

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In re. SEEC Initiated Investigation based upon Grant Application
Validation for *Luna 3rd District 2014*

File No. 2014-164

FINDINGS & CONCLUSIONS

The State Elections Enforcement Commission initiated this complaint based on potential straw contributions that the commission's audit staff discovered during a review of Victor Luna's candidate committee's qualifying contributions. After an investigation of the matter, the Commission adopts the following findings of fact and conclusions of law:

1. Candidate Victor Luna established a candidate committee to run for the 3rd District General Assembly seat on March 7, 2014.¹ The committee applied for a grant from the Citizens' Election Fund on October 7, 2014.² In reviewing the qualifying contributions, staff noticed that multiple cards showed alterations that might indicate that another person had made a cash contribution in the name of the individual who had completed the contribution card.
2. The following problems were initially identified during the audit validation process, which resulted in additional scrutiny for the committee's qualifying contribution cards: numeral "1" was written in different shade of black ink on a contribution card, changing contribution amount from \$5 to \$15; numeral "2" was written in different shade of black ink on a contribution card, changing contribution amount from \$5 to \$25; numeral appears to have been written in blue ink and then overwritten with black ink on contribution card, changing \$5 contribution to a \$15 contribution.
3. After additional investigation, other, broader patterns related to the contributions manifested that could indicate alteration of cards, including contribution cards bearing mixture of blue and black ink and a general increase in the amount of money given with each contribution, *e.g.*, contributions increasing from \$5 per contribution to \$15 per contribution.
4. As part of the validation process, commission staff contacted contributors to the Luna candidate committee to confirm the amount that they each contributed to the campaign. Ten of those individuals contacted by commission staff denied making a

¹ See Registration by Candidate, SEEC Form 1 (Rec'd March 7, 2014) (establishing candidate committee to support Victor Luna's candidacy for the General Assembly seat representing 3rd district).

² See Citizens' Election Program – Application for Grant, SEEC Form CEP 15 (Rec'd October 7, 2014) (applying for grant from Citizens' Election Fund).

contribution to the Luna candidate committee, even though the campaign reported each of those individuals making contributions, in varying amounts ranging from \$5 to \$100. Other individuals contacted by staff did not recall the amount of contribution that they had made to the Luna campaign or recalled making a contribution of a different amount than the amount reflected on the qualifying contribution card.

5. Based on the problems with the grant application, the Commission voted on October 17, 2014 unanimously to deny a grant from the Citizens' Election Fund to the *Luna 3rd District 2014* candidate committee. At the same time, the Commission referred this matter to the enforcement unit for additional investigation.
6. General Statutes § 9-622(7) makes it an "illegal practice" to make a payment to a treasurer "in any other name than that of the person by whom such payment or promise of payment is made"³
7. Following the denial of the grant application, commission staff began investigating the problems surrounding the questionable contributions to the Luna campaign, including potential authors of the changes to the contribution cards as well as potential sources of any contributions made in other persons' names.
8. Investigators attempted to contact individuals who had made contributions to the Luna candidate committee that investigators had determined were suspicious. Many of the individuals that investigators attempted to contact did not have useful information about contributions they may have made to the Luna campaign. Others simply did not respond to investigators' repeated attempts to contact them.
9. Three individuals questioned by commission staff were able to identify the individual who had collected the qualifying contribution card from them on behalf of the Luna campaign. Two other individuals also questioned by commission staff identified another solicitor from the Luna campaign who had collected contribution cards from them. Commission investigators collected signed statements from each of those individuals.
10. The first individual identified as a potential solicitor of the flawed contributions denied making any impermissible contributions in another person's name in an interview conducted with her. Commission staff has been unable to locate the second individual identified as a potential solicitor of the flawed contributions.

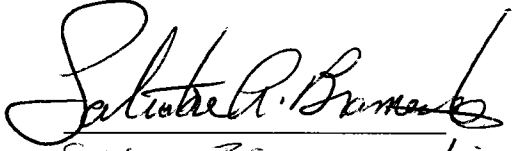
³ General Statutes § 9-622(7).

11. Given the time that has elapsed since the alleged violations, the lack of evidence available to prosecute this matter successfully, and the significant resources that would be required to bring the investigation to a successful conclusion through the hearing process, the Commission will take no further action on the allegations initially stemming from the 2014 grant application filed by the *Luna 3rd District 2014* candidate committee.

ORDER

IT IS HEREBY ORDERED THAT the Complaint will be dismissed with no further action taken and that the associated audit of the *Luna 3rd District 2014* candidate committee will be closed.

Adopted this 19th day of June, 2019 at Hartford, Connecticut by vote of the Commission.


Salvatore Bramante Vice Chair
By Order of the Commission

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