

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Joel Gonzalez
City of Bridgeport

File No. 2014-044

AGREEMENT CONTAINING A CONSENT ORDER

Respondent Tamar Morales of the City of Bridgeport, hereinafter referred to as "Respondent," and the undersigned authorized representative of the State Elections Enforcement Commission, enter into this agreement 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. Complainant Joel Gonzalez filed this complaint on April 15, 2014, alleging that certain individuals associated with the *Santiago 2010* candidate committee, including Respondent, who served as the committee's treasurer, had violated statutes governing campaign financing in Connecticut.¹
2. Complainant levied his allegations of improprieties against individuals associated with the candidate committee of Ezequiel Santiago in 2010. Complainant did not make specific allegations, citing statutory violations, but rather inferred in the body of his complaint that something improper had occurred related to certain expenditures made by the Santiago candidate committee.²
3. The Commission investigated the allegations that Complainant levied against volunteers and committee workers affiliated with the Santiago candidate committee.³ Based on that investigation, the Commission concluded that Respondent had violated statutes and regulations requiring treasurers to execute pre-performance contracts for services provided to the committee valued in excess of \$100. The remaining allegations against the other respondents named in the complaint will be dismissed.
4. The Commission's investigation consisted of an audit of the candidate committee's documentation. The 2010 candidate committee of Ezequiel Santiago raised a total of \$870. It did not participate in the Citizens' Election Program. The committee made two expenditures: \$600 to Beverly Salzman for bookkeeping, report creation, and banking services; and \$270 to Lenymer Matos for get-out-the-vote activities. The committee

¹ See Complaint of Joel Gonzalez, Bridgeport (State Elections Enforcement Comm'n, April 15, 2014).

² *Id.*

³ *Id.*

failed to execute the pre-performance service agreements that the Commission's regulations require for all committees when the services rendered will exceed \$100.

5. Treasurers have the obligation to maintain documents to support all transactions entered on candidate committees' financial disclosure forms.⁴ Upon request, treasurers must provide any and all supporting documentation to the Commission.⁵ Regulations direct that a committee treasurer must execute contracts for work agreements before any work that will cost more than \$100 is performed.⁶
6. The regulation requires treasurers to support wage agreements with two types of documentation: pre-performance written agreements specifying the fee arrangement and the work that will be performed, and contemporaneous, detailed documentation setting forth the work that was actually performed.⁷
7. Any expenditure that lacks either of these forms of documentation may be deemed an impermissible expenditure by the Commission.⁸
8. Here, Respondent failed to have sufficient backup documentation to justify \$870 in wages that the committee paid to two committee workers.
9. Under General Statutes § 9-7b (a) (2) (D), the civil penalty for each violation of title 155 of the General Statutes may be as much as \$2,000 per offense or the impermissible payment, whichever is greater.⁹
10. 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.

⁴ See General Statutes §§ 9-606 (a) (1) (requiring campaign treasurers to keep internal records of entries on campaign finance disclosure statements); 9-607 (f) (requiring candidate committee treasurers to retain supporting documentation for four years from date of last report required from committee).

⁵ See General Statutes § 9-7b (a) (15).

⁶ Regs., Conn. State Agencies, § 9-607-1 (setting forth recordkeeping requirements for service contracts entered into by committees regulated under Chapter 155).

⁷ *Id.*

⁸ *Id.*

⁹ See General Statutes § 9-7b (a)(2)(D) (authorizing Commission to impose civil penalty for violations of chapter 155).

11. Upon the Respondent's agreement to comply with the Order hereinafter stated, the Commission shall not initiate any further proceedings concerning this matter.
12. 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.

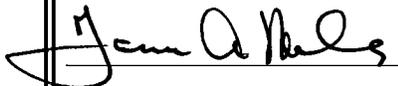
ORDER

IT IS HEREBY ORDERED THAT Respondent shall henceforth comply strictly with the requirements imposed on treasurers regarding the making and reporting of expenditures for wages.

The Respondent

For the State of Connecticut

By:



Tamar A. Morales
Bridgeport, 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: 7/30/16

Dated: 8/8/16

Adopted this 10 day of AUG 2016 at Hartford, Connecticut by vote of the Commission.



Anthony J. Castagno, Chairman
By Order of the Commission

RECEIVED
STATE ELECTIONS

AUG - 8 2016

ENFORCEMENT COMMISSION