

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Curtis W. Dowling, Andover

File No. 2015-028A

FINDINGS AND CONCLUSIONS

The Complaint alleges Respondent Jay Linddy was improperly using government resources to further his campaigns for municipal office.¹ After an investigation of the Complaint, the Commission makes the following findings and conclusions:

1. Respondent Jay Linddy was, at all times relevant hereto, a candidate for public office in the town of Andover.
2. The Complainant alleges that Respondent Linddy was utilizing town resources for the benefit of the campaign and campaigning while on “town time.” Specifically, the Complainant claims that Respondent Linddy was using a town computer for campaign purposes and campaigning while on “town time.”

LAW

3. General Statutes § 9-610 (d) provides:

(1) No incumbent holding office shall, during the three months preceding an election in which he is a candidate for reelection or election to another office, use public funds to mail or print flyers or other promotional materials intended to bring about his election or reelection.

(2) No official or employee of the state or a political subdivision of the state shall authorize the use of public funds for a television, radio, movie theater, billboard, bus poster, newspaper or magazine promotional campaign or advertisement, which (A) features the name, face or voice of a candidate for public office, or (B) promotes the nomination or election of a candidate for public office, during

¹ Allegations in the same Complaint concerning Respondent Burbank will be addressed in a separate document.

the twelve-month period preceding the election being held for the office which the candidate described in this subdivision is seeking.

(3) As used in subdivisions (1) and (2) of this subsection, "public funds" does not include any grant or moneys paid to a qualified candidate committee from the Citizens' Election Fund under this chapter.

4. General Statutes § 9-622 provides, in relevant part:

The following persons shall be guilty of illegal practices and shall be punished in accordance with the provisions of section 9-623:

....

(5) Any person who, directly or indirectly, pays, gives, contributes or promises any money or other valuable thing to defray or towards defraying the cost or expenses of any campaign, primary, referendum or election to any person, committee, company, club, organization or association, other than to a treasurer, except that this subdivision shall not apply to any expenses for postage, telegrams, telephoning, stationery, express charges, traveling, meals, lodging or photocopying incurred by any candidate for office or for nomination to office, so far as may be permitted under the provisions of this chapter;

....

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

DISCUSSION

5. The investigation into this matter revealed no evidence to support the allegations against Respondent Linddy.
6. Specifically, the investigation revealed no instances of Respondent Linddy utilizing any town buildings, equipment, or materials for campaign purposes. Furthermore, the investigations revealed no evidence to support the allegation that Respondent Linddy was campaigning on "town time."


7. Accordingly, the allegations against Respondent Linddy should be dismissed.

ORDER

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

All allegations against Respondent Linddy be dismissed.

Adopted this 13th day of April, 2016 at Hartford, Connecticut.



Anthony J. Castagno, Chairperson
By Order of the Commission