

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Referral by an Elections Officer of the State Elections Enforcement Commission

RESPONDENT:

Anthony S. Duprau
25 Old Kings Highway Ste 13
Darien, CT 06820

Anthony S. Duprau
29 Tulip Tree Lane
Darien, CT 06820

File No. 2021-139
File No. 2021-210
File No. 2022-010
File No. 2022-032
File No. 2022-078

August 7, 2024

Final Decision

This matter was heard as a contested case on February 28, 2024 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 James B. Heffernan appeared on behalf of the State of Connecticut and the Respondent, Anthony S. Duprau, did not appear. Documentary and testimonial evidence was presented.

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

I. PROCEDURAL HISTORY

1. On December 20, 2023, pursuant to § 9-7b-35 of the Regulations of State Agencies, the State Elections Enforcement Commission adopted a motion, finding reason to believe that the Respondent, Anthony S. Duprau, as treasurer of Connecticut Federation of College Republicans PAC (hereinafter “CFCR PAC”), violated Conn. Gen. Stat. § 9-608 for failure to file the following financial disclosure statements:

- (a) The filing due April 12, 2021 (File No. 2021-139);
- (b) The filing due October 12, 2021 (File No. 2021-210);
- (c) The filing due January 10, 2022 (File No. 2022-010);
- (d) The filing due April 11, 2022 (File No. 2022-032); and
- (e) The filing due July 11, 2022 (File No. 2022-078).

2. Commissioner Gregory W. Piecuch was appointed as Hearing Officer for the above-captioned matter on December 20, 2023, by Commission Chair Stephen T. Penny.

3. On February 14, 2024, notice of a February 28, 2024 hearing was sent to the Respondent by first-class mail with delivery confirmation tracking and receipt and by certified mail and regular mail. Email notices were also sent. There was no indication that the notices were actually received.

4. An email exchange was recorded between Attorney Heffernan and the Respondent in the weeks before the hearing was held. The Respondent had a trincoll.edu address. Respondent claimed that he thought he was no longer the treasurer of CFCR PAC.

5. The Respondent did not attend the February 28, 2024, hearing. The hearing proceeded in his absence, at which time documentary and testimonial evidence was presented.

II. FINDINGS OF FACTS

6. CFCR PAC is a political committee that registered with the State Elections Enforcement Commission on or about March 23, 2017.

7. The Respondent was appointed as treasurer of CFCR PAC on or about April 2, 2020, and remained the treasurer of record during the time period when the five filings for which this matter was brought were due.

8. General Statutes § 9-608 (a) provides, in relevant part, as follows: “(1) **Each 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...” (emphasis added).

9. On or before April 12, 2021, the Respondent was required to file a financial disclosure statement on behalf of CFCR PAC covering the period from January 1 through March 31, 2021, per General Statutes § 9-608 (a) (1) (A), but the Respondent failed and neglected to do so.

10. On or before October 12, 2021, the Respondent was required to file a financial disclosure statement on behalf of CFCR PAC covering the period from July 1 through September 30, 2021, per General Statutes § 9-608 (a) (1) (A), but the Respondent failed and neglected to do so.

11. On or before January 10, 2022, the Respondent was required to file a financial disclosure statement on behalf of CFCR PAC covering the period from October 1 through December 31, 2021, per General Statutes § 9-608 (a) (1) (A), but the Respondent failed and neglected to do so.

12. On or before April 11, 2022, the Respondent was required to file a financial disclosure statement on behalf of CFCR PAC covering the period from January 1 through March 31, 2022, per General Statutes § 9-608 (a) (1) (A), but the Respondent failed and neglected to do so.

13. On or before July 11, 2022, the Respondent was required to file a financial disclosure statement on behalf of CFCR PAC covering the period from April 1 through June 30, 2022, per General Statutes § 9-608 (a) (1) (A), but the Respondent failed and neglected to do so.

14. Throughout the period of time in which these statements were due, SEEC staff sought to bring the Respondent into compliance with General Statutes § 9-608 (a) (1) (A) through a series of delinquency notices and demand letters. To date, none of the financial disclosure statement have been filed.

III. ANALYSIS AND CONCLUSION

15. It is concluded that the Respondent violated General Statutes § 9-608 (a) (1) (A) in five separate instances by failing to timely file the five financial disclosure statements that were due on or before April 12, 2021, October 12, 2021, January 10, 2022, April 11, 2022, and July 11, 2022.

16. Evidence was presented that Commission staff was persistent and rigorous in its efforts to contact the Respondent about the delinquent filing.

17. General Statutes § 9-7b (a) (2) provides, in relevant 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).

18. Section 9-7b-48 of the State of Connecticut Regulations provides, “[i]n 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.”

19. It is recommended that the Commission consider the following as aggravating circumstances per § 9-7b-48, Regs., Conn. State Agencies: (1) the Respondent failed to file five separate filings; (2) the Respondent has still not submitted any of the filings as of the date of the hearing, and (3) the Respondent had ample opportunity to resolve this matter prior to the hearing but has not.

20. It is recommended that the Commission consider the following as mitigating circumstances per § 9-7b-48, Regs., Conn. State Agencies: (1) that there is no indication that the committee is currently active; and (2) that, given the email address and the name of the committee, the Respondent may have been a college student and may no longer be in the State and is unlikely to serve as a treasurer for another committee.

21. In consideration of the factors listed above, it is recommended that the Commission assess a civil penalty against the Respondent in a total amount of \$250.00 per violation for each of his five violations of General Statutes § 9-608, for a total civil penalty in the amount of \$1,250.00.

ORDER

It Is Hereby Ordered That:

1. The Respondent, Anthony S. Duprau, shall pay a civil penalty in the amount of \$1,250.00, payable to the State Elections Enforcement Commission, within 30 days of notice of this decision, for five violations of General Statutes § 9-608, pursuant to General Statutes § 9-7b (a) (2).

Adopted this 7th Day of August, 2024.



Stephen T. Penny, Chair
By Order of the Commission