

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In re Audit Report of *Aldarondo for State Rep*

File No. 2012-025

AGREEMENT CONTAINING A CONSENT ORDER

The parties, Joanna Aldarondo, hereinafter referred to as “Respondent,” and the undersigned authorized representative of the State Elections Enforcement Commission, enter into this agreement as authorized by Connecticut General Statutes § 4-177 (c) and Regulations of Connecticut State Agencies § 9-7b-54. In accordance with those provisions, the parties agree that:

1. Respondent served as treasurer for the *Aldarondo for State Rep* candidate committee in the 2010 election cycle.¹
2. The candidate ran for state representative for the 75th General Assembly district, which was one of the districts randomly selected for review as part of the Commission’s audit for the 2010 election cycle. During the course of the audit, Commission staff examined all of the expenditures made by the candidate committee.
3. That examination revealed that the candidate and Respondent had eaten numerous meals at Via al Paraiso, a Waterbury restaurant, but the treasurer was unable to produce sufficient documentation for each of the meals eaten at the restaurant.
4. In addition, the candidate committee hosted several campaign events at the restaurant but did not have adequate documentation to support the expenditures for food supplied by the restaurant for the events, including the number of persons attending each event.
5. In total, the candidate committee paid \$9,372 to the restaurant, \$6,000 of which was for two campaign events. There was no record of how many persons were served at either of these events.
6. General Statutes § 9-608 (c) (1) (C) requires a campaign treasurer to itemize each expenditure made by the committee on financial disclosure statements filed periodically

¹ See SEEC Form 1 – Registration of Candidate Committee (*Aldarondo for State Rep*, Sept. 7, 2010) (reflecting Joanna Aldarondo’s appointment as treasurer for her then-husband David Aldarondo’s candidate committee).

with the Commission.² To corroborate the expenditures included on these reports, the treasurer must supply contemporaneous documentation of each expenditure.³

7. The Commission's regulations require "contemporaneous detailed documentation" for all expenditures; absent that documentation the Commission may determine that an expenditure was impermissible.⁴
8. The Citizens' Election Program establishes requirements for meal expenditures, capping the amount of money that a candidate committee may spend per person on meals.⁵
9. The lack of records from the candidate committee made it impossible to determine whether the candidate committee had violated the limits on meal expenditures.
10. The legislature has vested the Commission with the authority to "inspect or audit at any reasonable time and upon reasonable notice the account or records of any campaign treasurer or principal campaign treasurer, as required by chapter 155 or 157[.]"⁶

² See General Statutes § 9-608 (c)(1)(C) (directing campaign treasurer to provide "itemized accounting of each expenditure, if any, including the full name and complete address of each payee, . . . the amount and the purpose of the expenditure, the candidate supported or opposed by the expenditure, whether the expenditure is made independently of the candidate supported or is an in-kind contribution to the candidate . . .").

³ See General Statutes § 9-607 (f) (requiring treasurer to maintain "contemporaneous invoices, receipts, bills, statements, itineraries, or other written or documentary evidence showing the campaign or other lawful purpose of the expenditure").

⁴ The regulation states:

The absence of contemporaneous detailed documentation indicating that an expenditure was made to directly further the participating candidate's nomination for election or election **shall mean that the expenditure** was not made to directly further the participating candidate's nomination for election or election, and thus **was an impermissible expenditure.**" (Emphasis added).

Regs., Conn. State Agencies, § 9-706-1 (b) (State Elections Enforcement Comm'n.).

⁵ Specifically, Regs., Conn. State Agencies, § 9-706-2 (a) (11) limits food and beverage expenditures to \$15 per person for breakfast, \$20 per person for lunch, and \$30 per person for dinner. See Regs., Conn. State Agencies, § 9-706-2 (a) (11) (State Elections Enforcement Comm'n.).

⁶ General Statutes § 9-7b (a) (5). In fact, The Commission also has the authority to subpoena documents and seek enforcement of its subpoenas at the Superior Court in Hartford. See General Statutes § 9-7b (a) (1).

11. By failing to retain the documents that the Commission needed to complete its audit of the candidate committee, the treasurer violated General Statutes § 9-607 (f), which required her to retain those documents.

12. As enumerated in § 9-7b-48 of the Regulations of Connecticut State Agencies:

In its determination of the amount of the civil penalty to be imposed, the Commission shall consider, among other mitigating or aggravating circumstances:

- (1) the gravity of the act or omission;
- (2) the amount necessary to insure immediate and continued compliance;
- (3) the previous history of similar acts or omissions; and
- (4) whether the person has shown good faith in attempting to comply with the applicable provisions of the General Statutes.⁷

13. Respondent admits 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.

14. 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.

15. It is understood and agreed by the parties to this Agreement that the Commission will consider this Agreement at its next meeting and, if the Commission rejects it, the Agreement will be withdrawn and may not be used as an admission by the Respondent in any subsequent hearing, if one becomes necessary.

⁷ Regs., Conn. State Agencies, § 9-7b-48 (State Elections Enforcement Comm'n).

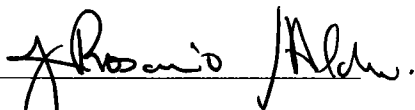
ORDER

IT IS HERERY ORDERED THAT Respondent pay as a civil penalty the amount of \$200 for violating General Statutes § 9-607 (f) when she failed to retain necessary documents to support expenditures related to the candidate committee for which she served as treasurer. Respondent further agrees henceforth to comply strictly with the requirements of General Statutes § 9-607.

The Respondent

For the State of Connecticut

By:



Joanna Aldarondo
Waterbury, CT

By:



Michael J. Brandi, Esq.
Executive Director and General Counsel and
Authorized Representative of the
State Elections Enforcement Commission
20 Trinity St., Suite 101
Hartford, CT 06106


Dated:

9/10/2015

Dated:

9/21/15

Adopted this 20th day of Oct, 2015 at Hartford, Connecticut by vote of the Commission.


Anthony J. Castagno, Chairman
By Order of the Commission

**RECEIVED
STATE ELECTIONS**

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ENFORCEMENT COMMISSION