

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Henry E. Karl Jr., Bethel

File No. 2009-138

FINDINGS AND CONCLUSIONS

Complainant brings this complaint pursuant to General Statutes § 9-7b alleging that Daniel Gaita, a candidate for the Bethel Board of Education in 2009, had failed to report expenditures made on behalf of his candidacy as required by General Statutes § 9-608. Specifically, Respondent registered on October 15, 2009 with the Bethel Town Clerk as required by General Statutes § 9-604, indicating that he did not intend to receive or spend more than \$1,000 to promote his candidacy. Complainant alleges that Respondent made expenditures in excess of \$1,000 and failed to amend his registration statement and file the required reporting documents.

After the investigation of the Complainant's complaint, the Commission makes the following findings and conclusions:

1. Respondent was a candidate for the Board of Education for the Town of Bethel, standing for election in the November 2009 municipal elections.
2. On October 16, 2009, Respondent filed SEEC Form 1 with the town clerk of Bethel indicating that he was exempt from forming a candidate committee because he planned neither to spend nor to receive more than \$1,000 to promote his candidacy.
3. Respondent created a website to promote his candidacy. On that website, Respondent posted among other information criminal background checks of all 64 candidates running for municipal office.
4. Complainant alleged that each of the criminal background checks cost \$25, bringing the total for the 64 on the website to \$1,600.
5. The Commission's investigation revealed that the Respondent obtained the candidates' criminal records using the State of Connecticut's online Judicial Branch Conviction and Bond Search tool, which the state provides at no cost to consumers. Any costs associated with Respondent using his personal computer to gather this information were *de minimus*.
6. Based on the investigation, the only other costs that Respondent incurred related to promote his candidacy were \$15.90 for domain registration, website set-up and hosting, and \$185 for lawn signs. According to these figures, the total that the candidate spent on his campaign was \$200.90.

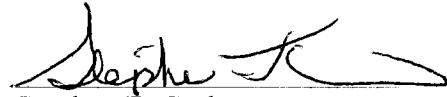
7. Because the candidate neither spent nor received funds in excess of \$1,000 to promote his candidacy, Respondent had no obligation to amend his registration statement and form a candidate committee.

ORDER

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

That the complaint be dismissed.

Adopted this 22nd day of June of 2011 at Hartford, Connecticut.



Stephen F. Cashman
By Order of the Commission