

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Louis A. DeCillio, Stratford

File No. 2014-172

FINDINGS AND CONCLUSIONS

Complainant brought this complaint pursuant to Connecticut General Statutes § 9-7b and alleged that a group called “ForStratford” violated General Statutes §§ 9-602 and 9-605 pertaining to raising funds and making expenditures for political purposes in the Town of Stratford without complying with campaign finance registration and disclosure requirements. After an investigation of the complaint, the following findings and conclusions are made:

1. Complainant alleged that the group “ForStratford” held meetings, raised funds, expended funds through the production of literature, signage, booth rental, monthly “database and communication” applications, newspaper advertisements, a P.O. Box and undertook in “party building activities” in Stratford.
2. Further, Complainant alleged that ForStratford advocated a position on the November 4, 2014 constitutional question that appeared on the state election ballot and failed to file an *Itemized Campaign Finance Disclosure Statement* (SEEC Form 20) or a *Political Committee (PAC) Registration* (SEEC Form 3) as required by Chapter 155, General Statutes.
3. Finally, Complainant alleged that ForStratford violated state campaign finance disclosure and reporting requirements as required by General Statutes §§ 9-602 and 9-605 pertaining to the above referenced activities.
4. Connecticut General Statutes § 9-602, provides in pertinent part:
 - (a) Except with respect to an individual acting on his own, no contributions may be made, solicited or received and no expenditures may be made, directly or indirectly, in aid of or in opposition to the candidacy for nomination or election of any individual or any party or referendum question, unless (1) the candidate or chairman of the committee has filed a designation of a campaign treasurer and a depository institution situated in this state as the depository for the committee's funds ***In the case of a political committee, the filing of the statement of organization by the chairman of such committee, in accordance with the provisions of section 9-605 shall constitute compliance with the provisions of this subsection.*** [Emphasis added.]

5. Connecticut General Statutes § 9-605, provides in pertinent part:

(a) ***The chairperson of each political committee shall designate a treasurer and may designate a deputy treasurer. The treasurer and any deputy treasurer so designated shall sign a statement accepting the designation.*** The chairperson of each political committee shall file a registration statement described in subsection (b) of this section along with the statement signed by the designated treasurer and deputy treasurer with the proper authority, within ten days after its organization, provided that the chairperson of any political committee organized within ten days prior to any primary, election or referendum in connection with which it intends to make any contributions or expenditures, shall immediately file a registration statement.

(b) The registration statement shall include: (1) The name and address of the committee; (2) a statement of the purpose of the committee; (3) the name and address of its treasurer, and deputy treasurer if applicable; (4) the name, address and position of its chairman, and other principal officers if applicable; (5) the name and address of the depository institution for its funds; (6) the name of each person, other than an individual, that is a member of the committee; ... (9) if the committee is supporting or opposing any referendum question, a brief statement identifying the substance of the question; ... (12) if the committee files reports with the Federal Elections Commission or any out-of-state agency, a statement to that effect including the name of the agency; ***(13) a statement indicating whether the committee is established for a single primary, election or referendum or for ongoing political activities;*** ... and (16) any information that the State Elections Enforcement Commission requires to facilitate compliance with the provisions of this chapter or chapter 157. ... The report shall be in the same form as statements filed under section 9-608.

...

(d) A group of two or more individuals *who have joined solely to promote the success or defeat of a referendum question shall not be required to file as a political committee, make such designations in accordance with subsections (a) and (b) of this section or file statements pursuant to section 9-608, if the group does not receive or expend in excess of one thousand dollars for the entire campaign.* If the group receives funds or makes or incurs expenditures exceeding one thousand dollars in the aggregate, the group shall complete the statement of organization and file as a political committee not later than three business days thereafter. The group shall provide the designated treasurer with all information required for completion of the statements for filing as required by section 9-608.

[Emphasis added.]

6. After investigation, the Commission finds that ForStratford engaged in conducting meetings, advertising, and social media and other methods to raise public awareness on such issues as: lowering taxes and sewer fees, the sale of land on which the Stratford water treatment plant is situated, and developing tourism in Stratford.
7. Further, in response to this complaint and investigation, the Respondents admit that ForStratford was involved, as detailed herein, in various ways with issues of “public concern” in Stratford. Respondents *deny* that they made expenditures in support of candidacies or party committees or to influence primaries, elections or local referenda as alleged.
8. The Commission finds after, and Respondents admit, that ForStratford made an expenditure for a printed communication in the amount \$95.72 to advocate for the passage and a “yes” vote on the state constitutional amendment question that appeared on the November 4, 2014 ballot. The Commission finds that the aforementioned expenditure does *not* reach the threshold expenditure limit to trigger the registration and reporting requirements of General Statutes §§ 9-602 and 9-605.
9. The Commission finds that while social media and advertising by ForStratford generally referenced political “parties” generally there was no identification by name of any major or minor party by ForStratford in such public media campaigns and no candidates were named or otherwise identified by print or by image in such campaigns.

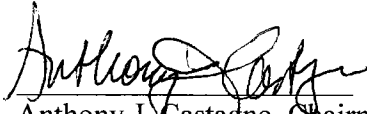
10. The Commission finds evidence that Respondents through ForStratford conducted voter registration drives and get-out-the-vote initiatives in relation to the November 4, 2014 election. In response to this complaint and investigation Respondents admitted that they have advocated for greater voter registration and participation in Stratford, but deny that they did so in other than a “nonpartisan fashion.”
11. The Commission finds a lack of evidence that voter registration and get-out-the-vote activities engaged in by Respondents and ForStratford were at the direction of, on behalf of, and at the behest of or in opposition to, any political party, candidates or political committee. The Commission finds therefore that the allegation pertaining to “party building” was not supported by the facts after investigation.
12. The Commission finds after investigation that Respondents and ForStratford did *not* meet the threshold for expenditures or otherwise make expenditures to influence elections, primaries or referenda to trigger or necessitate the provisions and requirements of General Statutes §§ 9-602 and 9-605 and as such, the Commission concludes that no violations of those sections occurred under the facts and circumstances of this matter.

ORDER

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

The complaint is hereby dismissed.

Adopted this 16th day of June, 2015 at Hartford, Connecticut.


Anthony J. Castagno, Chairman
By Order of the Commission