

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In re. SEEC Initiated Long for 3 – Audit Findings

File No. 2021-215A

AGREEMENT CONTAINING A CONSENT ORDER

This Agreement by and between Gloria Gruber Long, City of Hartford, State of Connecticut, hereinafter referred to as Respondent, 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 Commission performed an in-depth review of the expenditures of the *Gannon for 3* candidate committee after the committee's selection in the random audit lottery conducted following the 2018 election cycle. In May 2018, Gannon Long established the committee in 2018 to support her nomination for election as a candidate in the 3rd General Assembly district.¹ The committee opted to participate in the Citizens' Elections Program.² The committee received grant funds totaling \$28,150.³ On or about September 28, 2018, the committee returned a surplus to the Citizens' Election Fund totaling \$1,695.14.⁴
2. In 2021, the Commission opened an enforcement matter against the candidate and treasurer based on payments that the committee made to the candidate's mother, who also served as treasurer of the candidate committee. The audit of the candidate committee's documentation revealed that the Long candidate committee paid a total of \$1,000 to the candidate's mother, Gloria Gruber Long, for services rendered to the committee.⁵

¹ See SEEC Form 1 – Registration of Candidate Committee (*Gannon for 3*, May 25, 2018) (reflecting establishment of candidate committee by Gannon Long and appointment of Gloria Gruber Long as treasurer).

² See SEEC Form CEP 10 – Affidavit of Intent to Abide by Expenditure Limits and Other Citizens' Election Program Requirements (*Gannon for 3*, June 29, 2018) (reflecting intent of candidate and treasurer to participate in Citizens' Election Program and follow voluntary program rules).

³ See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement: Second Weekly Supplemental Filing – Amended (*Gannon for 3*, Aug. 8, 2018) (reporting receipt of grant from Citizens' Election Fund: \$28,150 on July 19, 2018).

⁴ See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement: Termination Report for Candidate and Exploratory Committees (*Gannon for 3*, September 29, 2018) (reporting payment of surplus to Citizens' Election Fund totaling \$3,460.30 on December 20, 2018).

⁵ See SEEC Form 30 – Itemized Campaign Finance Disclosure Statement: Termination Report for Candidate and Exploratory Committees (*Gannon for 3*, September 29, 2018) (reporting payment of \$1,000 to Gloria Long for "Payment to Treasurer for services rendered" on August 16, 2018).

3. General Statutes § 9-608 (e)(1)(G) does allow the treasurer of a qualified candidate committee to receive as much as \$1,000 following an election or unsuccessful primary.
4. But General Statutes § 9-607 (g) states that candidate committees may make payments for “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.”⁶ This ban on payments to the candidate’s family members was expanded with the advent of the public campaign financing in Connecticut.
5. With the adoption of the Citizens’ Election Program, the legislature instructed the Commission to draft regulations related to the types of expenditures that qualified candidate committees were permitted to make using their grant monies obtained from the Citizens’ Election Fund.⁷ The Commission adopted regulations outlining those restrictions on committees that have received CEF grant funds, specifically Section 9-706-2 of the Regulations of Connecticut State Agencies, which 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 spouse, civil union partner, sibling, child, grandchild, parent, grandparent, aunt, uncle, or the participating candidate’s spouse’s or civil union partner’s sibling, child, grandchild, parent, grandparent, aunt, uncle; or the spouse, civil union partner, or child of any such individuals related to the participating candidate or his/her spouse or civil union partner, . . .⁸

6. The Commission has enforced this prohibition on payments to a qualified candidate committee’s family member previously by seeking restitution from the candidate to the Citizens’ Election Fund of an amount equal to the impermissible payment and imposing a civil penalty on the treasurer who authorized the prohibited payment.⁹

⁶ General Statutes § 9-607 (g) (limiting persons who can receive payments from candidate committee)

⁷ See General Statutes § 9-706 (e) (directing State Elections Enforcement Commission to adopt regulations delineating restrictions on use of grant funds).

⁸ Regulations of Conn. State Agencies, § 9-706-2 (b)(3) (imposing limits on payments by qualified candidate committees to candidates’ family members).

⁹ See, e.g., SEEC File No. 2020-005A, *In re. SEEC Initiated Zupkus 2018 – Audit Findings*, (July 15, 2020) (requiring candidate of qualified candidate committee to reimburse Citizens’ Election Fund total of \$427.50 that candidate committee had paid candidate’s relative for work on behalf of committee); SEEC File No. 2020-005B, *In re. SEEC*

7. The Commission finds that the candidate committee paid the candidate's family member \$1,000 in violation of Commission Regulation § 9-706-2 (b)(3).
8. Respondent as treasurer has an obligation to ensure that the expenditures made by the candidate committee comply with the statutes and regulations governing the use of funds received by the committee through the Citizens' Election Program. Respondent acknowledged that obligation to expend all funds in compliance with the applicable statutes and regulations when the committee opted to participate in the Citizens' Election Program.¹⁰
9. Responding to the Commission's audit findings, Candidate Long acknowledged that the candidate committee made the payments to the candidate's mother. The candidate, however, in her response to the draft audit findings, maintained that the payment was made to compensate her mother for work she performed as the committee's treasurer. In her response to the draft audit findings, the candidate stated:

We understood, at the time, that the treasurer is entitled to a \$1000 fee for services. Toward the end of the campaign (I believe it was after the primary but don't specifically remember), the treasurer noted to the candidate that a) the treasurer has a legal claim to \$1000 compensation b) we had funds remaining that would cover this fee c) the payment would be well-received, given the amount thus far unpaid labor the treasurer performed and was extensively accountable for. The candidate agreed.

10. Candidate Long pointed out that this \$1,000 payment to the treasurer occurred at the end of the campaign cycle and simply reflected an error on the part of the campaign to understand and follow the guidelines regarding the use of grant funds as opposed to an intentional violation of those rules. Candidate Long also stated that the candidate committee's audit was relatively free of other errors and that the candidate committee returned a surplus to the Citizens' Election Fund of nearly \$1,700. Candidate Long noted as well that the candidate committee had consulted with an attorney who was serving as deputy treasurer for the committee and understood, based on the conversation with that attorney, that the payment to the candidate's mother would be permissible.

Initiated *Zupkus 2018 – Audit Findings*, (July 15, 2020) (imposing \$200 civil penalty on treasurer for candidate committee that paid candidate's relative for work on behalf of committee).

¹⁰ See SEEC Form CEP 10 – Affidavit of Intent to Abide by Expenditure Limits and Other Citizens' Election Program Requirements. See SEEC Form CEP 10 – Affidavit of Intent to Abide by Expenditure Limits and Other Citizens' Election Program Requirements (*Gannon for 3*, July 29, 2018) at Section C. 8 (reflecting treasurer's acknowledgement that she must spend any funds in compliance with applicable statutes and regulations).

11. Respondent admits all jurisdictional facts and agrees that this Agreement and Order shall have the same force and effect as a final decision and Order executed after a full hearing and shall become final when adopted by the Commission.

12. 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
- c) All rights to seek judicial review or otherwise to challenge or contest the validity of the Order entered into pursuant to this Agreement.

13. 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 Respondent in any subsequent hearing, if the same becomes necessary.

RECEIVED

NOV 30 2022

STATE ELECTIONS
ENFORCEMENT COMMISSION

ORDER

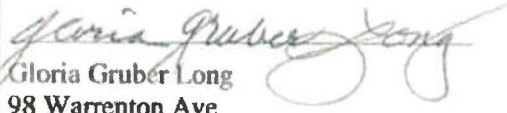
IT IS HEREBY ORDERED THAT the Respondent Gloria Long henceforth will comply with all statutes and regulations governing payments to the candidate's family members.


The Respondent

For the State of Connecticut

By:

By:


Gloria Gruber Long
98 Warrenton Ave
Hartford, CT 06105


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

Dated: Nov. 30, 2022

Dated: 12/16/22

Adopted this 24th day of Dec., 2022 at Hartford, Connecticut by vote of the Commission.


Commissioner STEPHEN T. MURPHY
By Order of the Commission