

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

In the Matter of a Complaint by Robert Ferguson  
Town of Weston

File No. 2014-125

**FINDINGS & CONCLUSIONS**

Complainant Robert Ferguson of Weston filed this complaint alleging that a contribution that he had made to the *Visconti for Governor* candidate committee in 2014 was never reported by the committee, even though the check for \$1,000 was cashed. After an investigation of the matter, the Commission adopts the following findings of fact and conclusions of law:

1. Complainant Robert Ferguson filed this complaint raising a concern that the contribution he made to the Visconti candidate committee had potentially been used for purposes unrelated to the campaign. As he stated in his complaint, "It is hard to fathom mis-accounting [sic] for a contribution of this magnitude that represents such a large percentage [of the overall funds raised by the committee], which gives rise to my suspicion that it may have been used personally."<sup>1</sup>
2. According to the complaint, Ferguson made a \$1,000 contribution to the *Visconti for Governor* candidate committee, via a personal check dated January 20, 2014.<sup>2</sup> The check was deposited on or about February 4, 2014 and was included as a cleared draft in his February 2014 bank statement.<sup>3</sup>
3. Complainant stated that in his review of the Visconti committee's filings he did not find where the \$1,000 that he contributed in January 2014 had been reported.<sup>4</sup>
4. Joseph Visconti created his gubernatorial candidate committee on April 4, 2013, naming Amy H. DeGraff as the committee's treasurer.<sup>5</sup> On June 26, 2013, Visconti amended his committee registration to name Susan A. Lavelli as treasurer of the committee.<sup>6</sup> Lavelli is a respondent in this matter.

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<sup>1</sup> Complaint of Robert Ferguson, Weston, SEEC File No. 2014-125 (Rec'd Oct. 14, 2014) (raising possibility that \$1,000 contribution to Visconti campaign may have been misused).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> See SEEC Form 1A – Registration by Candidate – Joseph B. Visconti: *Visconti for Governor* (April 4, 2013) (creating candidate committee for 2014 election cycle and naming Amy DeGraff as initial treasurer).

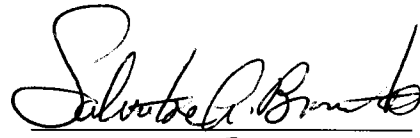
<sup>6</sup> See SEEC Form 1A – Registration by Candidate – Joseph B. Visconti: *Visconti for Governor* (June 26, 2013) (amending registration to name Susan A. Lavelli as treasurer).

5. Commission staff contacted the committee's treasurer to determine whether the committee had received and deposited Complainant's contribution.
6. Based on the investigation, it appears that the committee did receive and deposit the contribution. The problem arose with the reporting of that contribution.
7. Instead of itemizing the contribution as required in General Statutes § 9-608, the treasurer reported Complainant's \$1,000 contribution in section A of the SEEC Form 30, which is reserved for "Total Contributions from Small Contributors."
8. Respondent Lavelli reported a total of \$8,740 as being from small contributors. Documentation provided by Respondent showed that the \$1,000 from Ferguson was included in the lump-sum amount reported in section A.
9. As a statewide candidate committee in 2014, the *Visconti for Governor* candidate committee was subject to a post-election review of its financial records, including contributions and expenditures.
10. The Commission's Campaign Disclosure and Audit unit reviewed the Visconti candidate committee's campaign finance reports as well as other documentation to support its expenditures during the 2014 election cycle. Nothing in that report necessitated referring the audit to the enforcement unit for additional action.
11. Given that the reporting error identified by Complainant would have been handled in the audit report with a simple finding, the Commission will dismiss this matter with no further action because it would have fallen below the Commission's threshold for prosecution of audit matters.
12. Based on the above-referenced findings and conclusions, the matter will be dismissed.

**ORDER**

IT IS HEREBY ORDERED THAT the Complaint will be dismissed and that the associated audit of the *Visconti for Governor* candidate committee will be closed.

Adopted this 19<sup>th</sup> day of June, 2019 at Hartford, Connecticut by vote of the Commission.

  
Salvatore Bramante Vice Chair  
By Order of the Commission

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