

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

Complaints of Pete Bass, New Milford

File Nos. 2012-158 & 162

**FINDINGS AND CONCLUSIONS**

The Complainant filed this complaint with the Commission pursuant to General Statutes § 9-7b alleging that political communications issued by the Grossman for New Milford committee failed to include attributions required by General Statutes § 9-621.

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

1. At all times relevant hereto, the Grossman for New Milford committee (the "Committee") was a Citizens' Election Program (the "CEP") participating committee promoting the candidacy of Andrew Grossman (the "Candidate").
2. At all times relevant hereto, the Mr. Neal was the treasurer of the Committee (the "Treasurer").
3. The Treasurer authorized the payment of two separate expenditures for a total value of \$879.17 for payments for conducting campaign communications through the development, maintenance and promotion of the Committee's website "grossmanfornewmilford.com." (the "Campaign Committee Website").
4. At all times relevant hereto, the Campaign Committee Website did not contain an attribution stating who paid for or approved the website. Nevertheless, the name of the Campaign Committee Website directly corresponded to the name of the Candidate's Committee publicly registered with the Commission and readily identifiable through the Commission's own website.
5. Although the Campaign Committee Website contained no information regarding who paid for the communication, the website did feature the candidate identifying himself and his political message in the first person and did not attempt to distance the communication from the authorizing candidate. For example, the website included a picture of the Candidate that

accompanies a statement including, "Let me introduce myself: My name is Andy Grossman, and I want to be your state representative."

6. Based on the above, the Commission finds that the person issuing the communications contained in the Campaign Committee Website was clear to the reasonable observer and notes the absence of any evidence of any intent to deceive or mislead the public.
7. At all times relevant hereto, the Mr. Cain was the deputy treasurer of the Committee (the "Deputy Treasurer").
8. The Deputy Treasurer made payment of committee funds for a contract with Hearst Media Services for newspaper advertisements promoting the Candidate and appearing in the *Danbury News Times* and the *New Milford Spectrum* (the "Newspaper Communications").
9. The total amount of the Committee's expenditure for the Newspaper Communications was \$2,700.00.
10. When the Deputy Treasurer made payment on the contract, the Treasurer was out of the State of Connecticut and the Committee's registered deputy treasurer had assumed the daily responsibilities of the treasurer based on the treasurer's unavailability.
11. All available evidence indicates that the Deputy Treasurer was lawfully acting under color of his office as deputy treasurer due to the unavailability of the treasurer, which resulted in the treasurer's temporary inability to perform certain duties for the period at issue.
12. The Newspaper Communications lacked any direct identification regarding who paid for or approved for such communications, but included the name of the Campaign Committee Website.
13. Based on the Newspaper Communications' naming of the Campaign Committee Website, the Commission finds that the person issuing the communications was clear to the reasonable observer. The Commission further notes the absence of any evidence of any intent to deceive or mislead the public.
14. General Statutes § 9-621 (a), governing attributions on certain written political communications provides, in relevant part:

[N]o candidate or committee shall make or incur any expenditure ... for any written, typed or other printed communication, or any web-based, written communication, which promotes the success or defeat of any candidate's campaign for nomination at a primary or election or promotes or opposes any political party or solicits funds to benefit any political party or committee unless such communication bears upon its face (1) the words "paid for by" and the following ... (B) *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:* (A) In the case of an individual, group or committee other than a candidate committee making or incurring an expenditure with the consent of, in coordination with or in consultation with any candidate, candidate committee or candidate's agent, the name of the candidate; or (B) *in the case of a candidate committee, the name of the candidate.* [Emphasis added.]

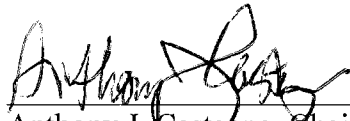
15. In the context, General Statutes § 9-621 (a) required the Campaign Committee Website and the Newspaper Communications to include on its face both "Paid for by Grossman for New Milford. Ian Neal, Treasurer" and "Approved by Andrew Grossman."
16. As applied to the Campaign Committee Website, the requirement that such "communication bears upon its face" an attribution pursuant to General Statutes § 9-621 (a) requires the attribution to be placed, at a minimum, upon the homepage of any similar committee website.
17. Based on the Commission's finding that the person issuing the communications were clear to the reasonable observer, and the absence of a prior history of violations by the Respondent, and noting the absence of any evidence of any intent to deceive or mislead the public, the Commission declines to investigate the matter further. See *Compliant by Michael Gongler and Victor L. Harpley, Cromwell*, File No. 2009-126; *Complaint of John D. Norris, Southbury*, File No. 2011-108, *Complaint of Arthur Scialabba, Norwalk*, File No. 2011-125, *Complaint of Robert W. Prentice, Wallingford*, File No 2011-134; *Complaint of Arthur Scialabba, Norwalk*, File No. 2012-011.

**ORDER**

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

That no further action be taken.

Adopted this 18<sup>th</sup> day of September, 2013 at Hartford, Connecticut.



Anthony J. Castagno, Chairman  
By Order of the Commission