

**STATE OF CONNECTICUT**  
**STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by  
Michael T. Bland, Hartford

File No. 2015-119

**AGREEMENT CONTAINING CONSENT ORDER**

This agreement, by and between rJo Winch (hereinafter "Respondent"), of the City of Hartford, County of Hartford, State of Connecticut and the authorized representative of the State Elections Enforcement Commission, is entered into in accordance with § 9-7b-54 of the Regulations of Connecticut State Agencies and § 4-177(c) of the General Statutes of Connecticut.

In accordance herewith, the parties agree that:

1. Complainant filed this complaint alleging that Respondent violated campaign finance law by making expenditures to disseminate a mailing that purported to be paid for by "*friends of Row A*" and featured a photograph of a slate of primary candidates on one side and primary Respondent on the other side.
2. Complainant alleged that the aforementioned mailing was attributed to "*friends of Row A*," which group, was not registered as a committee with the Hartford City Clerk's office. Based on the aforementioned, Complainant specifically alleged that the mailing was in violation of campaign finance laws because it was a "non-independent" expenditure benefiting each candidate mentioned.
3. Moreover, Complainant alleged that a "prohibited" contribution occurred between the candidates Luke Bronin, Thomas Clark, Julio Concepcion, John Gale, Gwendolyn Thames, James Sanchez and Respondent and Mr. Michael Chambers of Hartford.
4. Any settlement with Mr. Chambers pertaining to allegations regarding this complaint and investigation is treated under a separate agreement.
5. General Statutes § 9-606, provides in pertinent part:
  - (c) The treasurer of each committee, other than a political committee established by an organization which receives its funds from the organization's treasury, may appoint solicitors. If solicitors are appointed, the treasurer shall receive and report all contributions made or promised to each solicitor. Each solicitor shall submit to the treasurer a list of all contributions made or promised to him. The list shall be complete as of seventy-two hours immediately preceding midnight of the day preceding the dates on which the treasurer is required to file a sworn statement as

provided in section 9-608. Lists shall be received by the treasurer not later than twenty-four hours immediately preceding each required filing date. ***Each solicitor shall deposit all contributions with the treasurer, within seven days after receipt. No solicitor shall expend any contributions received by him or disburse such contributions to any person other than the treasurer.***

[Emphasis added.]

6. General Statutes § 9-607, provides in pertinent part:

(d) Except as provided in subsections (j) and (k) of this section, no payment in satisfaction of any financial obligation incurred by a committee shall be made by or accepted from any person other than the treasurer and then only according to the tenor of an authorization issued pursuant to subsection (a) of this section.

...

(g)(1) As used in this subsection, (A) “the lawful purposes of the committee” means: (i) ***For a candidate committee or exploratory committee, the promoting of the nomination or election of the candidate who established the committee,*** except that after a political party nominates candidates for election to the offices of Governor and Lieutenant Governor, whose names shall be so placed on the ballot in the election that an elector will cast a single vote for both candidates, as prescribed in section 9-181, a candidate committee established by either such candidate may also promote the election of the other such candidate; ...

...

(4) As used in this subdivision, expenditures for “personal use” include expenditures to defray normal living expenses for the candidate, the immediate family of the candidate or any other individual and expenditures for the personal benefit of the candidate or any other individual having no direct connection with, or effect upon, the campaign of the candidate or the lawful purposes of the committee, as defined in subdivision (2) of this section. ***No goods, services, funds and contributions received by any committee under this chapter shall be used or be made available for the personal use of any candidate or any other individual. No candidate, committee, or any other individual shall use such goods, services, funds or contributions for any purpose other than campaign purposes permitted by this chapter.***

[Emphasis added.]

7. General Statutes §9-622, provides in pertinent part that individuals engaging in the following will be committing “illegal practices”:

...

**(10) Any person who solicits, makes or receives a contribution that is otherwise prohibited by any provision of this chapter;**  
[Emphasis added.]

8. The Commission, after investigation and as detailed herein, that Respondent and Ms. Winch produced and disseminated the campaign literature that is subject of this complaint. Further, the Commission finds that the evidence did not indicate that other candidates appearing on the ballot on Row A for the September 16, 2016 Hartford Democratic Primary were involved in, or had any prior knowledge of, its production and dissemination. The Commission therefore takes no further action against such individuals pertaining to this complaint and investigation under these limited and narrow circumstances.
9. The Commission finds that Respondent registered the candidate committee *rJo Winch for City Council* by filing a Registration by Candidate (SEEC Form 1) with the Hartford City Clerk’s office on January 16, 2015 for the September 16, 2015 Hartford Democratic primary.
10. Further, after investigation, the Commission finds that each *Itemized Campaign Finance Disclosure Statement* (SEEC Form 20) filed for April 10, 2015, July 10, 2015 and the 7th day preceding primary by *rJo Winch for City Council* did not disclose: (1) expenditures for the campaign literature that is subject of this complaint, or (2) in-kind contributions for the by Mr. Chambers pertaining to campaign literature or otherwise.
11. Attorney John Kennelly, on behalf of Respondent and the individuals who were designated “Row A” candidates on the ballot at the September 16, 2015 Hartford Democratic Primary provided a written response to this complaint and investigation. His response is excerpted below:

*As to the allegations against respondent Winch, we provide the following context. Respondent Chambers approached respondent Winch with the offer to mail out some materials on behalf of her candidacy. He asked that she produce the materials at his expense and that he would address and mail them to voters. Respondent Winch used the online printing company Vista Print to do the layout and design of the mailer and paid between \$125.00 and \$140.00 dollars for production and shipping. The photographs used in the pieces were and are the property of respondent Winch. After delivery of the materials, Respondent Winch gave them to Respondent Chambers and he reimbursed her for the cost of production and shipping. ...*

*Respondent Winch admits to providing Mr. Chambers with the images on Exhibit 1 to the complaint and performing the layout and design of the piece. At the time she assisted Mr. Chambers, respondent Winch was under the impression that Mr. Chambers had completed all the necessary filings and notices required by State and local law to properly support her candidacy. ... She did not inform the other [row A candidates] of her participation in the preparation of Exhibit 1.*

12. The Commission finds that Mr. Chambers was assisted by Respondent with the production of the campaign literature. More specifically, the Commission finds that Mr. Chambers paid \$245.00 for the printing and mailing costs of the campaign literature that is subject to this complaint and investigation.
13. More specifically, the Commission finds that Mr. Chambers provided the costs for mailing and printing of the campaign mailer to Ms. Winch directly. Finally, the Commission finds that Mr. Chambers, in response to this complaint and investigation, provided a statement confirming his payment to Respondent for the costs of the printing and mailing of campaign literature prior to the September 16, 2015 primary.
14. The Commission finds that Respondent solicited a contribution from Mr. Chambers, for the purchase of campaign literature prior to the September 16, 2015 Hartford Democratic primary. The investigation determined that the \$245.00 paid by Mr. Chambers for the campaign literature was not reported by *rJo Winch for City Council* on its SEEC 20s. The Commission further finds that the expenditure for the mailer did not appear on the financial statements for April 10, 2015, July 10, 2015 and the 7th day preceding primary by *rJo Winch for City Council* as either an expenditure by the committee or an in-kind contribution by Mr. Chambers.
15. Consequently, the Commission finds, for the reasons detailed in paragraphs 12 through 14 above, that Respondent failed to remit to the treasurer of her candidate committee *rJo Winch for City Council* the funds provided by Mr. Chambers to pay for the campaign literature in this matter.
16. The Commission concludes that Respondent violated General Statutes § 9-606 (c) and § 9-622 (10) by soliciting a prohibited contribution in the amount of \$245.00 from Mr. Chambers, which, while a candidate for City Council at the September 15, 2016 Democratic primary, she failed to remit to her treasurer, but rather kept for herself.
17. Therefore, the Commission concludes that Respondent violated General Statutes § 9-607 (g) (4) by keeping the payment to her by Mr. Chambers of funds for campaign literature, and thereby being personally enriched as a candidate in the amount of \$245.00.

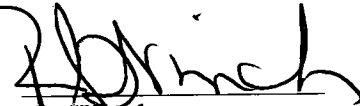
18. The Respondent admits all jurisdictional facts and agrees that this agreement and Order shall have the same force and effect as a final decision and Order entered after a full hearing and shall become final when adopted by the Commission. The Respondent shall receive a copy hereof as provided in Section 9-7b-56 of the Regulations of Connecticut State Agencies.
19. It is understood and agreed that this agreement will be submitted to the Commission at its next meeting and, if it is not accepted by the Commission, it is withdrawn by the Respondent and it may not be used for or against either party in any subsequent hearing, if the same becomes necessary.
20. 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 agreement or Order entered into pursuant to this agreement.
21. Upon the Respondent's agreement 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 rJo Winch shall henceforth strictly comply with General Statutes § 9-606, § 9-607 and § 9-622.

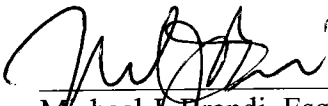
IT IS HEREBY FURTHER ORDERED that Respondent rJo Winch shall pay a civil penalty for violations of § 9-606, § 9-607 and § 9-622 in the amount of five hundred dollars (\$500.00) prior to the adoption of this agreement in full settlement of this matter.

The Respondent:

BY:   
rJo Winch  
359 Sigourney Street  
Hartford, Connecticut


Dated: 10/6/2016

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: 10/6/16

Adopted this 12 day of OCT, 2016 at Hartford, Connecticut

  
Anthony J. Castagno, Chairman  
By Order of the Commission

RECEIVED  
STATE ELECTIONS

OCT 6 2016

ENFORCEMENT COMMISSION