

**STATE OF CONNECTICUT**  
**STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by Joseph R. Romano, Jr.  
Southington

File No. 2018-008c-g

**AGREEMENT CONTAINING A CONSENT ORDER**

This Agreement by and between Elizabeth Krumeich, Leslie Moriarty, Jill Oberlander, Jeffrey Ramer and David Weisbrod, all of the Town of Greenwich, State of Connecticut, hereinafter referred to as Respondents, 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. The five Respondents ran for the Board of Estimate and Taxation (“BET” or the “Board”) in Greenwich during the 2017 municipal election cycle. Twelve members comprise the Board, divided equally between Democrats and Republicans. Respondents were five of six nominees of the Democratic Party seeking election to the BET.
2. Given that six members of each major party were guaranteed seats on the 12-person Board, all six Democrats running for the office were effectively running unopposed; each of the five Respondents was guaranteed election.
3. Each of the Respondents filed for an exemption from forming a candidate committee.<sup>1</sup> Four of the Respondents indicated that they were exempt from forming a candidate committee because they planned to spend and receive less than \$1,000. One of the Respondents claimed an exemption from forming a candidate

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<sup>1</sup> See SEEC Form 1 – Registration by Candidate Leslie B. Moriarty (Greenwich Town Clerk, July 28, 2017) (claiming exemption from forming candidate committee based on spending less than \$1,000); SEEC Form 1 – Registration by Candidate Elizabeth K. Krumeich (Greenwich Town Clerk, July 26, 2017) (claiming exemption from forming candidate committee based on spending less than \$1,000); SEEC Form 1 – Registration by Candidate Jeffrey S. Ramer (Greenwich Town Clerk, July 20, 2017) (claiming exemption from forming candidate committee based on spending less than \$1,000); SEEC Form 1 – Registration by Candidate David A. Weisbrod (Greenwich Town Clerk, July 21, 2017) (claiming exemption from forming candidate committee based on spending less than \$1,000).

committee on the basis that she was spending only her own money and was not planning to accept any contributions.<sup>2</sup>

4. Tony Turner, the sixth Democratic candidate for the BET, formed a candidate committee.
5. By email dated October 2, 2017 from Mr. Turner to the Respondents, Mr. Turner stated that he had been consulting lawyers at SEEC to craft a campaign spending plan. Specifically, Mr. Turner wrote:

After we all met in the candidates meeting last week, I have spent a great deal of time with the SEEC enforcement division on how to campaign and promote voting all Ds and down ballot for BET, all with a view to gaining BET control, and not breaking any rules. You might recall that is my real objective and all the voter models say it's doable, though quite expensive and a heavy lift. Today I got the answer and I think you will really like it.

Both attorneys there agreed that in order to do this, I can promote electing all six of us as long as I keep my name, etc. too on the promo piece (in order for me to pay for the vast majority of the cost). However in doing so, I have to add attribution to the materials for each of the remaining five of us (e.g. paid for by . . .). In order to add attribution, the rest of you have to do one of three things – claim an exemption on Form 1 that you will be using only personal funds for your campaign (aka the personal exemption), form a candidate committee with a treasurer as I have already done or claim on Form 1 you are not going to spend over \$1,000. They said that paying \$1,000 for the effort would be reasonable for each to contribute to get the attribution. No higher amount is required.

So, I feel strongly about continuing to go down this path but have to get unanimous OK and participation of \$1000 each. This is our only option. What do you think? Please let me know as soon as you can as I have the printers, phone bankers and door knockers organizing now for the next wave of promotions. Oh, you should have gotten a post card already as a start to the effort, laying the foundation to begin telling the story. Please join me for this endeavor.

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<sup>2</sup> See SEEC Form 1 – Registration by Candidate Jill K. Oberlander (Greenwich Town Clerk, July 31, 2017) (claiming exemption from forming candidate committee based on candidate's plan to use only personal funds to finance candidacy).

6. The Respondents relied in good faith upon Mr. Turner's representation that he properly consulted the SEEC compliance attorneys and crafted a plan that had been reviewed and approved by the SEEC.
7. According to records obtained in the course of the Commission's investigation, it was determined that Mr. Turner spent approximately \$343,500 on the campaign from the following sources: People First Committee (Mr. Turner's candidate committee), Financial Tracking Technologies, LLC (Mr. Turner's business) and personal funds.
8. General Statutes § 9-604 (b) states candidates who learn that they no longer qualify for an exemption from forming a candidate committee must register a candidate committee within three business days. Respondents never changed their registration status once it should have become or became apparent that they were no longer exempt from the requirement to form a candidate committee.
9. General Statutes § 9-7b authorizes the Commission to seek \$2,000 per violation of any provision of Chapter 155 or twice the amount of any impermissible expenditure or contribution, whichever is greater.
10. Respondents maintain that they were not informed about the true nature and amount of Mr. Turner's campaign expenditures. Respondents assert that, throughout the 2017 campaign, Mr. Turner purposely concealed key information relating to his spending from Respondents and others. They further assert that in more than 100 emails relating to the campaign between Mr. Turner and Respondents throughout the fall of 2017, Mr. Turner neither disclosed, nor even suggested, that he was spending such large sums of money or that he was attributing spending to Respondents through attribution and other actions that would have required Respondents to change their filing.
11. The Respondents assert and maintain that Mr. Turner's statements and behavior in regard to Respondents were deceptive, misleading, lacked full disclosure and failed to seek specific authorization from Respondents regarding the level and specifics of funding that he was providing. They also contend that Mr. Turner's failure to disclose relevant spending extended to withholding information regarding his personal expenditures and expenditures made by Mr. Turner's business that SEEC deemed to benefit Respondents in the 2017 election cycle.
12. Respondents assert that they relied on Mr. Turner's explicit representations that the barbeque invitations had been approved by the SEEC. Respondents reference an email dated October 19, 2017 in which, they contend, Turner notified the

Respondents that he would host a “burgers and dogs” barbeque, encouraged them to attend and falsely stated that “we got the OK from SEEC on the content of the invite.” Without their permission, Respondents assert, Mr. Turner included attributions to the Respondents on invitations to the barbeques. The invitations stated that the “Board of Estimate and Taxation Democrats” were inviting individuals to the event. The invitations included, in larger print, an attribution to his campaign and, in smaller print, attributions to the Respondents. Mr. Turner and his campaign committee spent \$61,216.08 on barbecues held within the last ten days before the election at which Mr. Turner greeted attendees as their host and gave the only campaign speech. Respondents state that none of them was involved in the planning or execution of the barbeques and no approval on the language of the invitations or attribution was granted by the Respondents or received by Mr. Turner.

13. Respondents assert that the October 19<sup>th</sup> email from Mr. Turner further reinforced to Respondents the sense that Mr. Turner was in regular communication with the Commission’s compliance attorneys.
14. Respondents acknowledge that it is their responsibility to conduct their respective campaigns in compliance with the Connecticut General Statutes. Respondents further acknowledge that if they choose to rely upon the representations of a third party, they do so at their peril. Accordingly, the Respondents acknowledge that their reliance in good faith upon the aforesaid plan and representation of SEEC’s approval of said plan by Mr. Turner, and their lack of knowledge about Mr. Turner’s plans and the sums being spent by Mr. Turner, resulted in an unintentional violation of Conn. Gen. Stat. § 9-604(b).
15. The Commission does not contest Respondents’ view of the events reflecting Mr. Turner’s omissions and understands that expenditures were made without their knowledge or approval. Nonetheless, the Commission finds that the Respondents should have amended their filings pursuant to Conn. Gen. § 9-604(b) and their failure to do so resulted in a violation of that statutory provision. Given that the Respondents have shown good faith in attempting to comply with election laws of the State of Connecticut and that the Respondents have had no prior history of violations with the Commission, the Commission assesses a civil penalty on each Respondent of \$1,000.
16. Respondents admit all jurisdictional facts and agree 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. Respondents waive:

- 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 Respondents in any subsequent hearing, if the same becomes necessary.

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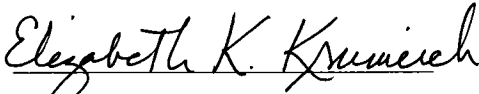
**ORDER**

IT IS HEREBY ORDERED THAT the Respondents Elizabeth Krumeich, Leslie Moriarty, Jill Oberlander, Jeffrey Ramer and David Weisbrod shall pay a civil penalty of \$1,000 (one thousand dollars) each for violation of General Statutes § 9-604(b) in the course of the 2017 election cycle.

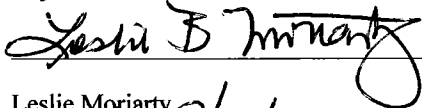
The Respondents

For the State of Connecticut

By:



Elizabeth Krumeich

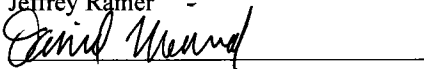


Leslie Moriarty



Jill Oberlander

Jeffrey Ramer



David Weisbrod

Dated: \_\_\_\_\_

Adopted this \_\_\_\_ day of \_\_\_\_, 2019 at Hartford, Connecticut by vote of the Commission.

\_\_\_\_\_  
By Order of the Commission

RECEIVED  
STATE ELECTIONS

SEP 20 2019

ENFORCEMENT COMMISSION

**ORDER**

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The Respondents

For the State of Connecticut

By:

By:

\_\_\_\_\_  
Elizabeth Krumeich

  
\_\_\_\_\_  
Michael J. Brandt, Esq.

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Leslie Moriarty

Executive Director and General Counsel and  
Authorized Representative of the  
State Elections Enforcement Commission  
20 Trinity St., Suite 101  
Hartford, CT 06106

\_\_\_\_\_  
Jill Oberlander

Dated: 9/20/19

\_\_\_\_\_  
Jeffrey Ramer

\_\_\_\_\_  
David Weisbrod

Dated: \_\_\_\_\_

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019 at Hartford, Connecticut by vote of the Commission.

  
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