

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

In the Matter of a Complaint by Joseph Vollano, Meriden  
*In re. Commission Initiated Investigation: makeway4holloway2020*

File No. 2020-045A  
File No. 2021-043

**AGREEMENT CONTAINING CONSENT ORDER**

This agreement by and between Ernestine Holloway of the City of Meriden, County of New Haven, State of Connecticut (hereinafter “Respondent”) and the authorized representative of the State Elections Enforcement Commission is entered into in accordance with § 9-7b-54 of the Regulations of Connecticut State Agencies and § 4-177(c) of the General Statutes of Connecticut. In accordance herewith, the parties agree that:

1. This consent order resolves two matters pending before the Commission. The first, SEEC File No. 2020-045, involves a complaint filed by Complainant, Joseph Vollano of Meriden. That complaint alleged that the qualified candidate committee, *makeway4holloway2020*, had paid the candidate’s daughter \$1,000 to serve as the candidate committee’s treasurer. The second matter, SEEC File No. 2021-043, was initiated by the Commission regarding the candidate’s failure to name a replacement treasurer for her candidate committee once her daughter resigned from that position.
2. The candidate, Ernestine Holloway, formed a candidate committee on May 1, 2020 to finance her candidacy for election to the 82<sup>nd</sup> General Assembly seat in the 2020 election cycle. She named her daughter, Qu-Nanda Holloway, as the committee’s treasurer. The committee opted to participate in the Citizens’ Elections Program.<sup>1</sup> The Commission approved the grant application for the Holloway committee on July 22, 2020. The committee received grant funds totaling \$12,230 on or about July 25, 2020.
3. The Holloway candidate committee paid Qu-Nanda Holloway \$1,000 on July 27, 2020 for her work as treasurer of the committee. Prior to this payment, the candidate was told by Commission staff that a payment by the candidate committee to the candidate’s daughter

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<sup>1</sup> See SEEC Form CEP 10 – Affidavit of Intent to Abide by Expenditure Limits and Other Citizens’ Election Program Requirements (*makeway4holloway*, June 24, 2020) (reflecting intent of candidate, treasurer, and deputy treasurer to participate in Citizens’ Election Program and follow voluntary program rules).

would be impermissible. The candidate has acknowledged that the committee paid her daughter for her work as treasurer, but the candidate disagrees that she was told specifically that such a payment would be impermissible.

4. General Statutes § 9-607 prohibits payments to a candidate's immediate family members for all candidate committees.<sup>2</sup> General Statutes § 9-607 (g) provides, in relevant part:

(1) As used in this subsection, (A) "the lawful purposes of his committee" means: (i) For a candidate committee or exploratory committee, the promoting of the nomination or election of the candidate who established the committee, . . . .

(2) Unless otherwise provided by this chapter, any campaign treasurer, in accomplishing the lawful purposes of his committee, may pay the expenses of:

. . . .

(L) compensation for campaign or committee staff, fringe benefits and payroll taxes, provided the candidate and any member of his immediate family shall not receive compensation;

5. For candidate committees who have received a grant from the Citizens' Election Fund, the restrictions on payments to "family members" are much broader. Section 9-706-2 of the Regulations of Connecticut State Agencies, provides, in relevant part:

(b) . . . Participating candidates and the treasurers of such participating candidates shall not spend funds in the participating candidate's depository account for the following:

. . . .

3. Payments to . . . the participating candidate's family members, including: a participating candidate's . . . child . . . .<sup>3</sup>

6. By paying herself for her service as treasurer after the candidate committee was qualified for a grant from the Citizens' Election Fund, the treasurer violated Regulations § 9-706-2 (b)(3).

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<sup>2</sup> See General Statutes § 9-607 (g) (4) (prohibiting payments to candidate's immediate family).

<sup>3</sup> See Regs., Conn. State Agencies, § 9-706-2 (b)(3). General Statute § 9-706 authorizes the Commission to draft regulations related to the permissible use of funds received from the Citizens' Election Fund.

7. The candidate bears the responsibility to reimburse the fund for any “impermissible expenditures” that a qualified candidate committee made.<sup>4</sup> Candidate Holloway acknowledged her liability to pay these “impermissible expenditures” when she declared herself a “participating candidate” and agreed to operate under the terms of the Citizens’ Election Program.<sup>5</sup> In this case, the payment by the candidate committee to a family member is an impermissible expenditure, and the candidate must return the \$1,000 that the candidate committee paid to the candidate’s daughter for her service as committee treasurer.
8. Qu-Nanda Holloway resigned as the treasurer for the *makeway4holloway* candidate committee on or about October 10, 2020. After that resignation, the candidate, Ernestine Holloway, failed to appoint a new treasurer. The Holloway candidate committee, *makeway4holloway*, failed to file its October 10<sup>th</sup> quarterly report in 2020 and its January 10<sup>th</sup>, April 10<sup>th</sup>, and October 10<sup>th</sup> quarterly reports in 2021 as well as two supplemental campaign finance disclosure filings that were due on October 22, 2020 and October 29, 2020.
9. When the treasurer for a candidate committee resigns, the candidate has 10 days from the date of the resignation to name a new treasurer for the candidate committee.<sup>6</sup> The candidate is not allowed to serve as the treasurer for her own candidate committee.<sup>7</sup>
10. Candidate committees are required to file periodic campaign finance disclosure statements, including on the tenth day of January, April, July and October of each year.<sup>8</sup> Candidate committees in a race in which there is at least one participating candidate are required to file weekly supplemental statements with the Commission.<sup>9</sup> For 2020 primary participants, the supplemental filings were due on July 23, 2020, July 30, 2020, and August 6, 2020. During the 2020 general election, these filings were due October 22, 2020 and October 29, 2020. These statements were required to be filed in lieu of the seventh day preceding the

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<sup>4</sup> General Statutes 9-703 (a)(2) (requiring candidate to repay any funds that were not expended in accordance with General Statutes § 9-607 (g) and regulations adopted by Commission related to expenditures for qualified candidate committees).

<sup>5</sup> See SEEC Form CEP 10 – Affidavit of Intent to Abide by Expenditure Limits and Other Citizens’ Election Program Requirements (*makeway4holloway*, June 24, 2020) (reflecting intent of candidate, treasurer, and deputy treasurer to participate in Citizens’ Election Program and follow voluntary program rules).

<sup>6</sup> See General Statutes § 9-602.

<sup>7</sup> See General Statutes § 9-606 (d).

<sup>8</sup> See General Statutes § 9-608 (a)(1)(A).

<sup>9</sup> See General Statutes § 9-712 (a).

primary/election statement otherwise mandated by General Statutes § 9-608.<sup>10</sup> Candidate committees of unopposed participating candidates are only required to file the final weekly supplemental statement.<sup>11</sup>

11. Without a treasurer, the candidate committee failed to file any of the required campaign finance reports that were due in 2020 and in 2021.
12. As enumerated in § 9-7b-48 of the Regulations of Connecticut State Agencies:  
In its determination of the amount of the civil penalty to be imposed, the Commission shall consider, among other mitigating or aggravating circumstances:
  - (1) the gravity of the act or omission;
  - (2) the amount necessary to insure immediate and continued compliance;
  - (3) the previous history of similar acts or omissions; and
  - (4) whether the person has shown good faith in attempting to comply with the applicable provisions of the General Statutes.
13. The Commission possesses the authority to set the punishment it imposes on individuals who violate the statutes under its authority. While the maximum penalty available under the enabling statute is \$2,000 per offense or twice the amount of any improper expenditure, the Commission also has the authority to set a lesser penalty where circumstances call for such leniency.
14. It is understood and agreed that this agreement will be submitted to the Commission at its next meeting and, if it is not accepted by the Commission, it is withdrawn by the Respondent and may not be used by either party as an admission in any subsequent hearing or against the Company in any proceeding, if the same becomes necessary.
15. 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

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<sup>10</sup> See General Statutes § 9-712 (a) (2).

<sup>11</sup> See General Statutes § 9-712 (a)(4).

- c. all rights to seek judicial review or otherwise to challenge or contest the validity of the Order entered into pursuant to this agreement.

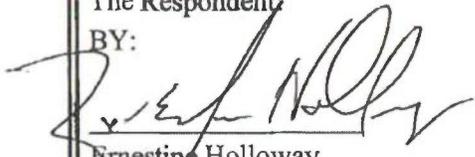
16. Upon Respondent's compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings against Respondent

**ORDER**

IT IS HEREBY ORDERED THAT the Respondent shall reimburse the Citizens' Election Fund for \$1,000 that was impermissibly paid to the candidate's daughter as her treasurer in violation of Regs. of Conn. State Agencies § 9-706-2 (b)(3) and shall pay a civil penalty of \$1,000 for failing to name a new treasurer in violation of General Statutes § 9-602, which resulted in the candidate committee failing to file campaign finance disclosure reports due following the treasurer's resignation in October 2020. The respondent shall pay \$100 with this agreement. The remaining \$900 reimbursement to the Citizens' Election Fund as well as the outstanding \$1,000 civil penalty shall be paid in nineteen (19) monthly installments of \$100 due by the tenth day of each month beginning on November 10, 2021.

The Respondent:

BY:



Ernestine Holloway  
300 Britannia Ave.  
Meriden, Connecticut 06450

Dated: 23/Sept 2021

For the State of Connecticut:

BY:



Michael J. Brandi, Esq.  
Executive Director and General Counsel  
And Authorized Representative of the  
State Elections Enforcement Commission  
55 Farmington Ave., 8<sup>th</sup> Floor  
Hartford, Connecticut

Dated: 9/24/2021

Adopted this 6<sup>th</sup> day of October, 2021, at Hartford, Connecticut



Commissioner Stephen T. Penny  
By Order of the Commission