

FEB 08 2011

ENFORCEMENT COMMISSION

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In Re: Russo for Senate Campaign

File No. 2009-066

AGREEMENT CONTAINING A CONSENT ORDER AND PAYMENT OF A CIVIL
PENALTY FOR VIOLATIONS
OF CONNECTICUT GENERAL STATUTES §§ 9-606 (a) and (d) and 9-607 (d) and (e)

This Agreement by and between Ward Thrasher and Gordon Andrew of the City of Bridgeport, State of Connecticut, hereinafter referred to as Respondent Thrasher and Respondent Andrew, and the undersigned authorized representative of the State Elections Enforcement Commission, is entered into in accordance with Connecticut General Statutes § 4-177 (c) and Regulations of Connecticut State Agencies § 9-7b-54. In accordance herewith, the parties agree that:

1. This Commission initiated an investigation into this matter on July 30, 2009. Specifically, the Commission authorized an investigation into whether Robert Russo, his treasurer Ward Thrasher, and/or Gordon Andrew violated General Statutes §§ 9-607 (a), 9-607 (e), CEP program statutes, regulations or requirements based up on the information discovered during the audit of Russo for Senate candidate committee (hereinafter the "Committee"). In that audit, a finding was made that forty-seven checks totaling \$69,181.67 were signed by an individual, Respondent Andrew, who was not the designated treasurer or deputy treasurer of the Committee.
2. The evidence establishes that forty-seven checks totaling \$ 69,181.67 were, in fact, signed by Respondent Andrew, Robert Russo's campaign manager. According to Committee treasurer, Respondent Thrasher, he preapproved Respondent Andrew's signature on those checks. There is no evidence to the contrary nor is there evidence that establishes that those expenditures were impermissible pursuant to General Statutes § 9-607 (g).
3. General Statutes § 9-606 (a) (2) does, however, provide that the *campaign treasurer* of each committee shall be responsible for making expenditures. (Emphasis added.) In addition, § 9-606 (d) prohibits any person from acting as a campaign treasurer unless a statement signed by the candidate in the case of a candidate committee, designating the person as campaign treasurer has been filed in accordance with section 9-603. Finally, General Statutes § 9-607 (d) and (g) provide that no payment in satisfaction of any financial obligation incurred by a committee shall be made by any person other than the campaign treasurer and that any such payment shall be by check *drawn by the campaign treasurer*, on the designated depository authorization issued pursuant to subsection (a) of this section. (Emphasis added.)
4. Here, the evidence establishes that the forty seven Committee checks at issue were drawn by Respondent Andrew. According to the Committee's Registration Statement (SEEC Form 1) filed with the Commission on February 8, 2008, Respondent Andrew was not the duly designated treasurer or deputy treasurer of the Committee.

5. The Commission therefore concludes that Respondent Andrew violated General Statutes §§ 9-606 (d) and 9-607 (d) and (e).
6. In addition, the Commission concludes that Respondent Thrasher violated General Statutes § 9-606 (a) (2) by authorizing another to make expenditures on behalf of the Committee. As noted above, § 9-606 (a) (2) states that the campaign treasurer is responsible for making committee expenditures.
7. The Commission notes, however, that Respondent Thrasher takes full responsibility for Respondent Andrew's violation of General Statutes §§ 9-606 (d) and 9-607 (d) and (e) as Respondent Thrasher authorized Respondent Andrew to make said expenditures under the mistaken belief that such activity was permissible.
8. The Respondents admit all jurisdictional facts and agree that this Agreement and Order shall have the same force and effect as a final decision and Order entered into after a full hearing and shall become final when adopted by the Commission.
9. The Respondents waive:
 - a) Any further procedural steps;
 - b) The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law, separately stated; and
 - c) All rights to seek judicial review or otherwise to challenge or contest the validity of the Order entered into pursuant to this Agreement.
10. Upon the Respondents' agreement to comply with the Order hereinafter stated, the Commission shall not initiate any further proceedings against them concerning this matter or the findings that appear in the Final Audit Report for the 2008 Russo for Senate Campaign.
11. It is understood and agreed that this Agreement will be submitted to the Commission for consideration at its next meeting and, if the Commission does not accept it, it is withdrawn and may not be used as an admission by the Respondent in any subsequent hearing, if the same becomes necessary.

ORDER

IT IS HEREBY ORDERED THAT the Respondent Thrasher shall pay a civil penalty of three hundred dollars (\$300.00) to the Commission for his and Respondent Andrew's violation of General Statutes §§ 9-606 (a) and (d) and 9-607 (d) and (e).

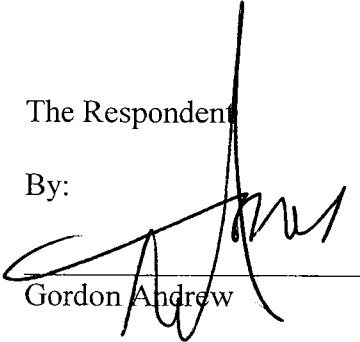
IT IS FURTHER ORDERED THAT the Respondents shall henceforth strictly comply with the requirements of General Statutes §§ 9-606 (d) and 9-607 (d) and (e).


The Respondent

For the State of Connecticut

By:

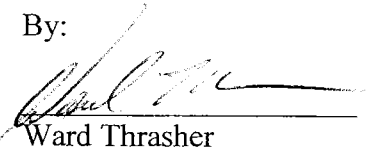
By:


Gordon Andrew


Shannon Clark Kief
Legal Program Director and Authorized
Representative of the State


The Respondent

By:


Ward Thrasher

Dated: 2/2/11

Adopted this 26 day of JAN, 2011 at Hartford, Connecticut by vote of the Commission.


Stephen F. Cashman, Chairman
By Order of the Commission