

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Marie G. Hamilton, Hartford

File No. 2011-135

FINDINGS AND CONCLUSIONS

Complainant Marie G. Hamilton brings this complaint pursuant to General Statutes § 9-7b alleging that Respondent Urania Petit, the Working Families Party Registrar of Voters for the City of Hartford, had utilized public funds to promote the election of candidates running for city council in the 2011 municipal elections. The Complainant attached to her complaint a copy of the letter that she received from the Working Families Campaign Committee. After investigation, the Commission makes the following findings and conclusions:

1. Urania Petit was elected as the Working Families Party Registrar of Voters in 2008. Having served in the office since then, she stands for re-election next in 2012.
2. In her complaint dated October 28, 2011, the Complainant stated that she had received a letter from the Respondent and that Complainant had not been able to ascertain that, as of the date of her complaint, Working Families Campaign Committee had “purchased any Hartford voter list or disk from the City of Hartford Registrar of Voters Office.” Complaint of Marie Hamilton (October 28, 2011). Given no proof to show that the Working Families committee had paid for the list, Complainant filed a complaint alleging that Respondent had violated General Statutes § 9-610 (d) by using public resources, specifically a voter registration list from the Hartford City Clerk, to facilitate the sending of the campaign material.
3. In response to this complaint, the Respondent stated via sworn affidavit that the letter in question had been produced using no public resources. She had reviewed the letter on her personal time using her personal smart phone. *See* Affidavit of Urania Petit (Nov. 21, 2011).
4. Respondent also proffered an affidavit from Lindsay Farrell, political director for Working Families Party. Farrell stated that she had drafted the language for and prepared the mailing that the party committee sent under Respondent’s name. *See* Affidavit of Lindsay Farrell (Nov. 17, 2011). Farrell also stated that she compiled the absentee voter list from the City of Hartford Town Clerk over the course of several visits in October 2011. *Id.* She paid for the mailing lists, postage, and other costs for the mailer from her personal funds and then sought reimbursement from the Working Families Campaign Committee. *Id.* Farrell provided a copy of an itemized receipt she submitted to the committee seeking reimbursement for these expenditures and others totaling \$958.65. *See* Invoice from Farrell to Working Families Campaign Committee (Nov. 11, 2011).

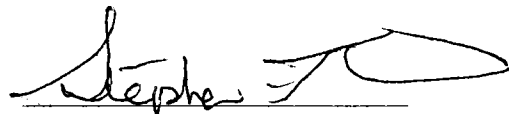
5. The January 10, 2012 financial disclosure statement from the Working Families Campaign Committee shows that it paid Farrell a total of \$958.65 on November 14, 2011. But the report does not reflect the individual expenditures for which it reimbursed Farrell although a notation does identify \$239.66 as being for the city council candidates identified in the Petit letter. See SEEC Form 20 – Itemized Campaign Finance Disclosure Statement, Working Families Campaign Committee (January 10, 2012).¹
6. General Statutes § 9-610 (d) comprises two different prohibitions on the use of public funds to promote the candidacy of a public official. First, § 9-610 (d) (1) prevents an incumbent within the three months preceding an election from using public funds “to mail or print flyers or other promotional materials” that are intended to promote the candidacy of the incumbent. General Statutes § 9-610 (d) (1). Second, § 9-610 (d) (2) bans any individual from authorizing the use of public funds during the 12-months preceding an election for any promotional campaign or advertisement that “features the name, face or voice of a candidate for public office” or promotes the nomination or election of a candidate.
7. In this instance, no public funds were used to create the mailer in question, so General Statutes § 9-610 (d) does not apply.
8. Because the mailer in question was not produced using public funds and § 9-610 (d) does not apply, the Commission cannot find that the Respondent’s actions here violated the statutory prohibitions against use of public funds and should dismiss this complaint.

ORDER

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

That the matter be dismissed.

Adopted this 23rd day of MAY of 2012 at Hartford, Connecticut.



Stephen F. Cashman
By Order of the Commission

¹ The financial disclosure forms failed to designate the secondary payees for the expenditures that formed the basis for the reimbursement to Farrell. General Statutes § 9-608 requires an itemized accounting of each expenditure, including secondary payees. See General Statutes §9-608 (c) (1) (C). Because this violation lies beyond the scope of the complaint, however, the Commission will not pursue the matter.