

**STATE OF CONNECTICUT**  
**STATE ELECTIONS ENFORCEMENT COMMISSION**

In Re: "Friends for Farah"

File No. 2010-122

**AGREEMENT CONTAINING A CONSENT ORDER**

This Agreement by and between Ted Farah of Danbury, Connecticut, hereinafter referred to as the Respondent, 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 September 22, 2010 based on the information discovered during the audit of Friends for Farah, a 2008 candidate committee formed by Respondent Ted Farah, a candidate for state representative for the 109<sup>th</sup> General Assembly District (hereinafter the "Committee"). In that audit, a finding was made that thirty committee checks totaling \$29,336.06 were signed by Ted Farah rather than Committee treasurer, Respondent Jack H. Knapp. In addition, there was a finding that a single expenditure of Committee funds totaling \$1232.15 was made by Respondent Farah after the November 2008 election for which the candidate committee was formed. Specifically, that finding revealed that that expenditure was made to purchase the use of a storage unit to store campaign signs for approximately ten months after the election.
2. The evidence establishes that thirty committee checks totaling \$29,336.06 were signed by Respondent Farah who was not the designated Committee treasurer or deputy treasurer. The Commission has not been presented with any 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 thirty Committee checks at issue were drawn by Respondent Farah. According to the Committee's Registration Statement (SEEC Form 1) filed with the Commission on May 27, 2008, Respondent Farah was not the duly designated treasurer or deputy treasurer of the Committee.
5. The Commission therefore concludes that Respondent Farah violated General Statutes §§ 9-606 (d) and 9-607 (d) and (e).
6. In addition, a finding was made in the audit of the Committee that a single expenditure of Committee funds was made by the Respondent Farah after the November 2008 election was held for which the candidate committee was formed. Specifically, that finding revealed, and the evidence confirms that an expenditure totaling \$1232.15 of Committee funds was made by Respondent Farah to purchase the use of a 5' x 10' storage unit for approximately ten months after the election. According to an agent of the Committee, that storage unit is being used to store signs related to the 2008 election although the Commission has not been presented with any evidence that confirms that representation.
7. General Statutes § 9-706 identifies the participating candidates that may apply for a grant from the Citizens' Election Program. That provision also dictates that said application shall include, among other things, a written certification that "the campaign treasurer of the candidate committee will expend all moneys received from the fund **in accordance with the provisions of subsection (g) of section 9-607 and regulations adopted by the State Elections Enforcement Commission under subsection (e) of this section.**" (Emphasis added.) General Statutes § 9-706 (b)
8. Subsection (e) of that provision further provides that the Commission "shall adopt regulations, in accordance with the provisions of chapter 54, on permissible expenditures **under subsection (g) of section 9-607** for qualified candidate committees receiving grants from the fund under sections 9-700 to 9-716, inclusive." General Statutes § 9-706 (e). (Emphasis added.)
9. General Statutes § 9-607 (g) provides in pertinent part as follows:
  - (1) As used in this subsection, (A) "the lawful purposes of his committee" means: (i) For a candidate committee or exploratory committee, **the promoting of the nomination or election of the candidate who established the committee . . . .**
  - (2) Unless otherwise provided by this chapter, **any campaign treasurer, in accomplishing the lawful purposes of his committee, may pay the expenses of: . . .** . [Emphasis added.]
10. Furthermore, in interpreting General Statutes § 9-607, the Regulations of Connecticut State Agencies § 9-706-1 provides that "all funds in the depository account of the

participating candidate's qualified candidate committee . . . **shall be used only for campaign-related expenditures made to directly further the participating candidate's nomination for election or election** to the office specified in the participating candidate's affidavit certifying the candidate's intent to abide by Citizen's Election Program requirements." (Emphasis added.)

11. In light of the aforementioned provisions, the Commission also concludes that when Respondent Farah made a post-election expenditure of his Committee's funds that did not directly further his nomination for election or election, Respondent Farah violated General Statutes § 9-607 (g) as interpreted by §§ 9-706-1 and 9-706-2 of the Regulations of Connecticut State Agencies, as well as § 9-706-1 itself.
12. The Respondent admits all jurisdictional facts and agrees 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.
13. The Respondent waives:
  - 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.
14. Upon the Respondent's agreement to comply with the Order hereinafter stated, the Commission shall not initiate any further proceedings against him concerning this matter or the findings that appear in the Final Audit Report for the 2008 "Friends for Farah" campaign.
15. The Respondent filed an affidavit with the Commission documenting his inability to pay the initial civil penalty that the Commission authorized against him for violating Connecticut's campaign finance statutes. Considering the Respondent's financial circumstances, the Commission agreed to reduce the civil penalty in this case to the amount reflected in this Consent Order.
16. 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 pay a civil penalty of four hundred dollars (\$400.00) to the Commission and shall henceforth strictly comply with the requirements of General Statutes §§ 9-606 (d), 9-607 (d), (e), and (g) as well as Regulations of Connecticut State Agencies § 9-706-1.

The Respondent

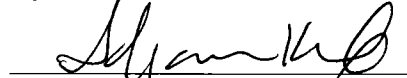
For the State of Connecticut

By:



Ted Farah  
Danbury, Connecticut

By:

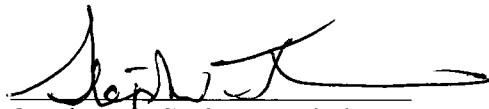


Shannon Clark Kief  
Legal Program Director and Authorized  
Representative of the State  
Elections Enforcement Commission  
20 Trinity Street, Suite 101  
Hartford, Connecticut 06106

Dated: 11/14/11

Dated: 11/16/11

Adopted this 16<sup>th</sup> day of November, 2011 at Hartford, Connecticut by vote of the Commission.



Stephen F. Cashman, Chairman  
By Order of the Commission