

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

In the Matter of a Complaint by Arn Pearson, Madison, Wisconsin  
and Cheri Quickmire, East Haven, Connecticut

File No. 2021-147

**FINDINGS & CONCLUSIONS**

Complainants Arn Pearson of Madison, Wisconsin and Cheri Quickmire of East Haven, Connecticut filed this complaint on July 23, 2021 alleging that the American Legislative Exchange Council, a Virginia-based not-for-profit, had made impermissible campaign contributions to Connecticut state candidates by providing those candidates with campaign software. After investigating the allegations raised in the complaint the Commission makes the following findings and conclusions:

1. Complainant Arn Pearson serves as the executive director of the Center for Media and Democracy at the University of Wisconsin in Madison. Complainant Cheri Quickmire is the executive director of the Connecticut chapter of Common Cause.
2. Complainants alleged in their sworn complaint that the “American Legislative Exchange Council (ALEC) and its state chair, Rep. Mike France, have violated Connecticut’s prohibition on corporate campaign contributions and reporting requirements through the giving and receipt of illegal in-kind campaign contributions . . . .”
3. The complaint stated that “[a]s a benefit of his membership in ALEC, ALEC gave, and Rep. France received, free sophisticated voter management and campaign software for the 2020 election cycle worth thousands of dollars, despite ALEC’s status as a 501(c)(3) tax-exempt corporation barred from engaging in electoral activity under federal law and in violation of Conn. Gen. Stat. §§ 9-608 and 9-613.” This service called ALEC Constituent Analytics Research Exchange, or “ALEC CARE,” is offered to ALEC members in exchange for their \$100 annual dues payment.
4. Complainants alleged that the Respondent ALEC provided software that was produced by Voter Gravity, which can be used for campaign purposes in addition to constituent services. The complainants stated in their complaint at paragraph 13:

While ALEC publicly emphasizes the “constituent research and engagement” benefits of the [Voter Gravity] service, the voter database and management software provided by ALEC is clearly designed to help ALEC legislators win reelection. Voter Gravity explicitly markets the software as a “powerful” tool for political campaigns from “an approved mobile app vendor for the Republican National Committee and full integrated with the RNC’s database.”

5. Complainants alleged that this Voter Gravity software would be valued at between \$99 and \$5,000 per month if purchased on the open market. Complainants alleged in paragraph 11 of their complaint that, given the size of the districts he represents, "Rep. France would have had to pay \$99 per month to purchase this service without ALEC CARE, for a total of \$2,376 over the course of the 2020 election cycle."
6. France, also named as a respondent in this matter, was, at the time that this complaint was filed, a state representative and the Connecticut state chair for ALEC.
7. In its response to the complaint, ALEC stated that the educational organization is a tax-exempt entity under Section 501 (c)(3) of the Internal Revenue Code. It confirmed that Rep. Mike France was a member of the group.
8. ALEC acknowledged that it provided access to the ALEC CARE software to its members. It said the software "assists legislators in communicating with their constituents and acquiring a better understanding of what motivates the residents of a legislators' district."
9. ALEC also stated, however, that it notified members during training sessions as well as when the members logged in to the software that the ALEC CARE software was not to be used for "campaign related purpose."
10. ALEC provided an affidavit from Aaron Gillham, ALEC's manager of Legislative Membership & Engagement. Gillham stated that to utilize the ALEC CARE software, each ALEC member must register an account specifically to access the ALEC CARE platform.
11. Gillham stated that France had neither created an account to access ALEC CARE nor had he utilized the ALEC CARE software in any fashion.
12. The Commission interviewed France as part of its investigation.
13. During that interview, France confirmed that was a member of ALEC and that he had served as the state chair for Connecticut since 2021.
14. France also stated that until this complaint, he had never heard of the ALEC CARE software package. France stated that neither he nor anyone affiliated with his campaign or legislative office had ever utilized the software.

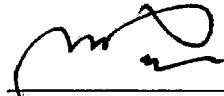
- 15. The Commission's investigation failed to support the allegations made by the Complainants, namely that ALEC provided the ALEC CARE software to France and that France had used it as part of his election campaign.**
- 16. Lacking evidence to show that France used the software, the Commission cannot conclude that ALEC violated Connecticut's campaign finance statutes.**
- 17. The Commission will dismiss the allegations against ALEC and France that were specified in the complaint in this matter.**

**ORDER**

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

That the Commission will dismiss this matter.

Adopted this 3<sup>rd</sup> day of August, 2022 at Hartford, Connecticut.



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Stephen Penny, Chairperson  
By Order of the Commission