

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Frank Capone, East Haven

File No. 2015-106

FINDINGS AND CONCLUSIONS

The Complainant filed this complaint pursuant to General Statutes § 9-7b. The Complainant alleged that the candidate committee *Maturo for Mayor 2015* violated campaign finance laws pertaining to campaign finance reporting requirements.

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

1. By way of background, *Maturo for Mayor 2015* (hereinafter “Committee”) was registered by Joseph Maturo in connection with his mayoral campaign in the Town of East Haven for the November 3, 2015 municipal election. Mr. Maturo designated Danelle Feeley as campaign treasurer of the Committee. Mr. Maturo and Ms. Feeley have no prior history as Respondents with the Commission.
2. Complainant alleged that the Committee failed to accurately report the principal occupation and name of employee pertaining to a June 4, 2015 contribution in the amount of \$250.00 from a Mr. James Farrell. Specifically, Complainant alleged that the Committee, and particularly Mr. Maturo, accepted the aforementioned donation on June 4, 2015, “...*knowing that Mr. Farrell listed his former occupation and employer to mislead and avoid political scrutiny.*”
3. General Statutes § 9-608, provides in pertinent part:
 - (a) (1) Each treasurer of a committee, other than a state central committee, shall file a statement, sworn under penalty of false statement with the proper authority in accordance with the provisions of section 9-603, ...
 - ...
 - (c) (1) Each statement filed under subsection (a), (e) or (f) of this section shall include, but not be limited to: (A) An itemized accounting of each contribution, if any, including the full name and complete address of each contributor and the amount of the contribution; ... (F) *for each individual who contributes in excess of one hundred dollars but not more than one thousand dollars, in the aggregate, to the extent known, the principal occupation of such individual and the name of the individual’s employer, if any; ... [Emphasis added.]*

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

...

(8) Any person who knowingly and wilfully violates any provision of this chapter; ...

5. Upon investigation, the Commission finds that the Committee reported “CEO” for Mr. Farrell’s *principal occupation* and “New Haven County Credit Union” for his *name of employer* on its July 10, 2015 *Itemized Campaign Finance Disclosure Statement* (SEEC Form 20) filed with the East Haven Town Clerk’s office.
6. Ms. Feeley, in response to this complaint and investigation, admits that she originally disclosed principal occupation and name of employer data incorrectly for Mr. Farrell on the Committee’s July 10, 2015 SEEC Form 20.
7. Additionally, Ms. Feeley claims that Mr. Farrell’s contribution data fields were “automatically populated” with pre-existing information for Mr. Farrell by a program she was using for data entry to complete the SEEC Form 20 in this instance. Therefore, she asserts, that any outdated employer and occupation information occurred by accident when Mr. Farrell’s June 4, 2015 contribution in the amount of \$250.00 increased his aggregate contributions to the Committee to \$375.00 was entered into the Committee’s SEEC Form 20 for its July 10, 2015 filing.
8. The Commission, after investigation, finds that the Committee retained a copy of the contributor card pertaining to the contribution from Mr. Farrell that included updated principal occupation and name of employer data. The Committee contributor card indicates that the June 4, 2015 contribution from James V. Farrell was in the amount of \$250 and discloses “Business Manager” for *principal occupation* and “East Haven Board of Education” for *name of employer*.
9. In response to Complainant’s allegation, Ms. Feeley concedes that she failed to reconcile the new contributor information reported on the Committee’s June 4, 2015 contributor card for Mr. Farrell regarding his principal occupation and name of employer. She denies that there was any knowing or willful purpose behind the resulting error of failing to update the Committee data fields when aggregating Mr. Farrell’s contributions on its July 10, 2015 SEEC Form 20.
10. The Commission, in this instance, finds Ms. Feeley’s explanation plausible and further finds after investigation and review a lack of evidence to contradict such assertions.

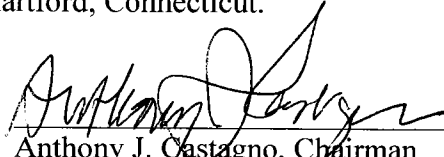
11. The Commission therefore concludes that, on balance, there is insufficient evidence to support a finding that the candidate, his committee and/or its agents committed knowing violations of General Statutes § 9-608 (c) (1) (F) and § 9-622 (8) by its erroneous reporting of information pertaining to Mr. Farrell's June 6, 2015 contribution to the Committee.
12. The Commission notes that in cooperation with this investigation Ms. Feeley amended the Committee's July 10, 2015 SEEC Form 20 to accurately disclose Mr. Farrell's principal occupation and name of employer and filed it with East Haven Town Clerk's office on September 3, 2015.
13. Finally, the Commission finds that such disclosure through an amended financial statement is both permissible and encouraged when original errors or omissions occur pertaining to campaign finance statements. Therefore, as the interests of accurate reporting and transparency have been by the Committee in response to Complainant's allegations, the Commission declines to take further action in this matter.

ORDER

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

That the Complaint be dismissed.

Adopted this 20th day of October, 2015 at Hartford, Connecticut.


Anthony J. Castagno, Chairman
By Order of the Commission