

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Jonathan Pelto
Town of Storrs

File No. 2013-179

FINDINGS & CONCLUSIONS

Complainant Jonathan Pelto of Storrs filed this complaint against several respondents, including the Bridgeport Democratic Town Committee, the Connecticut Democratic State Central Committee, and an independent expenditure entity named "A Better Connecticut," for alleged violations of Connecticut's campaign finance statutes. After an investigation of the matter, the Commission adopts the following findings of fact and conclusions of law:

1. Complainant Jonathan Pelto filed this complaint on December 19, 2013, alleging that the three entities he named as respondents had paid for a public opinion poll to promote the endorsed Democratic slate for the Bridgeport Board of Education. Complainant also alleged that "opposition research" was conducted against the slate challenging the endorsed Democratic slate and was distributed to several media outlets. Finally, Complainant alleged that the Democratic State Central Committee had sent out a mailer on behalf of the endorsed Democratic slate for Bridgeport Board of Education but had not reported any postage costs.¹
2. In support of his allegations, Complainant stated that "[w]itnesses will attest" to facts related to the first two allegations.² Complainant did not name the witnesses who would provide attestation to his allegations.
3. General Statutes § 9-608 requires party committees to report expenditures that they make to support candidates as part of regular filings as well as special filings made before primaries and elections.³
4. In addition, any person that makes an independent expenditure in excess of \$1,000 for a municipal election or primary must file a campaign finance disclosure statement on the same schedule as required of candidate committees under General Statutes § 9-608.⁴

¹ See Complaint of Jonathan Pelto, Storrs, SEEC File No. 2013-179 (Rec'd. Dec. 19, 2013) (alleging campaign finance violations by Bridgeport Democratic Town Committee, A Better Connecticut, and Democratic State Central Committee).

² *Id.*

³ See General Statutes § 9-608 (requiring committees to file campaign finance disclosure statements).

⁴ See General Statutes § 9-601d (laying out filing requirements for independent expenditures).

5. A Better Connecticut, Inc. (“ABC”), via counsel, responded to the general allegations and provided additional responses when Commission staff contacted it for clarification of certain issues raised by its answer.
6. The entity acknowledged that it had paid for a “general issue poll” that was conducted prior to the 2013 elections but denied that this poll was promotional of any candidate or slate of candidates.⁵ The group reported a portion of the cost of that poll as part of its independent expenditure report filed with the Bridgeport City Clerk before the 2013 municipal elections. The group stated that it made “a good faith estimate that a *de minimus* amount . . . of the information in the survey had been used to support the independent expenditure activity in Bridgeport.”⁶ ABC stated that it attributed 10 percent of the total polling costs, or \$2,280, to the independent expenditure that it made in Bridgeport.⁷ ABC justified this percentage on the basis that just two questions of the 40 included in the general poll could be ascribed as related to education issues in Bridgeport. That would represent 5 percent of the total questions asked in the poll.⁸ As to the other allegations – specifically related to “opposition research” and unreported postage – ABC denied any knowledge of those potential violations.
7. The Bridgeport Democratic Town Committee (“BDTC”) responded to the complaint, also via counsel. The BDTC stated that it had no knowledge of the allegations in the complaint, but, upon request, it did supply documentation related to expenditures made during the 2013 election cycle in support of the endorsed slate for the Democratic Board of Education primary in Bridgeport.
8. The Democratic State Central Committee (“DSCC”) also responded to the complaint and specifically denied the allegation that it had failed to include postage costs in its reporting of mailers that it sent related to the 2013 election in Bridgeport. Documentation showed that the vendor billed the DSCC for postage costs for those mailers in 2013.
9. Commission staff also spoke with Eric Ohlsen of Ohlsen Research in Portland, Oregon about work he did for a client in Connecticut in 2013. Mr. Ohlsen stated in an interview that he had performed work for private sector client but that the work was not related to an election issue. Mr. Ohlsen was unwilling to discuss any finer details of his work in Connecticut without being served a subpoena.

⁵ See Letter from Robert Lenhard, Covington & Burling LLP, to Charles Urso, SEEC (February 4, 2014) (acknowledging payments for “general issue poll”).

⁶ Letter from Robert Lenhard, Covington & Burling LLP, to Charles Urso, SEEC (April 1, 2014) (laying out rubric for allocation of polling costs).

⁷ *Id.*

⁸ *Id.*

10. The investigation into the allegations raised by complainant revealed no information that would require prosecution under Connecticut's campaign finance statutes.
11. Based on the findings of fact gleaned from its investigation of the allegations raised by the Complainant, the Commission concludes that there is a lack of evidence to support violations of General Statutes § 9-608 as alleged.

ORDER

IT IS HEREBY ORDERED THAT the Complaint will be dismissed.

Adopted this 15th day of November, 2017 at Hartford, Connecticut by vote of the Commission.



Anthony J. Castagno, Chairman
By Order of the Commission