

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In re. Commission Initiated Investigation: Bosak for Senate

File No. 2021-158A

AGREEMENT CONTAINING CONSENT ORDER

This agreement by and between Rashmi Patel of the City of Stamford, County of Fairfield, State of Connecticut (hereinafter "Respondent") and the authorized representative of the State Elections Enforcement Commission is entered into in accordance with § 9-7b-54 of the Regulations of Connecticut State Agencies and § 4-177(c) of the General Statutes of Connecticut. In accordance herewith, the parties agree that:

1. The Commission initiated this enforcement matter against the candidate and treasurer for the *Bosak for Senate* candidate committee following an audit of the committee by the Commission's Campaign Disclosure & Audit Unit. The Commission's audit of the Bosak committee identified the failure of the committee after the election to surplus equipment that it had purchased and the improper reimbursement by the candidate committee to the candidate of a political contribution that he had made.
2. The Commission performed an in-depth review of the expenditures of the *Bosak for Senate* candidate committee after the committee's selection in the random audit lottery conducted following the 2018 election cycle. The candidate Gerald R. Bosak formed the candidate committee on April 16, 2018, to finance his candidacy for election to the 27th state senate seat in the 2018 election cycle. Bosak named Rashmi Patel as his committee treasurer. The candidate committee applied for a grant from the Citizens' Election Fund and received \$95,710 in grant funds. The candidate committee returned a surplus of \$5,494.84 to the Citizens' Election Fund after the election.
3. The Commission's audit of the Bosak committee identified the failure of the committee after the election to surplus equipment that it had purchased and the improper reimbursement by the candidate committee to the candidate of a political contribution that he had made.

4. More particularly, according to the audit and subsequent investigation, the candidate committee failed to surplus a laser jet printer that was valued at \$480. The committee's campaign finance disclosure reports show that the printer was sold to a campaign worker, Eva Maldonado, who paid for it with a personal check for \$480 dated 11/12/2018. The candidate committee's bank account, however, does not reflect that the check from Maldonado was deposited into the candidate committee's account.¹
5. General Statutes § 9-608 (e) (1) (E) requires candidate committees to sell any equipment remaining after the election for fair market value.² Qualified candidate committees must return any proceeds from these sales of surplus equipment to the Citizens' Election Fund.³ Although the candidate committee here transferred the laser printer to Maldonado and received a check from her, the check was never negotiated and the committee did not receive the proceeds from that sale and return that money to the Citizens' Election Fund as required by statute.
6. In addition, the candidate committee reimbursed candidate Bosak for a \$250 contribution that he made to the candidate committee of Jackie Pioli, a municipal candidate running for the Stamford Board of Education. The candidate had paid for the contribution out of his personal funds. Bosak sought reimbursement from the candidate committee for the contribution to Pioli.⁴
7. General Statutes § 9-607 requires that all expenditures paid for by a candidate committee must be made to further the election of the candidate who established the candidate committee. Regulations, Conn. State Regs. § 9-706-1 (a) requires that funds in a qualified candidate committee's bank account must be used "to directly further the participating candidate's . . . election." Candidate committees are not permitted to make contributions to other candidate committees. *See* General Statutes § 9-616 (a)(5) (prohibiting contributions from candidate committees to other candidate committees). The candidate committee may

¹ Patel indicates that she first learned that the printer had not been sold and the proceeds from that sale had not been returned the Citizens' Election Fund when the Commission's audit of the Bosak candidate committee was completed. Patel said that she obtained Maldonado's check for the printer from Bosak after the audit was completed, but she could not deposit that check into the candidate committee's account because the account had been closed in the interim. Bosak confirmed this account.

² *See* General Statutes § 9-608 (e)(1)(E) (requiring "treasurer of a candidate committee [to] sell any equipment purchased, including but not limited to computer equipment, to any person for fair market value and then distribute the proceeds of such sale to any recipient as set forth in said subparagraph (A)."

³ *See* General Statutes § 9-608 (e)(1)(A)(ii) (directing qualified candidate committees to return any surplus funds to Citizens' Election Fund).

⁴ Patel's response to this complaint, the payment to Pioli by Bosak was made via Bosak's credit card. Bosak provided Patel his credit card statement, seeking reimbursement for expenses related to his candidate committee, including the \$250 charge made to Pioli. Based on Bosak's direction, Patel reimbursed Bosak for the \$250 contribution to Pioli, believing that the \$250, which was listed as "Jackie Pioli BOE," was a payment to a vendor for campaign services.

only reimburse expenditures that are permissible expenditures that are supported by receipts detailing the nature of the expenditures and how they support the candidate's candidacy.⁵

8. Respondent Patel maintains that she was a first-time treasurer, that Bosak did not advise Respondent Patel of the sale of the printer and receipt of the check, that Boask wrongly flagged the \$250 charge in favor of Jackie Pioli for reimbursement, and that Respondent Patel generously gives of her time for many professional and philanthropic causes.

9. As enumerated in § 9-7b-48 of the Regulations of Connecticut State Agencies: In its determination of the amount of the civil penalty to be imposed, the Commission shall consider, among other mitigating or aggravating circumstances:
 - (1) the gravity of the act or omission;
 - (2) the amount necessary to insure immediate and continued compliance;
 - (3) the previous history of similar acts or omissions; and
 - (4) whether the person has shown good faith in attempting to comply with the applicable provisions of the General Statutes.

10. The Commission possesses the authority to set the punishment it metes out to individuals who violate the statutes under its authority. While the maximum penalty available under the enabling statute is \$2,000 per offense or twice the amount of any improper expenditure, the Commission also has the authority to set a lesser penalty where circumstances call for such leniency.

11. It is understood and agreed that this agreement will be submitted to the Commission at its next meeting and, if it is not accepted by the Commission, it is withdrawn by the Respondent and may not be used by either party as an admission in any subsequent hearing or against the Company in any proceeding, if the same becomes necessary.

12. Respondent waives:
 - a. any further procedural steps;
 - b. the requirement that the Commission's decision contain a

⁵ See General Statutes § 9-607 (j) (detailing required documentation and information necessary to support reimbursement to candidate for expenditures).

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.

13. The Commission imposes a civil penalty on Respondent Patel for \$400, which represents \$200 in civil penalties for each of two categories of statutory violations: failing to return surplus funds to the Citizens' Election Fund from the sale of surplus equipment after the election in violation of General Statutes §§ 9-608 (e)(1)(E) and 9-608 (e)(1)(A)(ii) and reimbursing the candidate for a political contribution that he made to another candidate, which was not in furtherance of the candidate's own election, in violation of General Statutes § 9-607 and Regulations, Conn. State Agencies, § 9-607-1 (a).

RECEIVED
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STATE ELECTIONS
ENFORCEMENT COMMISSION

ORDER

IT IS HEREBY ORDERED THAT the Respondent shall pay a civil penalty of \$400 and shall henceforth strictly comply with the requirements of General Statutes §§ 9-607 and 9-608.

The Respondent:

BY:



Rashmi Patel
668 High Ridge Rd
Stamford, Connecticut

Dated: 7/5/2022

For the State of Connecticut:

BY:



Michael J. Brandi, Esq.
Executive Director and General Counsel
And Authorized Representative of the
State Elections Enforcement Commission
55 Farmington Ave., 8th Floor
Hartford, Connecticut

Dated: 7/8/22

Adopted this 6th day of July, 2022, at Hartford, Connecticut



Commissioner
By Order of the Commission