

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Caleb Kleppner,
New Haven

File No. 2010-002C

AGREEMENT CONTAINING A CONSENT ORDER

The parties, Richard Epstein, of the City of New Haven, State of Connecticut, hereinafter referred to as the Respondent, and the undersigned authorized representative of the State Elections Enforcement Commission enter into this agreement as authorized by Connecticut General Statutes § 4-177 (c) and Regulations of Connecticut State Agencies § 9-7b-54. In accordance with those provisions, the parties agree that:

1. Complainant Kleppner filed this complaint with the Commission on January 8, 2010. The complaint alleged that a candidate committee for John DeStefano, which was created for the 2009 New Haven mayoral election, had received unreported and excessive in-kind contributions from Elm & Oak PAC, a New Haven-based political committee.
2. Respondent was appointed campaign treasurer of the *DeStefano for Mayor* candidate committee at its inception in January 2009 and served in that role until the committee was terminated after the November 2009 election.
3. General Statutes § 9-606 requires a campaign treasurer to perform certain duties, including:
 - (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.

General Statutes § 9-606 (2012).

4. General Statutes § 9-608 (c) (2) requires campaign treasurers to report each contributions received by the committees for which they serve as treasurer.
5. In his duties as campaign treasurer, Respondent relied extensively on a bookkeeper who performed many of the duties reserved to a campaign treasurer, under Respondent's general

supervision, including accepting and depositing contributions, signing checks for expenditures, and preparing reports of the committee.

6. The Respondent denies knowing that the campaign treasurer's duties, in part, could not be delegated to a bookkeeper experienced in campaign finance laws and regulations.
7. By failing to exercise appropriate controls over the *DeStefano for Mayor* committee, including authorizing all expenditures of the committee, the Commission finds that Respondent violated General Statutes § 9-606 (a).
8. The Commission finds that Respondent also failed to report in-kind contributions that the candidate committee had received from *Elm & Oak PAC* political committee during the 2009 mayoral election.
9. The Commission finds that by failing to report those contributions that it had received from other committees, Respondent violated General Statutes § 9-606 (a) as well as § 9-608 (c) (2).
10. 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 into after a full hearing and shall become final when adopted by the Commission.
11. By entering into this agreement and paying a \$200 civil penalty, Respondent seeks to settle this contested matter.
12. 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.
13. Upon the Respondent's agreement to comply with the Order hereinafter stated, the Commission shall not initiate any further proceedings against him concerning this matter.

14. It is understood and agreed by the parties to this Agreement that the Commission will consider this Agreement at its next meeting and, if the Commission rejects it, the Agreement will be withdrawn and may not be used as an admission by the Respondent in any subsequent hearing, if one becomes necessary.

ORDER

IT IS HEREBY ORDERED THAT Respondent pay a civil penalty of \$200 for violating General Statutes §§ 9-606 and 9-608 and further agree henceforth to comply strictly with the requirements of General Statutes §§ 9-606 and 9-608.

The Respondent

By: 

Richard Epstein
Milford, CT

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 St., Suite 101
Hartford, CT 06106

Dated: _____

Dated: 1/17/14

Adopted this 17 day of MAY 2014 at Hartford, Connecticut by vote of the Commission.


Anthony J. Castagno, Chairman
By Order of the Commission