

**STATE OF CONNECTICUT**  
**STATE ELECTIONS ENFORCEMENT COMMISSION**

Complaint of Arthur Scialabba,  
Norwalk

File No. 2012-011

**FINDINGS AND CONCLUSIONS**

The Complainant filed this complaint with the Commission pursuant to General Statutes § 9-7b, alleging that a communication supporting Lynne Moore, candidate for Norwalk Common Council, violated the attribution requirements of General Statutes § 9-621 (a).

After an investigation of the matter, the Commission makes the following findings and conclusions:

1. At all times relevant hereto, Lynne Moore was a candidate for the Common Council of Norwalk financing her campaign through the Friends of Dr. Lynne Moore candidate committee (the "Committee") with Nathaniel Yordon serving as treasurer.
2. As reported in financial disclosures filed by the Committee with the Norwalk Town Clerk, pursuant to General Statutes (SEEC Form 20), the Committee made an expenditure for a political advertisement to appear in *The Hour* newspaper in the amount of \$186.12 (the "communication").
3. The communication promoted Lynne Moore's candidacy and asked the reader to vote for the candidate and "join me in our fight."
4. The communication included Lynne Moore's campaign logo (a prominent stylized "Elect Dr. Lynne Moore For Norwalk"), campaign slogan and campaign message.
5. Based on the above, the Commission finds that the reasonable observer would conclude that the person issuing the communication was Ms. Moore's campaign.
6. The communication did not contain the "paid for" and "approved by" attributions pursuant to § 9-621 (a).
7. General Statutes § 9-621 (a) provides, in relevant part:

... [N]o candidate or committee shall make or incur any expenditure ... for any written, typed or other printed communication ... which promotes the success or defeat of

any candidate's campaign for nomination at a primary or election ... unless such communication bears upon its face (1) the words "paid for by" and the following: ... in the case of a committee other than a party committee, the name of the committee and its campaign treasurer .... and (2) the words "approved by" and the following: ... in the case of a candidate committee, the name of the candidate ....


8. The Commission concludes that the communication should have contained an attribution pursuant to § 9-621 (a).
9. There is no allegation or evidence uncovered in the course of the investigation suggesting this omission was part of a larger pattern of conduct.
10. Based on the Commission's finding that the person issuing the communication was clear to the reasonable observer, the absence of a prior history of violations, and noting the absence of evidence of any intent to deceive or mislead the public, the Commission declines to investigate the matter further. See *In the Matter of a Compliant by Michael Gongler and Victor L. Hapley, Cromwell*, File No. 2009-126; *Complaint of Robert W. Prentice, Wallingford*, File No 2011-134.

### **ORDER**

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

That no further action be taken.

Adopted this 15<sup>th</sup> day of February, 2012 at Hartford, Connecticut

  
Stephen F. Cashman, Chairman  
By Order of the Commission