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COMMONWEALTH OF MASSACHUSETTS  
STATE ETHICS COMMISSION

SUFFOLK, ss.

COMMISSION ADJUDICATORY  
DOCKET NO. 21-0005

IN THE MATTER

OF

JOHN CAPLIS

**ORDER TO SHOW CAUSE**

1. The State Ethics Commission ("Commission") is authorized by G.L. c. 268B to enforce G.L. c. 268A, the state conflict of interest law, and in that regard, to initiate and conduct adjudicatory proceedings.
2. On June 24, 2021, the Commission found reasonable cause to believe that Caplis violated G.L. c. 268A, §§ 23(b)(2)(ii), 23(b)(3), and 23(b)(4), and authorized the initiation of adjudicatory proceedings.

**FACTS**

3. During all relevant times, Caplis was the Director of Veterans Services for the Town of Templeton and a Templeton municipal employee.
4. Matthew LeClerc ("Matthew") is the owner of Valley View Farm, located at 179 Barre Road in Templeton.
5. Matthew also owns a two-family home located at Address A and Address B<sup>1</sup> on or near Valley View Farm.

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<sup>1</sup> Address A and Address B refer to home addresses and as such, are not included as Parties are to refrain from filing with the Commission papers including such information. 930 CMR 1.04(b)(1).

6. Valley View Farm is incorporated in Massachusetts and Matthew is the sole individual listed on the corporate filings.

7. In October 2014, Matthew wrote a letter verifying that his mother, Priscilla LeClerc (“Priscilla”), lived at Address A and paid rent to him. This letter was submitted to Caplis as Director of Veteran’s Services.

8. M.G.L. c. 115 provides financial assistance for food, housing, clothing, and medical care to veterans and their dependents who have limited incomes. Massachusetts Department of Veterans’ Services (“DVS”) oversees the Chapter 115 benefits program in partnership with local veterans’ service officers.

9. At all relevant times, Priscilla was eligible to receive Chapter 115 benefits as she was the widow of a veteran.

10. From March 2015 to January 2016, Caplis, as the Director of Veterans Services, submitted invoices to the Town for Chapter 115 benefits payable to “Priscilla LeClerc, [Address A].” The invoices did not contain a basis for the reimbursements.

11. In late 2016, Matthew began constructing a structure to be used for business purposes at Valley View Farm.

12. Matthew did not obtain the required building permit from the Town prior to starting construction.

13. After Matthew began construction, the Templeton building commissioner notified him that a building permit was required for the work being performed at Valley View Farm.

14. On January 17, 2017, Matthew applied for a building permit for 179 Barre Road with a total project cost of \$10,000.

15. Matthew's building permit cost was \$484.
16. In mid-January 2017, Matthew paid \$484 for the building permit by check drawn from the Valley View Farm account.
17. Prior to Matthew's payment, Caplis communicated with the Templeton building department staff and requested that Matthew's building permit fee be waived.
18. The Templeton building department does not have the authority to waive building permit fees.
19. In February 2017, Caplis, as the Director of Veterans Services, submitted an invoice to the Town for Chapter 115 benefits for a \$484 reimbursement payable to "Priscilla LeClerc c/o Matthew LeClerc, 179 Barre Road".
20. On the invoice, Caplis identified the basis for the \$484 reimbursement request as "medical and prescriptions."
21. Caplis's actual purpose for submitting the invoice for payment to the Town was to reimburse Matthew for the cost of the \$484 building permit.
22. Upon a request from the Director of Veteran's Services for payment of Chapter 115, the Town pays the benefit to the veteran or eligible dependents and then the state, via DVS, reimburses the Town.
23. The procedure for obtaining Chapter 115 benefits from DVS requires the veteran service officer to electronically submit a claim for reimbursement to DVS for verification or confirmation of the benefit.
24. In February 2017, Matthew was not eligible to receive Chapter 115 benefits.
25. In February 2017, Caplis was friends with Matthew.

26. In February 2017, Caplis was in a personal relationship with a relative of Matthew's who lived at Address B.

27. Caplis did not follow standard Chapter 115 benefits procedure as he did not submit the claim for the \$484 reimbursement to DVS for verification or confirmation of the benefit.

28. Chapter 115 benefits may not be used to reimburse building permits.

29. The \$484 reimbursement request was placed on the Town warrant, approved by the board of selectmen on February 24, 2017 and a \$484 check was issued to Priscilla.

## **LAW**

### *Section 23(b)(2)(ii)*

30. General Laws chapter 268A, § 23(b)(2)(ii) prohibits a public employee from knowingly, or with reason to know, using or attempting to use such official position to secure for such officer, employee or others unwarranted privileges or exemptions which are of substantial value and which are not properly available to similarly situated individuals.

31. Caplis knowingly, or with reason to know, used his official position as Director of Veteran's Services when he submitted a request to the Town for Chapter 115 benefits to reimburse Matthew for a building permit.

32. Chapter 115 benefits are a privilege.

33. The request for Chapter 115 benefits was unwarranted because Chapter 115 may not be used to reimburse building permit fees.

34. The request for Chapter 115 benefits were also unwarranted because

Matthew was not eligible to receive such benefits.

35. The unwarranted privilege was of substantial value because the refunded amount was \$484.

36. The refund was not properly available to similarly situated individuals because reimbursement for the cost of a building permit from Chapter 115 benefits and/or the payment of Chapter 115 benefits to an ineligible person was not lawfully available to any individual.

37. By knowingly, or with reason to know, using his official position as Director of Veterans Services to obtain a fraudulent reimbursement for a \$484 building permit, Caplis violated G.L. c. 268A, § 23(b)(2)(ii).

*Section 23(b)(3)*

38. Section 23(b)(3) prohibits a public employee from knowingly, or with reason to know, acting in a manner which would cause a reasonable person, having knowledge of the relevant circumstances, to conclude that any person can improperly influence or unduly enjoy his favor in the performance of his official duties, or that he is likely to act or fail to act as a result of kinship, rank, position or undue influence of any party or person.

39. By, as described above, submitting an invoice for reimbursement for Matthews building permit, Caplis knowingly, or with reason to know, acted in a manner which would cause a reasonable person, having knowledge of all the relevant circumstances, including Caplis's friendship with Matthew and personal relationship with Matthew's relative, to conclude that Caplis would be likely to act unduly favorably toward Matthew in the performance of his official duties as a Director of Veteran's

Services.

40. By doing so, Caplis violated G.L. c. 268A, § 23(b)(3).

*Section 23(b)(4)*

41. Section 23(b)(4) prohibits a public employee from knowingly, or with reason to know, presenting a false or fraudulent claim to his employer for any payment or benefit of substantial value.

42. As Director of Veteran's Services, Caplis was employed by the Town of Templeton.

43. The February 2017 request for reimbursement of \$484 which Caplis submitted to the Town for payment, was a claim presented to his employer.

44. The February 2017 request for reimbursement was false because Caplis documented that the basis for the reimbursement was "medical prescriptions" for Priscilla LeClerc when, in fact, it was to reimburse Matthew LeClerc for a building permit.

45. The February 2017 request for reimbursement was also false because Caplis submitted it to the Town knowing that he did not intend to submit a request to DVS to reimburse the Town for payment.

46. The February 2017 request for reimbursement was of substantial value because it requested a payment of \$484.

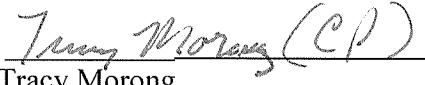
47. By, as Director of Veteran's Affairs, knowingly, or with reason to know, submitting a fraudulent request for reimbursement to the Town, which was a claim for payment of substantial value, Caplis violated § 23(b)(4) by presenting false or fraudulent claims to his employer for payments or benefits of substantial value.

WHEREFORE, Petitioner asks that the Commission:

1. find that Caplis violated G.L. c. 268A, §§ 23(b)(2)(ii); 23(b)(3); and 23(b)(4); and
2. levy such fines, issue such orders and grant such other relief as may be appropriate.

Date: September 10, 2021

Respectfully submitted,  
Petitioner State Ethics Commission  
By its attorney,

  
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