

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

Complaint of Zak Sanders,
Hartford

File No. 2013-146

FINDINGS AND CONCLUSIONS

Complainant filed this complaint with the Commission pursuant to General Statutes §9-7b, alleging that Governor Dannel Malloy and the Connecticut Democratic State Central Committee, violated campaign finance laws by soliciting a contribution from a state contractor while on an alleged "fundraising trip" in California. After an investigation, the Commission makes the following findings and conclusions:

1. Complainant filed this complaint alleging that Governor Dannel Malloy and the Connecticut Democratic State Central Committee ("DSCC"), solicited and received a prohibited contribution from Mr. Lenny Mendonca, who Complainant identified as a state contractor. Moreover, Complainant alleged that the trip to California was a "fundraising trip" and by soliciting and receiving a contribution prohibited by the state contractor ban Governor Malloy and the DSCC thereby violated state campaign finance laws.
2. Complainant, citing an October 22, 2013 report in the *Hartford Courant*, specifically alleged that:

[A]n apparent attendee of a CT Dems fundraiser in California featuring Dannel Malloy alluded that the fundraiser was hosted by Lenny Mendonca. Mendonca is a co-founder of the public sector division of McKinsey & Company, a global consulting firm which currently has contracts with the state of Connecticut worth millions of dollars.

Any contribution made by Mr. Mendonca, a principal of a state contractor, to the CT Dems would violate state law. Similarly, any solicitation of Mr. Mendonca by the CT Dems or Governor Malloy would also violate state law.
3. The Commission docketed this complaint pursuant to General Statutes § 9-7b (a) to determine whether Complainant's allegations pertaining alleged violations of campaign finance laws by Mr. Malloy, Mr. Mendonca or the DSCC, were supported by the facts after investigation. Soliciting a state contractor for a prohibited contribution pursuant to General Statutes § 9-612 (g) would constitute an illegal practice pursuant to § 9-622 (10).

4. General Statutes § 9-612, provides in pertinent part:

...

(g)(2) (A) No state contractor, prospective state contractor, principal of a state contractor or principal of a prospective state contractor, with regard to a state contract or a state contract solicitation with or from a state agency in the executive branch or a quasi-public agency or a holder, or principal of a holder, of a valid prequalification certificate, shall make a contribution to, or, on and after January 1, 2011, knowingly solicit contributions from the state contractor's or prospective state contractor's employees or from a subcontractor or principals of the subcontractor on behalf of (i) an exploratory committee or candidate committee established by a candidate for nomination or election to the office of Governor, Lieutenant Governor, Attorney General, State Comptroller, Secretary of the State or State Treasurer, (ii) a political committee authorized to make contributions or expenditures to or for the benefit of such candidates, or (iii) a party committee; ...

5. General Statutes § 9-622, provides in pertinent part, that the following persons shall be guilty of illegal practices and shall be punished in accordance with the provisions of section 9-623:

...

(10) Any person who solicits, makes or receives a contribution that is otherwise prohibited by any provision of this chapter; ...

6. The Commission notes that Mr. Malloy, Mr. Mendonca, and Mr. Harris fully cooperated with Commission investigators in providing documents and responses upon request of Commission staff.
7. Mr. Malloy, in response to this complaint and investigation, denied that he solicited Mr. Mendonca for any account of the DSCC, including its federal or state accounts while in California between October 18th and 20th, 2013. Further, Mr. Malloy denied that he attended a fundraising event for the DSCC and asserts that he did not meet individually with Mr. Mendonca or solicit a contribution from him for either himself or the DSCC.
8. The DSCC, in response to this complaint and investigation and through its Executive Director, Jonathan A. Harris, denied that the DSCC held any fundraiser in California as alleged by Complainant. Further, Mr. Harris denied the allegation that Mr. Malloy solicited contributions on behalf of the DSCC for either its federal or state accounts; or that Mr. Mendonca made contributions to the DSCC federal or state accounts as alleged by Complainant.

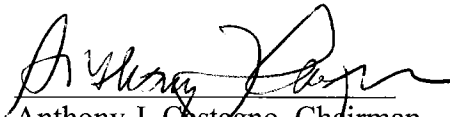
9. Mr. Mendonca, in response to this complaint and investigation, denied that he hosted a fundraiser on behalf of either a candidacy of Dannel Malloy or the DSCC. Further, Mr. Mendonca denied he was solicited by Mr. Malloy or the DSCC or made a contribution to either as alleged by Complainant. Mr. Mendonca admitted that he attended an event where Mr. Malloy spoke on issues of public policy, but denies that it was a fundraiser. Records indicate that Mr. Mendonca has not contributed to the DSCC.
10. Additionally, Mr. Mendonca admitted that his name appeared on a printed invitation to a Democratic Governors Association (“DGA”) fundraiser that included on the solicitation: *With special guest – Governor Dannel Malloy – State of Connecticut – Benefitting the Democratic Governors Association*. However, while Mr. Mendonca asserts that he gave permission for the use of his name as host of the Friday, October 18, 2013 DGA fundraiser he denies that he either attended the event or contributed regarding the same and there is no contrary evidence.
11. Upon investigation, the Commission finds that the responses and assertions made by Mr. Malloy, Mr. Mendonca and Mr. Harris, and detailed in paragraphs 6 through 10 above, are consistent with witness interviews conducted and a detailed records review by Commission staff pertaining to this complaint. While the Commission does not have jurisdiction over the DGA and its federal filings, a search of Federal Election Commission records nevertheless confirmed no contributions have been made from Mr. Mendonca to the DGA in the years 2013 through 2014.
12. The Commission finds, after thorough investigation, that the facts do not support the allegations contained in the complaint regarding violations of General Statutes §§ 9-612 or 9-622 pertaining to Mr. Malloy, the DSCC or Mr. Mendonca. The Commission therefore concludes that there is no evidence to support the alleged violations of §§ 9-612 or 9-622 and therefore dismisses the allegations and this complaint.

ORDER

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

That the matter is dismissed.

Adopted this 19th day of March, 2014, at Hartford, Connecticut


Anthony J. Castagno, Chairman
By Order of the Commission