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August 12, 2024

**Via E-Mail:** [Shannon.kief@ct.gov](mailto:Shannon.kief@ct.gov)

Attorney Shannon Kief  
Legal Program Director  
State Elections Enforcement Commission  
55 Farmington Avenue  
Hartford, CT 06105

**Re: Petition for Declaratory Ruling in Response to SEEC's "Findings and Conclusions"  
in File No. 2018-118**

Dear Attorney Kief:

I am petitioning the State Election Enforcement Commission (the "Commission"), on behalf of the Connecticut Senate Democratic Caucus, for a declaratory ruling on two issues: (1) Whether the recent lump sum payment of more than \$160,000 received on May 9, 2024, by the Senate Republican Victory Committee (the "SRVC"), as a result of the Commission's April 17, 2024 Order authorizing the transfer of this lump sum to SRVC (discussed in the Commission's Order dated May 1, 2024, File No-2018-118), should be subject to the version of Connecticut General Statutes § 9-718 in effect at the time of the theft of this money from February, 2014 to December, 2018 (according to court records), rather than the current version of § 9-718 as amended in 2023, which allows for the aggregation of organization expenditures? (2) Whether SRVC can utilize this lump sum in one election cycle when the funds were stolen during the course of multiple election cycles?

### **FIRST QUESTION**

#### **Specified Circumstances Upon Which The First Question of The Petition Is Based**

According to the Commission's "Findings and Conclusions" in support of its Order dated May 1, 2024 [File No. 2018-118—Attached as Exhibit A], on December 17, 2018, the Senate Republican Leadership Committee ("SRLC") reported to the Commission the alleged theft of committee funds by its treasurer, Michael J. Cronin. [Exhibit A, pg. 1] Two days later, the Commission issued a cease-and-desist order to SRLC, requiring it to immediately cease and desist all activities and operations. [Id.] This cease-and-desist order also authorized the Senate Republicans to create a successor committee to facilitate the transfer of funds upon the dissolution of the SRLC. [Id.] In response, the Senate Republicans registered the Senate Republican Victory Committee on December 5, 2019. [Id.]

The Commission's "Findings and Conclusions" also states that on February 13, 2019, Cronin was arrested and charged with larceny in the first degree. [Id., pg. 1] On October 24, 2023, Cronin was convicted of larceny in the first degree and sentenced to seven years in prison, execution suspended after six months, followed by three years of probation (HHD-CR19-0730278-T). [Id.]

According to the transcripts of Cronin's sentencing, prior to his sentencing, Cronin provided a restitution check made out to the SRLC for \$248,670, which equaled the amount he had stolen from the SLRC. [Sentencing Tran. 10/24/2023 pgs. 7-8, 12, 29—Attached as Exhibit B] To the best of my knowledge, the court did not specifically order this restitution, but rather, according to the transcripts of Cronin's plea hearing and sentencing, the amount of restitution would be (and was) considered by the court in its sentencing of Cronin.<sup>1</sup> [Plea Hearing Tran. 6/7/2023 pgs. 5, 15, 17-18—Attached as Exhibit C; Exhibit B, pgs. 7-8, 12, 29]

According to the Commission's "Findings and Conclusions," after Cronin's sentencing, in November, 2023, the Commission's staff worked with the SRLC Trustee to reconcile the SRLC account and report expenditures to prepare a termination report. [Exhibit A, pg. 2] The Commission's staff received the following documentation: the last report filed by SLRC dated October 20, 2018; the spreadsheet of bank account activity used in Cronin's criminal case; and the list of SRLC's creditors that were required to be paid through the restitution check. [Id.] Once the Commission's staff identified what had and had not been reported, two itemized campaign financial statements were created and filed, with the restitution listed on the second disclosure. [Id.] After outstanding obligations were paid, there remained a balance of \$160,928.93 in SLRC's account. [Id.]

At its April 17, 2024 meeting, as set forth in its "Findings and Conclusions" within its May 1, 2024 Order, the Commission ordered orally on the record that it was lifting the December 19, 2018 cease-and-desist order so that the SRLC Trustee could transfer the remaining restitution funds to the SRVC. [Id., 2-3] Thus, the Commission authorized the SRLC Trustee to transfer the remaining \$160,928.93 in the SRLC bank account to the SRVC bank account. [Id., 3] As a result, on May 1, 2024, the Commission dismissed the complaint against Cronin, declining to exercise its civil penalty authority under these circumstances. [Id.]

#### Law Upon Which The First Question Of The Petition Is Sought

At the time that Cronin stole funds from the SRLC, between February, 2014 to December, 2018 according to the transcripts of the plea hearing [Exhibit C, pg. 3], Connecticut General Statutes § 9-718 (Revised 2023) prohibited a legislative caucus committee or legislative leadership committee from making an organization expenditure for the benefit of a participating candidate or the candidate committee of a participating candidate in the Citizens' Election Program for the office of state senator in an amount that exceeds ten thousand dollars, as adjusted by the Consumer Price Index, for the general election campaign. Before 2023, § 9-718 did not allow for aggregate expenditures.

However, in 2023, the legislature amended § 9-718 through Public Act 23-205, § 171, adding the following new language, which for the first time allows for the aggregation of expenditures:

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<sup>1</sup>I am not aware of any explicit order by the Court for restitution.

"Notwithstanding any provision of the general statutes and except as provided in subsection (e) of this section, a legislative leadership committee and a legislative caucus committee, or a legislative leadership committee and another legislative leadership committee, or all three such committees, for the same political party in the Senate may aggregate their maximum allowable amounts for an organization expenditure or expenditures made for the benefit of a participating candidate or the candidate committee of a participating candidate in the Citizens' Election Program for the office of state senator for the general election campaign, provided a written agreement for such aggregation exists among the treasurers of each such aggregating committee. Upon execution of such written agreement, such treasurers shall jointly submit such written agreement to the State Elections Enforcement Commission, which shall make such written agreement available to the public on the commission's Internet web site." Conn. Gen. Stat. § 9-718.

#### Jurisdiction Of The Commission As To First Question of The Petition

SEEC regulation § 9-7b-64 governs petitions for declaratory rulings before the Commission, allowing "any person" to file a petition for a declaratory ruling with the Commission as to the applicability to a specified circumstance of any statute, any regulation, or any final decision on a matter within the Commission's jurisdiction.

The Commission has jurisdiction to decide this petition for a declaratory ruling for two reasons. First, this petition requests that the Commission clarify the applicability of a statute on a matter within the Commission's jurisdiction—specifically, whether the prior or current version of § 9-718 applies to the restitution funds that the Commission authorized the transfer of from the SRLC bank account to the SRVC bank account. Section 9-718 is part of the Citizen's Election Program, which the Commission is charged with enforcing. See Connecticut General Statutes § 9-7b(a)(3) and §§ 9-702 to 9-706. Thus, the Commission has jurisdiction over this issue.

Second, this petition requests that the Commission clarify its April 17, 2024 order authorizing the transfer of these funds. This order was clearly within the Commission's jurisdiction as it involved a violation of the state's campaign finance laws. Specifically, Connecticut General Statutes § 9-7b(a)(3) (A) allows the Commission to issue orders to remedy an intentional violation of chapter 155 or 157. Chapter 155 includes Connecticut General Statutes § 9-606, which sets forth the duties of treasurers, including depositing, receiving and reporting all contributions and other funds, and making and reporting expenditures. Cronin's larceny conviction is per se evidence that he violated § 9-606. Thus, the Commission had jurisdiction over its April 17, 2024 order authorizing the transfer of these funds, and, therefore, the Commission has jurisdiction now to clarify this order.

Finally, the Commission does not lack jurisdiction on the ground that there is a court order of restitution that it cannot amend. This petition is not seeking to amend any restitution order (to the extent there is such an order), but rather to clarify how § 9-718 applies to the remainder of the restitution funds that the Commission ordered transferred to the SRVC. Additionally, to the best of my knowledge, the Court did not specifically order this restitution, but rather, according to Cronin's plea deal, the amount of

restitution would be (and was) considered by the Court in sentencing Cronin. Thus, any clarification by the Commission on how the restitution funds can be used would not amend or violate any court order.<sup>2</sup>

Argument As To First Question re: The Version of § 9-718 In Effect At The Time Of The Theft Should Apply To This Lump Sum.

Pursuant to the Restatement (Third) of Restitution and Unjust Enrichment § 44 (2011), restitution may be limited "to the extent it would result in an inappropriate windfall to the claimant, or would otherwise be inequitable in a particular case."

In support of the Restatement (Third) of Restitution and Unjust Enrichment, the Connecticut Supreme Court has held that the purpose of restitution is equity: "The measure of restitution is essentially equitable, its basis being that in a given situation it is contrary to equity and good conscience for one to retain a benefit which has come to him at the expense of another. . . . With no other test than what, under a given set of circumstances, is just or unjust, equitable or inequitable, conscionable or unconscionable, it becomes necessary in any case where the benefit of the doctrine is claimed, to examine the circumstances and the conduct of the parties and apply this standard." (Citations omitted; internal quotation marks omitted.) *Walpole Woodworkers, Inc. v. Manning*, 307 Conn. 582, 589, 57 A.3d 730 (2012). See also *Vines v. Orchard Hills, Inc.*, 181 Conn. 501, 507, 435 A.2d 1022 (1980) ("[a] claim in restitution, although legal in form, is equitable in nature, and permits a trial court to balance the equities, to take into account a variety of competing principles").

Additionally, the Connecticut Appellate Court has explained that "[i]t is axiomatic that [restitution] . . . may not be invoked to permit parties to retain or to recover 'undeserved windfalls.'" *Shapero v. Mercede*, 77 Conn. App. 497, 505, 823 A.2d 1263 (2003). This is because such windfalls do not comport with the principles of equity. See *Amresco New England II, L.P. v. Colossale*, 63 Conn. App. 49, 55, 774 A.2d 1083 (2001).

In the present case, if the Commission rules that the current version of § 9-718 applies to the restitution funds, not only would SRVC receive a windfall—being allowed to spend this money in a way that it could not at the time of the theft—but also this would result in inequity in that it would be detrimental to legislative caucus and leadership committees operated by the Senate Democrats.

Thus, the 2023 amendment of § 9-178 allowing for aggregation of organization expenditures between up to three leadership or caucus committees militates towards the Commission immediately placing limitations on the spending of the \$160,928.93 in question.

During the election cycles in which these funds were removed—2014, 2016 and 2018—leadership committees such as the SRLC and SRVC were only allowed to provide a maximum of \$10,000, as

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<sup>2</sup>Furthermore, the Connecticut Senate Democratic Caucus has standing to file this petition. See *Festa v. State*, Superior Court, Judicial District of New Britain, Docket No. HHB-CV-20-6059758-S, 2020 WL 10046970, n.6 (Oct. 28, 2020); *Connecticut Conference of Municipalities v. PURA*, Superior Court, Judicial District of New Britain, Docket No. CV186045442, 2019 WL 6607100 (Nov. 12, 2019). Additionally, the Commission has standing to sua sponte issue a declaratory ruling on this issue. See Conn. Agencies Regs. 9-7b-64 ("the Commission may on its own motion initiate a proceeding, for a declaratory ruling").

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adjusted by the CPI,<sup>3</sup> of organization expenditures to each individual candidate participating in the Citizen's Election Program – with no aggregation whatsoever between committees. So, the money in question, which would have been in the SRLC, could only have been used by, or attributed to, the SRLC itself, to provide each individual CEP candidate with a maximum of \$10,000 of organization expenditures, as adjusted by the CPI. In 2023, however, in § 171 of Public Act 23-205, § 9-718 was amended to allow, for the first time beginning in the 2024 election cycle, up to three state senate legislative leadership and legislative caucus committees to aggregate their allowable maximum organization expenditures to each individual candidate. This public act was strongly bipartisan, passing nearly unanimously in each chamber (35-1 in the Senate, 145-4 in the House).

Now, after passage of Public Act 23-205, without corrective action being taken by the Commission regarding the regulation of spending of the \$160,928.93 in question, the result of this bipartisan, nearly unanimous amendment of § 9-718 could lead to the following, unacceptably inequitable situation that would provide a windfall to SRVC and a detriment to similar committees run by the Senate Democrats. The \$160,928.93, which, when removed from the SRLC, was only spendable or attributable by or to the SRLC, can now be aggregated by the Senate Republicans to count not only as the maximum organization expenditure to a CEP candidate from the SRVC, but also as the maximum such expenditure for each such candidate from two of their additional leadership and caucus committees.

Spelled out, given the current allowable maximum organization expenditure limit of \$14,200 (which is the \$10,000 adjusted for CPI), this \$160,928.93 could theoretically be used to provide a maximum aggregate organization expenditure of \$42,600 to three CEP candidates from SRVC and two of their additional, aggregated committees, with \$32,200 left over towards the maximum aggregated contribution to a fourth such candidate. In this scenario, a full two-thirds of the \$160,928.93 – over \$100,000 – would effectively be being spent by committees other than the SRVC, the successor committee to the committee from which the money was originally taken.

Such a situation would be so unfair and injurious to our fair electoral process that it cannot be allowed to occur. I therefore request that the Commission issue a declaratory ruling that states that the restitution funds at issue are subject to the version of § 9-718 in effect at the time the funds were removed from the SRLC bank account, preventing any part of the \$160,928.93 from being aggregated with, or attributed to, any Senate Republican leadership or caucus committee other than the SRVC.

Just because the Commission has allowed the SRVC to receive the full, lump sum payment, does not mean the Commission has to now allow the completely unfettered spending by the SRVC of the entire amount over less than 90 days, nor does the Commission have to allow this money to be attributed to or spent by any committee other than the SRVC. Indeed, it appears that the Court did not specifically order that the SRVC have immediate, unfettered use of the entire amount of the restitution payment. Nor does it appear that the Court ordered that such funds must be allowed to be aggregated under the current version of § 9-718. Now, it is clearly up to the Commission to ensure that the remaining funds be spent in a manner that maintains the integrity and fairness of our campaign financing system here in

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<sup>3</sup>For the 2014 general election, the maximum amount as adjusted by the CPI was \$10,675; for 2016 general election, it was \$10,675; and for the 2018 general election, it was \$11,420. For simplicity, however, for purposes of the example I provide, I set the maximum amount at \$10,000.

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Connecticut. Such equitable limitations would not conflict with, nor be in violation of, any order of the Court.

#### Remedy Requested As To First Question

This petition requests that the Commission issue a declaratory ruling that the version of § 9-718 in effect at the time of Cronin's criminal conduct (i.e., the theft of funds)—the version that does not allow aggregation of organization expenditures—applies to the restitution funds transferred from the SRLC bank account to the SRVC bank account pursuant to the Commission's April 17, 2024 Order. See Conn. Agencies Regs. § 9-7b-64. If the Commission does issue such a declaratory ruling, this petition likewise requests that the Commission issue a cease-and-desist order prohibiting the SRVC from making aggregate contributions with the restitution funds and to take any reasonable actions necessary to compel compliance with the declaratory ruling. See Connecticut General Statutes § 9-7b(a)(3)(F).

### **SECOND QUESTION**

#### Specified Circumstances Upon Which The Second Question of The Petition Is Based

The specified circumstances upon which the second question of this petition is based are the same as those stated under the first question. Please see above.

#### Law Upon Which The Second Question Of The Petition Is Sought

This second question of the petition is seeking clarification of the Commission's Order at its April 17, 2024 meeting, as set forth in its "Findings and Conclusions" of its Order dated May 1, 2024. Specifically, as set forth in its May 1, 2024 Order, the Commission ordered at its April 17, 2024 meeting that the remainder of the restitution funds—over \$160,000—be transferred from the SRLC's bank account to the SRVC's bank account. [File No. 18-118, pg. 2-3]

#### Jurisdiction Of The Commission As To The Second Question of The Petition

As explained, this petition requests that the Commission clarify its April 17, 2024 Order authorizing the transfer of the remainder of the restitution funds. This Order was clearly within the Commission's jurisdiction as it involved a violation of the state's campaign finance laws. Specifically, Connecticut General Statutes § 9-7b (a) (3) (A) allows the Commission to issue orders to remedy an intentional violation of chapter 155 or 157. Chapter 155 includes Connecticut General Statutes § 9-606, which sets forth the duties of treasurers, including depositing, receiving and reporting all contributions and other funds, and making and reporting expenditures. Cronin's larceny conviction is per se evidence that he violated § 9-606. Thus, the Commission had jurisdiction over its April 17, 2024 Order authorizing the transfer of these funds, and, therefore, the Commission has jurisdiction now to clarify this Order. Additionally, as explained above in relation to the first question of this petition, the Commission does not lack jurisdiction on the ground that there is a court order of restitution that it cannot amend.

Argument As To Second Question re: Equity requires that the Commission limit SRVC's spending of this lump sum over three election cycles, with spending limited during each election cycle to not exceed the largest amount that was taken during any of the three cycles it was stolen over.

The same equity principles that are discussed in relation to the first question of this petition apply equally here. Applying the principles of equity that underlie restitution, I ask the Commission to issue a declaratory ruling to limit SRVC's spending of the remainder of the restitution funds over three election cycles, with spending limited during each election cycle to not exceed the largest amount that was taken during any of the three cycles it was stolen over.

In December of 2018, when the Commission's cease-and-desist order regarding SRLC was issued, it was impossible to know that, five and a half years later, Cronin would agree to make a lump sum payment of \$248,670 to the SRLC, and that on October 24, 2023, he would actually hand that check over. Indeed, to the best of my knowledge, the full extent of the theft was not known at the time of the cease-and-desist order.

However, by the time the arrest warrant for Cronin was issued in February of 2019 – nearly three months after the Commission's cease-and-desist order – the State was now alleging that an aggregate total of \$248,670 had been taken from the committee. Indeed, according to court records, between February 2014 and December 2018 – over the course of at least five years and three separate election cycles – Cronin withdrew an aggregate of \$248,670 from the SRLC. As a result, after all creditors were paid, SRVC received a lump sum payment of \$ 160,928.93 in restitution.

It would be grossly inequitable were the Commission to allow the SRVC to spend all \$160,928.93 of this lump sum during the course of less than 90 or so days and only one election cycle. If the Commission allows this entire amount to be spent in an unfettered manner during just one election cycle – indeed, over only less than 90 or so days – this would create an unacceptably inequitable situation, inadvertently giving one party a massive, unexpected fundraising advantage that will unfairly affect the 2024 state elections.

To ensure equity and the fairness of our elections, the Commission should limit SRVC's spending of the remainder of the restitution funds over three election cycles, with spending limited during each election cycle to not exceed the largest amount that was taken during any of the three cycles it was stolen over. Because I do not have access to the documents provided to the Commission—specifically, the spreadsheet of bank account activity used in Cronin's criminal case—it is not clear how much money Cronin stole during each election cycle. Because the Commission has access to this information, the Commission is best situated to determine how much money was stolen during each election cycle. The Commission should then require that SRVC spend the restitution funds over three election cycles, with spending limited during each election cycle to not exceed the largest amount that was taken during any of the three cycles it was stolen over. This is the most equitable outcome because if Cronin had not stolen the funds, the SRVC would not have had access to this money during a single election cycle.

#### Remedy Requested As To Second Question

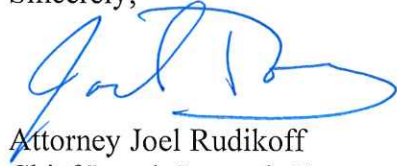
This petition requests that the Commission issue a declaratory ruling that requires SRVC to spend the restitution funds over three election cycles, with spending limited during each election cycle to not exceed the largest amount that was taken during any of the three cycles it was stolen over. See Conn. Agencies Regs. 9-7b-64. If the Commission does issue such a declaratory ruling, this petition likewise requests that the Commission issue a cease-and-desist order prohibiting the SRVC from spending the

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entirety of the restitution funds during this current election cycle and to take any reasonable actions necessary to compel compliance with the declaratory ruling. See Connecticut General Statutes § 9-7b(a)(3)(F).

I look forward to your response. Thank you for your time and consideration.

Sincerely,



Attorney Joel Rudikoff  
Chief Legal Counsel, Connecticut Senate Democratic Caucus

STATE OF CONNECTICUT  
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of the Senate Republican Leadership Committee (Self-report),  
Hartford

File No. 2018-118

FINDINGS AND CONCLUSIONS

On December 17 2018, Senate Republican Leader Len Fasano reported to the Commission that the Senate Republican Leadership Committee ("SRLC") treasurer Michael J. Cronin engaged in the "unauthorized removal of money" from the committee and requested that the Commission "investigate the matter to determine any and all irregularities" of Mr. Cronin in connection with the SRLC. On December 19, 2018 the Commission approved the investigation of this matter. After investigating, the o this matter Commission makes the following findings and conclusions:

*Background*

1. On November 21, 2000, the Senate Republican Leadership Committee (hereinafter "SRLC") was established as a leadership committee organized for ongoing political activities. Michael J. Cronin had been its treasurer since March 15, 2006.
2. On December 17, 2018, the SRLC reported to the Commission alleged theft of committee funds by its treasurer Michael J. Cronin. The Commission docketed and approved the investigation of this matter on December 19, 2018.
3. On December 19, 2018, the Commission issued a cease-and-desist Order pursuant to Connecticut General Statutes 9-7b (a)(3)(F), ordering SRLC to immediately cease and desist all activities and operations. The order was lifted by the Commission at its meeting on April 17, 2024.
4. On February 13, 2019, Michael J. Cronin was arrested on a warrant issued by the Chief State's Attorney's Office alleging Larceny in the first degree. That criminal matter, HHD -CR19-0730278-T was heard in the Hartford Judicial District. On October 24, 2023 Respondent was sentenced to seven years in prison with the execution suspended after six months, followed by three years of probation.
5. On December 5, 2019 the Senate Republicans registered the legislative leadership committee Senate Republican Victory Committee ("SRVC") committee. The certification for the legislative leadership committee was signed by Senator Leonard A. Fasano. The Commission in its cease-and-desist-order authorized the creation of a successor leadership committee to facilitate the transfer of any funds upon the dissolution of the SRLC.

### *Reconciliation of SRLC Accounts*

6. In November 2023, Commission staff worked with the SRLC Trustee to assist with reconciling the SRLC account, reporting expenditures and an preparing a termination report. The goal was public disclosure.
7. The last report filed by SLRC was the 7th Day Prior General Election filing on October 30, 2018. Commission staff was provided the spreadsheet of bank account activity used for Michael Cronin's criminal prosecution and compared the bank account activity to the Commission's filings to identify what had been reported and what had not. There were several unreported contributions and expenditures. Additionally, Commission staff was provided the list of creditors who were being paid through the court ordered restitution based on the court settlement.
8. Along with the SLRC Trustee's efforts to reach out to creditors and obtain additional information, best efforts were made in the interests of transparency and public disclosure to reconcile the SRLC account so that final itemized campaign finance statements could be made and filed.
9. As a result of these efforts, two itemized campaign finance statements were created to report SLRC's activity. The first filing is from October 31, 2018 to December 19, 2018. December 19th was the date the Commission ordered SLRC to cease and desist its activity. The second filing ran from December 20, 2018 to the time determined by the Commission that such filing could be accepted and serve as a termination report.
10. The second filing included the disclosure of the court ordered restitution check for \$248,670, and the remaining expenses of SRLC. After outstanding obligations were satisfied and expenditures reported, SLRC had a balance of \$160,928.93 remaining of its court ordered restitution in its bank account.
11. At its April 17, 2024 the Commission adopted the following motion on the record:  
*Pursuant to its authority, the Commission lifts the December 19, 2018 cease-and-desist order so that the SRLC Trustee can disburse the court ordered restitution funds to the Senate Republican Victory Committee leadership committee and authorizes Commission staff to accept the SRLC campaign finance statement covering the period October 31, 2018 to December 19, 2018 and the campaign finance statement covering the period from*

*December 20, 2018 to present; the second filing to serve as the SRLC termination report.*

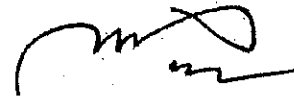
12. The effect of the above motion was to authorize Commission staff to accept the two SRLC filings, as detailed herein, to authorize the SRLC Trustee to transfer the remaining \$160,928.93 in the SRLC bank account to the SRVC legislative leadership committee, and to provide for the termination of the SRLC.
13. The Commission determines that based on Michael Cronin's criminal conviction for his activities in connection with his tenure as treasurer of the SRLC as well as the court ordered restitution in the amount of \$248,670.00 in settlement of that matter, declines to exercise its civil penalty authority under these narrow and specific circumstances.
14. The Commission therefore dismisses this matter.

**ORDER**

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

The complaint is dismissed.

Adopted this 1<sup>st</sup> day of May, 2024, at Hartford, Connecticut.



Stephen T. Penny, Chairman  
By Order of the Commission

# Exhibit B

NO: HHD-CR20-0740085-T : SUPERIOR COURT  
STATE OF CONNECTICUT : JUDICIAL DISTRICT  
OF HARTFORD  
v. : AT HARTFORD, CONNECTICUT  
MICHAEL CRONIN : OCTOBER 24, 2023

BEFORE THE HONORABLE DAVID P. GOLD, JUDGE

## A P P E A R A N C E S:

### Representing the State:

ATTORNEY CHRISTOPHER ALEXY  
Office of the State's Attorney's  
300 Corporate Place  
Rocky Hill, Connecticut 06067

### Representing the Defendant:

ATTORNEY JOHN STAWICKI  
Public Defenders  
101 Lafayette Street  
Hartford, Connecticut 06106

Recorded and Transcribed By:  
Lori Van Buren  
Court Recording Monitor  
101 Lafayette Street  
Hartford, Connecticut 06106

1 the Court had to judicial notice of those in the  
2 family court, which both parties agreed that \$65,000,  
3 that was supposed to go to Mrs. Cronin, but because  
4 of this fraud, she cannot get that. The loss of the  
5 increased value of the home, it's clear that since  
6 this has all happened the market has gone up  
7 substantially, I have included with my aid to the  
8 Court a Zillow, not a high Zillow or a low Zillow but  
9 an average Zillow, and the increase has been  
10 \$151,000. Then of course you take the relief of  
11 obligation IRS debt that Mrs. Cronin has incurred is  
12 \$135,000. In addition to my office has incurred  
13 almost \$41,000 report today of legal fees in  
14 conjunction with the foreclosure and in conjunction  
15 with the criminal matter here today.

16 We provided the Court some authority that says  
17 that those type of frauds do result in acquisition of  
18 double damages and we've calculated that, it's a  
19 large number, Your Honor, and I realize that that's a  
20 number that Mr. Cronin may never be able, but we  
21 would ask for the restitution in the amount of what  
22 has been submitted most recently, \$744,698.00 which  
23 are the total losses, the real losses, not the  
24 speculative losses, the real losses that can be  
25 identified through a civil court proceeding against  
26 Mr. Cronin. But I guess the worse part is what I  
27 just learned five minutes ago, Your Honor, and that

1 is there is apparently a check for \$248,000 going to  
2 someone today, I'm presuming it's the State  
3 Republican Committee. I haven't been made privy to  
4 any offer of any settlement; I haven't been given  
5 anything. What I would ask is what this Court  
6 typically does in order that any amount when there's  
7 joint and several liability going to a restitution  
8 fund to be allocated appropriately, Your Honor. To  
9 pay it all off to one party when the damages that  
10 we're seeking theoretically and pursuant to my claim  
11 are triple the amount that being paid off I think  
12 would be a disservice to my client.

13 Again, Your Honor, please don't in any way,  
14 shape, or form anticipate that that is changing our  
15 mind and our positioning regarding the sentencing,  
16 this just deals with the financial restitution. I  
17 think a restitution amount should take into  
18 consideration these damages for sure and definitely  
19 any amount of money or proceeds should go through the  
20 restitution fund as is typically done and paid  
21 jointly and severally to whatever - whoever the  
22 victims are, and we know that there's at least two in  
23 this case. Thank you, Your Honor.

24 THE COURT: Thank you, Mr. Hassett. Mr. Alexy,  
25 anything further?

26 ATTY. ALEXY: No, Your Honor.

27 THE COURT: Mr. Stawicki.

1 from the Summit Republican PAC. He acknowledged that  
2 from day one. The only question was how much, he  
3 hadn't been keeping track, he thought it was less,  
4 the state's attorney through their forensic examiner  
5 came up with a number and today I have with me  
6 official bank check made out to the Senate Republican  
7 Leadership Committee in the amount of \$248,670.  
8 Payment in full for the amount that's owed the PAC.  
9 I can either deliver this directly to Len Fasano or  
10 it can be done through the state. I have Senator  
11 Fasano's number here to call him if that is what the  
12 Court would like me to do.

13 Your Honor, we started by talking about the PSI.  
14 In over 43 years of criminal work I haven't read a  
15 more positive PSI. Probably wouldn't have written  
16 one as glowing as this myself because the Court  
17 wouldn't have believed it. The victim's advocate has  
18 far as the PAC money is concerned is very clear.  
19 They would like their money back; they're not looking  
20 for jail time. Apparently from what I hear Jean  
21 Cronin would like an order of restitution of monies  
22 that were not taken from her, and I do not believe  
23 there is any evidence that she suffered any loss from  
24 Michael's criminal wrongdoing. Again, he didn't pay  
25 the mortgage. On page three of the supplement, which  
26 was submitted by Attorney Hassett's office, it says  
27 as a direct result of the defendant forging Mrs.

1           made full restitution to the Political Action  
2           Committee from which Mr. Cronin stole the money,  
3           turning a check over today in the amount of  
4           approximately a quarter of a million dollars. In  
5           fact, the state senator who was responsible for the  
6           account at the time that Mr. Cronin was embezzling  
7           from it has urged the Court to accept that full  
8           restitution. And because the account has been made  
9           whole to spare the defendant from serving any period  
10          of time in prison. And today, even the defendant's  
11          ex-wife has reiterated her view that the defendant  
12          despite the friction between them should not be  
13          incarcerated by this Court. Speaking of the  
14          defendant's ex-wife, I recognize that the defendant  
15          has not offered any money to his ex-wife  
16          notwithstanding the claim that she has advanced  
17          through Attorney Hassett over the last many months  
18          reporting a financial loss of approaching \$350,000,  
19          which Attorney Hassett now based on a state statute  
20          seeks double damages.

21                 I want my next point to be very clear. In the  
22          many months since the defendant's ex-wife presented  
23          through Attorney Hassett her claim of loss, I have  
24          endeavored to determine whether a restitution order  
25          relating to any aspect of Mr. Cronin's ex-wife's  
26          claim would be a proper part of this Court's  
27          sentence. While I am certain that Mr. Cronin's ex-

NO: HHD-CR20-0740085-T : SUPERIOR COURT  
STATE OF CONNECTICUT : JUDICIAL DISTRICT  
OF HARTFORD  
v. : AT HARTFORD, CONNECTICUT  
MICHAEL CRONIN : OCTOBER 24, 2023

E L E C T R O N I C  
C E R T I F I C A T I O N

I hereby certify the electronic version is a true and correct transcription of the audio recording of the above-referenced case, heard in Superior Court, Judicial District of Hartford, Hartford, Connecticut, before the Honorable David P. Gold, Judge, on the 24<sup>th</sup> day of October, 2023.

Dated this 19<sup>th</sup> day of July, 2024, in Hartford,  
Connecticut.



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Lori Van Buren  
Court Recording Monitor

# Exhibit C

HHD-CR19-0730278-T : SUPERIOR COURT  
STATE OF CONNECTICUT : JUDICIAL DISTRICT OF HARTFORD  
v. : AT HARTFORD, CONNECTICUT  
MICHAEL CRONIN : JUNE 7, 2023

## TRANSCRIPT OF PROCEEDINGS

BEFORE THE HONORABLE DAVID P. GOLD, JUDGE

### A P P E A R A N C E S :

Representing the State of Connecticut:

ATTORNEY CHRISTOPHER A. ALEXY  
Office of the Chief State's Attorney  
300 Corporate Place  
Rocky Hill, Connecticut 06067

Representing the Defendant:

ATTORNEY JOHN L. STAWICKI  
Public Defender's Office  
101 Lafayette Street  
Hartford, Connecticut 06106

### A L S O P R E S E N T :

ATTORNEY RAYMOND HASSETT  
Hassett & George, P.C.  
945 Hopmeadow Street  
Simsbury, Connecticut 06070

Recorded By:  
Roberta Carlon

Transcribed By:  
Jazmine Alicea  
Court Recording Monitor Trainee  
101 Lafayette Street  
Hartford, Connecticut 06106

1 second degree at the town of West Hartford on or  
2 about August -- excuse me October 29, 2018, in  
3 violation of Connecticut General Statute section 53a-  
4 139. How do you plead guilty or not guilty?

5 THE DEFENDANT: Guilty.

6 THE CLERK: And in docket number H14H-CR20-  
7 740084-S, you are charged in the first count with  
8 forgery in the second degree at the town of  
9 Farmington about August 8, 2019, in violation of  
10 Connecticut General Statute section 53a-139. How do  
11 you plead guilty or not guilty?

12 THE DEFENDANT: Guilty.

13 THE CLERK: Thank you.

14 THE COURT: Attorney Alexy.

15 ATTY. ALEXY: Thank you, Your Honor. Factual  
16 basis on docket number ending 278, this larceny --  
17 actually a series of larcenies that occurred between  
18 February 10, 2014, and December 4 of -- I am sorry  
19 February 10, 2014, and December 4 of 2018. This was  
20 discovered and actually was self-reported by Mr.  
21 Cronin to the Chief States Attorney's Office. On  
22 December 4 of 2018, Mr. Cronin did come to the Chief  
23 States Attorney's Office, signed a sworn statement in  
24 which he stated that he has served as a treasurer of  
25 the Senate Republican Leadership Committee since  
26 between 2005 and 2007.

27 In the capacity as treasurer, he had sole

1           claimed an interest in the property and signed her  
2           name to a number of documents both on August 24,  
3           November 9, 2018, October 29 of 2018. And these were  
4           all in an effort to refinance the house entirely in  
5           the name of his ex-wife, which is the current  
6           situation today. The property is currently in  
7           foreclosure because Mr. Cronin has not made any  
8           payments on this refinancing or on the property  
9           itself.

10                   The final docket number, which ends in 084, this  
11           was an incident which occurred on August 8 of 2019.  
12           In which, Mr. Cronin signed the name of a colleague  
13           without that colleague's permission or consent, and  
14           it was used, I believe, as a -- the word escapes me  
15           at the moment. But testifying to Mr. Cronin's actual  
16           signature as an attestation. I guess that is the word  
17           I am looking for. And that was again done without the  
18           knowledge or consent of the individual whose name was  
19           signed. The -- we have had many plea discussions  
20           since these cases came in. The plea agreement calls  
21           for a sentence of ten years execution suspended with  
22           a cap of three years to serve. One of the driving  
23           factors I believe as to how much of that three years  
24           he will end up serving will be any restitution he is  
25           able bring to bare on these matters prior to  
26           sentencing.

27                   THE COURT: All right. Thank you, Mr. Alexy.

1 THE COURT: And one of the -- I use the state's  
2 term one of the driving factors that will aid the  
3 Court and I suspect the state in making its final  
4 recommendation regarding sentencing will be the  
5 amount of restitution that you have made as of the  
6 sentencing date toward the total restitution. Now, I  
7 want to comment on the total restitution that is  
8 being contemplated in this case.

9 We have already covered the fact that the state  
10 alleges that the total loss to the PAC was \$248,670.  
11 I understand that you may dispute whether that was  
12 the actual amount, but to reiterate what I said a  
13 moment ago, the state is seeking that full amount as  
14 restitution, so to the extent that the state may  
15 alter its recommendation of sentence, it is working  
16 off of the assumption that you stole the quarter of a  
17 million. And the Court is going to work absent being  
18 persuaded to the contrary under that same  
19 presumption. Do you understand that?

20 THE DEFENDANT: I do, Your Honor.

21 THE COURT: Now with regard to the forgery  
22 counts, as you know, the -- not only has -- senate  
23 republicans weighed on the amount of restitution, so  
24 too has your ex-wife, who is represented by Attorney  
25 Hassett who is the court today. And Attorney Hassett  
26 has submitted documentation to the Court and also to  
27 your lawyer and to the prosecutor which indicates

1 for the Court to order by way of restitution. But I  
2 just want you to understand that is the  
3 representation that is being made by the attorney for  
4 your ex-wife.

5 And Mr. Hassett, I suspect, on the sentencing  
6 date is going to arguing that his client is entitled  
7 to a significant amount of restitution as well. I  
8 bring this to your attention whether I accept this  
9 figure or not, but I bring it to your attention  
10 because if restitution is a driving factor in  
11 determining how long in prison you are actually going  
12 to serve with the more money, obviously meaning the  
13 lesser period, then I want you to be fully apprised  
14 of the type of restitution figures that are being  
15 discussed here which significantly exceed the amount  
16 of the larceny from the PAC. So are you aware of it?

17 THE DEFENDANT: I am aware now, Your Honor.

18 THE COURT: All right.

19 THE DEFENDANT: Yes.

20 THE COURT: So the way this -- the way this  
21 agreement is going to be carried out is that on the  
22 sentencing date, I will be made aware either by  
23 representatives from the Senate Republican Leadership  
24 Committee as to how much restitution has already been  
25 made directly to them or Mr. Stawicki is going to  
26 tell me that is holding certified -- that you  
27 provided him with certified funds in a certain

1 amount. I will be receiving similar information from  
2 Attorney Hassett and that will be a factor. Are you  
3 aware of that?

4 THE DEFENDANT: Yes, I am, Your Honor.

5 THE COURT: But it -- under the terms of this  
6 plea agreement, you are accepting the possibility  
7 that at the end of the sentencing hearing, you will  
8 be sentenced to three years in prison. Do you  
9 understand that --

10 THE DEFENDANT: I do, Your Honor.

11 THE COURT: -- remains a possibility?

12 THE DEFENDANT: Yes, Your Honor.

13 THE COURT: And the sentence will likely involve  
14 what we call a split sentence, meaning that there  
15 will a sentence of perhaps ten years suspended after  
16 the service of some period of time with probation.  
17 One of the terms of which will require the remaining  
18 restitution in the amount I deem appropriate to be  
19 made over the period of probation. Do you understand  
20 that that is going to be ordered as well?

21 THE DEFENDANT: I do, Your Honor.

22 THE COURT: All right.

23 THE DEFENDANT: Now, once I accept your plea  
24 today, Mr. Cronin, this is not really something you  
25 can change your mind about. We are not going to do --  
26 we are not going to go to sentencing today, but you  
27 are going to be before the Court some months down the

HHD-CR19-0730278-T : SUPERIOR COURT  
STATE OF CONNECTICUT : JUDICIAL DISTRICT OF HARTFORD  
v. : AT HARTFORD, CONNECTICUT  
MICHAEL CRONIN : JUNE 7, 2023

E L E C T R O N I C  
C E R T I F I C A T I O N

I hereby certify the electronic version is a true and correct transcription of the audio recording of the above-referenced case, heard in Superior Court, Judicial District of Hartford, Hartford, Connecticut, before the Honorable David P. Gold, Judge, on the 7th day of June, 2023.

Dated this 19th day of July, 2024 in Hartford,  
Connecticut.

*Jazmine Alicea*

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Jazmine Alicea  
Court Recording Monitor Trainee