

**STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by Raymond Ingram, Branford

File No. 2014-148

FINDINGS AND CONCLUSIONS

The Complainant alleges that the “Friends of Ted Kennedy Jr” made expenditures benefitting other candidates, in violation of General Statutes § 9-616 and § 9-706-2 (b) (8) of the Regulations of Connecticut State Agencies.¹

FACTUAL BACKGROUND

1. At all times relevant to the instant Complaint, “Friends of Ted Kennedy, Jr.” was a candidate committee formed to support the candidacy of Ted Kennedy, Jr. for state senator in the 12th state senate district in the General Assembly.
2. At all times relevant to the instant Complaint, Ted Kennedy, Jr. was a “participating candidate” as that term is defined in General Statutes § 9-703.
3. Respondent Francis W. Walsh was the treasurer of “Friends of Ted Kennedy, Jr.” at all times relevant here.

ALLEGATIONS

4. Specifically, the Complainant alleges that the an October 29, 2014 article in the Branford Eagle reported facts leading him to believe that the “Friends of Ted Kennedy, Jr.” candidate committee had made expenditures benefitting the candidacies of Lonnie Reed and Sean Scanlon for state representative in 102nd and 98th state representative districts in the General Assembly.

¹ The following are the Commission’s findings and conclusions based on those portions of the Complainant’s statement of complaint which the Commission could reasonably construe as alleging facts amounting to a specific violation of those laws within the Commission’s jurisdiction. Any statements within the Complaint not addressed herein either did not specifically allege a violation or alleged facts which if proven true would not have amounted to a violation within the Commission’s jurisdiction.

5. The Complainant's allegations here rest substantially on the October 29, 2014 article in the Branford Eagle
6. The portion of the Branford Eagle article that the Complainant deems relevant to his allegations concern a statement attributed to John Murphy, the campaign manager for the "Friends of Ted Kennedy, Jr." candidate committee. The Complainant specifically highlights the following portion of the article as evidence that the Respondent made contributions to the Reed and Scanlon campaigns:

Murphy said the funds coming from the state Democratic Party- now up to \$207,000-were used for polling, mailings and staff assigned to Kennedy who work with other candidates in the 12th District. The funds were also used to pay out-of-state consultants. He noted so-called "Weekends of Action" in which Kennedy and State Rep. Lonnie Reed or Sean Scanlon, who is seeking a state representative seat from Guilford, or others, take to the campaign trail together. "The staff assigned to the Senate district work for Ted and for everybody else," Murphy said.

LAW

7. General Statutes § 9-616, reads, in pertinent part:
 - (a) A candidate committee shall not make contributions to, or for the benefit of, (1) a party committee, (2) a political committee, (3) a committee of a candidate for federal or out-of-state office, (4) a national committee, or (5) another candidate committee except that (A) a pro rata sharing of certain expenses in accordance with subsection (b) of section 9-610 shall be permitted, and (B) after a political party nominates candidates for election to the offices of Governor and Lieutenant Governor, whose names shall be so placed on the ballot in the election that an elector will cast a single vote for both candidates, as prescribed in section 9-181, an expenditure by a candidate committee established by either such candidate that benefits the candidate committee established by the other such candidate shall be permitted. . . . (Emphasis added.)
8. Section 9-706-2 (b) (8) of the Regulations of Connecticut State Agencies reads, in pertinent part:

(b) In addition to the requirements set out in section 9-706-1 of the Regulations of Connecticut State Agencies, participating candidates and the treasurers of such participating candidates shall comply with the following citizens' election program requirements. Participating candidates and the treasurers of such participating candidates shall not spend funds in the participating candidate's depository account for the following:

...
8. Contributions, loans or expenditures to or for the benefit of another candidate, political committee or party committee; . . .

INVESTIGATORY FINDINGS

9. Importantly here, beyond the Branford Eagle article, the Complainant has presented no tangible or circumstantial evidence that any funds passed between the "Friends of Ted Kennedy, Jr." candidate committee and the candidate committees for the Scanlon and Reed campaigns in any form, including but not limited to expenditures that could constitute in-kind contributions between these campaigns.
10. Moreover, a reasonable reading of the relevant portion of the Branford Eagle article does not support the Complainant's assertion here that the statements attributed to Mr. Murphy amounted to an admission of what is alleged. Mr. Murphy appears to be referring to organization expenditures made by party committees on behalf of candidates Reed and Scanlon.
11. A review of the organization expenditures on behalf of the Reed and Scanlon campaigns indicates that \$220 and \$13,787 in party committee organization expenditures were reported as having been made, respectively, to benefit the Reed and Scanlon campaigns.
12. A review of the itemized campaign finance statements for the "Friends of Ted Kennedy, Jr.," "Friends of Lonnie Reed," and "Scanlon 2014" candidate committees indicates that no contributions were made by "Friends of Ted Kennedy, Jr.," for the benefit of any external committee and/or candidate.
13. Here, considering the aforesaid, the Commission concludes that the evidence is insufficient to support the allegation that the Respondent made contributions benefitting the Reed and/or Scanlon campaigns. Accordingly, this allegation should be dismissed.²

² The Commission notes that the "Friends of Ted Kennedy, Jr." candidate committee is currently subject to a post-election review process. However, after a full investigation, the allegations in this Complaint have been determined to be resolvable separate and apart from that process.

ORDER

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

That the matter is dismissed.

Adopted this 14th day of July, 2015 at Hartford, Connecticut.


Anthony J. Castagno, Chairperson
By Order of the Commission