

State Elections Enforcement Commission



Press Release

Press Contact:
Joshua Foley
860-256-2962
joshua.foley@ct.gov

STATE ELECTIONS ENFORCEMENT COMMISSION ELECTION PERIOD COMPLAINT PROCESS

HARTFORD, CT – September 30, 2014 – At this period in the election cycle, campaigns are active, candidates are competing for office, and complaints about their activity are frequent at the State Elections Enforcement Commission (the “Commission”). The press, the public and candidates themselves regularly ask about the process by which complaints are handled at the Commission, and what, in fact, it means to have a complaint filed against a candidate and then have it investigated by the Commission’s Enforcement Unit.

Complaints can be filed by any person who signs and notarizes a statement; there is no cost to file a complaint. All complaints are assigned a docket number by staff and are brought before the Commission at its regular monthly meeting for an initial determination as to whether the complaint alleges facts that, if proven true, would constitute a violation of election law. If the complaint meets this standard, the Commission determines that it should be investigated. No evidence is required for this determination: all that is required is that the allegation fall within the jurisdiction of the Commission.

“We resolve all complaints through a standard process, the same for all,” stated Michael Brandi, Executive Director and General Counsel. “The mere filing and docketing of a complaint does not mean that a violation has occurred. Complaints are regularly dismissed by the Commission with no finding of a violation,” he said. “At this point in the election cycle, as a part of our process, if a complaint alleges an expenditure or a contribution violation, and the respondent is a candidate running for statewide office or the General Assembly, they are likely to be subject to a post-election audit review, which is very thorough. The issue raised by the complaint is then made a part of the review process and resolved in that way, in coordination with our Enforcement Unit; it avoids a duplication of efforts on our part and double jeopardy on the part of the respondent. If the candidate is not selected for audit review, then the matter is resolved as a normal complaint would be as soon as possible after the election and audit selection process.”

“Complaints made against candidates during the election cycle, like all complaints filed with the Commission, are just accusations, and the presumption of innocence applies,” Brandi said. “Sometimes a complaint results in the finding of a violation; sometimes it does not. But it shouldn’t be viewed as any indication of wrongdoing before the investigation is complete and the facts are determined by the Commission.”

For more information please contact Joshua Foley at joshua.foley@ct.gov.