

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Josh Collins, Vernon

File No. 2018-068A

AGREEMENT CONTAINING A CONSENT ORDER

The parties, Jordan Chamberlin (“Respondent”) and the undersigned authorized representative of the State Elections Enforcement Commission (the “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:

ALLEGATION

1. The Complainant in this matter alleges that the Respondent failed to report an expenditure that was incurred but not yet paid for website services.¹

FACTUAL BACKGROUND

2. On February 16, 2018, Daniel Champagne registered the Champagne for the 35th candidate committee (the “Committee”) with the Commission.
3. At all times relevant hereto, the Committee was the sole funding source for Daniel Champagne’s candidacy for state senate in Connecticut’s 35th senatorial district.
4. At all times relevant hereto, Respondent Chamberlin was the treasurer of the Committee.
5. The Complainant alleges that the Respondent Chamberlin failed to report expenses related to the Committee’s campaign website, www.champagne4senate.com (the “Website”).
6. Imageworks, LLC is, and was at all times relevant hereto, a company that provides website design and related services.
7. Sometime in March of 2018, but prior to March 21, 2018, Respondent retained Imageworks, LLC to design a website for the Committee.
8. The initial website for the Committee was made public on March 21, 2018.
9. Between March 21, 2018 and at least September 3, 2018, Imageworks, LLC continued to develop and modify the Website.

¹ Allegations in the Complaint concerning Daniel Champagne shall be addressed in a separate document.

10. All services provided by Imageworks, LLC were billed pursuant to a pricelist that was provided to Commission investigators.
11. On June 1, 2018, Imageworks, LLC invoiced the Committee for \$1,767.50.²
12. On July 19, 2018, the Committee issued payment, in the form of a Committee check, to Imageworks, LLC in the amount of \$1,767.50.
13. On April 10, 2018 Respondent Chamberlin filed a financial disclosure statement on behalf of the Committee. The April 10, 2018 financial disclosure statement for the Committee did not include a disclosure of an incurred but not yet paid expenditure for Imageworks, LLC.³
14. On July 10, 2018 Respondent Chamberlin filed a financial disclosure statement on behalf of the Committee. The July 10, 2018 financial disclosure statement for the Committee did not include a disclosure of an incurred but not yet paid expenditure for Imageworks, LLC.⁴
15. On August 22, 2018, Respondent Chamberlin and Daniel Champagne submitted an application for a grant from the Citizens' Election Program.
16. As part of the Citezen's Election Program grant application, Respondent Chamberlin filed a financial disclosure statement on behalf of the Committee covering the period July 1, 2018 through August 21, 2018.
17. The financial disclosure statement for the Committee filed with the Committee's Citizens' Election Program grant application did disclose the \$1,767.50 payment to Imageworks, LLC on July 19, 2018.
18. On August 28, 2018, Complainant filed the instant complaint.

LAW

² Imageworks, LLC did submit bills to the Committee after June 1, 2018. Those bills were paid and reported as required by statute and thus do not form the basis of a violation.

³ The April 10, 2018 financial disclosure statement of the Committee was amended by Respondent Chamberlin on April 23rd, June 25th, August 11th, and August 22nd. None of these statements disclosed the incurred but not yet paid expenditure to Imageworks, LLC.

⁴ The July 10, 2018 financial disclosure statement of the Committee was amended by Respondent Chamberlin on August 11th, and August 22nd. Neither of these statements disclosed the incurred but not yet paid expenditure to Imageworks, LLC.

19. General Statutes § 9-608 requires that treasurers of candidate committees for Connecticut state senate file financial disclosure statements with the Commission. That statute further requires that such statements include, “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[.]” General Statutes § 9-608 (c) (1) (C).

DISCUSSION

20. The facts in this case are uncontested. Respondent Chamberlin admits that that the Imageworks, LLC provided work to the campaign prior to July 1, 2018, but that such work was not reported as an incurred but not yet paid expenditure as required by General Statutes § 9-608 (c) (1) (C).
21. The unreported incurred but not yet paid expenditures did not result in any other issues, i.e., expenditure limit violations, which would have impacted the Committee’s eligibility for a grant from the Citizens’ Election Fund.
22. The Commission has been clear that failure to report financial transactions in financial disclosure statements is a serious matter. See *In the Matter of a Complaint by Christopher M. Suggs, West Haven*, File No. 2015-107.
23. However, when such failure is the result of an honest misunderstanding or mistake, and such failure to report resulted in to other harm, the Commission has elected not to pursue a civil penalty. *In the Matter of a Complaint by Jeffrey Caggiano, Bristol*, File No. 2018-031B; *In the Matter of a Complaint by Frank Capone, East Haven*, File No. 2015-106.
24. In this case the Respondent has been cooperative with the Commission’s investigation and has shown good faith in attempting to comply with the applicable provisions of the General Statutes. Moreover, Respondent Chamberlin reported the expenditure as paid prior to the filing of the instant complaint.
25. Accordingly, the Commission concludes that, as the treasurer of the Committee, Respondent Chamberlin violated General Statutes § 9-608, but no civil penalty is warranted.

TERMS OF GENERAL APPLICATION

26. The Respondent admits to 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.

27. The 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 to contest the validity of the Order entered into pursuant to this Agreement.

28. Upon the Respondent's agreement to comply with the Order hereinafter stated, the Commission shall not initiate any further proceedings against the Respondents regarding this matter.


29. It is understood and agreed by the parties to this Agreement that the Commission will consider this Agreement at its next available meeting and, if the Commission rejects it, the Agreement will be withdrawn and may not be used as an admission by the Parties in any subsequent hearing, proceeding or forum.

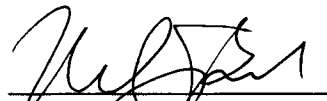
ORDER

It is hereby ordered that the Respondents shall henceforth strictly adhere to the requirements of General Statutes § 9-608.

For the Respondent:

For the State of Connecticut:

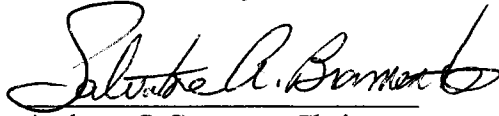
By: 
Jordan D. Chamberlin
9 Egypt Road
Ellington, CT 06029

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

Dated: 9/16/19

Dated: 9/16/19

Adopted this 18 day of September, 2019 at Hartford, Connecticut by vote of the Commission.


~~Anthony J. Castagno, Chairman~~
By Order of the Commission
Salvatore Bramante