

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Ethan Book,
Bridgeport

File No. 2019-130

FINDINGS AND CONCLUSIONS

The Complainant filed this complaint pursuant to Connecticut General Statutes § 9-7b. The Complainant alleged that the Chairman of the Bridgeport Republican Town Committee (“BRTC”) violated election laws by failing to provide a public notice prior to the choosing of party-endorsed candidates for municipal office. After an investigation of the complaint, the Commission makes the following findings and conclusions:

1. Complainant submitted an affidavit of complaint alleging that Michael Garrett failed to comply with General Statutes § 9-390 by providing notice of a BRTC to select party-endorsed candidates for the November 5, 2019 municipal election in the City of Bridgeport.
2. Michael Garrett, at all times relevant to this complaint, was Chairman of the BRTC.
3. General Statutes § 9-390, provides in pertinent part:
 - (a) Except as provided in subsection (g) of this section, party-endorsed candidates of any party in any municipality for municipal office shall be selected, in accordance with the rules of such party, by: (1) The enrolled members of such party in such municipality in caucus, (2) delegates to a convention chosen in accordance with such rules by such enrolled members, **or (3) the town committee of such party**. The town chairman or his designee shall give notice in a newspaper having a general circulation in the town of the date, time, location and purpose of a caucus held pursuant to subdivision (1) of this subsection. Such notice shall be given not less than five days prior to the date set for the caucus; provided, if the rules of the party in any municipality require earlier notice, such party rules shall prevail.
[Emphasis added.]

4. After investigation, the Commission finds that the BRTC Chairman Michael Garrett asserted the following in response to this complaint:

Mr. Book has conveniently omitted the 3rd option for selecting party endorsed candidates for municipal office... "(3) the town committee of such party ."

The Bridgeport Town Committee selects [its] candidates for municipal office using this 3rd option. This takes place at a town committee meeting.

It is not a caucus and therefore a legal notice is not required.

I have also provided the relevant By-Law (Document #2) Article IV Section 1 , 3rd line and 5th line

See the passage that reads:

" all party endorsed candidates for municipal office,..... shall be selected by endorsement of the Town Committee..,

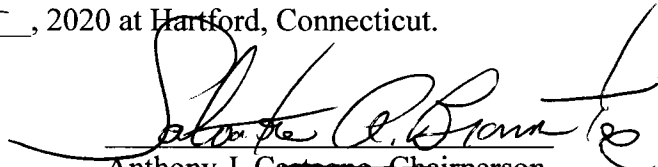
5. Pursuant to General Statutes § 9-390, “endorsed candidates of any party in any municipality for municipal office shall be selected, in accordance with the rules of such party” by (1) caucus, (2) convention, or (3) “the town committee of such party.”
6. The Commission finds, after investigation, that the BRTC, consistent with General Statutes § 9-390 (a) allows for the town committee, by meeting of its members, to select party-endorsed candidates for municipal office.
7. The Commission further finds that the General Statutes § 9-390 notice requirements, while applying to caucuses or conventions to choose party-endorsed candidates, do *not* apply to town committee meetings for such purposes.
8. The Commission therefore concludes that under these specific facts and circumstances a notice requirements as alleged by Complainant was not required of the BRTC for its meeting to select party-endorsed candidates for municipal office prior to the November 5, 2019 Bridgeport municipal election.
9. Therefore, Complainant’s allegation is dismissed, as no violation occurred under these facts and circumstances.
10. This complaint should therefore be dismissed.

ORDER

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

That the complaint be dismissed.

Adopted this 7 th day of October, 2020 at Hartford, Connecticut.


~~Anthony J. Castagno, Chairperson~~
By Order of the Commission
Salvatore Bramante