

STATE OF CONNECTICUT  
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by  
Joseph M. Bomba, Derby

File No. 2008-010

AGREEMENT CONTAINING FORFEITURE

This agreement by and between Anita Dugatto-Coscia of the City of Derby, County of New Haven, State of Connecticut, and the authorized representative of the State Elections Enforcement Commission is entered into in accordance with section 9-7b-54 of the Regulations of Connecticut State Agencies and Section 4-177(c) of the General Statutes of Connecticut. In accordance herewith, the parties agree that:

1. Ms. Dugatto-Coscia is the Chairperson and Deputy-Treasurer of the Derby Democratic Town Committee (hereinafter "DDTC") and was at all times relevant to this instant complaint.
2. Complainant alleged that the DDTC raised \$12,226.35 in the course of six fundraisers and that Lorretta Sexton, who was DDTC treasurer at the time, failed to fully disclose contributors pertaining to those funds reported on itemized financial statements from January 1, 2007 through September 30, 2007.
3. Allegations against Ms. Sexton pertaining to this complaint are treated under a separate agreement.
4. The DDTC from January 1, 2007 through September 30, 2007 reported that it raised \$12,446.35, and disclosed only three itemized contributors, two at \$100 and one at \$40, for a total of \$240 during this period. A review of DDTC *Itemized Campaign Finance Disclosure Statements* for the period relevant to this complaint reveals that \$12,446.35 in contributions were received during this period.
5. Connecticut General Statutes § 9-606, provides in pertinent part:
  - (a) The campaign treasurer of each committee shall be responsible for (1) depositing, receiving and reporting all contributions and other funds in the manner specified in section 9-608, (2) making and reporting expenditures, (3) reporting expenses incurred but not yet paid, (4) filing the statements required under section 9-608, and (5) keeping internal records of each entry made on such statements. ...  
[Emphasis added.]

6. Connecticut General Statutes § 9-607, provides in pertinent part:  
... (f) *The campaign treasurer shall preserve all internal records of transactions required to be entered in reports filed pursuant to section 9-608 for four years from the date of the report in which the transactions were entered. Internal records required to be maintained in order for any permissible expenditure to be paid from committee funds include, but are not limited to, contemporaneous invoices, receipts, bills, statements, itineraries, or other written or documentary evidence showing the campaign or other lawful purpose of the expenditure. ...*  
[Emphasis added.]
7. Ms. Sexton, while DDTC treasurer, failed to request and maintain the names and addresses of individuals who purchased tickets “at the door” to attend fundraisers, the proceeds of which were reported on the DDTC financial statements for the period between January 1, 2007 through September 30, 2007 in the aggregate as “small contributors.”
8. The DDTC was required to maintain internal records with the name and address of all individuals who made contributions to the DDTC. The failure to maintain such records resulted in the DDTC being unable to identify the source of funds for a total of \$12,226.35 in contributions that it received and reported between January 1, 2007 and September 30, 2007.
9. The DDTC, through its treasurer, was required by General Statutes §§ 9-606(a) and 9-607(f) by failing to maintain internal records pertaining to the transactions referenced above in paragraph 8, above, and by § 9-608 General Statutes, to report all contributors which separately, and in the aggregate, exceed fifty dollars.
10. On or about April 18, 2008, Ms. Sandra Watson was appointed by the DDTC to succeed Ms. Sexton as treasurer.
11. Ms. Watson deposited \$467.72, which was the remainder of the \$12,226.35 raised by the DDTC in 2007, into a new DDTC checking account and closed the DDTC account previously administered by Ms. Sexton.
12. Pursuant to § 9-7b(a)(3)(A), General Statutes, the Commission may order prohibited contributions remitted to the state if necessary to effectuate the purposes of Chapter 155, the state campaign finance laws.
13. The Commission concludes that it is necessary for the DDTC to forfeit and remit the remaining \$467.72 in 2007 DDTC contributions to the state pursuant to § 9-b(a)(3)(A), so they do not retain the benefit of funds raised without proper record keeping and disclosure, to effectuate the purposes of Chapter 155.

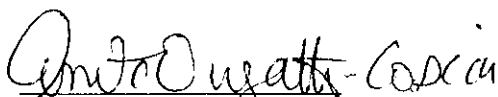
14. Ms. Dugatto-Coscia as Chair and representative of the DDTC, admits on its behalf all jurisdictional facts and agrees that this agreement and Order shall have the same force and effect as a final decision and Order entered after a full hearing and shall become final when adopted by the Commission. Ms. Dugatto-Coscia shall receive a copy hereof as provided in Section 9-7b-56 of the Regulations of Connecticut State Agencies.
15. 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 Ms. Dugatto-Coscia and may not be used as an admission in any subsequent hearing, if the same becomes necessary.
16. Ms. Dugatto-Coscia, as Chair and representative of the DDTC, 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.
17. Upon the Respondent's compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings against the DDTC or its agents pertaining to this matter.

ORDER

IT IS HEREBY ORDERED THAT that Ms. Dugatto-Coscia shall direct and cause the DDTC to voluntarily forfeit and remit the sum of \$467.72, which represents the remainder of 2007 contributions raised by the DDTC, to the State of Connecticut.

For the Derby Democratic Town Committee

For the State of Connecticut



Anita Dugatto-Coscia, Chair  
Derby Democratic Town Committee  
10 Talmadge Street  
Derby, Connecticut

BY

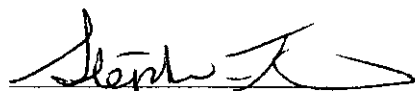


Joan M. Andrews, Esq.  
Director of Legal Affairs &  
Enforcement &  
Authorized Representative of  
the State Elections  
Enforcement Commission  
20 Trinity St., Suite 101  
Hartford, Connecticut

Dated: 9/12/08

Dated: 9/19/08

Adopted this 24<sup>th</sup> day of Sept., 2008 at Hartford, Connecticut



Stephen F. Cashman, Chairman  
By Order of the Commission