

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

Complaint of Keith G. Golnik,
Terryville

File No. 2013-154

FINDINGS AND CONCLUSIONS

The Complainant filed this complaint with the Commission pursuant to General Statutes § 9-7b, stating that the Complainant received a card supporting candidate Briana J. Brumaghim that did not include the attribution required by General Statutes § 9-621 (a).

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

1. At all times relevant hereto, Briana J. Brumaghim (the "Respondent") was a candidate for Town Clerk in Plymouth, Connecticut.
2. The Respondent used \$77.60 of her personal funds to purchase a card promoting her candidacy (the "Communication").
3. The Communication contained a picture of the Respondent and listed the Respondent's professional credentials.
4. The reverse side of the Communication included the Respondent's name and contact information as well as a campaign message clearly written in the first person by the Respondent.
5. Based on the above, the Commission finds that the reasonable observer would conclude that the Respondent issued the Communication.
6. The Respondent has cooperated fully with the investigation.
7. General Statutes § 9-621 (a), provides, in relevant part:

[N]o candidate ... shall make or incur any expenditure ... 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 ... 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 ... and (2) the words "approved by" and the following: (A) In the case of an individual ... making or incurring an expenditure with the consent of, in coordination with or in consultation with any candidate, candidate committee or candidate's agent, the name of the candidate...

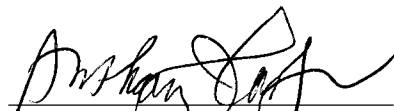
8. Based on the above, the Commission concludes that the Communication should have stated "paid for" and "approved by" the Respondent along with her address.
9. Nevertheless, the Commission declines to take further action based on the Commission's finding that the person issuing the Communication was clear to the reasonable observer, the absence of any prior violations by the Respondent, and noting the absence of any evidence of any intent to deceive or mislead the public. See, e.g., *Compliant by Michael Gongler and Victor L. Hapley, Cromwell*, File No. 2009-126; *Complaint of Robert W. Prentice, Wallingford*, File No 2011-134; *Complaint by John D. Norris, Southbury*, File No. 2011-108; *Complaint of Arthur Scialabba, Norwalk*, File No. 2012-011, *Complaint of Arthur Scialabba, Norwalk*, File No. 2012-0125.

ORDER

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

That no further action be taken.

Adopted this 19th day of February, 2014 at Hartford, Connecticut



Anthony J. Castagno, Chair
By Order of the Commission