



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR TELEPHONIC MEETING
Via Webex
November 16, 2022
9:30 A.M.

I. Call to Order

Commissioner Penny was present via Webex and called the meeting to order at 9:30 A.M. Commissioners Michael Ajello and Greg Piecuch were present via Webex. Agency staff was also present and present via Webex.

II. Approval of the Minutes

Approval of the Minutes of the Meeting of November 2, 2022

It was moved by Commissioner Piecuch and seconded by Commissioner Ajello to approve the Minutes of the Meeting of November 2, 2022. So voted by a vote of 3-0-0.

III. Administrative Reports

Director Brandi reported on the success of the Election Day Hotline. Director Brandi thanked all staff involved. Commission staff participated from 6 in the morning until well after 8 in the evening. Brandi commended staff for doing a great job. The SEEC handled somewhere around 200 inquiries that day including some that were more complex. Everybody pitched in and did a really great job handling the onslaught of calls that came in. It was a real team effort and everybody pitched in and did a really great job. One of the things we do following election day hotline, is review for education purposes, the types of the calls received. 2 Main issues came up during the day including lots of calls about people not understanding that their votes will be counted when there's an auxiliary bin and that their ballots count. The other issue commission staff received lots of calls on, are people still not understanding that whether you use a marker or a ballpoint pen or a pencil the tabulator still reads the ballot. These are issues that staff are going to tally up with all of the calls that came in so that the SEEC can meet with SOTS to talk about how we can try to get additional information out to the public. SEEC staff does anticipate that in 2024 a lot of these issues will continue to come up. People are listening to things on the internet and we are always trying to make sure that people are getting the correct information.

Director Brandi updated as to activity on 2 of the SEEC's cases that were referred to criminal authorities. The first case was the sentencing for Mr. Mallozi, in the Stamford absentee ballot case, who was convicted on 14 counts of forgery and 14

counts of false statement with regard to an absentee ballot. He was sentenced to probation and a fine. The prosecutors were asking for a 5 year incarceration, but the court did not go that far. However, this is an important case showing that there are criminal penalties for this kind of conduct. With the second case, there was a plea deal in federal court in the last few weeks involving the Yellow Dog Strategies matter that the SEEC had and referred. This was a petition fraud case regarding a Judge of Probate race. The matter was originally referred to the office of the Chief States Attorney and eventually taken over by the Department of Justice and in Federal Court Victor Cuevas plead out to a wire fraud charge and will be sentenced as a later date. So those are 2 of the cases again where the investigators did a great job in handling and compiling the information and resulted in successful prosecutions in a criminal setting.

We have a number of other cases that we are working on right now with regard to referrals that are coming in through the ERIC system which is hits in multiple states where people double voted or attempted to. We will keep the Commission advised as those cases keep moving forward. We have cases in Texas and Florida which look like they will result in prosecution.

Director Brandi advised that staff is transitioning now into our next large event which will be legislative session and will try to have a list of proposals for Commissioners soon, many of which as you know, we repeat the same proposals year after year as it does take a few sessions to get bills passed. The SEEC is hopeful that the Municipal Program will finally get through. The bill did get through the House last year but did not get through the Senate. The SEEC will be providing the commission with their proposal package at an upcoming meeting well in advance of their submission. I'm sure there will be a lot of new bills coming up including the constitutional referendum. SEEC staff will be keeping an eye out on our bills as well as anything else that may impact campaign finance.

IV. Pending Complaints and Investigations

A. Public Session

1. In the Matter of a Complaint by Pauline Moon, Wethersfield
File No. 2021-170

Proposed Findings & Conclusions

Respondents:

Tyler Flanigan, Patrick Pentalow
and Amanda Drew

Staff Attorney:

James M. Talbert-Slagle

Legal Investigator:

Stephanie Fish

Attorney James M. Talbert-Slagle summarized the above referenced complaint and Proposed Findings and Conclusions in File No. 2021-170. He recommended adoption of the Proposed Findings and Conclusions.

It was moved by Commissioner Picuch and seconded by Commissioner Ajello to adopt the Findings and Conclusions in File No. 2021-170. So voted by a vote of 3-0-0. The Findings and Conclusions will be available on our website under Commission Decisions.

2. In the Matter of a Complaint by Andrew Wainwright, Stamford
File No. 2021-194

Proposed Findings & Conclusions

Respondent:	Peter Zonis
Staff Attorney:	James M. Talbert-Slagle
Legal Investigator:	Scott Branfuhr

Attorney James M. Talbert-Slagle summarized the above referenced complaint and Proposed Findings and Conclusions in File No. 2021-194. He recommended adoption of the Proposed Findings and Conclusions.

It was moved by Commissioner Picuch and seconded by Commissioner Ajello to adopt the Findings and Conclusions in File No. 2021-194. So voted by a vote of 3-0-0. The Findings and Conclusions will be available on our website under Commission Decisions.

3. In the Matter of a Complaint by Michele Chamberlain, Lisbon
File No. 2021-198

Proposed Findings & Conclusions

Respondents:	Stephen Barrett and Cindy Palmer
Staff Attorney:	James M. Talbert-Slagle
Legal Investigator:	Ronald Perry

Attorney James M. Talbert-Slagle summarized the above referenced complaint and Proposed Findings and Conclusions in File No. 2021-198. He recommended adoption of the Proposed Findings and Conclusions.

It was moved by Commissioner Picuch and seconded by Commissioner Ajello to adopt the Findings and Conclusions in File No. 2021-198. So voted by a vote of 3-0-0. The Findings and Conclusions will be available on our website under Commission Decisions.

4. In the Matter of a Complaint by Kathleen M. Jowdy, Brookfield
File No. 2021-202

Proposed Findings & Conclusions

Respondent:	Elizabeth Hegarty
Staff Attorney:	James M. Talbert-Slagle
Legal Investigator:	Ronald Perry

Attorney James M. Talbert-Slagle summarized the above referenced complaint and Proposed Findings and Conclusions in File No. 2021-202. He recommended adoption of the Proposed Findings and Conclusions.

It was moved by Commissioner Piecuch and seconded by Commissioner Ajello to adopt the Findings and Conclusions in File No. 2021-202. So voted by a vote of 3-0-0. The Findings and Conclusions will be available on our website under Commission Decisions.

5. In the Matter of a Complaint by John F. Malsbenden, Colchester
File No. 2021-178

Proposed Findings & Conclusions

Respondents:

Donald M. Brown, Ihor Rudko, Andreas
Bisbikos and Taras Rudko

Attorney:

James M. Talbert-Slagle

Legal Investigator:

Ronald Perry

Attorney James M. Talbert-Slagle summarized the above referenced complaint and Proposed Findings and Conclusions in File No. 2021-178. He recommended adoption of the Proposed Findings and Conclusions.

It was moved by Commissioner Piecuch and seconded by Commissioner Ajello to adopt the Findings and Conclusions in File No. 2021-178. So voted by a vote of 3-0-0. The Findings and Conclusions will be available on our website under Commission Decisions.

6. In the Matter of a Complaint by Daphne Slopak, Taftville
File No. 2021-204

Proposed Findings & Conclusions

Respondents:

Dianne Daniels and Cheryl Stover

Attorney:

James M. Talbert-Slagle

Legal Investigator:

Ronald Perry

Attorney James M. Talbert-Slagle summarized the above referenced complaint and Proposed Findings and Conclusions in File No. 2021-204. He recommended adoption of the Proposed Findings and Conclusions.

It was moved by Commissioner Piecuch and seconded by Commissioner Ajello to adopt the Findings and Conclusions in File No. 2021-204. So voted by a vote of 3-0-0. The Findings and Conclusions will be available on our website under Commission Decisions.

7. In the Matter of a Complaint by Christine M. Baptiste-Perez and Erika
Castillo, Bridgeport
File No. 2021-212

Proposed Consent Order & Agreement

Respondent: Michelle Small
Attorney: William B. Smith
Legal Investigator: Ronald Perry

Attorney William B. Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2021-212. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Piecuch and seconded by Commissioner Ajello to adopt the Consent Order & Agreement in File No. 2021-212. So voted by a vote of 3-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

V. *Executive Session per General Statutes §§ 1-200(6)(B) and (E), and 1-210(b)(1), (3),(4),(10) and General Statutes §9-7a, as amended by Public Act 11-48 §300 (Preliminary draft and agency consideration of enforcement action and exempt records relative thereto)*

It was moved by Commissioner Piecuch and seconded by Commissioner Ajello at 10:04 A.M. to proceed into Executive Session pursuant to General Statutes §§ 1-200(6)(B) and (E), and 1-210(b)(1), (3),(4),(10) to discuss strategy and negotiations with respect to pending claims and exempt records. So voted by a vote of 5-0-0.

Commissioners Penny, Ajello and Piecuch were present via Webex. Staff members present via Webex were: James Talbert-Slagle, William B. Smith, Lisa Drew, Aaron Charney, Patricia Mwilwa, Joshua Foley, Stephen Palmer, Paul Brady, Michael J. Brandi, Salman Munir, Shannon Kief and Sheri-Lyn Lagueux.

The Commission returned to public session at 10:26 A.M.

Returning to public session, the Commission took the following action:

1. Recommendation of Counsel: Necessary to Investigate Determination pursuant to General Statutes §9-7a, as amended by Public Act 11-48 §300

Attorney William B. Smith summarized the Recommendation of Counsel dated November 9, 2022 and requested that three (3) matters be moved to investigate.

It was moved by Commissioner Piecuch and seconded by Commissioner Ajello to make a determination that it is necessary to investigate violations relating to three (3) complaints File Nos. 2022-053, 2022-054 and 2022-055. So approved by the Commission, 3-0-0. So voted.

2. In the Matter of a Complaint by Debra Fellenbaum & Kerri Rowland, Milford
File No. 2021-135A
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Ronald Perry

Attorney William B. Smith summarized the above referenced complaint in File No. 2021-135A. He recommended adoption of the following motion: Counsel recommends that the Commission refer this matter to the Chief State's Attorney pursuant to its authority in General Statutes § 9-7b (a) (8), based on the Respondent fraudulently voting at the November 3, 2020 election, which facts after investigation indicate was a willful violation of General Statutes § 9-360. Further, Counsel recommends that, consistent with its authority under General Statutes § 9-7b (a) (2) (C) (i), the Commission seek a maximum penalty from the Respondent in this matter in the amount of \$2,000.00 for improperly voting in an election.

It was moved by Commissioner Picuch and seconded by Commissioner Ajello to refer to the Office of the Chief State's Attorney File No. 2021-135A. So voted by a vote of 3-0-0.

3. In the Matter of a Complaint by Tony Barr, Bridgeport
File No. 2021-173
Recommendation of Counsel
Staff Attorney: James M. Talbert-Slagle
Legal Investigator: Stephanie Fish

Attorney James M. Talbert-Slagle summarized the above referenced complaint and Proposed Findings and Conclusions in File No. 2021-173. He recommended adoption of the Proposed Findings and Conclusions.

It was moved by Commissioner Picuch and seconded by Commissioner Ajello to adopt the Findings and Conclusions in File No. 2021-173. So voted by a vote of 3-0-0. The Findings and Conclusions will be available on our website under Commission Decisions.

4. In the Matter of a Complaint by Tony Barr, Bridgeport
File No. 2021-199
Recommendation of Counsel
Staff Attorney: James M. Talbert-Slagle
Legal Investigator: Stephanie Fish

Attorney James M. Talbert-Slagle summarized the above referenced complaint and Proposed Findings and Conclusions in File No. 2021-199. He recommended adoption of the Proposed Findings and Conclusions.


It was moved by Commissioner Picuch and seconded by Commissioner Ajello to adopt the Findings and Conclusions in File No. 2021-199. So voted by a vote of 3-0-0. The Findings and Conclusions will be available on our website under Commission Decisions.

VI. Consideration of Matters Discussed in Executive Session


VII. Adjournment

It was moved by Commissioner Picuch and seconded by Commissioner Ajello to adjourn the meeting at 10:39 AM. So voted by a vote of 3-0-0. Unless otherwise noted, all votes of the commission are unanimous.

Respectfully submitted,


Sheri-Lyn Lagieux
Clerk of the Commission

Adopted this 7th day of December, 2022 at Hartford, Connecticut.



Stephen T. Penny
By Order of the Commission

The next regular scheduled meeting is December 7, 2022 at 9:30 A.M. via Webex.