

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In re. Audit of Saavedra 2016

File No. 2017-090

AGREEMENT CONTAINING A CONSENT ORDER

This Agreement by and between Joseph T. Freeman, City of New Britain, State of Connecticut, hereinafter referred to as Respondent, and the undersigned authorized representative of the State Elections Enforcement Commission, is entered into in accordance with Connecticut General Statutes § 4-177 (c) and Regulations of Connecticut State Agencies § 9-7b-54. In accordance herewith, the parties agree that:

1. The Commission initiated this enforcement matter against the candidate and treasurer for the *Saavedra 2016* candidate committee following an audit of the committee by the Commission's Campaign Disclosure & Audit Unit. The review of the committee's records and campaign finance disclosure reports showed that the candidate committee had potentially received an impermissible business-entity contribution from a bus company. Based on the recommendation encapsulated in the draft audit, the Commission referred this matter to the Enforcement Unit for additional investigation and prosecution.
2. The Commission reviewed expenditures of the *Saavedra 2016* candidate committee after the committee's selection in the random audit lottery conducted following the 2016 election cycle. Sharon Beloin-Saavedra established her candidate committee to support her campaign for election to the 6th senatorial district seat.¹ The committee did not participate in the Citizens' Elections Program.² The committee raised a total of \$12,542.³
3. According to the campaign finance disclosure reports that the *Saavedra 2016* candidate committee filed with the Commission, Dattco, Inc., a bus company located in New

¹ See SEEC Form 1 – Registration of Candidate Committee (*Saavedra 2016*, March 23, 2016) (reflecting establishment of candidate committee by Sharon Beloin-Saavedra and appointment of Joseph T. Freeman as treasurer).

² See SEEC Form CEP 10 – Affidavit of Intent Not to Abide by Expenditure Limits and Other Citizens' Election Program Requirements (*Saavedra 2016*, Sept. 29, 2016) (reflecting intent of candidate and treasurer not to participate in Citizens' Election Program).

³ See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement: Termination Report (*Saavedra 2016*, July 3, 2017) (reporting aggregate amounts raised to support Saavedra's candidacy over life of committee).

Britain, contribution bus services to the candidate committee valued at \$1,000.⁴ That contribution was associated with a fund-raising event, which the committee described as a “pub crawl.” Dattco issued an invoice to the committee for the cost of the bus.

4. General Statutes § 9-613 prohibits any contribution from a business entity to a candidate committee.⁵ Business entities, however, may donate goods or services valued at up to \$200 for a fund-raising affair.⁶
5. Accepting a business-entity donation that exceeded \$200 would be an illegal practice and could subject the treasurer that accepted this impermissible contribution to as much as a \$2,000 civil penalty.⁷ In prior cases, the Commission has sought reimbursement of the amount of an impermissible contribution that a treasurer has wrongfully accepted as a civil penalty.⁸
6. General Statutes § 9-7b provides in part:
 - (a) The State Elections Enforcement Commission shall have the following duties and powers: . . .
 - (2) To levy a civil penalty not to exceed . . . (D) two thousand dollars per offense or twice the amount of any improper payment or contribution, whichever is greater, against
7. 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 into after a full hearing and shall become final when adopted by the Commission.

⁴ SEEC Form 30 – Itemized Campaign Finance Disclosure Statement: Second Weekly Supplemental Filing General Election – Amendment (*Saavedra 2016*, July 2, 2017) (reporting in-kind contribution from Dattco, Inc., valued at \$1,000).

⁵ See General Statutes § 9-613 (“No business entity shall make any contributions or expenditures to, or for the benefit of, any candidate’s campaign for election to any public office or position subject to this chapter or for nomination at a primary for any such office or position, or to promote the defeat of any candidate for any such office or position.”)

⁶ See General Statutes § 9-601a (b) (12) (creating exception to definition of “contribution” for business-entity donations up to \$200 for fund-raising events).

⁷ See General Statutes §§ 9-622 (10) (making acceptance of impermissible contribution “illegal practice” under Connecticut’s campaign finance regime) and 9-7b (a) (2) (D) (allowing Commission to impose civil penalty of as much as \$2,000 for violations of provisions of chapters 155 or 157).

⁸ See *In Re*. “Committee to Elect Romano” – Commission Initiated Complaint, File No. 2012-036 (June 27, 2012) (requiring reimbursement from treasurer-respondent for \$250 impermissible business-entity contribution to candidate committee).

8. 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 Order entered into pursuant to this Agreement.

9. It is understood and agreed that this Agreement will be submitted to the Commission for consideration at its next meeting and, if the Commission does not accept it, it is withdrawn and may not be used as an admission by the Respondent in any subsequent hearing, if the same becomes necessary.


ORDER

IT IS HEREBY ORDERED THAT the Respondent Joseph T. Freeman shall pay a civil penalty of \$1,000 and agrees that henceforth he will strictly adhere to the restrictions on business entity contributions to candidate committees as outlined in General Statutes § 9-613.

The Respondent

For the State of Connecticut

By:



Joseph T. Freeman
124 Farmington Ave
New Britain, CT 06053

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: May 4, 2020

Dated: 5/13/2020

Adopted this 20 day of May, 2020 at Hartford, Connecticut by vote of the Commission.



Commissioner
By Order of the Commission