

STATE OF CONNECTICUT  
STATE ELECTIONS ENFORCEMENT COMMISSION  
RECEIVED  
STATE ELECTIONS

JAN 15 2010

In the Matter of a Complaint by  
Preston Schultz, Woodstock

File No. 2009-124

ENFORCEMENT  
COMMISSION

**AGREEMENT CONTAINING CONSENT ORDER  
FOR VIOLATION OF  
CONNECTICUT GENERAL STATUTES § 9-621(a)**

This Agreement, by and between John Leavitt, of the Town of Woodstock, County of Windham, 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. Complainant filed the instant Complaint alleging that the political committee "Community Partners for Woodstock's Future" ("CPFW") distributed communications advocating for the candidacy of three candidates to the Woodstock Board of Finance for the November 3, 2009 municipal election without the attributions required by General Statutes § 9-621 (a).
2. The Respondent in this matter is John Leavitt, treasurer of CPFW, which is an ongoing political committee of two or more individuals that first registered with the Town Clerk of the Town of Woodstock as such in October of 2009.
3. 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. . . . [Emphasis added.]

4. The first communication at issue is an advertisement placed with *The Shoppers Guide*, a Town of Putnam publication, in its October 21, 2009 issue. The communication included the attribution "Paid for by the Community Partners for Woodstock's Future (CPWF), Kevin Ford," which identified the name of the CPWF chairman, but did not identify the name of the treasurer.
5. The second communication at issue is an advertisement placed with *The Woodstock Villager*, a local newspaper, in its October 23, 2009 issue. The communication included the attribution "Paid for by the Community Partners for Woodstock's Future (CPWF)" but did not identify the name of the treasurer.
6. The third communication at issue appeared on the website "woodstockcafe.com" on, but not limited to, October 29, 2009. The communication included the attribution "Paid for by the Community Partners for Woodstock's Future (CPWF)" but did not identify the name of the treasurer.
7. The fourth communication at issue is an advertisement placed with *The Woodstock Villager* in its October 30, 2009 issue. The communication included the attribution "Paid for by the Community Partners for Woodstock's Future (CPWF)" but did not identify the name of the treasurer.
8. All of the aforesaid communications promoted the candidacies of Woodstock Board of Finance candidates George McCoy and Dick Cass and Woodstock Board of Finance alternate candidate Mike Dougherty.
9. Since CPWF is a political committee, General Statutes § 9-621 (a) required that each of the aforesaid communications include the attribution "Paid for by Community Partners for Woodstock's Future, John Leavitt, Treasurer."
10. Accordingly, the Commission concludes that the Respondent violated General Statutes § 9-621 (a) with respect to each of the aforementioned communications that failed to include the name of the treasurer in the attribution.
11. The Commission notes that the sponsorship of each communication was clear despite the omissions of the treasurer's name. Moreover, the Respondent has no prior violations with the Commission.
12. 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.

13. 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.

14. The Respondent waives:

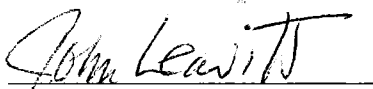
- a. Any further procedural steps;
- b. The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law, separately stated; and
- c. All rights to seek judicial review or otherwise to challenge or contest the validity of the Order entered into pursuant to this Agreement.

15. Upon the Respondent's compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings against him pertaining to this matter.


### ORDER

IT IS HEREBY ORDERED that the Respondent shall henceforth strictly comply with the requirements of Connecticut General Statutes § 9-621 (a).

**The Respondent:**

  
John Leavitt  
§15 Route 197  
Woodstock, CT 06281

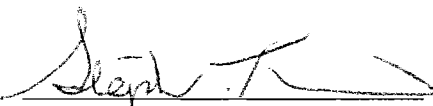
**For the State of Connecticut:**

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

Dated: 1/14/10

Dated: 1/15/10

Adopted this 20<sup>th</sup> day of January of 2010 at Hartford, Connecticut

  
Stephen F. Cashman, Chairman  
By Order of the Commission