

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Gina Phillips, New Haven

File No. 2009-052

AGREEMENT CONTAINING CONSENT ORDER AND
PAYMENT OF A CIVIL PENALTY AND FORFEITURE FOR VIOLATIONS
OF CONNECTICUT GENERAL STATUTES § 9-621

This agreement by and between Lisa Hopkins of 16 Frances Hunter Drive, New Haven, State of Connecticut, hereinafter referred to as Respondent, 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. The Respondent is a candidate for alderperson of the 22nd ward of New Haven in the September 15, 2009 municipal primary.
2. On the weekend of April 25 and 26, 2009, Respondent had her daughter and nephew disseminate around a hundred flyers in a New Haven neighborhood. Respondent created two versions of the flyer on her personal computer and printed around the copies on her personal printer. The flyers promoted her election to office and did not contain any attributions.
3. On Monday, April 27, 2009, the Respondent registered herself as a candidate and her candidate committee for alderperson of the 22nd ward by filing a SEEC Form 1 and 1A with the New Haven City Clerk.
4. The Respondent estimates that the flyers cost a total of \$15.00. The Respondent paid for the flyers using her own personal funds and did not report the expenditure to her treasurer.
5. It is concluded that the Respondent failed to include an attribution on the flyers, as they should have read, "Paid for by and approved by Lisa Hopkins, 16 Frances Hunter Drive, New Haven, CT."
6. Connecticut General Statutes § 9-621 provides, in pertinent part:

(a) No individual shall make or incur any expenditure with the cooperation of, at the request or suggestion of, or in consultation with any candidate, candidate committee or candidate's agent, and no candidate or committee shall make or incur any expenditure including an

organization expenditure for a party candidate listing, as defined in subparagraph (A) of subdivision (25) of section 9-601, **for any written, typed or other printed communication, or any web-based, written communication, which promotes the success or defeat of any candidate's campaign for nomination at a primary or election** or solicits funds to benefit any political party or committee **unless such communication bears upon its face (1) the words "paid for by" and the following: (A) In the case of such an individual, the name and address of such individual; (B) in the case of a committee other than a party committee, the name of the committee and its campaign treasurer; or (C) in the case of a party committee, the name of the committee, and (2) the words "approved by" and the following: (A) In the case of an individual making or incurring an expenditure with the cooperation of, at the request or suggestion of, or in consultation with any candidate, candidate committee or candidate's agent, the name of such individual; or (B) in the case of a candidate committee, the name of the candidate.**

7. The Commission concludes that the Respondent violated Conn. Gen. Stat. § 9-621 by failing to include the proper attribution on flyers promoting her candidacy which she authorized to be distributed on her behalf.
8. The Commission further concludes that the Respondent's violation of Conn. Gen. Stat. §9-621 was unintentional.
9. 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 § 9-7b-56 of the Regulations of Connecticut State Agencies.
10. 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 may not be used as an admission in any subsequent hearing if the same becomes necessary.
11. 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.
12. Upon the Respondent's compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings against her pertaining to this matter.

FILED IN
STATE OF CONNECTICUT
Elections Enforcement
Commission


ORDER

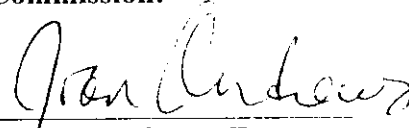
IT IS HEREBY ORDERED THAT the Respondent shall pay a civil penalty of seventy-five dollars (\$75.00) made payable to the State of Connecticut on or before October 15, 2009.

IT IS FURTHER ORDERED THAT the Respondent shall henceforth comply with Conn. Gen. Stat. § 9-621, and include an appropriate attribution on campaign literature.

For the Respondent:

For the State Elections Enforcement Commission:

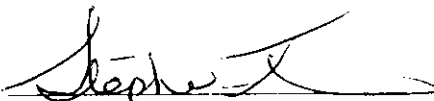
By: 
Lisa Hopkins
16 Frances Hunter Drive
New Haven, CT

By: 
Joan M. Andrews, Esq.
Director of Legal Affairs & Enforcement
And Authorized Representative of the
State Elections Enforcement Commission
20 Trinity Street Suite 101
Hartford, CT

Dated: 10/14/09

Dated: 10/19/09

Adopted this 21st day of October of 2009 at Hartford, Connecticut.


Stephen F. Cashman, Chairman
By Order of the Commission