

State Elections Enforcement Commission



Press Release

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DISTRICT COURT RULES IN FAVOR OF STATE ELECTIONS ENFORCEMENT COMMISSION

HARTFORD, CT – June 11, 2014 – The U.S. District Court for the District of Connecticut has denied the Democratic Governors Association’s (DGA) request for a preliminary injunction and partially dismissed the DGA’s challenge to Connecticut’s campaign finance laws. The DGA had sued the State Elections Enforcement Commission (the “Commission”), its executive director and all of its commissioners, to prohibit the enforcement of certain laws, because it alleged that the Commission’s interpretation of the law impermissibly regulated independent expenditures and burdened DGA’s First Amendment rights.

Chief Judge Janet C. Hall, however, largely sided with the Commission, finding that “the SEEC’s interpretation of [the law] is consistent with the court’s reading,” and that the “DGA’s proffered interpretation of section 9-601c (c) here is not supported by the plain language of or a reasonable reading of the statute itself, nor is the SEEC construing the statute as DGA does.” The Court denied the DGA’s motion for a preliminary injunction and found that the DGA lacked standing to pursue this claim further. The DGA still claims that Connecticut’s expenditure definition is overbroad and unconstitutional, and the Court did not dismiss that claim, but ruled against a motion to prohibit the Commission from enforcing the expenditure law. By so ruling, it found that the DGA *had not* “clearly established the likelihood that it will prevail on the merits” of the claim.

“We’re very pleased with the Court’s ruling, which allows us to continue to enforce the law that the legislature passed,” said Michael Brandi, Executive Director and General Counsel of the Commission. “We’re also grateful to the Attorney General’s office for its effort defending our agency’s position and the campaign finance law itself.” Besides the Attorney General, amicus briefs were also filed on the Commission’s behalf by Common Cause, the Connecticut Citizen Action Group, the League of Women Voters and the Campaign Legal Center. “We had tremendous support from the advocacy groups who have long championed Connecticut’s public financing law and we thank them all for their efforts.”

The ruling is of particular importance because of Connecticut’s public financing program, the Citizens’ Election Program, in which participating candidates voluntarily forego accepting contributions from special interests in exchange for full public financing of their campaigns. An adverse ruling by the Court could have hobbled the Commission’s ability to enforce such restrictions, especially the making of coordinated expenditures by outside groups to support CEP candidates. In its fourth full cycle of providing public funding to General Assembly and statewide candidates, the CEP continues to provide a barrier to corruption in Connecticut campaigns.

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