

Office of Governmental Accountability State Elections Enforcement Commission



At a Glance

State Elections Enforcement Commission Members:

Stephen F. Cashman (*Chairman*), **Joan Jenkins** (*Vice Chair*)
Richard C. Bozzuto, **Anthony J. Castagno**, **Patricia Stankevicius**

MICHAEL J. BRANDI, *Executive Director and General Counsel*

Organizational structure – State Elections Enforcement Commission Members; Executive Director; Public Campaign Financing and Candidate Services Unit; Campaign Disclosure and Audit Unit; Fiscal Affairs, Administration and Grant Payments Unit; Information Technology Systems and Services Unit; Office of Legal Affairs.

Established – 1974

Statutory Authority – CGS Secs. 9-7a, 9-7b

Central Office – 20 Trinity Street
Hartford, CT 06106-1628

Number of employees – 34

Recurring operating expenses - \$1,239,686.53

Citizens' Election Fund – Administrative Expenses - \$1,766,461.92

Citizens' Election Fund – Grant Expenses - \$1,262,327

Mission

To improve and maintain the confidence of the people of Connecticut in the electoral process and the officials involved in that process.

The Commission was established in the post Watergate era of 1974 as an independent agency in the Executive branch of State government, to enforce laws pertaining to state and local elections, primaries and referenda. The Commission is comprised of 5 members, and is bi-partisan in composition. The Commission's goal is to prevent violations from occurring by ensuring that those who require advice obtain it in a timely manner.

Statutory Responsibility

The Commission's statutory responsibility is to enforce provisions of state election laws pertaining to elections, primaries and referenda. With the passage of Public Act 05-5, the Commission's responsibilities were considerably expanded, and now include the administration and enforcement of the new Citizens' Election Program (the Program). The Program provides public campaign grants to qualified candidates for statewide offices and the General Assembly, who adhere to expenditure limits and other program requirements. The Commission is also charged with developing and implementing an electronic campaign reporting system (eCRIS). The Commission is now the state campaign finance filing repository for all campaign finance records for party committees, political committees and candidate committees organized for state elections. The Commission is charged with the specific responsibility to conduct investigations of election complaints, review campaign finance statements filed by candidates, political parties and political committees, issue advisory opinions concerning requirements of the campaign finance laws and suggest revisions to the election laws to the Connecticut General Assembly.

Public Service

The Commission is part of the Office of Governmental Accountability within the Executive branch of state government and serves as an impartial arbiter of complaints alleging violations of the election laws. The Commission takes a proactive approach to educate candidates, campaign officials, political parties and citizens of their rights, duties and obligations under the election laws in order to ensure voluntary compliance with the law. The Commission staff conducted dozens of individual and group workshops and training sessions during the year in the following areas: eCRIS electronic reporting, the Citizens' Election Program and Municipal Campaign Financing.

Improvements/Achievements 2011-12

Public Campaign Financing and Candidate Services Unit

Connecticut's landmark public campaign financing program, the Citizens' Election Program (the Program) was continued for the 2011 election cycle which in addition to General Assembly candidates includes elections for the following statewide offices: Governor, Lieutenant Governor, Secretary of the State, State Treasurer, State Comptroller and Attorney General.

The Program is financed by the Citizens' Election Fund (CEF). The CEF is a separate, non-lapsing fund within the State's General Fund. *See* CONN. GEN. STAT. § 9-701. The primary source of the CEF's deposits is money gained from the sale of property deposited in the State's Special Abandoned Property Fund, which is administered by the State Treasurer. *See* CONN. GEN. STAT. § 3-69a. In addition to the sale of abandoned property in the State's custody, the CEF is comprised of voluntary contributions, as well as interest earned on the CEF's assets. The Commission, as required by statute, reported by January 1, 2011 as to whether the CEF contained enough funds to distribute public grants to all potential Program participants during the 2012 election cycle. *See* CONN. GEN. STAT. § 9-716 (b).

Candidate Services Subdivision

This subdivision is responsible for working closely with candidates running for municipal and General Assembly offices, by providing candidates and campaign treasurers with materials and training necessary to understand Connecticut Campaign Finance laws and Program requirements. The elections officers work in concert with the Legal Compliance Unit to ensure proper education and training relative to continued changes to election laws. In the past fiscal year, the Candidate Services subdivision assisted 32 candidates in primary races for General Assembly, 383 candidates in the regular election (subject to change due to nominating deadlines); and 4 candidates in one special election. The subdivision also assisted more than 21 exploratory candidates. The subdivision also operates a successful Internship Program, which provided opportunities to 12 interns to enhance academic, professional and career development skills, while achieving program and project goals.

Campaign Disclosure and Audit Unit

The unit's activities continued to focus on the implementation of Public Acts 05-5, 06-137, 07-1 and 08-2 concerning new campaign disclosure requirements, as well as the Citizens' Election Program providing public campaign financing for candidates for statewide offices or General Assembly. The unit serves as the filing repository for party committees, political committees and candidate committees registered for Statewide or General Assembly offices.

The unit is responsible for receiving and processing the paper campaign disclosure filings and for scanning them into the eCRIS Document Search System. The registration and campaign finance disclosure forms submitted by party committees, political committees and candidate committees are now able to be filed either electronically via the Electronic Campaign Reporting Information System (eCRIS) or as a signed paper filing. Staff members have also trained the public in using eCRIS search capabilities thereby increasing public disclosure and transparency.

The unit has developed a comprehensive review process for candidates who have applied for public campaign financing under the Program to ensure that committees have met the thresholds necessary to receive a grant from the Citizens' Election Fund. Staff reviews qualifying contribution documentation for both exploratory committees and candidate committees for State Senate and State Representative. One Special Election was held in 2012 for which Audit staff reviewed qualifying contribution documentation and recommended 2 candidate committees for grants from the CEF. For each filing related to the 2011 Special Election, Audit staff issued a report indicating what contributions met the criteria of a qualifying contribution. In addition, the unit completed post-election audits of all Statewide and randomly selected General Assembly committees. The unit prepares Audit reports which are presented to the Commission for consideration.

The unit is also responsible for gathering information from state agencies concerning contractors barred from making campaign contributions. We receive electronic submissions from state agencies each month and verify any additions or deletions to those lists.

Information Technology Systems and Services Unit

The IT unit continued the development and enhancement of the many applications designed and supported at the Commission. A new Committee Tracking System has been added to streamline and create a workflow process to review, and monitor the SEEC Citizen Election Program functions. The unit continues to make significant improvements to the eCRIS system, including the release of eCRIS version 2 to comply with public Act 11- 48, publish new Fill-In pdf of SEEC form 20 and SEEC form 30 comply with public Act 11- 48. Develop and modify reports for the Grant Application Review process. Enhancements made to our comprehensive search functions, this allows our users to search the system and provides them with many ways to view the data, including searches for documents, committees, disbursements, receipts and summary totals. In addition to the direct entry of electronic data, there is continued improvement to the data entry module for eCRIS, which allows paper filers' data to be received and entered into the system, providing comprehensive access to all disclosure filings. eCRIS training included classes with hands-on instruction, help guides and detailed documentation. Training continues to be a top priority, as more users are moving from paper filings to the eCRIS system. The eCRIS application also has the benefit of a new dedicated help desk which assisted in 1,043 calls. eCRIS currently has 1,616 voluntary users of the system, a testimonial to its user-friendly design, and to the support we provide our users. A dedicated phone number, e-mail and complete ticketing system has been implemented for all support calls for eCRIS and 24/7 support is provided by the IT staff during filing periods.

Fiscal Affairs, Administration and Grant Payments Unit

In fiscal year 2012, the SEEC issued 46 grants for a sum of \$1,277,022. A breakdown is as follows: one Special Election \$38,877, House of Representative and State Senate campaigns for the 2012 election cycle \$1,238,144.

Office of Legal Affairs

Investigations and Enforcement Unit

The Commission investigated 165 new cases that were either docketed as a result of a sworn complaint or from a decision by the Commission to initiate a case investigation on its own motion. These investigations run a full gamut of election issues, including matters of election administration, the process of voting, campaign finance laws and the Citizens' Election Program.

The case investigations do *not* include a number of complaints that are filed which allege facts that, even if accepted as true, would not have constituted violations of state election law. The unit collected \$57,149.68 in late filing fees, civil penalties and forfeitures for violations of election laws, which was deposited in the General Fund. The Investigations and Enforcement Unit also provided legal support and expert advice concerning federal court challenges to the campaign contribution bans imposed on lobbyists and state contractors, as well as the Citizens' Election Program requirements for financing the campaigns of candidates nominated by minor parties.

Legislative Affairs and Legal Compliance Unit

This subdivision has drafted and completed 17 opinions of counsel and have published numerous handbooks, guides and other informational materials and provided trainings throughout the state. The attorneys of the subdivision assist citizens, candidates and committees with their understanding of, and participation in, the election process, including both the public financing and private financing requirements of Connecticut campaign finance laws. The attorneys answered over 3,200 legal questions from citizens, candidates and committee staff regarding state and local elections, referenda, fundraising and the Program. The subdivision has developed a record-keeping, research and review process designed to ensure consistent, accurate and expeditious responses. The subdivision also worked closely with the Attorney General's office to assess challenges to the constitutionality of certain provisions of Connecticut campaign finance laws. The subdivision also handles the agency's media and public relations activities, Freedom of Information requests, and coordinates the Commission's legislative activities as well as acting as liaison with legislators and other executive administrative branch agencies. Agency staff has played an integral role with the Secretary of the State in various legislative proposals with GAE and Appropriations Committees.

Information Reported as Required by State Statute

Pursuant to Conn. Gen. Statutes Sec. 9-7a (c), the Commission is required to provide the following information concerning its activities:

Of the 165 new complaints docketed during this fiscal year, the following municipalities had more than one complaint:

Bethel, Bridgeport, Brookfield, Clinton, Coventry, East Hartford, Groton, Hartford, New Haven, New London, Norwalk, Orange, Southbury, Trumbull, Waterbury, West Haven, Wethersfield, Woodbury.

SEEC closed a total of 151 cases during the fiscal year. Of the 151 closed cases, 66 were newly docketed cases and 85 were from prior years. 53 resulted in monetary penal sanctions (late filing fees, civil penalties or forfeitures), 11 resulted in reprimands or orders to comply, 48 were dismissed with finding of no violation, 26 resulted in compliance with no further action taken, 3 were withdrawn by the complainants and 10 were administratively closed for lack of sufficient evidence to investigate. There were 92 additional complaints that remained open at the close of the fiscal year.