

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

Complaints of Santa Mendoza
and Hattie Wucik, Preston

File No. 2007-416
File No. 2008-008

FINDINGS AND CONCLUSIONS

Complainant Mendoza filed a complaint pursuant to General Statutes § 9-7b, alleging that "Preston and Friends" is an improperly formed political action committee since the registration statement is not signed. She further alleged that, as an improperly formed political action committee, "Preston and Friends" improperly expended monies to issue a mailer to influence the outcome of an election.

Complainant Wucik, in her capacity as Town Clerk of Preston, alleges that the Political Action Committee "Preston and Friends" was formed on November 1, 2007, but failed to file any subsequent reports. Further, "Preston and Friends" failed to respond to Wucik's attempts under Conn. Gen. Stat. § 9-623 to contact the committee.

After an investigation of this matter, the Commission makes the following findings and conclusions:

1. On or about November 1, 2007, a Political Committee Registration (SEEC Form 3) was filed with the Preston Town Clerk's office purporting to register a political action committee by the name of "Preston and Friends." The registration statement was not signed by either the purported chairperson or treasurer, and contains contradictory information, including, but not limited to, indicating that its purpose is both "Ongoing" (Box 25a) and "Durational" (Box 25b).
2. General Statutes § 9-602 provides, in pertinent part:
 - (a) Except with respect to an individual acting on his own, no contributions may be made, solicited or received and no expenditures may be made, directly or indirectly, in aid of or in opposition to the candidacy for nomination or election of any individual or any party or referendum question, unless (1) the candidate or chairman of the committee has filed a designation of a campaign treasurer and a depository institution situated in this state as the depository for the committee's funds or (2) the candidate or, in the event of a referendum question, a group of individuals has filed a certification in accordance with the provisions of section 9-604 or 9-605, as the case may be. In the case of a political committee, the filing of the statement of organization by the chairman of such committee, in accordance with the provisions of section 9-605 shall constitute compliance with the provisions of this subsection.

3. General Statutes § 9-605 provides, in relevant part:

(a) The chairperson of each political committee shall designate a campaign treasurer and may designate a deputy campaign treasurer. The campaign treasurer and any deputy campaign treasurer so designated shall sign a statement accepting the designation. The chairperson of each political committee shall file a statement of organization along with the statement signed by the designated campaign treasurer and deputy campaign treasurer with the proper authority, within ten days after its organization, provided that the chairperson of any political committee organized within ten days prior to any primary, election or referendum in connection with which it intends to make any contributions or expenditures, shall immediately file a statement.

(b) The statement shall include: (1) The name and address of the committee; (2) a statement of the purpose of the committee; (3) the name and address of its campaign treasurer, and deputy campaign treasurer if applicable; (4) the name, address and position of its chairman, and other principal officers if applicable; (5) the name and address of the depository institution for its funds; ... (13) a statement indicating whether the committee is established for a single primary, election or referendum or for ongoing political activities; ... (16) any information that the State Elections Enforcement Commission requires to facilitate compliance with the provision of this chapter or chapter 157.

4. General Statutes § 9-606(d) provides:

(d) No person shall act as a campaign treasurer or deputy campaign treasurer unless the person is an elector of this state, and a statement, signed by the chairman in the case of a party committee or political committee or by the candidate in the case of a candidate committee, designating the person as campaign treasurer or deputy campaign treasurer, has been filed in accordance with section 9-603. In the case of a political committee, the filing of a statement of organization by the chairman of the committee, in accordance with the provisions of section 9-605, shall constitute compliance with the filing requirements of this section. . . .

5. Gail Gale of Sherman Ave., Hartford, is listed as the chairperson of "Preston and Friends." However, the investigation revealed that there is no such person at such address, and that Gail Gale is an unknown or not properly identified or actual person.
6. David Womack of 7 May Street, Hartford, is listed as the treasurer of "Preston and Friends."
7. A David Womack, formerly of 7 May Street, Apt. 502, Hartford, who currently lists 567 Decatur Street, 1st Floor, Brooklyn, NY 11233 as his address, has demonstrated that he (a) has no knowledge of "Preston and Friends;" (b) did not complete the political committee registration; (c) has not participated in political campaigning in Connecticut; and (d) does not, in fact, know where Preston is located.

8. It appears that someone assumed David Womack's identity for purposes of completing the registration documents for "Preston and Friends." After an extensive search, it is concluded that no known, actual or identifiable individual or individuals formed "Preston and Friends" and that the political committee registration filed was false.
9. "Preston and Friends" is not properly registered and therefore any and all expenditures made by "Preston and Friends" are deemed in violation of Conn. Gen. Stat. § 9-602.

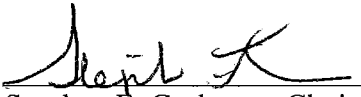
ORDER

The following Order is issued on the basis of the aforementioned findings:

The matter is dismissed without prejudice, and the Commission retains jurisdiction to reopen the matter should evidence be subsequently discovered of the responsible individuals associated with the registration and expenditures made by "Preston and Friends."

Complainant Wucik, the Preston Town Clerk, shall administratively terminate the political committee "Preston and Friends."

Adopted this 24th day of March 2010 at Hartford, Connecticut



Stephen F. Cashman, Chairman
By Order of the Commission