

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Charles J. Coviello,
Bridgeport

File No. 2014-073

AGREEMENT CONTAINING A CONSENT ORDER

This Agreement by and between Robyn Melvin-Waller of the City of Bridgeport, County of Fairfield, State of Connecticut, hereinafter referred to as "Respondent," and the undersigned authorized representative of the State Elections Enforcement Commission, is entered into 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. The Complainant alleged that the *Andre Baker for State Representative* candidate committee (hereinafter "Committee") made an expenditure prior to its registration with the Commission. Further, Complainant alleged that the Committee solicited and received contributions prior to its registration.
2. The Committee was established by Andre Baker for his election campaign for the 124th General Assembly District at the November 3, 2015 election. Specifically, Mr. Baker filed a *Candidate Committee Registration Statement* (SEEC Form 1) on June 20, 2014. Andre Baker was a participating candidate in the Citizens' Election Program (CEP) and received a grant for the 2014 election cycle.
3. By way of background, Respondents have no prior history with the Commission. Further, the Commission notes that the Committee was not selected for random audit and any campaign finance reporting errors as detailed herein would not have impacted the awarding of a CEP grant.
4. General Statutes § 9-604, provide in pertinent part:
(a) Each candidate for a particular public office or the position of town committee member shall form a single candidate committee for which he shall designate a campaign treasurer and a depository institution situated in this state as the depository for the committee's funds and shall file a committee statement containing such designations, not later than ten days after becoming a candidate, with the proper authority as required by section 9-603. The candidate may also designate a deputy campaign treasurer on such committee statement. The campaign treasurer and any deputy campaign treasurer so designated shall sign a statement accepting such designation which the candidate shall include as part of, or file with, the committee statement.
[Emphasis added.]

5. General Statutes § 9-608, provide in pertinent part:
 - (a)(1) Each treasurer of a committee, other than a state central committee, shall file a statement, sworn under penalty of false statement with the proper authority in accordance with the provisions of section 9-603, (A) on the tenth calendar day in the months of January, April, July and October, provided, if such tenth calendar day is a Saturday, Sunday or legal holiday, the statement shall be filed on the next business day, except that in the case of a candidate or exploratory committee established for an office to be elected at a special election, statements pursuant to this subparagraph shall not be required, (B) on the seventh day preceding each regular state election, ... ***The statement shall cover a period to begin with the first day not included in the last filed statement.*** In the case of a candidate committee, the statement required to be filed in January shall be in lieu of the statement formerly required to be filed within forty-five days following an election.
[Emphasis added.]
6. General Statutes § 9-602 (a) requires that a candidate registering a candidate committee shall designate a treasurer of that committee. Additionally, an individual is required to "...file a committee statement containing such designations, not later than ten days after becoming a candidate" pursuant to § 9-604 (a). Finally, a *candidate*, by definition, includes an individual who consents to expenditures by another to bring about their election to public office. See General Statutes § 9-601 (11).
7. Complaint alleges that expenditures were made in support of Mr. Baker's candidacy for the 124th General Assembly District prior to the registration of a candidate committee in violation of General Statutes § 9-604. The campaign received contributions on or about June 15, 2015 and filed their registration on June 20th within 10 days of receipt of such contribution.
8. The Commission therefore concludes that the alleged violation of General Statutes § 9-604 by Mr. Baker pertaining a failure to file a candidate committee after an expenditure was made to support his candidacy was not supported by the facts after investigation. The Commission therefore dismisses this allegation.

9. Additionally, Complainant alleged that an expenditure for a car magnet used at the 2014 Juneteenth Parade in Bridgeport advocating for Mr. Baker's candidacy for the General Assembly was not timely reported by Respondent and the Committee as required by General Statutes § 9-608.
10. After investigation, the Commission finds that the "sign" identified by Complainant was used to support the candidacy of Andre Baker during the 2014 Juneteenth Parade in Bridgeport as alleged. Further, the Commission finds that the sign cost \$97.00 and was paid for by the Committee campaign manager. Finally, the Commission further finds that at the time of the filing of this complaint the Committee campaign manager had not been reimbursed by the Committee for the aforementioned expenditure.
11. The Commission concludes that Respondent failed to comply with General Statutes § 9-608, in that she failed to report the expenditure by the Committee campaign manager as an expense incurred but not paid on the Committee's July 10, 2014 campaign finance report.
12. The Commission notes that Respondent cooperated fully with this investigation. Further, Respondent, in the course of the investigation and upon discovery of her reporting error, reimbursed the Campaign manager on August 26, 2014 for sign supporting Mr. Baker's 2014 candidacy in the amount of \$97.00 and has amended the Committee's filings to adequately disclose the original expenditure that was subject of this complaint.
13. The 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. 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 against either party in any subsequent hearing, if the same becomes necessary.
15. 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.

16. Upon the Respondent's agreement to comply with the Order hereinafter stated, the Commission shall not initiate any further proceedings against Respondent pertaining to this matter.

ORDER

IT IS HEREBY ORDERED THAT Respondent shall henceforth strictly comply with the requirements of General Statutes § 9-608

The Respondent

By:

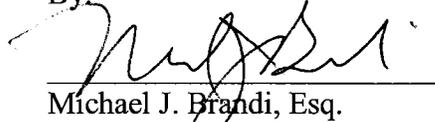


Robyn Melvin Waller
2019 Old Town Road
Bridgeport, Connecticut

Dated: 12/22/2015

For the State of Connecticut

By:



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

Dated: 12/31/15

Adopted this 15th day of January 13, 2016 at Hartford, Connecticut by vote of the Commission.



Anthony J. Castagno, Chairman
By Order of the Commission

**RECEIVED
STATE ELECTIONS**

DEC 31 2015

ENFORCEMENT COMMISSION