

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Kevin Saythany,
Norwich

File No. 2023-006

AGREEMENT CONTAINING CONSENT ORDER

This agreement by and between Karen Mankowski, of the City of Norwich, County of New London, 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. Complainant Kevin Saythany, of the City of Norwich, filed this complaint with the Commission on or about February 2, 2023, alleging that a political flyer urging residents to vote "no" on a special election (referendum) regarding firefighting services in and around the City of Norwich failed to include the appropriate attribution stating who had paid for the advertisement.
2. Following the passage of a city ordinance that was viewed by some as an effort to weaken the volunteer firefighting service in the City of Norwich, a petition for a vote on the ordinance was successfully supported. A referendum regarding the ordinance was subsequently scheduled for a vote February 1, 2023.
3. Respondent Karen Mankowski was part of an effort to advocate a "No" vote on the referendum. The Respondent was designated treasurer of Trust Firefighters PAC, a registered political committee. As part of their effort to defeat the city ordinance Trust Firefighters PAC designed, purchased, and distributed door hanger flyers to Norwich residents that advocated their position, some of which did not contain the proper disclosures required under General Statute § 9-621(c).
4. Trust Firefighters PAC is a registered political committee, which has made all required SEEC Form 20 disclosure filings, and disclosed expenditures for the door hanger flyers in the committee's SEEC Form 20 filings.

5. Respondent Mankowski admitted that some of the flyers distributed did not contain the proper disclosures, but asserted that it was an oversight that the attribution was omitted. In a response to the filed complaint and investigation, she asserted in a written correspondence:

“When the door hanger order was placed it was another fireman that placed the order online and it was requested that the attribution be put on the door hanger. Unfortunately when the order was shipped the people that received it, who did not know of this requirement, began to distribute it. There was no intent to not include the attribution.”
6. General Statutes § 9-621 (c) requires a political committee promoting the success or defeat of a referendum question to include a disclaimer on the face of any communication that it creates that states “paid for by” along with the name of the committee and the name of its Treasurer.
7. In this instance, the door hangers distributed by Trust Firefighters PAC, which advocated a “no” vote on the referendum vote scheduled for February 1, 2023, should all have carried a disclaimer stating the name of the committee as well as the name of the Treasurer.
8. 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.
9. The Commission possesses the authority to set the punishment it metes out to 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.

10. In this instance, the Commission concludes that because the Respondent cooperated in the investigation of this matter, has no prior history of similar violations with the Commission, has filed all required political committee disclosures on behalf of the committee, disclosed the expenditure for the door hanger flyers, and has evinced a willingness to comply with the applicable provisions regarding attributions on communications related to a referendum question in the future, the Commission will not impose a civil penalty in this matter, but shall require the Respondent to henceforth strictly comply with the provisions of § 9-621.
11. It is understood and agreed that this agreement will be submitted to the Commission at its next available meeting for approval. If it is not accepted by the Commission this agreement shall be withdrawn by Respondent Mankowski and may not be used by either party as an admission in any subsequent hearing or against the Respondent in any proceeding, if the same becomes necessary.
12. The undersigned 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. 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 henceforth strictly comply with the attribution requirements of General Statutes § 9-621 (c).

The Respondent:

BY:



Karen Mankowski

22 Mish Drive

Norwich, CT

Dated: 6-15-2023

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., 8th Floor

Hartford, Connecticut

Dated: 6/20/23

Adopted this _____ day of _____, 2023, at Hartford, Connecticut

Commissioner

By Order of the Commission

ORDER

IT IS HEREBY ORDERED THAT the Respondent shall henceforth strictly comply with the attribution requirements of General Statutes § 9-621 (c).

The Respondent:

BY:



Karen Mankowski

22 Mish Drive

Norwich, CT

Dated: 6-15-2023

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., 8th Floor

Hartford, Connecticut

Dated: 6/20/23

Adopted this 21st day of June, 2023, at Hartford, Connecticut



Commissioner STEPHEN G. HANCOCK

By Order of the Commission