

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Frank LaDore,
Hamden

File No. 2019-150A

AGREEMENT CONTAINING A CONSENT ORDER

This Agreement by and between Rhonda Caldwell, Hamden, 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. Complainant alleged that Working Families Party candidates Laurie Sweet and Respondent, while running for At-Large Legislative Council positions at the November 5, 2019 municipal election in Hamden, failed to include attributions on text messages that solicited votes for them.
2. This settlement agreement is limited to Respondent and any settlement with Laurie Sweet is treated under a separate disposition.
3. The following is the content of the text message at issue:
Hi Chris, this is Sarah with CT Working Families Party. Rhonda Caldwell and Laurie Sweet are working hard to oust Republicans on the Hamden Legislative Council and give working people a strong voice in local government. Can we count on your support for Rhonda and Laurie on the WFP line, Row C, on Tuesday, November 5th?
4. General Statutes § 9-621, provides in pertinent part:
(a) No individual shall make or incur any expenditure with the consent of, in coordination with or in consultation with any candidate, candidate committee or candidate's agent, ... for any written, typed or other printed communication, or any web-based, written communication, which promotes the success or defeat of any candidate's campaign for nomination at a primary or election or promotes or opposes any political party or solicits funds to benefit any political party or committee unless such communication bears upon its face as a disclaimer (1) the words "paid for by" and the following: (A) In the case of such an individual, the name and address of such individual; [Emphasis added.]


5. After investigation, the investigation determined that Respondent approved the efforts by the Working Family Party to support her candidacy by the dissemination of promotional text messages. The Commission further finds that the text message did not include an attribution on the text message promoting her candidacy at the November 5, 2019 Hamden municipal election.
6. The Commission therefore concludes that Respondent failed to meet the requirements of General Statutes § 9-621, as detailed herein.
7. Respondent asserts that she only learned of the text message subject to this complaint upon receipt. Further, Respondent asserts that she remained unaware that permission had been given to Working Family Parties to disseminate texts on her behalf and discovered the same in the course of this investigation. Finally, Respondent enters into this agreement for the purpose of avoiding further costs of litigation.
8. The Respondent admits all jurisdictional facts and concurs that this Agreement and Order shall have the same force and effect as a final decision and Order entered after a full hearing and shall become final when adopted by the Commission. The Respondent shall receive a copy hereof as provided in Section 9-7b-56 of the Regulations of Connecticut State Agencies.
9. 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 contest the validity of the Order entered into pursuant to this Agreement.
10. 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 either of the parties in any subsequent hearing, if the same becomes necessary.


ORDER

IT IS HEREBY ORDERED that the Respondent shall henceforth strictly comply with General Statutes § 9-621.

The Respondent

For the State of Connecticut

By: 
Rhonda Caldwell
317 Aspen Glen Drive
Hamden, Connecticut

By: 
Michael J. Brandi, Esq.
Executive Director and General Counsel
And Authorized Representative of the
State Elections Enforcement Commission
20 Trinity Street, Suite 101
Hartford, Connecticut

Dated: 1/22/21

Dated: 2/4/21

Adopted this 17 day of FEB, 2021 at Hartford, Connecticut by vote of the Commission.


Anthony J. Castagno, Chairman
By Order of the Commission