

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Michael H. Griffin, Stratford

File No. 2013-106

AGREEMENT CONTAINING CONSENT ORDER

This agreement, by and between Joseph Paul (hereinafter "Respondent"), of the Town of Old Stratford, County of Fairfield, State of Connecticut and the authorized representative of the State Elections Enforcement Commission, is entered into in accordance with § 9-7b-54 of the Regulations of Connecticut State Agencies and § 4-177(c) of the General Statutes of Connecticut.

In accordance herewith, the parties agree that:

1. Complainant filed this complaint alleging that Respondent violated campaign finance law by making an excessive contribution to an exploratory committee over the statutory individual contribution limit of \$375.00.
2. Specifically, Complainant alleged that Respondent made an excessive contribution in the amount of \$500.00 to his own exploratory committee. An excessive contribution to an exploratory committee is prohibited by General Statutes §§ 9-611 and 9-622.
3. Respondent registered the exploratory committee *Joe Paul for Stratford* in connection with the November 5, 2013 municipal election in the Town of Stratford. Respondent has no prior history with the Commission.
4. General Statutes, § 9-611, provides in pertinent part:

...

(b) (1) ***No individual shall make a contribution or contributions to, or for the benefit of, an exploratory committee, in excess of three hundred seventy-five dollars,*** if the candidate establishing the exploratory committee certifies on the statement of organization for the exploratory committee pursuant to subsection (c) of section 9-604 that the candidate will not be a candidate for the office of state representative. No individual shall make a contribution or contributions to, or for the benefit of, any exploratory committee, in excess of two hundred fifty dollars, if the candidate establishing the exploratory committee does not so certify. [Emphasis added.]

5. General Statutes, § 9-622, provides in pertinent part, that the following persons shall be guilty of illegal practices:

...

(10) *Any person who solicits, makes or receives a contribution that is otherwise prohibited by any provision of this chapter*; [Emphasis added.]

6. Upon investigation, it was found that Respondent discovered his own error in making an excessive contribution and contacted Commission staff to seek advice to rectify the error *prior* to this complaint being filed. Specifically, records indicate that Respondent contacted the Commission as early as June 16, 2013, while the complaint was filed on August 9, 2013.
7. Further, the Respondent claims he mistakenly believed that he was within the limit of a contribution to a municipal *candidate* committee and admits that he as candidate was not cognizant of the nuances pertaining to *exploratory* committees. The Commission found no evidence to contradict Respondent's assertion of a mistaken belief pertaining to these circumstances.
8. Additionally, the Commission finds that the Respondent contacted Commission staff *after* dissolution of *Joe Paul for Stratford*, and therefore Commission staff advised him that he could *not* disgorge the excessive amount from a committee that no longer existed, which evidence suggest he offered to do at the time.
9. Nevertheless, despite Respondent's mistaken belief as to his contribution, his good faith effort to rectify the situation and his willingness to voluntarily seek an equitable resolution to the matter, the Commission concludes that his \$500.00 contribution to *Joe Paul for Stratford*, which was in excess of the \$375.00 maximum contribution limit to an exploratory committee, violated General Statutes §§ 9-611 and 9-622.
10. 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 after a full hearing and shall become final when adopted by the Commission. The Respondent shall receive a copy hereof as provided in Section 9-7b-56 of the Regulations of Connecticut State Agencies.
11. It is understood and agreed that this agreement will be submitted to the Commission at its next meeting and, if it is not accepted by the Commission, it is withdrawn by the Respondent and it may not be used for or against either party in any subsequent hearing, if the same becomes necessary.

12. 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 agreement or Order entered into pursuant to this agreement.

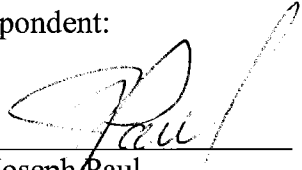
13. Upon the Respondent's agreement with the Order hereinafter stated, the Commission shall not initiate any further proceedings against him pertaining to this matter.

ORDER

IT IS HEREBY ORDERED that the Respondent shall henceforth strictly comply with General Statutes §§ 9-611 and 9-622.

The Respondent:

BY:

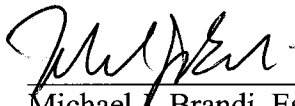


Joseph Paul
47 Harborview Place,
Stratford, Connecticut

Dated: 3/18/2014

For the State of Connecticut:

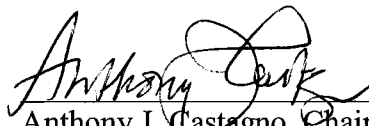
BY:



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

Dated: 3/19/14

Adopted this 19th day of March, 2014 at Hartford, Connecticut



Anthony J. Castagno, Chairman
By Order of the Commission

**RECEIVED
STATE ELECTIONS**

MAR 19 2014

ENFORCEMENT COMMISSION