

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Thomas N. Brummett
Canterbury

File No. 2014-079

FINDINGS & CONCLUSIONS

Complainant Thomas N. Brummett of Canterbury filed this complaint on July 17, 2014 per Connecticut General Statutes § 9-7b alleging that the candidate committee of Doug Dubitsky, a candidate for the 47th General Assembly seat in the 2014 election cycle, had violated campaign finance reporting requirements by failing to report certain expenditures allegedly made by the candidate committee to support Dubitsky's candidacy. After investigating the allegations raised in the complaint the Commission makes the following findings and conclusions:

1. Respondent Dubitsky was a candidate for the 47th General Assembly seat in the 2014 election cycle.¹ He registered his candidate committee, *Doug for CT*, on February 11, 2014, naming Andrew Rosenberg as its treasurer.²
2. The Dubitsky candidate committee was a qualified candidate committee in the 2014 election cycle, receiving grant monies totaling \$37,979.³
3. Both Dubitsky and Rosenberg were named as respondents in this matter.
4. Complainant filed this complaint with the Commission, alleging that the candidate committee had failed to report several expenditures made to promote Dubitsky's candidacy. Specifically, the complaint alleged that:
 - Dubitsky had distributed copies of his resume at a meeting of the Hampton Republican Town Committee on February 10, 2014, and his committee had failed to report an expenditure related to the production of those copies;
 - Dubitsky held a campaign event on April 22, 2014, and reported no expenditures related to food and drinks served at the event, promotional literature handed out at the event, rental costs for the location, or banners displayed at the event;

¹ See SEEC Form 1 – Registration by Candidate (*Doug for CT*, Feb. 11, 2014) (creating candidate committee for 2014 election cycle on behalf of Doug Dubitsky).

² *Id.*

³ See Final Summary of Examination – *Doug for CT* (State Elections Enforcement Comm'n, Dec. 15, 2015).

- Dubitsky fielded a float in a parade in Canterbury on July 4, 2014, and the candidate committee reported no expenditures related to signage that was displayed on the float;
 - Dubitsky employed a consultant to work for his campaign, but the candidate committee's reports did not reflect payments to that consulting firm;
 - Dubitsky reported an amount for an event in Norwich on May 22, 2014 that was below market value for similar events.⁴
5. The Commission's Campaign Disclosure & Audit Unit examined the financial disclosure reports and supporting documentation provided by the *Doug for CT* candidate committee following the committee's selection as part of the post-election random audit process.
 6. The Final Summary of Examination, which will be presented to the Commission at its December 2015 meeting, reflected no significant problems that would require additional investigation by the Commission's Enforcement Unit.⁵
 7. The specific allegations raised in this complaint were investigated by the Commission. None were substantiated as violations of Connecticut's campaign finance statutes.
 8. General Statutes § 9-606 (a) requires a treasurer of a candidate committee to report all campaign expenditures made to support the candidate.⁶
 9. Connecticut's general statutes defines an expenditure as "anything of value . . . made to promote the success or defeat of any candidate. . ."⁷
 10. In response to the complaint, the candidate stated that each of the purported expenditures that the candidate committee failed to report was actually reported in the campaign finance disclosures required by the General Statutes.⁸ As part of the audit process, the Commission's Campaign Disclosure & Audit Unit also reviewed the candidate committee's filings and found nothing that would rise to the level requiring an enforcement action by the Commission.⁹
 11. The candidate stated that the consultant that the committee allegedly hired without reporting expenditures was never engaged by the candidate committee so there was no reporting

⁴ See Complaint by Thomas Brummet, Canterbury (rec'd July 17, 2014) (docketed as SEEC File No. 2014-079).

⁵ See Final Summary of Examination –*Doug for CT* (State Elections Enforcement Comm'n, Dec. 15, 2015).

⁶ See General Statutes § 9-606 (a) (imposing on treasurers responsibility for "making and reporting expenditures").

⁷ General Statutes § 9-601b (a)(1) (defining "expenditure" for General Statutes chapters 155 and 157).

⁸ See Letter from Doug Dubitsky to Scott Branfuhr, Legal Investigator (Sept. 3, 2014).

⁹ See Final Summary of Examination –*Doug for CT* (State Elections Enforcement Comm'n, Dec. 15, 2015).

required. In an amended report, however, the candidate committee reported paying Matt Mnich, the consultant in question, a total of \$38 for door hangers on July 13, 2014.¹⁰

12. The candidate stated that the rental agreement that the complainant alleged did not reflect fair market value for the services provided was the amount quoted by the hotel where the campaign held the event.¹¹
13. The Commission's investigator contacted the Marriott Hotel in Norwich, which provided the room and service to the candidate committee related to the May 22, 2014 event, and found nothing to support the allegation that the business entity made a contribution to the candidate committee.
14. The Commission will dismiss this matter.

ORDER

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

That this matter will be dismissed.

Adopted this 15th day of December, 2015 at Hartford, Connecticut.


Anthony J. Castagno, Chairperson
By Order of the Commission

¹⁰ See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement – First Weekly Supplemental Filing Primary Amendment (*Doug for CT*, amended Nov. 10, 2015).

¹¹ See Letter from Doug Dubitsky to Scott Branfuhr, Legal Investigator (Sept. 3, 2014).