

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Allen S. Gouse,
(Self-report), Windsor

File No. 2020-037

FINDINGS AND CONCLUSIONS

Complainant Allen S. Gouse self-reported this Complaint, on behalf of his employee, consistent with General Statutes § 9-7b. Three contributions were reported to committees covered by the prohibition on contributions by principals of state contractors, that may have been in violation of the state contractor contribution ban pursuant to General Statutes § 9-612. After its investigation, the Commission makes the following findings and conclusions:

1. Allen S. Gouse reported this complaint pertaining to Beth Pritchard and her spouse Eric Pritchard (hereinafter "Respondents") and potential prohibited contributions pursuant to General Statutes § 9-612.
2. Respondent Beth Pritchard was Chief Marketing & Philanthropy Director of Easterseals Capital Region & Eastern Connecticut ("ECREC"), which, at all times relevant to this complaint, had state contracts with Department of Developmental Services ("DDS"), and the Connecticut Department of Rehabilitation Services (note: today the Connecticut Department of Aging and Disability Services ("CDADS")). Further, ECREC has state contracts in excess of \$50,000 with Connecticut Veterans Affairs ("CDVA"). It is not disputed the ECREC is a non-profit state contractor for purposes of General Statutes § 9-612 (f). Dr. Gouse is the CEO of ECREC and file this report of potential violations of the state contractor contribution ban.
3. Respondent Beth Pritchard made two contributions, to an exploratory committee for statewide office and gubernatorial candidate committee, totaling \$475.00. Further, Respondent Eric Pritchard made a single contribution in the amount of \$100.00.
4. Pursuant to General Statutes § 9-612 (f) (1) (C) a "state contract" means: "*...an agreement or contract with the state or any state agency or any quasi-public agency, let through a procurement process or otherwise, having a value of fifty thousand dollars or more.*" Further, the "principal" of a state contractor includes a chief executive officer. *See* General Statutes § 9-612 (f) (1) (F).
5. The principal of a state contractor is prohibited from making contributions to an exploratory committee for statewide office pursuant to General Statutes § 9-612 f (2) (a).

6. General Statutes § 9-612 (f) (2) (C), provides in pertinent part:

(F) “Principal of a state contractor or prospective state contractor” means (i) any individual who is a member of the board of directors of, or has an ownership interest of five per cent or more in, a state contractor or prospective state contractor, which is a business entity, except for an individual who is a member of the board of directors of a nonprofit organization, ***(ii) an individual who is employed by a state contractor or prospective state contractor, which is a business entity, as president, treasurer or executive vice president,*** (iii) an individual who is the chief executive officer of a state contractor or prospective state contractor, which is not a business entity, or if a state contractor or prospective state contractor has no such officer, then the officer who duly possesses comparable powers and duties, ***(iv) an officer or an employee of any state contractor or prospective state contractor who has managerial or discretionary responsibilities with respect to a state contract,*** (v) the spouse or a dependent child who is eighteen years of age or older of an individual described in this subparagraph, or (vi) a political committee established or controlled by an individual described in this subparagraph or the business entity or nonprofit organization that is the state contractor or prospective state contractor.
[Emphasis added.]

7. The threshold question for the Commission is whether or not Respondents’ contributions were prohibited by General Statutes § 9-612 (f). The Commission must determine that Respondent Beth Pritchard was a principal of a state contractor at the time of her contributions and therefore that she, and her spouse Respondent Eric Pritchard were covered by General Statutes § 9-612 (f).
8. Upon investigation, the Commission finds that Respondent Beth Pritchard was not a principal of ECREC for purposes of General Statutes § 9-612. More specifically, the Commission finds that Respondent Beth Prichard had neither managerial nor supervisory discretion over state contracts made by ECREC, at the time of the contributions that serve as the basis for this matter.

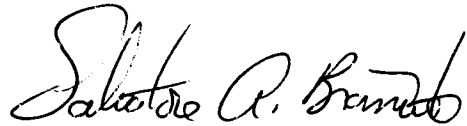
9. Furthermore, Respondent Beth Pritchard's position as "Chief Marketing & Philanthropy Director" was not employed by ECREC as "president, treasurer or executive vice president," which would have statutorily classified her as a "principal" of ECREC for purposes of General Statutes § 9-612.
10. The Commission therefore that Respondent was not a principal of a state contractor for purposes of General Statutes § 9-612; and therefore, she and her spouse, Respondent Eric Pritchard, were not barred by the state contractor contribution ban, under these specific facts and circumstances, from making the contributions as detailed herein.
11. The Commission concludes that the contributions reported to the Commission as potential violations of General Statutes § 9-612 (f) were not prohibited contributions.
12. Consequently, the Commission dismisses this matter as not supported by the facts or the law after investigation.

ORDER

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

That the Complaint be dismissed.

Adopted this 16th day of Sept 2020, at Hartford, Connecticut



~~Anthony J. Castagno, Chairman~~

By Order of the Commission

Salvatore Bramante, Vice chair