



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
REGULAR TELEPHONIC MEETING
Via Webex
December 21, 2022
9:30 A.M.

I. Call to Order

Commissioner Penny was present via Webex and called the meeting to order at 9:31 A.M. Commissioners Michael Ajello and Shannon Bergquist were present via Webex. Agency staff was also present and present via Webex.

II. Approval of the Minutes

1. Approval of the Minutes of the Meeting of December 7, 2022

It was moved by Commissioner Ajello and seconded by Commissioner Penny to approve the Minutes of the Meeting of December 7, 2022. So voted by a vote of 2-0-1 with Commissioner Bergquist abstaining.

III. Administrative Reports

III.a. 2023 SEEC Regular Meeting Schedule

It was moved by Commissioner Bergquist and seconded by Commissioner Ajello to adopt the 2023 SEEC Regular Meeting Schedule. So voted by a vote of 3-0-0.

Director Brandi reported that there is a very active enforcement docket. Attorney Smith has been doing a great job working on along with support from compliance doing research and helping draft initial matters while the unit is short staffed. The SEEC is in the process of posting and refilling positions and administrative tasks in order to fill our ranks. We also have openings for the IT Manager position which we are in the middle of posting. We are in interviews right now for the staff attorney positions. We will also have an Elections Officer position that we will be posting in the near future. For the legal investigator position, the posting is closed and now waiting on DAS to announce the list in order to begin the interview process.

Director Brandi advised that the audit unit is picking back up with finalizing the last of the 2018 audits and moving forward with the 2020 audits. The process for commencing the 2022 lottery has been completed and committees are now being noticed for selection. We continue to complete the audits as fast as possible and initiated with the 2022 audits some new processes to make sure that we are getting them out as quickly as possible.

Director Brandi reported that budget wise, the SEEC is solid with the budget. IT is busy working on upgrades to the systems. We are looking to make sure that we have all questions answered for our server upgrades.

Director Brandi advised that staff are getting ready for legislative session which is long session starting on January 4, 2023. With the long session, this is a budget year. We are focusing on our substantive agenda. We will also see what is forthcoming from the GAE. The new GAE House chair is State Representative Matt Blumenthal. Senator Mae Flexer remains the Senate co-chair of the committee with Sen. Rob Sampson as ranking senate member and Rep. Gale Mastrofrancesco as ranking house member.

Also, with the inauguration of a new Secretary of the State, we will be looking to have some meetings with her and her team to see what their agenda will be going forward. We expect discussions on modernizing the voting systems as the voting machines are coming to the end of life on many of these systems.

IV. Pending Complaints and Investigations

A. Public Session

1. In re: Audit of *Sean Grace for Senate*
File No. 2021-159
Proposed Consent Order & Agreement
Respondent:
Staff Attorney:
Legal Investigator:

Lauren A. Garrett
William B. Smith
Ronald Perry

Attorney William B. Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2021-159. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Bergquist and seconded by Commissioner Ajello to adopt the Consent Order & Agreement in File No. 2021-159. So voted by a vote of 3-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

2. In re: SEEC Initiated *Gannon for 3 – Audit Findings*
File No. 2021-215A
Proposed Consent Order & Agreement
Respondent:
Staff Attorney:

Gloria Gruber Long
William B. Smith

Attorney William B. Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2021-215A. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Bergquist and seconded by Commissioner Ajello to adopt the Consent Order & Agreement in File No. 2021-215A. So voted by a vote of 3-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

3. In re: SEEC Initiated *Gannon for 3 – Audit Findings*
File No. 2021-215B
Proposed Consent Order & Agreement
Respondent: Gannon Long
Staff Attorney: William B. Smith

Attorney William B. Smith summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2021-215B. He recommended adoption of the Proposed Consent Order & Agreement upon receipt in ten (10) days.

It was moved by Commissioner Bergquist and seconded by Commissioner Ajello to adopt the Consent Order & Agreement in File No. 2021-215B upon receipt in ten (10) days. So voted by a vote of 3-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions upon receipt.

4. In the Matter of a Complaint by Christine M. Gianquinto, Joseph G. Soucie and Mary Jo K. Nosal, Old Lyme
File No. 2021-200
Proposed Consent Order & Agreement
Respondent: Timothy Griswold
Staff 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. 2021-200. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Bergquist and seconded by Commissioner Ajello to adopt the Consent Order & Agreement in File No. 2021-200. 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 Bergquist and seconded by Commissioner Ajello at 9:52 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 Bergquist were present via Webex. Staff members present via Webex were: William B. Smith, Lisa Drew, Scott Branfuhr, Ronald Perry, Stephanie Fish, Aaron Charney, Patricia Mwilwa, Joshua Foley, Lindsey Leung, Stephen Palmer, Paul Brady, Geetha Natarajan, Michael J. Brandi, Salman Munir, Shannon Kief and Sheri-Lyn Lagueux.

The Commission returned to public session at 11:21 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 December 14, 2022 and requested that four (4) matters be moved to investigate.

It was moved by Commissioner Bergquist and seconded by Commissioner Ajello to make a determination that it is necessary to investigate violations relating to four (4) complaints File Nos. 2022-067, 2022-068, 2022-069 and 2022-070. So approved by the Commission, 3-0-0. So voted.

2. Non-Filer Investigations and Prosecutions: General Settlement Authorization for Supplemental Filers for the 2022 Election Cycle and a Determination that Such Filers are Necessary to Investigate

Attorney Michael Brandi summarized the General Settlement Authorization and recommended the following Motion to authorize certain investigations regarding late supplemental reports required under General Statutes § 9-712, a determination that such matters are necessary to investigate pursuant to General Statutes § 9-7b (a) (1) and authorization of settlement for such matters on the terms recommended by counsel.

It was moved by Commissioner Bergquist and seconded by Commissioner Ajello adopt the motion. So approved by the Commission, 3-0-0. So voted.

3. In the Matter of a Referral by the Secretary of the State

File No. 2022-037
Recommendation of Counsel
Attorney:
Legal Investigator:

William B. Smith
Scott Branfuhr

Attorney William B. Smith summarized the above referenced complaint in File No. 2022-037. Counsel therefore recommends that this matter be referred by the Commission pursuant to its authority in General Statutes § 9-7b (a) (8) to the Chief State’s Attorney, and/or pursuant to General Statutes § 9-7b (a) (11) to United States Department of Justice and the United States Attorney for Connecticut. Respondent violated § 9-453g, § 9-453j, § 53a-139 (a), and § 53a-157b.

Further, Counsel notes that referring this matter and prosecuting it under the Commission’s own jurisdiction are not mutually exclusive acts, and therefore the Commission may also wish to potentially seek civil penalties against Respondent at a future date. Counsel recommends keeping this matter open pending the result of any criminal action taken by the appropriate authorities.

It was moved by Commissioner Bergquist and seconded by Commissioner Ajello to refer to the Office of the Chief State’s Attorney and/or to United States Department of Justice and the United States Attorney for Connecticut in File No. 2022-037. So voted by a vote of 3-0-0.

4. In the Matter of a Complaint by Dayna Arriola & Mary Oliver, Hampton
File No. 2022-004B
Recommendation of Counsel
Attorney:
Legal Investigator:

William B. Smith
Scott Branfuhr

Attorney William B. Smith summarized the above referenced complaint and in File No. 2022-004B. He requested permission to post an addendum statement with regard to the remittance of a civil penalty and the respondent’s adequate representation that due to financial hardship, is unable to pay the civil penalty.

It was moved by Commissioner Bergquist and seconded by Commissioner Ajello to post an addendum statement in File No. 2022-004B. So voted by a vote of 3-0-0.

5. In re: Commission Initiated Investigation: *Ganim for Governor*
File No. 2020-006
Recommendation of Counsel
Attorney:

William B. Smith

Legal Investigator: Stephanie Fish

The matter is continued.

6. In the Matter of a Complaint by Anthony D'Angelo, Erin Cowles and John Moise, Southington
File No. 2022-007
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Ronald Perry

Attorney William B. Smith summarized the above referenced complaint and in File No. 2022-007. He requested authorization of an investigatory subpoena.

Pursuant to General Statutes § 9-7b and § 9-7b-28 of the Regulations of Connecticut State Agencies, a motion to authorize a subpoena to the Records Keeper at TD Bank, 121 Main Street, Southington, CT to appear and produce documents and records to the Commission office regarding the investigation of financial issues raised by the above referenced Complaint concerning financial transactions of the Southington Democratic Town Committee which are the subject of the above referenced Complaint and under review by the Commission.

It was moved by Commissioner Bergquist and seconded by Commissioner Ajello to authorize an investigatory subpoena in File No. 2022-007. So voted by a vote of 3-0-0.

7. In re: Commission Initiated Investigation: *Re-elect Stallworth 2018*
File No. 2022-024
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Ronald Perry

The matter is continued.

8. In re: Commission Initiated Investigation: *Stevenson4CT*
File No. 2022-023
Recommendation of Counsel
Attorney: William B. Smith
Legal Investigator: Ronald Perry

The matter is continued.

9. Draft Audit Reports

- A. Recommendation of Counsel: Wrap up of 2018 Post Election Reviews and Related Cases
1. “Ned for CT,” Edward Lamont
Accounts Examiner: Salman Munir
 2. “David Stemerman for Governor, Inc.,” David Stemerman
Accounts Examiner: Krysta Palozie
 3. “Kurt for CT,” William K. Miller
Accounts Examiner: Dinorah Collado
 4. “Mattei for Connecticut,” Christopher M. Mattei (Exp)
Accounts Examiner: Dinorah Collado
 5. “Mattei for CT,” Christopher Mattei
Accounts Examiner: Dinorah Collado
 6. “Andy for West Hartford,” Andrew M. Fleischmann
Accounts Examiner: Nicole Petit
 7. “Lemar2018,” Roland J. Lemar
Accounts Examiner: Nicole Petit
 8. “Vote Kerouac,” A.J. Kerouac
Accounts Examiner: Salman Munir
 9. “R 96,” Eric M. Mastroianni
Accounts Examiner: Dinorah Collado
 10. “Make Way for State Rep Holloway 2018,” Ernestine Holloway
Accounts Examiner: Nicole Petit
 11. “Sean Grace for Senate,” Sean P. Grace
Accounts Examiner: Karen Waluskas
 12. “Gannon for 3,” Gannon R. Long
Accounts Examiner: Nicole Petit
 13. “Tim for Connecticut 2018,” Timothy M. Herbst (Exp)
Accounts Examiner: Dinorah Collado

Attorney Michel J. Brandi provided an overview of the recommended that the Commission make audits number 1 through 13 inclusive final and also ask that file no. 2020-008 for audit item 10, be administratively closed. So moved by Commissioner Bergquist and seconded by Commissioner Ajello by a vote of 3-0-0.

14. "Tim for Connecticut 2018," Timothy Herbst
Attorney: William B. Smith

Attorney William B. Smith summarized the draft audit report and recommended that an investigation shall be initiated into whether candidate Timothy Herbst and/or treasurer Thomas Daly violated any provision of the campaign finance laws and/or rules and regulations pertaining to the Citizens' Election Program and that the matter be entitled: *In re. Commission Initiated Investigation into "Tim for Connecticut 2018."*

It was moved by Commissioner Bergquist and seconded by Commissioner Ajello to initiate an investigation into "*Tim for Connecticut 2018.*" So voted by a vote of 3-0-0.

15. "Rogers 2018," Ryan Rogers
Attorney: William B. Smith

Attorney William B. Smith summarized the draft audit report and recommended that an investigation shall be initiated against "Rogers 2018" acting treasurer/deputy treasurer James Sinclair regarding potential violations of campaign finance laws and/or rules pertaining to the Citizens' Election Fund and that the matter be entitled: *In re. Commission Initiated Investigation into "Rogers 2018."*

It was moved by Commissioner Bergquist and seconded by Commissioner Ajello to initiate an investigation into "*Rogers 2018.*" So voted by a vote of 3-0-0.

10. Recommendation of Counsel: Discussion of Legislative Proposals

No action taken.

VI. Executive Session per General Statutes §§ 1-231 and 1-200(6)(A) and 1-210(b)(2)
(Discussion of Personnel Matters)

Consideration of Personnel Matters

Executive session was not convened.

VII. Consideration of Matters Discussed in Executive Session

VIII. Adjournment

It was moved by Commissioner Bergquist and seconded by Commissioner Ajello to adjourn the meeting at 11:34 AM. So voted by a vote of 3-0-0. Unless otherwise noted, all votes of the commission are unanimous.

Respectfully submitted by,



Sheri-Lyn Lagueux
Clerk of the State Elections Enforcement Commission

February 1, 2023

Date approved
(By the State Elections Enforcement Commission)

The next regular scheduled meeting is January 18, 2023 at 9:30 A.M. via Webex.