

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Nellie Morales, Hartford

File No. 2012-132

FINDINGS AND CONCLUSIONS

Complainant Nellie Morales brings this complaint pursuant to General Statutes § 9-7b alleging that the candidate committee for Victor Luna attributed qualifying contributions to her that she never contributed. After the investigation of the Complainant's allegations, the Commission makes the following findings and conclusions:

1. Victor M. Luna established a candidate committee for the 3rd General Assembly district on June 13, 2012. See SEEC Form 1 – Registration by Candidate (*Luna for State Representative 2012*, June 13, 2012) (reflecting Victor M. Luna's registration of candidate committee). The candidate committee was vying for the nomination in the August 14, 2012 Democratic Party primary.
2. On July 10, 2012, the *Luna for State Representative 2012* became a participating candidate committee when Luna, the candidate, and Aleja Rosario, the committee treasurer, executed SEEC Form CEP 10, thereby evincing their intention to abide by the voluntary expenditure limits and other restrictions imposed on participants in the state's Citizens' Election Program. See SEEC Form CEP 10 - Affidavit of Intent to Abide by Expenditure Limits and Other Citizens' Election Program Requirements (*Luna for State Representative 2012*, July 10, 2012) (affirming candidate committee's status as "participating" candidate committee for 2012 election cycle).
3. The Luna candidate committee applied for a grant from the Citizens' Election Fund on July 18, 2012, and the Commission awarded the committee a grant on July 25, 2012. See SEEC Form CEP 15 – Citizens' Election Program Application for Public Grant Dollars (*Luna for State Representative 2012*, July 18, 2012) (applying for grant from Citizens' Election Program); Minutes, State Elections Enforcement Comm'n (July 25, 2012) (reflecting Commission's approval of grant application).
4. In order to qualify for the grant, the Luna candidate committee had to collect qualifying contributions totaling \$15,000, in amounts between \$5 and \$100 with at least 150 of those contributions coming from individuals who lived in towns represented by the district. In the Luna committee's case, 150 contributions had to come from Hartford residents.

5. Complainant filed this complaint on September 10, 2012, alleging that she never made a contribution to *Luna for State Representative 2012*. See Affidavit of Complaint (Nellie Morales, September 10, 2012).
6. The Luna candidate committee's application for a grant counted a \$5 contribution from Morales as one of its qualifying contributions. See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement (*Luna for State Representative 2012*, July 19, 2012) (identifying Morales' contribution of \$5 on June 20, 2012).
7. In an interview conducted with Complainant at her home, Complainant told investigators that she had completed the qualifying contribution certification form but did not have any money to contribute to the candidate committee. Complainant told investigators that she left the contribution amount portion of the card blank.
8. Based on information about the solicitors who may have collected a qualifying contribution certification card from Complainant, investigators spoke with several individuals related to the collection of qualifying contributions for the Luna candidate committee. The individuals whom investigators interviewed stated that they had collected money from all individuals who completed qualifying contribution certification cards.
9. In a subsequent interview with the Complainant, investigators asked her to view a photo array to attempt to identify the solicitor that she believed collected the qualifying contribution certification card from her. Complainant reviewed the photographs in the array but was unable to identify any of the individuals represented there as the solicitor who allegedly collected the qualifying contribution certification card from her.
10. After extensive investigation into this complaint, including numerous interviews with campaign staff, solicitors, and contributors, Commission investigators were unable to substantiate the allegations raised regarding potential contributions that the Luna candidate committee received that may have been paid by someone other than the contributor named in the committee's filings.
11. Because a lack of substantiation of the allegations, the Commission will dismiss the matter.

ORDER

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

That the complaint be dismissed.

Adopted this 14th day of MAY of 2014 at Hartford, Connecticut.


Anthony J. Castagno
By Order of the Commission