

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Ethan Book,
Bridgeport

File No. 2014-002

FINDINGS AND CONCLUSIONS

The Complainant filed this complaint with the Commission pursuant to General Statutes § 9-7b, alleging that *Taylor-Moye and Banta 2013*, a political slate committee registered for the November 5, 2013 municipal election in the City of Bridgeport failed to comply with campaign finance laws pertaining to registration and disclosure requirements for political slate committees.

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

1. Complainant alleged various reporting violations by *Taylor-Moye and Banta 2013* (hereinafter "Committee"), a political slate committee registered by Denese Taylor-Moye and Jack O. Banta for the November 5, 2013 municipal election in the City of Bridgeport.
2. Ms. Taylor-Moye and Mr. Jack O. Banta listed his brother Mr. James A. Banta (hereinafter "Respondent") as treasurer of the Committee when registering the political slate committee with the Bridgeport City Clerk's office. Ms. Taylor-Moye and Mr. Jack O. Banta at all times relevant to this complaint were Bridgeport City Council members from the 131st District.
3. By way of background, Respondent has no prior history with the Commission. Any settlements with Ms. Taylor-Moye and Mr. Jack O. Banta as additional Respondents in this matter are treated under separate agreements.
4. General Statutes § 9-602, provides in pertinent part:
 - (a) Except with respect to an individual acting alone, or with respect to a group of two or more individuals acting together that receives funds or makes or incurs expenditures not exceeding one thousand dollars in the aggregate, no contributions may be made, solicited or received and no expenditures, other than independent expenditures, may be made, directly or indirectly, in aid of or in opposition to the candidacy for nomination or election of any individual or any party or referendum question, ***unless (1) the candidate or chairman of the committee has filed a designation of a treasurer*** and a depository institution situated in this state as the depository for the committee's funds....
[Emphasis added.]

5. General Statutes § 9-606, provides in pertinent part:

...

(d) *No person shall act as a treasurer or deputy treasurer (1) unless the person is an elector of this state*, the person has paid any civil penalties or forfeitures assessed pursuant to chapters 155 to 157, inclusive, and a statement, signed by the chairman in the case of a party committee or political committee or by the candidate in the case of a candidate committee, designating the person as treasurer or deputy treasurer, has been filed in accordance with section 9-603,... A candidate shall not serve as the candidate's own treasurer or deputy treasurer, except that a candidate who is exempt from forming a candidate committee under subsection (b) of section 9-604 and has filed a certification that the candidate is financing the candidate's campaign from the candidate's own personal funds or is not receiving or expending in excess of one thousand dollars may perform the duties of a treasurer for the candidate's own campaign. [Emphasis added.]

6. General Statutes § 9-622, provides in pertinent part:

...

(8) Any person who knowingly and wilfully violates any provision of this chapter; ...

...

7. General Statutes § 9-602 (a) requires that a candidate shall designate a treasurer and a depository institution in order to receive funds and make campaign expenditures. In addition, § 9-606 (d) prohibits any person from serving unless that individual is an elector of Connecticut.
8. Upon investigation, the evidence establishes that Respondent signed a *Candidate Committee Registration Statement* (SEEC Form 1A) filed with the Bridgeport City Clerk's office on August 1, 2013, accepting the designation and responsibilities as treasurer of the Committee. Further, the investigation revealed that Respondent, at all times relevant to this complaint, was *not* an elector of Connecticut.
9. General Statutes § 9-606 (d) prohibits an individual from serving as the treasurer of a candidate committee who is not an elector of Connecticut. Furthermore, § 9-622 (8) provides that anyone who knowingly violates a campaign finance statute engages in an illegal practice.

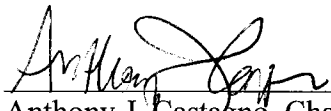
10. After investigation, the Commission finds that Respondent signed the Committee's SEEC Form 1A submitted to the Bridgeport City Clerk's office on August 1, 2015, certifying that he accepted the candidates' designation as treasurer and intended to comply with the campaign finance disclosure requirements of Chapter 155, General Statutes.
11. The Commission concludes that Respondent's acceptance of the designation of treasurer of the Committee on the SEEC Form 1A filed with the Bridgeport City Clerk's office on August 1, 2013 while not being an elector of Connecticut, and his signing a certification as to the same, was inconsistent with the requirements of General Statutes § 9-606 (d).
12. The Commission, for the reasons detailed in paragraphs 7 through 11 above, intends to prosecute this matter pertaining to potential violations of General Statutes § 9-606 (d) and § 9-6-22 (a) by Respondent. However, the Commission has received credible evidence that Respondent no longer lives in the State of Connecticut and that it is more probable than not that he has re-located to California.
13. The Commission therefore takes no further action in this matter at this time, and retains the right to proceed with its enforcement of this matter should Respondent present himself in, or in reasonable proximity, to Connecticut, or if it so chooses based on its jurisdictional authority to do so.

ORDER

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

That the complaint is dismissed without prejudice.

Adopted this 17th day of November, 2015 at Hartford, Connecticut.



Anthony J. Castagno, Chairperson
By Order of the Commission