect manner so that Wilson could avoid being publicly associated with an organization affiliated with the criminal activity of cockfighting. This is exactly what ORC § 3517.13(G)(2)(a) was intended to prevent.

Advisory Opinion 2006ELC-02 issued by the Ohio Election Commission makes clear that ORC § 3517.13(G)(2)(a) was enacted to prevent "conduit" contributions, or contributions made in the name of another, and furthermore, that PACs, such as the OGBA PAC are included in the definition of "person."⁸ Thus, there can be little question that the OGBA PAC directly violated Ohio's campaign finance laws by prepaying an individual to make a monetary contribution to a state political candidate's campaign.

Accordingly, we respectfully request that you review the above information and respond with appropriate enforcement action.

Sincerely



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⁷ The OGBA is also violating federal election laws by making similar "pass-through" donations to a federal legislative candidate. For example, on September 15, 2008, the OGBA paid Mr. Codner \$300. Three days later, on September 18, 2008, Mr. Codner then made a \$300 donation to "Bocchieri for Congress," a federal committee to elect Bocchieri to the U.S. House of Representatives. See www.sos.state.oh.us/SOS/Campaign%20Finance/Database.aspx.

⁸ See <http://elc.ohio.gov/AdvisoryOpinion/2006elc02.pdf>.