

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

*In re* Audit Report of *People for Ortiz*

File No. 2015-141

**AGREEMENT CONTAINING A CONSENT ORDER**

The parties, Judith S.Ortiz, hereinafter referred to as “Respondent,” and the undersigned authorized representative of the State Elections Enforcement Commission, enter into this agreement as authorized by Connecticut General Statutes § 4-177 (c) and Regulations of Connecticut State Agencies § 9-7b-54. In accordance with those provisions, the parties agree that:

1. Anthony Ortiz established this candidate committee on June 3, 2014 to support his candidacy for the 8<sup>th</sup> district General Assembly seat and named Respondent as treasurer for the candidate committee.<sup>1</sup>
2. The candidate and treasurer completed documentation to participate in the Citizens’ Elections Program.<sup>2</sup> The Commission approved a grant from the Citizens Election Fund totaling \$27,850, which was received by the committee on Sept. 22, 2014.<sup>3</sup>
3. The 8<sup>th</sup> district was selected as part of the random audit lottery conducted following the 2014 election cycle. The Commission reviewed expenditures and backup documentation for the *People for Ortiz* candidate committee during the course of the audit.
4. The committee provided backup documentation to support expenditures that the committee had made during the course of the election cycle. Among those documents was a contract between the committee and Jake Williams, who served as the campaign manager for the committee. The contract obligated the candidate committee pay Williams a total of \$5,000 for his work for the campaign between September 15, 2014 and November 5, 2014. The contract included the caveat that

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<sup>1</sup> See SEEC Form 1 – Registration of Candidate Committee (*People for Ortiz*, June 3, 2014) (reflecting establishment of candidate committee by Anthony J. Ortiz and appointment of Judith S. Ortiz as treasurer).

<sup>2</sup> See SEEC Form CEP 10 – Affidavit of Intent to Abide by Expenditure Limits and Other Citizens’ Election Program Requirements (*People for Ortiz*, July 14, 2014) (reflecting intent of candidate and treasurer to participate in Citizens’ Election Program and follow voluntary program rules).

<sup>3</sup> See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement: October 10 Filing (*People for Ortiz*, Oct. 6, 2014) (reporting grant received from Citizens’ Election Fund on Sept. 22, 2014).

payment of \$625 per week would begin the week of September 15, 2014  
“contingent on receiving SEEC grant.”<sup>4</sup>

5. In addition to requiring written contracts for all service providers, the regulations governing the Citizens’ Election Program prohibit entering into a contract that makes payment of the amount due under the contract subject to receipt of a grant from the Citizens’ Election Fund. The regulation states, in relevant part:

Participating candidates and the treasurers of such participating candidates shall not spend funds in the participating candidate’s depository account for the following:

...

16. Expenditures incurred but not paid for which payment of any portion of the outstanding liability is made contingent on the participating candidate committee’s receipt of a grant from the Citizens’ Election Fund;<sup>5</sup>

6. As enumerated in § 9-7b-48 of the Regulations of Connecticut State Agencies:

In its determination of the amount of the civil penalty to be imposed, the Commission shall consider, among other mitigating or aggravating circumstances:

- (1) the gravity of the act or omission;
- (2) the amount necessary to insure immediate and continued compliance;
- (3) the previous history of similar acts or omissions; and
- (4) whether the person has shown good faith in attempting to comply with the applicable provisions of the General Statutes.<sup>6</sup>

7. Respondent admits all jurisdictional facts and agree that this Agreement and Order shall have the same force and effect as a final decision and order entered into after a full hearing and shall become final when adopted by the Commission.

8. The Respondent waives:

- a. Any further procedural steps;

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<sup>4</sup> See Committee to Elect Candidate Anthony Ortiz: Fee Arrangement for Work or Services, Contract between Jake Williams and *People for Ortiz*, (September 9, 2014).

<sup>5</sup> Regulations, Conn. State Agencies, § 9-706-2 (b) (16) (State Elections Enforcement Comm’n) (prohibiting contracts that make payment contingent upon grant receipt).

<sup>6</sup> Regs., Conn. State Agencies, § 9-7b-48 (State Elections Enforcement Comm’n).

- 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 Order entered into pursuant to this Agreement.
9. It is understood and agreed by the parties to this Agreement that the Commission will consider this Agreement at its next meeting and, if the Commission rejects it, the Agreement will be withdrawn and may not be used as an admission by the Respondent in any subsequent hearing, if one becomes necessary.

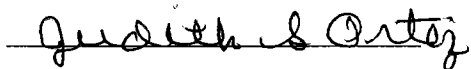
**ORDER**

**IT IS HERERY ORDERED THAT** Respondent shall pay a civil penalty of two-hundred dollars (\$200) and shall henceforth comply strictly with the requirements of the regulations related to the Citizens' Election Program.

The Respondent

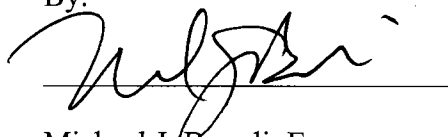
For the State of Connecticut

By:



Judith S. Ortiz  
15 Columbia Landing  
Columbia, CT 06237

By:

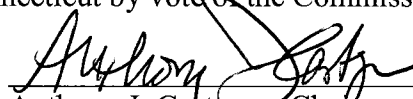


Michael J. Brandi, Esq.  
Executive Director and General Counsel and  
Authorized Representative of the  
State Elections Enforcement Commission  
20 Trinity St., Suite 101  
Hartford, CT 06106

Dated: 6/15/2017

Dated: 6/15/17

Adopted this 21 day of June 2017 at Hartford, Connecticut by vote of the Commission.



Anthony J. Castagno, Chairman  
By Order of the Commission

RECEIVED  
STATE ELECTIONS  
JUN 16 2017  
ENFORCEMENT COMMISSION

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