

**STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by Louis Decilio, Stratford

File No. 2019-131

AGREEMENT CONTAINING A CONSENT ORDER

The parties, The Stratford Beacon, LLC (“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:

1. At all times relevant hereto, Louis Decilio (“Complainant”) was an elector in the State of Connecticut.
2. Complainant alleged that Respondent failed to report independent expenditures.¹²
3. General Statutes § 9-601d (a) provides:³

Any person, as defined in section 9-601, may, unless otherwise restricted or prohibited by law, including, but not limited to, any provision of this chapter or chapter 157, make unlimited independent expenditures, as defined in section 9-601c, and accept unlimited covered transfers, as defined in said section 9-601. Except as provided pursuant to this section, any such person who makes or obligates to make an independent expenditure or expenditures in excess of one thousand dollars, in the aggregate, shall file statements according to the same schedule and in the same manner as is required of a treasurer of a candidate committee pursuant to section 9-608.

4. On or about July 31, 2019, Steven Marcus registered Respondent The Stratford Beacon, LLC with the Secretary of the State.
5. At all times relevant hereto, Richard Fredette was a candidate for public office in the Town of Stratford.
6. On or about October 28, 2019, Respondent, ordered a billboard advertisement to be placed in the Town of Stratford that read:

FREDETTY’S BACK
RICH FREDETTE IS SLASHIN ALL DEVELOPMENT
10 Years of Republican Rule
& No Real Growth Has Created [sic]

¹ Any allegation in the Complaint concerning Respondent not addressed herein did not allege facts, which if true, would amount to a violation of the law within the jurisdiction of the Commission.

² Allegations concerning other respondents shall be addressed in a separate document.

³ A limited liability company falls within the definition of “person” as denoted in General Statutes § 9-601.

A NIGHTMARE ON MAIN STREET
Don't Let Him Steal Your Dreams – VOTE HIM OUT!

7. The billboard further contained a picture of Richard Fredette's head placed on the body of horror villain Freddy Krueger.
8. Prior to the October 28, 2019 billboard, Respondent purchased two billboards in the Town of Stratford that advocated for affordable housing development, blamed "Republican Leadership" for the lack of new development, and encouraged voters to "Vote out anyone who isn't helping."
9. The cost of the three billboards purchased by Respondent was \$2,005.50. The Stratford Beacon, LLC did not make any public reporting of these expenditures.
10. In order to address this allegation, the Commission must determine whether the purchase of the billboards in question were, in fact, independent expenditures.
11. General Statutes § 9-601c defines an independent expenditure to be "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." General Statutes § 9-601b (1) defines "expenditure" to be "[a]ny purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, when made to promote the success or defeat of any candidate seeking the nomination for election, or election, of any person or for the purpose of aiding or promoting the success or defeat of any referendum question or the success or defeat of any political party[.]"
12. Each billboard purchased by The Stratford Beacon, LLC advocated for the defeat of Republican candidates in the Town of Stratford and one specifically advocated for the defeat of a particular candidate. Thus, the Commission concludes that the purchase each billboard was an expenditure as defined by General Statutes § 9-601b.
13. The investigation revealed no evidence that The Stratford Beacon, LLC coordinated with any candidate, party, or committee. Nor did the investigation reveal any evidence to support any of the presumptions or coordination contained in General Statutes § 9-601c. Thus, the Commission concludes that the expenditures for the billboards were independent expenditures as defined by General Statutes § 9-601c.
14. Accordingly, as Commission concludes that the expenditures for the billboards were independent expenditures, and such expenditures exceeded \$1,000, Respondents were required to publicly report such expenditures pursuant to General Statutes § 9-601d. The investigation revealed that no such reporting was made.
15. Therefore, the Commission further concludes that Respondent The Stratford Beacon, LLC violated General Statutes § 9-601d by failing to report independent expenditures that exceeded one thousand dollars.

16. 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.
17. 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.
18. Upon the Respondent's agreement to comply with the Order hereinafter stated, the Commission shall not initiate any further proceedings against the Respondent regarding this matter.
19. 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.

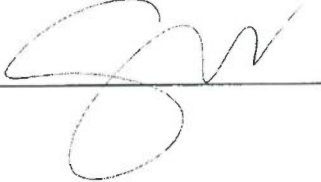
ORDER


It is hereby ordered that the Respondent The Stratford Beacon, LLC shall henceforth strictly adhere to the requirements of General Statutes § 9-601d.

It is further ordered that Respondent The Stratford Beacon, LLC shall pay a civil penalty of \$200.

**Respondent
The Stratford Beacon, LLC:**

**The State Elections Enforcement
Commission:**

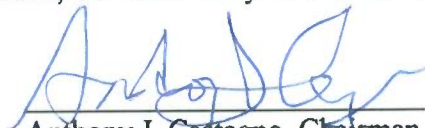
By: 

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: 1/18/21

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Adopted this 20 day of JAN, 2021 at Hartford, Connecticut by vote of the Commission.


Anthony J. Castagno, Chairman
By Order of the Commission