

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Linda F. Czaplinski,
Oxford

File No. 2022-005

FINDINGS AND CONCLUSIONS

Complainant alleged that George Temple and Arnold Jensen as candidates violated campaign finance laws by making a promotional robo call using town equipment a day prior to the November 2, 2021 municipal election in the Town of Oxford. After investigating the allegations raised in the complaint the Commission makes the following findings and conclusions:

1. Complainant alleged that Oxford First Selectman George Temple and Selectman Arnold Jensen (hereinafter "Respondents") used the Town of Oxford emergency alert telephone system to promote their candidacies for reelection a day prior to the November 2, 2021 election .
2. General Statutes § 9-622 (5) prohibits contributing towards defraying the costs of a campaign to anyone other than a treasurer.

Applicable Law

3. General Statutes § 9-622, provides in part that the following persons shall be guilty of illegal practices:
 - (5) Any person who, directly or indirectly, pays, gives, contributes or promises any money or other valuable thing to defray or towards defraying the cost or expenses of any campaign, primary, referendum or election to any person, committee, company, club, organization or association, other than to a treasurer, except that this subdivision shall not apply to any expenses for postage, telegrams, telephoning, stationery, express charges, traveling, meals, lodging or photocopying incurred by any candidate for office or for nomination to office, so far as may be permitted under the provisions of this chapter;

Facts After Investigation

4. By way of background, Respondents cooperated with this investigation and do not dispute that the robo call was produced and disseminated just prior to the November 2, 2021 election in support of Respondents' reelection campaign for First Selectman and Selectman. However, as detailed herein, Respondents indicate that other than the use of a town cell phone to record the robocall, the campaign properly made expenditures and reported the same as required by campaign finance laws.

5. Upon investigation, Respondent Jensen indicated:

The Temple-Jensen campaign did in fact send a robo call to the residents of Oxford as stated. However no town resources were used for this call. The call was placed by VOICEBORADCASTING Com of Arlington TX and paid for by the Temple-Jensen campaign.

Please find attached an invoice for this call from VOICEBORADCASTING for the total amount of \$139.58. This invoice was paid for via credit card by my running partner, George Temple's wife – Cathy Temple. Copies of the credit card account summary are also attached. Finally the Temple Jensen campaign reimbursed Cathy Temple for the 139.58, a copy to this check also attached.

6. Additionally, Respondent Temple provided the following response to this complaint and allegations:

I ran for re-election as First Selectman of Oxford in 2021. On Monday evening, November 1, 2021, I made a political robo call to Oxford citizens asking for their continued support. In my haste I inadvertently used my Town cell phone to place the call. I would normally use a personal cell phone or my home phone to make this call. The entire transaction did not cost the Town of Oxford any money. The fee for the robo call was, of course, paid by the campaign. ...

The Respondents provided a November 1, 2021 invoice in the amount of 139.58 from Voice Broadcasting for the total amount of \$139.58. Further, records indicated that Cathy Temple paid for this by personal credit card and was reimbursed by the Committee for the expenditure on November 12, 2021. Credit card records, invoices and a copy of a Committee check were submitted to substantiate this explanation.

7. In response to this complaint and investigation, an invoice in the amount of 139.58 from Voice Broadcasting for the total amount of \$139.58. Further, records indicated that Cathy Temple paid for this by personal credit card and was reimbursed by the Committee for the expenditure on November 12, 2021. Credit card records, invoices and a copy of a Committee check were submitted to substantiate this explanation.

8. The facts after investigation do not support the conclusion that Respondents used an emergency response system a day prior to the November 1, 2021 election. Further, the facts do not support the conclusion that Respondents violated campaign finance laws by improperly defraying costs to their campaign in violation of General Statutes § 9-622 (5).
9. The Commission cautions Mr. Temple and Mr. Jensen to avoid any use of municipal equipment in connection with their campaigns to avoid inviting complaints such as this and running afoul of the prohibition of defraying costs pursuant to General Statutes § 9-622 (5).
10. The Commission, for the reasons detailed herein, therefore determines that this matter should be dismissed.

ORDER

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

The complaint is dismissed.

Adopted this 5th day of October 2022, at Hartford, Connecticut.



Stephen T. Penny, Chairman
By Order of the Commission