

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

*In re* Audit Report of *RJo Winch for State Rep.*

File No. 2012-071

**AGREEMENT CONTAINING A CONSENT ORDER**

The parties, Wavis E. Washington, 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 *RJo Winch for State Rep.* candidate committee in a 2010 election for the 7<sup>th</sup> General Assembly seat.<sup>1</sup>
2. The candidate and treasurer executed an affidavit signifying their intention to follow the voluntary expenditure limits required for candidate committees participating in the Citizens’ Election Program.<sup>2</sup>
3. The candidate committee qualified for and received a grant from the Citizens’ Election totaling \$25,390.<sup>3</sup>
4. The 7<sup>th</sup> General Assembly district in the 2010 election was selected as part of the random audit process conducted by the Commission’s Compliance and Audit Unit. During the course of the audit, Commission staff examined expenditures made by the *RJo Winch for State Rep.* candidate committee as well as the backup documentation to support those expenditures.

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<sup>1</sup> See SEEC Form 1 – Registration of Candidate Committee (*RJo Winch for State Rep.*, April 16, 2010) (reflecting establishment of candidate committee by RJo Winch and appointment of Wavis E. Washington as treasurer).

<sup>2</sup> See SEEC Form CEP 10 – Affidavit of Intent to Abide by Expenditure Limits and Other Citizens’ Election Program Requirements (*RJo Winch for State Rep.*, July 9, 2010) (Rec’d July 14, 2010) (evincing intent of candidate, treasurer, and deputy treasurer to abide by voluntary restrictions imposed on candidate committees participating in Citizens’ Election Program).

<sup>3</sup> See SEEC Form CEP 30 – Itemized Campaign Finance Disclosure Form – 7<sup>th</sup> Day Preceding Election (*RJo Winch for State Rep.*, August 3, 2010) (reflecting payment of \$25,389.64 from Citizens’ Election Fund on July 28, 2010).

5. The Commission's examination revealed that the candidate committee had made charitable contributions to several not-for-profit organizations in Hartford.<sup>4</sup>
6. A qualified candidate committee may not make donations to a charity or community organization.<sup>5</sup>
7. General Statutes § 9-608 (e) (1) (A) (ii) requires a candidate committee that received funds from the Citizens' Election Fund to return any surplus it has to the fund.<sup>6</sup>
8. The committee has acknowledged that these funds were sent as contributions to the three organizations listed on the campaign finance disclosure forms.
9. The committee returned a surplus of \$576 to the Citizens' Election Fund.<sup>7</sup>
10. 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.<sup>8</sup>
11. 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.

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<sup>4</sup> See SEEC Form 30 – Itemized Campaign Finance Disclosure Form – 30 days following primary (*RJo Winch for State Rep.*, Sept. 10, 2010) (reflecting payments on Aug. 16, 2010 of \$200 to Andrea Holiday at the Citadel of Love; \$500 to the South End Women's Club; and \$300 to the NAACP).

<sup>5</sup> See Regulations of Conn. State Agencies § 9-706-2 (b) (12) (State Elections Enforcement Comm'n.) (prohibiting qualified candidate committees from making charitable contributions).

<sup>6</sup> See General Statutes § 9-608 (e) (1) (A) (ii) (requiring qualified candidate committees to return surplus funds to Citizens' Election Fund).

<sup>7</sup> See SEEC Form 30 – Itemized Campaign Finance Disclosure Form – Termination (*RJo Winch for State Rep.*, March 21, 2011) (reflecting two payments to Citizens' Election Fund totaling \$576).

<sup>8</sup> Regs., Conn. State Agencies, § 9-7b-48 (State Elections Enforcement Comm'n).

12. 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.

13. 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.

**ORDER**

**IT IS HERERY ORDERED THAT** Respondent shall pay a civil penalty of \$1,000 to the Citizens' Election Fund and henceforth shall comply strictly with the requirements of the regulations and statutes related to the duties of a treasurer under Connecticut's campaign finance regime, especially as those duties relate to the handling of surplus funds for qualified candidate committees. Respondent shall pay the civil penalty in two equal payments: \$500 due upon the execution of this order by the Respondent and the additional \$500 due by August 31, 2015.

The Respondent

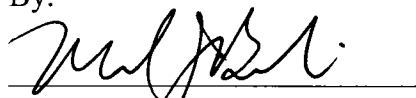
For the State of Connecticut

By:



Wavis E. Washington  
6 Essex Lane  
Bloomfield, CT 06002

By:

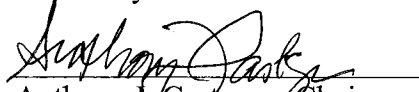


Michael J. Brandi, Esq.  
Executive Director and General Counsel and  
Authorized Representative of the  
State Elections Enforcement Commission  
20 Trinity St., Suite 101  
Hartford, CT 06106

Dated: 8/14/2015

Dated: 8/17/15

Adopted this 18 day of AUG 2015 at Hartford, Connecticut by vote of the Commission.



Anthony J. Castagno, Chairman  
By Order of the Commission