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# Editorial: Cahillane's lapses on campaign rules troubling

Thursday, October 20, 2016

Hampshire County sheriff candidate Patrick Cahillane returned \$10,010 in contributions to employees of his department earlier this month because they are barred by state law from giving money to his campaign.

This is the second campaign misstep that Cahillane describes as an innocent mistake resulting from being unaware of state laws. Such ignorance is unacceptable for a candidate seeking the county's highest law enforcement position.

Cahillane, the Democratic nominee for sheriff, has for 14 years been assistant superintendent of the Hampshire County Jail and House of Correction, where he supervises about 170 employees. He is second in command to Sheriff Robert Garvey, who is not seeking re-election. About one-quarter of the \$39,000 donated to Cahillane's campaign committee came from jail employees.

That money had to be returned because state law bars an appointed official from accepting donations by people he supervises. The law is de place to prevent employees from feeling pressured by their boss to give money to a political campaign.

Cahillane said that \$10,010 was returned after he was contacted by the state Office of Campaign and Political Finance. Cahillane said he and the people running his campaign committee were unaware of the prohibition affecting appointed officials, explaining, "This is my first run for political office so there will be things that (his campaign) committee will get wrong."

There is no evidence that Cahillane strong-armed employees for campaign cash. Daniel Hart, an assistant deputy superintendent, explained why he gave \$250 to Cahillane's committee. "I worked for the guy for 34 years and he really is the only candidate worth discussing. The people who work with him are also who know him best and know he does his job. (The law) puts him at a disadvantage."

Hart said he had given money to Garvey's campaign for decades and thought he could similarly support Cahillane. The difference, however, is that state law does not bar elected officials from accepting contributions from employees they supervise, either directly or indirectly.

Garvey said that the different standards result in "a tremendous amount of confusion, and certainly in Patrick's case it's a very, very honest mistake."

Even campaign finance reformers agree that the law on elected vs. unelected office seekers seems to create a double standard. If it's wrong for a top official to take campaign money from underlings, it shouldn't matter how that official first got the job.

This case, along with others, suggest it's time to eliminate the disparity. Extending the ban on contributions to elected officials is overly broad because it would bar thousands of people – in the case of the governor, potentially all state employees – from backing their favorite candidate with a cash donation. But limiting contributions from an officer-seeker's underling to \$50 a year – significantly less than the current \$1,000 cap – would allow that expression of support while reducing the appearance that a more sizable donation might lead to favorable treatment. We urge the Legislature to consider that reform.

Meanwhile, there is no excuse for Cahillane's professed ignorance of existing law. It is the responsibility of all candidates for public office to be familiar with the rules governing the conduct of their campaigns.

This is the second such lapse made by Cahillane during his nine-month campaign. He marched in the Chesterfield Fourth of July parade with a contingent from the sheriff's department, including uniformed officers and marked vehicles. That could violate the state's conflict-of-interest law which prohibits resources including "automobiles and other equipment purchased or maintained by the government" from being used for political purposes.

Cahillane at the time was campaigning against two other Democrats ahead of the Sept. 8 primary. He denied that he was trying to gain an unfair advantage by using his access to sheriff's department resources. "I didn't even think there was an issue ... it had nothing to do with trying to violate the ethics of the commonwealth of Massachusetts," he said.

While we accept Cahillane's assertion that he has not willfully violated state laws, we expect that there will be no more such mistakes before the Nov. 8 election.

