

**STATE OF CONNECTICUT**  
**STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by Victor Cuevas, Waterbury

File No. 2023-010

**AN AGREEMENT CONTAINING A CONSENT ORDER**

This agreement, by and between Katherine Bellucci, City of New Haven, State of Connecticut, and the authorized representative of the State Elections Enforcement Commission (hereinafter “Commission”), is entered into in accordance with Section 9-7b-54 of the Regulations of Connecticut State Agencies and Section 4-177 (c) of the General Statutes of Connecticut. In accordance herewith, the parties agree that:

1. Complainant alleged that the Carchia Probate Judge Committee was not properly terminated.
2. General Statutes § 9-606 and § 9-608 requires that candidate committees with a surplus to distribute or expend such surplus in according with General Statutes § 9-608 and file the appropriate statement to report the distribution or expenditure.
3. At all times relevant to this matter, Katherine Bellucci was the Treasurer for the Carchia Probate Judge Committee and Americo Carchia was the candidate for the Carchia Probate Judge Committee. Katherine Bellucci and Americo Carchia were named as Respondents.<sup>1</sup>

**Relevant Legal Authority**

4. General Statutes § 9-606 provides, in pertinent part:
  - (a) The treasurer of each committee shall be responsible for... (4) filing the statements required under section 9-608...
5. General Statutes § 9-608 (e), provides, in pertinent part:
  - (1) Notwithstanding any provisions of this chapter, in the event of a surplus the treasurer of a candidate committee or of a political committee, other than a political committee formed for ongoing political activities or an exploratory committee, shall distribute or expend such surplus not later than ninety

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<sup>1</sup> Respondent Bellucci was a first-time treasurer for a Judge of Probate Special Election.

days, or for the purposes of subparagraph (H) of this subdivision, one hundred twenty days after a primary which results in the defeat of the candidate, an election or referendum not held in November or by March thirty-first following an election or referendum held in November, or for the purposes of subparagraph (H) of this subdivision, June thirtieth following an election or referendum held in November, in the following manner...

(3) Not later than seven days after such distribution or not later than seven days after all funds have been expended in accordance with subparagraph (D) of subdivision (1) of this subsection, the treasurer shall file a supplemental statement, sworn under penalty of false statement, with the proper authority, identifying all further contributions received since the previous statement and explaining how any surplus has been distributed or expended in accordance with this section. No surplus may be distributed or expended until after the election, primary or referendum.

#### **Facts Found After an Investigation**

6. On or about July 11, 2017, Respondent Bellucci filed a SEEC Form 1A and SEEC Form 21 for the 2017 Judge of Probate Special Election for Probate District 38. The registration and financial disclosure statements were filed on paper with the New Haven City Clerk's office. The City Clerk then forwarded the registration and financial disclosure statements to the State Elections Enforcement Commission.
7. Respondent Americo Carchia was a petitioning candidate for the 2017 Judge of Probate Special Election for Probate District 38 and identified "Democratic" as their party affiliation. Respondent Carchia did not obtain ballot access. According to a New Haven Register article entitled "Carchia Drops out of New Haven probate judge race" published on August 24, 2017, Respondent Carchia withdraw from the New Haven probate judge race.<sup>2</sup>

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<sup>2</sup> Mary O'Leary, *Carchia drops out of New Haven probate judge race*, NEW HAVEN REGISTER (Aug. 24, 2017), <https://www.nhregister.com/new-haven/article/Carchia-drops-out-of-New-Haven-probate-judge-race-11956882.php>.

8. Pursuant to the 2017 Filing Calendar for Candidate Committees organized for the November 7, 2017, Special Election for Judge of Probate, the “Termination Filing Following Special Election” disclosure statement was due on or before April 09, 2018. A thorough investigation revealed that the Carchia Probate Judge Committee did not terminate, and the “Termination Filing Following Special Election” disclosure statement was not submitted on or before April 09, 2018.
9. After the legal investigator requested bank documents at the onset of this investigation, Respondent Bellucci revealed she had received confirmation from Liberty Bank that the bank account for the Carchia Probate Judge Committee was closed due to inactivity, and the funds were transferred to the Office of the State Treasurer.
10. The Office of the State Treasurer confirmed that the owner of Unclaimed Property ID 12266592 is Katherine Bellucci and the co-owner Carchia Probate Judge Committee. The “Holder Reporting Property” is identified as Liberty Bank, the report year is for 2021, and the value of the account is \$3,683.54.

#### **Analysis and Conclusions of the Law**

11. The Commission finds, pursuant to General Statutes § 9-608 (e) as facilitated through the 2017 Filing Calendar for Candidate Committees organized for the November 7, 2017, Special Election for Judge of Probate, the “Termination Filing Following Special Election” disclosure statement was due on April 09, 2018.
12. The Commission concludes, because the investigation revealed that Respondent Bellucci did not submit the “Termination Filing Following Special Election” disclosure statement on or before April 09, 2018, Respondent Bellucci violated General Statutes § 9-608 and General Statutes § 9-606 (a) on April 09, 2018.
13. The Commission concludes the complaint is dismissed as against Respondent Carchia.

#### **Penalty Considerations**

14. 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 violation, the Commission also has the authority to set a lesser penalty where circumstances call for such leniency.<sup>3</sup>

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<sup>3</sup> Conn. Gen. Stat. § 9-7b (a) (2).

15. Section 9-7b-48 of the Regulations of Connecticut State Agencies provides that, in the 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 ensure 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.
16. Because of the good faith shown by Respondent Bellucci in cooperation with the investigation, the Commission concludes that ordering Respondent Bellucci to henceforth strictly comply with General Statutes § 9-606 and General Statutes § 9-608 is sufficient to ensure immediate and continued compliance.
17. The Commission concludes that, pursuant to General Statutes § 9-7b (a) (3) (A), because the Carchia Probate Judge Committee contributions were not distributed and report according to General Statutes § 9-608 and General Statutes § 9-606 (a), the remaining funds of \$3,683.54 under Unclaimed Property ID 12266592 should be remitted to SEEC for SEEC to deposit said funds into the Connecticut General Fund.<sup>4</sup>
18. Respondent admits all jurisdictional facts and agrees 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.
19. It is understood and agreed that this agreement will be submitted to the Commission at its next available meeting and, if it is not accepted by the Commission, it is withdrawn by Respondent and may not be used as an admission by either party in any subsequent hearing, if the same becomes necessary.
20. Respondent waives:
  - (a) Any further procedural steps,
  - (b) The requirement that the Commission's decision contain a statement of findings of

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<sup>4</sup> The Commission has established precedent for ordering the remittance of funds. *In the Matter of a Complaint by Joseph M. Bomba, Derby, File No. 2008-010, In the Matter of a Complaint by Anthony Santino, Greenwich, File No. 2013-042, In the Matter of a Complaint Lisa Labella, Trumbull, File No. 2014-046A, In the Matter of a Complaint by Ronald C. Eleveld, Windsor, File No. 2016-054.*

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.

21. Upon Respondent Bellucci's compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings against the Respondents pertaining to this matter.

**ORDER**

The following Order is issued based on the aforementioned findings:

IT IS HEREBY ORDERED that Respondent Bellucci shall henceforth strictly comply with the requirements of General Statutes § 9-606 and General Statutes § 9-608,

IT IS HEREBY FURTHER ORDERED that this matter is dismissed as against Respondent Carchia, and

IT IS HEREBY FURTHER ORDERED, with the agreement of Respondent Bellucci pursuant to General Statutes § 9-7b (a) (3) (A), that the full ownership rights to the remaining funds of \$3,683.54 of the Carchia Probate Judge Committee, under Unclaimed Property ID 12266592, are hereby remitted to SEEC for SEEC to deposit said funds into the Connecticut General Fund in full resolution of this matter.

For the Respondent:

BY: Katherine Bellucci

Katherine Bellucci  
Treasurer  
Carchia Probate Judge Committee  
211 Townsend Avenue  
New Haven, Connecticut

Dated: 9/19/23

Adopted this 20<sup>th</sup> day of September, 2023 at Hartford, Connecticut by vote of the Commission.

For the State of Connecticut:

BY: [Signature]

Michael J. Brandi, Esq.  
Executive Director and General Counsel  
and Authorized Agent of the  
State Elections Enforcement Commission  
55 Farmington Avenue  
Hartford, Connecticut

Dated: 9/20/23

[Signature]  
Stephen T. Penny, Chairman  
By Order of the Commission