

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

In the Matter of a Referral by a SEEC Elections Officer

RESPONDENT:  
Greg Williams  
34-2 Grand Street  
Danbury, CT 06810

File No. 2013-022NF

**FINAL DECISION**

This matter was heard as a contested case on June 12, 2013 pursuant to Chapter 54 of the Connecticut General Statutes, § 9-7b of the Connecticut General Statutes and § 9-7b-35 of the Regulations of Connecticut State Agencies, at which time Attorney Patrick Lamb appeared on behalf of the State of Connecticut and the Respondent, Greg Williams, appeared. Documentary and testimonial evidence was presented.

After careful consideration of the entire record, the following facts are found and conclusions of law are made:

1. Michael J. Brandi was designated as permanent Hearing Officer for hearings concerning alleged violations of General Statutes § 9-608 on March 21, 2012 by order of the State Elections Enforcement Commission.
2. Bartlett 2012 has been registered as a candidate committee with the Commission from May 23, 2012 to the present. *State's Exhibit 3; Joint Exhibit 1.* The Respondent has served as treasurer of Bartlett 2012 from May 23, 2012 to the present. *State's Exhibit 3; Joint Exhibit 1.*
3. General Statutes § 9-608 (a) provides, in relevant part, as follows: “(1) **Each campaign treasurer of a committee**, other than a state central committee, **shall file a statement**, sworn under penalty of false statement with the proper authority in accordance with the provisions of section 9-603, (A) **on the tenth calendar day in the months of January, April, July and October**, provided, if such tenth calendar day is a Saturday, Sunday or legal holiday, the statement shall be filed on the next business day, (B) on the seventh day preceding each regular state election, except that . . . (ii) in the case of a town committee, the statement shall be filed on the seventh day preceding each municipal election in addition to such date, and (C) if the committee has made or received a contribution or expenditure in connection with any other election, a primary or a referendum, on the seventh day preceding the election, primary or referendum.” (Emphasis added.)
4. General Statutes § 9-623 (b) provides as follows: “(1) If any campaign treasurer fails to file any statement required by section 9-608, or if any candidate fails to file either (A) a statement for the formation of a candidate committee as required by section 9-604, or (B) a certification pursuant to section 9-603 that the candidate is exempt from forming a candidate committee as required by section 9-604, within the time required, the campaign

treasurer or candidate, as the case may be, shall pay a late filing fee of one hundred dollars. (2) In the case of any such statement or certification that is required to be filed with the State Elections Enforcement Commission, the commission shall, not later than ten days after the filing deadline is, or should be, known to have passed, notify by certified mail, return receipt requested, the person required to file that, if such statement or certification is not filed not later than twenty-one days after such notice, the person is in violation of section 9-603, 9-604 or 9-608.”

5. On January 10, 2013, the Respondent was required to file a financial disclosure statement on behalf of Bartlett 2012 per General Statutes § 9-608 (a) (1) (A), but did not. **Joint Exhibit 1.**
6. On January 22, 2013, Commission staff sent a letter to the Respondent, by certified mail, return receipt requested, stating that the Commission had not received a financial disclosure statement from him that was due on January 10, 2013. **State's Exhibit 5.** The letter imposed a \$100 late fee and requested that he file the statement within 21 calendar days. **State's Exhibit 5.** The letter warned that if the Respondent did not submit the statement within 21 calendar days of the date of the letter, the Commission may order a public hearing and he could be subject to a civil penalty of up to \$2,000. **State's Exhibit 5.**
7. On April 2, 2013, Commission staff sent a letter to the Respondent, stating that the Commission had still not received a financial disclosure statement from him that was due on January 10, 2013. **State's Exhibit 6.** The letter explained that the Respondent was subject to a civil penalty between \$200 and \$2,000 but that he could avoid further enforcement of the matter if he submitted the statement and a payment of \$200 by April 16, 2013. **State's Exhibit 6.** The letter was sent by certified mail. **State's Exhibit 6.**
8. On May 8, 2013, notice of the June 12, 2013 hearing was sent to the Respondent by first-class mail with delivery confirmation tracking and receipt and by certified mail and regular mail at the address provided on the committee registration statement on file with the Commission. **State's Exhibits 1 and 3.** The notice was also sent in the same time and manner to a secondary address that was listed as the Respondent's address according to the CLEAR investigative tool. **State's Exhibit 1.**
9. On May 9, 2013, the Respondent filed the statement that was due January 10, 2013, making it 119 days late. **State's Exhibit 8; Joint Exhibit 1.** The reported financial activity included expenditures totaling \$30,652.77. **State's Exhibit 8; Joint Exhibit 1.**
10. The Respondent attended the June 12, 2013 hearing.
11. At the hearing, the Respondent testified that the filing was late because he was unable to access certain documents that he needed to complete the filing which were in a locked

storage unit to which he could not access because only the candidate had the key and they had great difficulty scheduling a time to meet. *Testimony of Greg Williams.* The Respondent's employment status had changed around this time, having obtained a job that required him to work six to seven days per week, making his availability limited. *Testimony of Mr. Williams.* He also testified that he attempted numerous times to contact the candidate to no avail. *Testimony of Mr. Williams.* Ultimately, the Respondent was unable to obtain the documents until an estimated eighty to ninety days after the filing had been due. *Testimony of Mr. Williams.*

12. The Respondent also testified that prior to this filing, he had never missed a filing, including when the candidate was in an exploratory committee and also when the candidate committee had to submit multiple supplemental filings due to its participation in the Citizens' Election Program ("CEP"). *Testimony of Mr. Williams.* He also testified that he had generally been on top of his duties, including all of the supporting documentation the committee needed to apply for a public grant through the CEP. *Testimony of Mr. Williams.*
13. The Respondent admitted during his testimony that he had a duty to maintain the committee's records and testified that it was his intention to do so but that he did not have the opportunity to obtain the records for his own possession because he was not present when they were transferred from the committee's prior headquarters into the storage unit to which only the candidate had a key. *Testimony of Mr. Williams.*
14. The Respondent admitted and acknowledged that his late filing represents a violation of General Statutes § 9-608 with civil penalties mandated by General Statutes § 9-623 in the range of \$200 to \$2,000. *Joint Exhibit 1.*
15. The Respondent also admitted and acknowledged the following as aggravating factors: (1) the filing at issue disclosed \$30,652.77 in expenditures; (2) the committee participated in the CEP and received a public grant; (3) the Respondent was paid \$1,100.00 out of committee funds for his services to the committee; (4) the Respondent committed a prior late filing violation under General Statutes § 9-712 (a) for a late supplemental filing docketed in SEEC File No. 2013-072SF; and (5) the Respondent received multiple warnings and opportunities to submit the filing at issue. *Joint Exhibit 1.*
16. It is concluded that the Respondent violated General Statutes § 9-608 (a) (1) (A) by failing to timely file a financial disclosure statement on January 10, 2013.
17. Evidence was presented that Commission staff was persistent and rigorous in its efforts to contact the Respondent about the delinquent filing. *State's Exhibits 1, 5, and 6.*
18. General Statutes § 9-7b (a) (2) provides, in pertinent part, that the Commission shall have the power to levy a civil penalty not to exceed "two thousand dollars per offense or twice

the amount of any improper payment or contribution, whichever is greater, against any person the commission finds to be in violation of any provision of chapter 155 or 157.” The Commission may levy a civil penalty against any person only after giving the person an opportunity to be heard at a hearing. *See* General Statutes § 9-7b (a) (2).

19. General Statutes § 9-623 (b) (4) provides, in pertinent part, that “[t]he penalty for any violation of section . . . 9-608 . . . shall be a fine of not less than two hundred dollars or more than two thousand dollars or imprisonment for not more than one year, or both.”
20. Section 9-7b-48 of the State of Connecticut Regulations provides, “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.”
21. It was recommended that the Commission consider the following as aggravating circumstances per § 9-7b-48, Regs., Conn. State Agencies: (1) the January 10, 2013 filing, filed 119 days late, disclosed a large amount of expenditures, exhibiting the gravity of the delay in publicly disclosing the information; (2) the committee was a CEP participant that received a public grant and therefore failed to timely disclose how it spent *public* funds, also exhibiting the gravity of the delay in publicly disclosing the information; (3) Commission staff both informed the Respondent of his duties as treasurer and made diligent efforts to contact him about the missed filing; (4) the Respondent was previously late in submitting one prior filing, exhibiting a history of similar acts or omissions; and (5) the Respondent admitted that the primary reason for being late on the filing was that he did not have access to relevant internal records which he is required to maintain as treasurer of the committee pursuant to General Statutes § 9-607 (f).
22. It was recommended that the Commission consider the following as mitigating circumstances per § 9-7b-48, Regs., Conn. State Agencies: (1) the Respondent had filed the January 10, 2013 statement by the date of the hearing, showing good faith in attempting to comply; and (2) the Respondent admitted to fault and showed remorse during his testimony at the June 12, 2013 hearing.
23. In consideration of the factors listed above, it was recommended that the Commission assess a civil penalty against the Respondent in the amount of \$500.00 for his violation of General Statutes § 9-608.

The following Order is adopted on the basis of these findings and conclusions:

**ORDER**

IT IS HEREBY ORDERED THAT the Respondent shall pay a civil penalty in the amount of \$500.00, payable to the State Elections Enforcement Commission, within 30 days of notice of this decision, for violation of General Statutes § 9-608, pursuant to General Statutes § 9-7b (a) (2).

Adopted this 21<sup>st</sup> day of August, 2013 at Hartford, Connecticut by vote of the Commission.

  
Anthony J. Castagno, Chairman  
By Order of the Commission

I certify the preceding final decision was sent to Greg Williams, 34-2 Grand Street, Danbury, CT 06810, first-class mail with delivery confirmation tracking and receipt and certified mail and regular mail on August 21, 2013.

  
Sheri-Lyn Laguetx  
Clerk of the Commission