

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In re. SEEC Initiated Grant Application for *Ingraham for Branford*

File No. 2016-075

AGREEMENT CONTAINING A CONSENT ORDER

This Agreement by and between Ray Ingraham, Town of Branford, State of Connecticut, hereinafter referred to as Respondent, and the undersigned authorized representative of the State Elections Enforcement Commission, is entered into in accordance with Connecticut General Statutes § 4-177 (c) and Regulations of Connecticut State Agencies § 9-7b-54. In accordance herewith, the parties agree that:

1. Ray Ingraham established his candidate committee to promote his election for the 102nd district seat in the General Assembly on March 28, 2016.¹ The candidate committee participated in the Citizens' Election Program.² The committee applied for a grant from the Citizens' Election Fund.³
2. During the grant review process, the Commission's audit and disclosure identified seven paper contribution certification cards with similar handwriting and signatures. Of the seven contributors, two confirmed that they had both made the donation and signed the cards.
3. Four of the contributors contacted by the Commission, however, stated that while they made the donations on-line, they had not filled out the paper certification cards. The Commission had initially identified these on-line contributions as deficient because the on-line contribution interface lacked language to determine the contributors' status as state contractors.
4. In an interview with investigators, Ingraham stated that he had completed the paper certified contribution cards and had signed five cards for the individuals whose contributions were rejected by the Commission's audit staff for lacking sufficient language to satisfy the on-line contribution requirements.

¹ See Registration by Candidate - SEEC Form 1, *Ingraham for Branford* (March 28, 2016) (creating candidate committee and naming Donald Conklin as committee's treasurer).

² See Affidavit of Intent to Abide by Expenditure Limits and Other Citizens' Election Program Requirements – SEEC Form CEP 10, *Ingraham for Branford* (April 20, 2016) (evinced intent of candidate and treasurer to participate in Citizens' Election Program).

³ See Citizens' Election Program Application for Public Grant Dollars – SEEC Form CEP 15, *Ingraham for Branford* (June 10, 2016) (applying for CEF grant on behalf of Ingraham candidate committee).

5. Ingraham stated to investigators during the pendency of his grant application that he was frustrated with the amount of time that it was taking to get the revised certification cards and corrected the certification cards himself. He apologized for his actions at the time.
6. The Commission denied the Ingraham candidate committee's application for a grant on August 3, 2016.⁴ Mr. Ingraham ultimately withdrew from the race.⁵
7. In a subsequent statement to investigators in October 2016, Ingraham stated that following his withdrawal from the race, he directed that the remaining money in the candidate committee's bank account, after expenses, be given to charity.
8. According to committee filings, the Ingraham candidate committee gave \$790 to Special Olympics Central Shoreline and \$776.82 to the Branford Garden Club.⁶
9. In an October 20, 2016 letter, Ingraham also stated that he had also contributed approximately \$3,800 from his personal funds to charitable organizations to make up for the money that his candidate committee had collected and spent before he withdrew. Those charitable organizations, according to Ingraham, included the Elks National Foundation, Connecticut Elks Association Charities, Branford Counseling Center, Feed Branford Kids, Branford Historical Society, and Branford Arts and Cultural Alliance.⁷
10. Qualifying contribution certification cards are signed by the individuals making the contributions, to certify that they are making the contribution with their own money and that they are not prohibited from making a contribution.
11. Falsely signing another's name to a contribution certification card may subject an individual who falsifies that certification to possible criminal liability. *See e.g.*, General Statutes §§ 53a-130 (criminal impersonation); 53a-139 (forgery in the second degree); 53a-302 (criminal misrepresentation).
12. The commission referred this matter to the Chief State's Attorney for possible criminal prosecution for forgery, but the state's attorney declined to pursue this matter as a criminal case.

⁴ See Minutes, Regular Telephonic Meeting (State Elections Enforcement Comm'n, August 3, 2016) (reflecting denial of grant application from Ingraham candidate committee).

⁵ See "Ingraham, Facing SEEC Inquiry, Withdraws from State Rep Race," BRANFORD EAGLE, July 29, 2016.

⁶ See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement: Termination Report for Candidate and Exploratory Committees (*Ingraham for Branford*, October 2, 2016) (reporting payments to Special Olympics Central Shoreline of \$790 on September 6, 2016 and to Branford Garden Club of \$776.82 on September 30, 2016).

⁷ See Letter from Raymond Ingraham to Scott Branfuhr, SEEC (October 20, 2016) (stating that Ingraham had made contributions to local organizations totaling \$3,800).

13. In addition to the criminal provisions, misrepresenting the source of a contribution is prohibited under Connecticut's campaign finance statutes.
14. General Statutes § 9- 622 (7) provides that a person shall be guilty of an illegal practice if such person "directly or indirectly, individually or through another person, makes a payment or promise of payment to a treasurer in a name other than the person's own, and any treasurer who knowingly receives a payment or promise of payment, or enters or causes the same to be entered in the person's accounts in any other name than that of the person by whom such payment or promise of payment is made."
15. By falsely completing these cards, Ingraham violated the campaign finance statutes.
16. Respondent admits all jurisdictional facts and agrees that this Agreement and Order shall have the same force and effect as a final decision and Order entered into after a full hearing and shall become final when adopted by the Commission.
17. Respondent waives:
 - a) Any further procedural steps;
 - b) The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law, separately stated; and
 - c) All rights to seek judicial review or otherwise to challenge or contest the validity of the Order entered into pursuant to this Agreement.
18. It is understood and agreed that this Agreement will be submitted to the Commission for consideration at its next meeting and, if the Commission does not accept it, it is withdrawn and may not be used as an admission by the Respondent in any subsequent hearing, if the same becomes necessary.

ORDER

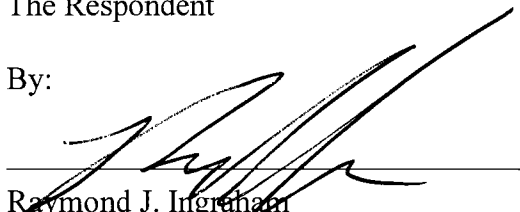
IT IS HEREBY ORDERED THAT the Respondent Ray Ingraham shall henceforth comply with all statutes and regulations governing alterations to contribution certification cards. Given that Respondent voluntarily withdrew from the 2016 election and subsequently made contributions totaling \$3,800 to various charities to make up for the money that his candidate committee had received in contributions but spent by the time of his withdrawal from the race, the Commission will not seek an additional civil penalty from Respondent based on his misconduct, which he has acknowledged.

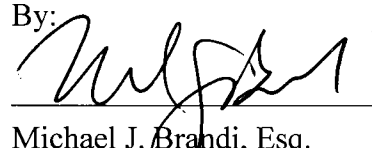
The Respondent

For the State of Connecticut

By:

By:


Raymond J. Ingraham
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Branford, CT 06405


Michael J. Brandi, Esq.
Executive Director and General Counsel and
Authorized Representative of the
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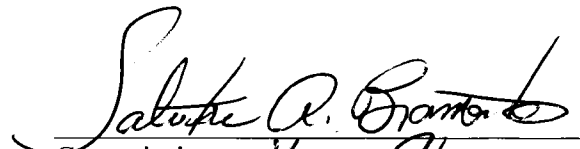
Dated:

6/18/2020

Dated:

6/22/2020

Adopted this 9th day of July 2020 at Hartford, Connecticut by vote of the Commission.


Commissioner Vice-Chairperson
By Order of the Commission
