

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
John J. Flynn, Norwalk

File No. 2018-091

FINDINGS AND CONCLUSIONS

Complainant brought this complaint pursuant to General Statutes § 9-7b alleging that the candidate committee of Bob Duff failed to itemize financial disclosure statements as required by General Statutes § 9-608. Additionally, Complainant alleged various violations of Connecticut campaign finance laws pertaining to the Bob Duff candidate committee and fundraisers and solicitations in conjunction with Dean O'Brian and the Third Street PAC in support of Duff's reelection at the November 6, 2018 election. After the investigation of the complaint, the Commission makes the following findings and conclusions:

1. Robert A. Duff registered the candidate committee "Friends of Bob Duff" (hereinafter "Committee") in connection with his candidacy for state senate for the 25th Senatorial District at the November 6, 2018 election. The Committee was registered on January 16, 2018 and John L. Mola was designated the treasurer of the Committee.¹
2. Complainant alleged that the Committee failed to disclose and itemize campaign expenditures to The SoNo Group in violation of General Statutes § 9-608.²
3. Further, Complainant alleged that the Committee failed to report contributions from fundraising dinners as well as in-kind contributions in violation of General Statutes § 9-608.
4. Finally, Complainant alleged that the Committee received prohibited contributions from lobbyists in violation of General Statutes, in violation of General Statutes § 9-610.
5. Complainant incorporated additional allegations in the complaint that focused on expenditures made and contributions received by Mr. Duff during the 2008 election cycle. These allegations did not contain specific or sufficient factual predicates to form the basis of campaign finance violations and therefore the Commission declines to consider them further.

¹ See "Friends of Bob Duff," *Candidate Committee Registration Statement* (SEEC Form 1A), received January 16, 2018.

² See *Affidavit of Complaint* by John J. Flynn, SEEC File No. 2018-091, received October 22, 2018.

6. Complainant's allegations pertaining to the violations of General Statutes § 9-608 pertaining to disclose fundraising or contributions pertaining to Dean O'Brien and Third Street PAC, were not supported by specific factual claims or corroborating witnesses. Further, they lacked sufficient specificity to form the basis of a potential campaign finance violation to provide the basis for further investigation by the Commission.
7. Therefore, due to a lack of sufficient or credible facts to support a violation of the Commission's jurisdiction as alleged, the Commission takes no action pertaining to Complainant's assertions regarding Dean O'Brien and Third Street PAC.
8. General Statutes § 9-608 in pertinent part, provides:
 - (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, ...***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; (B) an itemized accounting of each expenditure, if any, including the full name and complete address of each payee, including secondary payees whenever the primary or principal payee is known to include charges which the primary payee has already paid or will pay directly to another person, vendor or entity, the amount and the purpose of the expenditure, the candidate supported or opposed by the expenditure, whether the expenditure is made independently of the candidate supported or is an in-kind contribution to the candidate, and a statement of the balance on hand or deficit, as the case may be; ... [Emphasis added.]***
9. General Statutes § 9-610, provides in pertinent part:
 - (a) As used in this chapter and chapter 157, the term "independent expenditure" means an expenditure, as defined in section 9-601b, that is made without the consent, coordination, or consultation of, a candidate or agent of the candidate, candidate committee, political committee or party committee.
 - (g) No communicator lobbyist, member of the immediate family of a communicator lobbyist, or political committee established or controlled by a communicator lobbyist or a member of the immediate family of a communicator lobbyist shall make a

contribution or contributions in excess of one hundred dollars to, or for the benefit of (1) an exploratory committee or a candidate committee established by a candidate for nomination or election to the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, State Treasurer, Secretary of the State, state senator or state representative, (2) a political committee established or controlled by any such candidate, (3) a legislative caucus committee or a legislative leadership committee, or (4) a party committee.

10. Upon investigation, it was determined that the Committee contracted with The SoNo Group, Inc. for campaign and consulting services pertaining to Mr. Duff's campaign for the 25th Senatorial District at the November 6, 2018 election. The SoNo Group, Inc. is a registered domestic corporation in Connecticut located in Norwalk, Connecticut. The SoNo Group's principal is Mary Pugh of Norwalk, Connecticut.
11. The Commission finds, after investigation that the Committee made multiple expenditures to The SoNo Group. These expenditures were reported by the Committee as expenditures as "Expenses Paid by Committee" in Section N of its itemized campaign finance disclosure statements.
12. The Commission further finds that the Committee disclosed The SoNo Group as a "worker/consultant" for "Itemization of Reimbursements and Secondary Payees" in Section R of its itemized campaign finance disclosure statements. Further, these respective disclosures specified the names of vendors as secondary payees and disclosed the purposes of the expenditures, which included for web services, food, consulting and office supplies, as well as the purpose codes "other" and "miscellaneous."
13. The Commission finds that the allegation that the Committee failed to itemize expenditures pertaining to The SoNo Group, Inc. in violation of General Statutes § 9-608 was not supported by the facts after investigation.
14. The Commission, for the reasons detailed above, dismisses this allegation.
15. Complainant alleged that the Committee received prohibited contributions from lobbyists in violation of General Statutes § 9-610.
16. Upon investigation, the Commission finds a lack of evidence that lobbyists contributed to the Committee as alleged. The Commission therefore dismisses the alleged violation of General Statutes § 9-610 by the Committee as it was not supported by the facts after investigation.

ORDER

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

That this matter be dismissed.

Adopted this 2nd day of October, 2019 at Hartford, Connecticut.



Anthony J. Castagno
By Order of the Commission