

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In Re: "Friends for Farah"

File No. 2010-122

AGREEMENT CONTAINING A CONSENT ORDER

This Agreement by and between Jack H. Knapp of the City of Danbury, State of Connecticut, hereinafter referred to as the Respondent, and the undersigned authorized representative of the State Elections Enforcement Commission, is entered into in accordance with Connecticut General Statutes § 4-177 (c) and Regulations of Connecticut State Agencies § 9-7b-54. In accordance herewith, the parties agree that:

1. This Commission initiated an investigation into this matter on September 22, 2010 based on the information discovered during the audit of Friends for Farah, a 2008 candidate committee formed by Ted Farah, a candidate for state representative for the 109th General Assembly District (hereinafter the "Committee"). In that audit, a finding was made that backup documentation was not provided to the Commission to support eleven expenditures totaling \$7,110.94 and that thirty committee checks totaling \$29,336.06 were signed by Ted Farah rather than Committee treasurer, Respondent Knapp.

2. General Statutes § 9-607 (f) provides the following in relevant part:

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. . . .** In the case of a candidate committee, the campaign treasurer or the candidate, if the candidate so requests, **shall preserve** all internal records, cancelled checks, debit cards slips and bank statements for four years from the date of the last report required to be filed under subsection (a) of section 9-608. [Emphasis added.]

3. Furthermore, Regulations of Connecticut State Agencies § 9-706-1(b) provides in pertinent part as follows:

The absence of contemporaneous detailed documentation indicating that an expenditure was made to directly further the participating candidate's nomination for election or election **shall mean that the expenditure was not made to directly further the**

participating candidate's nomination for election or election, and thus was an impermissible expenditure. Contemporaneous detailed documentation shall mean documentation which was created at the time of the transaction demonstrating that the expenditure of the qualified candidate committee was a campaign-related expenditure made to directly further the participating candidate's nomination for election or election to the office specified in the participating candidate's affidavit certifying the candidate's intent to abide by Citizens' Election Program requirements. Contemporaneous detailed documentation shall include but not be limited to the documentation described in section 9-607(f) of the Connecticut General Statutes. [Emphasis added.]

4. Here, there is no evidence that Respondent Knapp maintained the requisite internal records for the eleven expenditures at issue. The Commission therefore concludes that Respondent Knapp violated General Statutes § 9-607 (f).
5. In addition, the evidence establishes that thirty checks totaling \$29,336.06 were, in fact, signed by Ted Farah.
6. General Statutes § 9-606 (a) (2) provides that the *campaign treasurer* of each committee shall be responsible for making committee expenditures.
7. Here, the evidence establishes that the thirty Committee checks at issue were drawn by Ted Farah. According to the Committee's Registration Statement (SEEC Form 1) filed with the Commission on May 27, 2008, Ted Farah was not the duly designated treasurer or deputy treasurer of the Committee.
8. The Commission therefore concludes that Respondent Knapp violated General Statutes § 9-606 (a) (2) by allowing another to make expenditures on behalf of the Committee. As noted above, § 9-606 (a) (2) states that the campaign treasurer is responsible for making committee expenditures.
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 into after a full hearing and shall become final when adopted by the Commission.

10. 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.

11. 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 or any other findings that appear in the Final Audit Report for the 2008 "Friends for Farah" campaign.

12. It is understood and agreed that this Agreement will be submitted to the Commission for consideration at its next meeting and, if the Commission does not accept it, it is withdrawn and may not be used as an admission by the Respondent in any subsequent hearing, if the same becomes necessary.

ORDER

IT IS HEREBY ORDERED THAT the Respondent shall pay a civil penalty of seven hundred and fifty dollars (\$750.00) to the Commission and shall henceforth strictly comply with the requirements of General Statutes §§ 9-606 and 9-607.

The Respondent

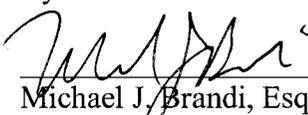
For the State of Connecticut

By:

By:



Jack H. Knapp
Danbury, Connecticut



Michael J. Brandi, Esq.
Executive Director & General Counsel
Authorized Representative of the
State Elections Enforcement Commission
20 Trinity Street, Suite 101
Hartford, Connecticut 06106

Dated: 11-20-13

Dated: 11/20/13

Adopted this ^{18th sec.} 20th day of Dec, 2013 at Hartford, Connecticut by vote of the Commission.



Anthony J. Castagno, Chairman
By Order of the Commission