

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Referral by a SEEC Elections Officer

RESPONDENT:
Stephanie L. Savoy
1081 New Haven Road Unit 2A
Naugatuck, CT 06770

File No. 2011-161NF

FINAL DECISION

The above-captioned matter was heard as a contested case on February 16, 2012, pursuant to Chapter 54 of the Connecticut General Statutes, § 9-7b of the Connecticut General Statutes and § 9-7b-35 of the Regulations of Connecticut State Agencies, at which time Attorney Patrick Lamb appeared on behalf of the State of Connecticut and the Respondent, Stephanie L. Savoy, did not appear. Documentary and testimonial evidence was presented.

After careful consideration of the entire record, the following facts are found and conclusions of law are made:

1. This matter was referred to the Enforcement Unit of the State Elections Enforcement Commission (hereinafter the "Commission") by Elections Officer Nancy Staniewicz on or after November 11, 2011. *State's Exhibit 10.*
2. Stephen F. Cashman was designated as Hearing Officer on August 24, 2011 by order of the State Elections Enforcement Commission. A Notice of Hearing was sent to the Respondent on January 26, 2012. *State's Exhibit 1.*
3. The Naugatuck Republican Town Committee has been registered as a party committee with the State Elections Enforcement Commission from August 21, 1974 to the present. *State's Exhibit 10.* The Respondent has served as treasurer of the Naugatuck Republican Town Committee from June 23, 2006 to the present. *State's Exhibit 10.*
4. General Statutes § 9-608 (a) provides, in relevant part, as follows: "(1) **Each campaign treasurer of a committee**, other than a state central committee, **shall file a statement**, sworn under penalty of false statement with the proper authority in accordance with the provisions of section 9-603, (A) **on the tenth calendar day in the months of January, April, July and October, provided, if such tenth calendar day is a Saturday, Sunday or legal holiday, the statement shall be filed on the next business day**, (B) on the seventh day preceding each

regular state election, except that . . . (ii) in the case of a town committee, the statement shall be filed on the seventh day preceding each municipal election in addition to such date, and (C) if the committee has made or received a contribution or expenditure in connection with any other election, a primary or a referendum, on the seventh day preceding the election, primary or referendum.” (Emphasis added.)

5. General Statutes § 9-623 (b) provides as follows: “(1) If any campaign treasurer fails to file any statement required by section 9-608, or if any candidate fails to file either (A) a statement for the formation of a candidate committee as required by section 9-604, or (B) a certification pursuant to section 9-603 that the candidate is exempt from forming a candidate committee as required by section 9-604, within the time required, the campaign treasurer or candidate, as the case may be, shall pay a late filing fee of one hundred dollars. (2) In the case of any such statement or certification that is required to be filed with the State Elections Enforcement Commission, the commission shall, not later than ten days after the filing deadline is, or should be, known to have passed, notify by certified mail, return receipt requested, the person required to file that, if such statement or certification is not filed not later than twenty-one days after such notice, the person is in violation of section 9-603, 9-604 or 9-608.”
6. On October 11, 2011, the Respondent was required to file a financial disclosure statement on behalf of the Naugatuck Republican Town Committee per General Statutes § 9-608 (a) (1) (A), but did not. *State’s Exhibits 10 and 13.*
7. On October 21, 2011, Ms. Staniewicz sent a letter to the Respondent, by certified mail, return receipt requested, stating that the Commission had not received a financial disclosure statement from her that was due on October 11, 2011. *State’s Exhibit 5.* The letter provided that the Respondent must file the statement and submit a payment of \$100 within 21 days or else she would be subject to a civil penalty between \$200 and \$2,000 and a potential public hearing. *State’s Exhibit 5.*
8. After 21 days had expired, and no October quarterly statement was filed, Ms. Staniewicz referred the matter to the Commission’s Enforcement Unit. *State’s Exhibit 10.* Failure to file within the prescribed time period after notice is given is a *per se* violation of General Statutes § 9-608. See General Statutes § 9-623 (b) (2).
9. On December 22, 2011, Paralegal Specialist Evelyn Gratacos sent a letter to the Respondent, stating that the Commission had still not received a financial disclosure statement from her that was due on October 11, 2011. *State’s Exhibit 6.* The letter explained that the Respondent was subject to a civil penalty between \$200 and \$2,000 but advised that she could avoid further enforcement of the matter if she submitted the statement and a payment of \$200 by January 9, 2012. *State’s Exhibit 6.*
10. On January 9, 2012, the Respondent submitted the October quarterly filing, covering the period from July 1, 2011 through September 30, 2011. *State’s Exhibits 10 and 11 and*

Testimony of Staniewicz. The filing reflects that the committee had no receipts or expenditures during the period covered by the statement. *State's Exhibit 11.* The Respondent did not submit a payment of \$200 either at the time of filing or as of February 14, 2012.

Testimony of Elections Officer Andrew Cascudo.

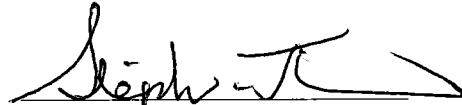
11. It is concluded that the Respondent violated General Statutes § 9-608 by failing to timely file a financial disclosure statement for the October 2011 quarterly filing and by failing to file the statement within the 21 days after Ms. Staniewicz's notice.
12. Evidence was presented that Commission staff was persistent and rigorous in its efforts to contact the Respondent about the delinquent filing and payment. *State's Exhibits 5, 6, 7, 8, 9, and 10.*
13. General Statutes § 9-7b (a) (2) provides, in pertinent part, that the Commission shall have the power to levy a civil penalty not to exceed "two thousand dollars per offense or twice the amount of any improper payment or contribution, whichever is greater, against any person the commission finds to be in violation of any provision of chapter 155 or 157." The Commission may levy a civil penalty against any person only after giving the person an opportunity to be heard at a hearing. *See* General Statutes § 9-7b (a) (2).
14. General Statutes § 9-623 (b) (4) provides, in pertinent part, that "[t]he penalty for any violation of section . . . 9-608 . . . shall be a fine of not less than two hundred dollars or more than two thousand dollars or imprisonment for not more than one year, or both."
15. In consideration of the factors listed in § 9-7b-48, Regs., Conn. State Agencies, in particular that while (1) the Respondent had still not submitted payment, (2) the State presented no evidence that the Respondent had a history of prior campaign finance violations, (3) as of the date of the hearing, the Respondent had submitted the filing, and (4) the committee did not spend or receive any money during the period covered by the filing and therefore any public harm suffered by lack of disclosure was minimal, it was recommended that the Commission assess a civil penalty against the Respondent in the amount of \$250.00 for her violation of General Statutes § 9-608.

The following Order is adopted on the basis of these findings and conclusions:

ORDER

IT IS HEREBY ORDERED THAT the Respondent shall pay a civil penalty in the amount of \$250.00, payable to the State Elections Enforcement Commission, within 30 days of notice of this decision, for violation of General Statutes § 9-608, pursuant to General Statutes § 9-7b (a) (2).

Adopted this 23rd day of May 2012 at Hartford, Connecticut by vote of the Commission.



Stephen F. Cashman, Chairman
By order of the Commission

I certify the preceding final decision was sent to Respondent Stephanie L. Savoy, 1081 New Haven Road Unit 2A, Naugatuck, CT 06770, via first-class mail on May 23, 2012 with delivery confirmation tracking and certified mail, return receipt requested.



Sheri-Lyn Lagueux
Clerk of the Commission