

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

Complaint of Carolyn Kimberly,
Weston

File No. 2009-142

FINDINGS AND CONCLUSIONS

Complainant filed the instant complaint with the Commission pursuant to General Statutes §9-7b, alleging that Weston In Support of Education (hereinafter WISE) disseminated an email in violation of General Statutes § 9-621 and failed to register as a political committee or file campaign finance disclosure statements in violation of General Statutes §§ 9-602 and 9-608.

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

1. Complainant alleged that WISE claimed to be an advocacy group and was not registered as a political committee.
2. WISE properly filed the *Political Committee Registration* (SEEC Form 3) with the Weston Town Clerk in 2007 and was duly registered as a political committee as that term is defined in General Statutes § 9-601(3). Accordingly, WISE did not violate General Statutes § 9-602 as alleged.
3. Complainant alleged that WISE had not filed campaign finance disclosure statements since July 2008.
4. It was determined that W.I.S.E. did fail to timely file campaign finance disclosure statements with the Weston Town Clerk. It should be noted however, that the Weston Town Clerk did not fulfill her statutory obligation in General Statutes § 9-623(3), where she failed to notify W.I.S.E. by certified mail, return receipt requested, that a filing deadline had been missed. W.I.S.E. has subsequently filed the delinquent campaign finance disclosure statements and paid a civil penalty to the Weston Town Clerk.
5. In light of the fact that WISE did not receive their statutorily required notice and the fact that WISE filed the delinquent campaign finance disclosure statements and paid a civil penalty to the Weston Town Clerk, the Commission will take no further action in connection with this allegation.
6. Complainant further alleged that an email disseminated by WISE in connection with the November 3, 2009 election failed to have an attribution.

7. The email in question bares WISE – Weston In Support of Education across the top along with a P.O. Box # and Weston, CT 06883-1225. The body of the email is 2 pages long and at the conclusion of the email, there is no attribution indicating who paid for it. WISE acknowledged that they failed to include an attribution on the email.

8. General Statutes § 9-621 provides in pertinent part:

(a) *No individual shall make or incur any expenditure with the cooperation of, at the request or suggestion of, or in consultation with any candidate, candidate committee or candidate's agent, and no candidate or committee shall make or incur any expenditure including an organization expenditure for a party candidate listing, as defined in subparagraph (A) of subdivision (25) of section 9-601, for any written, typed or other printed communication, or any web-based, written communication, which promotes the success or defeat of any candidate's campaign for nomination at a primary or election or solicits funds to benefit any political party or committee unless such communication bears upon its face (1) the words "paid for by" and the following: (A) In the case of such an individual, the name and address of such individual; (B) in the case of a committee other than a party committee, the name of the committee and its campaign treasurer; ... [Emphasis added.]*

9. The Commission concludes that WISE violated General Statutes § 9-621(a) by failing to have an attribution on the email that they disseminated.

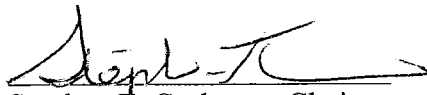
10. In light of the facts and circumstances of this complaint, the Commission is going to dismiss this complaint and take no further action.

ORDER

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

That the matter be dismissed and the Commission take no further action.

Adopted this 22nd day of September 2010 at Hartford, Connecticut


Stephen F. Cashman, Chairman
By Order of the Commission