

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Kate Haakenson, Columbia

File No. 2012-134

FINDINGS AND CONCLUSIONS

Complainant Kate Haakenson brings this complaint pursuant to General Statutes § 9-7b alleging that the candidate committee of Christopher Coutu failed to account for transfers of property from his federal candidate committee to his state-registered candidate committee. Complainant alleged that the transfer of lawn signs from his disbanded Congressional committee to the “Coutu for Senate” participating candidate committee represented an impermissible contribution, violating both state campaign finance statutes generally as well as those rules specific to the Citizens’ Election Program. The complainant charged that “Coutu for Senate” had accepted in-kind contributions and had failed to report the transfer of lawn signs and a domain name to the state candidate committee. After investigation of the Complainant’s complaint, the Commission makes the following findings and conclusions:

1. Christopher Coutu registered a candidate committee with the SEEC on May 18, 2012, indicating his intention to run as a Republican for the 19th district state senate seat. *See* SEEC Form 1a – Registration by Candidate (“Coutu for Senate,” May 18, 2012). Respondent William Jenkins was named as the campaign treasurer for the “Coutu for Senate” candidate committee. *Id.*
2. On September 4, 2012, Coutu agreed to participate in the Citizens’ Election Program, by signifying his intent to abide by program restrictions by filing the SEEC Form CEP 10, and also applied for a grant from the program by filing the Form CEP 15. *See* SEEC Form CEP 10 Affidavit of Intent to Abide by Expenditure Limits and Other Citizens’ Election Program Requirements (“Coutu for Senate,” Sept. 4, 2012); SEEC Form CEP 15 Citizens’ Election Program Application for Public Grant Dollars (“Coutu for Senate,” Sept. 4, 2012). Both the candidate and campaign treasurer executed those documents.
3. The candidate committee was approved for a grant and received a total of \$91,280 on September 21, 2012. *See* SEEC Form 30 Itemized Campaign Finance Disclosure Statement (“Coutu for Senate,” Oct. 10, 2012).
4. Before he decided to run for the 19th district state senate seat, Coutu had formed a federal candidate committee to run for the 2nd Congressional district seat. *See* FEC Form 2 Statement of Candidacy (“Coutu for Congress,” May 3, 2011). When the incumbent decided not to seek reelection to the 19th district senate seat, Coutu abandoned his federal campaign and launched his bid for the state senate seat.

5. Complainant alleges that Coutu transferred campaign signs from the federal candidate committee to the state senate candidate committee without accounting for them in the state campaign finance disclosure statements.
6. General Statutes § 9-705 (j) (5) sets thresholds above which a candidate committee must report any signs that the candidate transfers to the candidate committee. In relevant part, § 9-705 (j) (5) states:

The amount of the primary grant or general election campaign grant for a qualified candidate committee shall be reduced . . . if such candidate committee has control and custody over lawn signs from any prior election or primary in the following applicable amount: . . . (B) one hundred or more lawn signs for the qualified candidate committee of a candidate for the office of state senator . . . If such qualified candidate committee has custody and control over lawn signs in the applicable amount, as described in this subdivision, the grant from the fund for the primary campaign or general election campaign, as applicable, for such qualified candidate committee shall be reduced as follows: . . . (ii) five hundred dollars for the qualified candidate committee of a candidate for the office of state senator . . . No reduction in either the primary campaign or general election campaign for a qualified candidate committee's grant shall be taken for any lawn sign that is not in the custody or control of the qualified candidate committee. Nothing in this subdivision shall be construed to apply to any item other than lawn signs.

General Statutes § 9-705 (j) (5) (establishing thresholds where candidate committees must report any lawn signs they receive from prior elections).

7. Respondent Jenkins stated in a sworn affidavit that the Coutu candidate committee had approximately 50 lawn signs in its possession, below the 100-sign threshold laid specified in General Statutes § 9-705 (j) (5). Jenkins stated that because the number of lawn signs was below the amount referenced in the statute, he did not report them. *See* Affidavit of William L. Jenkins (Sept. 18, 2012).
8. The statutory provisions governing the Citizens' Election Program clearly indicate that the General Assembly intended to allow qualified candidate committees to utilize lawn signs from prior election campaigns. By setting a bar for reporting – and the concomitant reduction in the grant – at a specified amount, the legislature evinced its intention to allow some lawn signs to enter the candidate committee's "control and custody" without the committee accounting for the value of those signs. The transfer of the Coutu lawn signs from the federal to the state candidate committee appears to represent such an instance that would go unreported.
9. The complainant also alleged that the Coutu candidate committee had failed to report the costs associated with the development of a website.
10. Respondent Jenkins stated in his affidavit that state senate candidate committee had paid a consultant, The Bolat Group of Wallingford, to create the website used by the state senate candidate

committee. See Affidavit of William L. Jenkins (Sept. 18, 2012). The committee's filings with the Commission show that it paid a total of \$1,195 to "The Bolat Group." See SEEC Form 30 Itemized Campaign Finance Disclosure Statement ("Coutu for Senate," Sept. 13, 2012) at 67 (reflecting payment of \$1,000 to The Bolat Group on June 30, 2012); SEEC Form 30 Itemized Campaign Finance Disclosure Statement ("Coutu for Senate," Sept. 14, 2012) at 84 (reflecting payment of \$195 to The Bolat Group on Aug. 28, 2012).

11. The reported expenditures to The Bolat Group appear to reflect the amount paid by the state senate candidate committee for the website.
12. No evidence exists to support the purported contributions from the federal candidate committee to the state candidate committee, and the Commission will dismiss the complaint against respondents.

ORDER

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

That the matter be dismissed.

Adopted this 20th day of February of 2013 at Hartford, Connecticut.



Anthony J. Castagno, Chairman
By Order of the Commission