

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

Complaint of Louis DeCillo, Stratford

File No. 2014-052

FINDINGS AND CONCLUSIONS

The Complainant filed this complaint with the Commission pursuant to General Statutes § 9-7b. The Complainant alleges that the “Joe Paul for Stratford” candidate committee did not report an expense for an advertisement in the “Festival! Stratford” program booklet.

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

1. At all times relevant hereto, the “Joe Paul for Stratford” committee was a candidate committee formed to promote Joseph Paul for mayor of Stratford.
2. On May 8, 2013, Domingo Paul was appointed treasurer of the “Joe Paul for Stratford” candidate committee.
3. Acting as treasurer, Domingo Paul authorized the payment of \$100.00 of committee funds for an advertisement to appear in the “Festival! Stratford” program booklet. Such advertisements are used to offset the costs of running the municipal arts festival run by the Stratford Arts Commission.
4. Such advertisement appeared in the festival’s booklet and included the attribution “Approved by Joe Paul. Joe Paul for Stratford. Dom Paul, Treasurer.”
5. At no time relevant hereto does the evidence suggest that any agent of the committee or the treasurer ever received an invoice or other form of follow up regarding the outstanding payment. The evidence does not indicate that this omission was anything more than, at most, a mere billing error.
6. Domingo Paul did not report the “expense incurred but not paid” or otherwise report the cost associated with the advertisement on any financial disclosure form, including the July 10, 2013 report. Such July 10, 2013 report was the final report under his term of office as treasurer.

7. On September 19, 2013, through an amended committee registration filed with the Stratford town clerk, Domingo Paul was replaced as treasurer of the committee by Kenneth Bishop.
8. At no time prior to the instant investigation did Mr. Bishop have any awareness of the unrecorded outstanding payment owed by the committee regarding the advertisement, nor was he in possession of any records that would have provided him with such information.
9. Unaware of the committee's outstanding \$100.00 debt, Mr. Bishop otherwise properly dispersed the committee's remaining funds and properly terminated the committee.
10. In the course of the investigation, after learning of the outstanding expense by the terminated committee, the candidate, Joseph Paul, voluntarily contributed \$100.00 to the Stratford Arts Commission in order to provide the best available remedy for the situation and to remove any potential perception of an improper benefit to his former committee.
11. General Statutes § 9-601b (c) provides:

“Expense incurred but not paid” means any receipt of goods or services for which payment is required but not made or a written contract, promise or agreement to make an expenditure.
12. General Statutes § 9-608 (c) (1), governing the content of financial disclosure reports filed by committee treasurers, provides, in relevant part:

Each statement filed under subsection (a), (e) or (f) of this section shall include, but not be limited to ... (C) an itemized accounting of each expense incurred but not paid, provided if the expense is incurred by use of a credit card, the accounting shall include secondary payees, and the amount owed to each such payee.
13. The Commission concludes that former treasurer Domingo Paul should have reported the \$100.00 expense incurred but not paid no later than July 10, 2013 quarterly filing pursuant to General Statutes § 9-608 (a).

14. As the advertisement at issue clearly and accurately stated the responsible party for the advertisement, there appears to have been no attempt by the committee, or any agent thereof, to avoid responsibility or payment for the advertising. The insufficient disclosure was likely caused by a relatively minor bookkeeping and reporting error by Mr. Domingo Paul.
15. Mr. Domingo Paul is warned and instructed to take care to report all items required under § 9-608 (c), including committee expenses incurred but not paid.

ORDER

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

That no further action be taken.

Adopted this 19 day of August, 2014 at Hartford, Connecticut.



Anthony J. Castagno, Chairman
By Order of the Commission