

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of Complaint by Elizabeth MacGillivray, Greenwich	File No. 2023-128
In the Matter of Complaint by Roger Rosendahl, Greenwich	File No. 2024-006
In the Matter of Complaint by Roger Rosendahl, Greenwich	File No. 2024-007

FINDINGS AND CONCLUSIONS

In Commission File No. 2023-128, the Complainant alleges that the Voting Moms and the Local Moms Network are unregistered political committees, and the Voting Moms and the Local Moms Network coordinated with certain candidates associated with the Greenwich Democratic Town Committee (GDTC), Greenwich Board of Estimate and Taxation, and Greenwich Representative Town Meeting (RTM) to mislead voters regarding promotion of said candidates. In Commission File No. 2024-006, Complainant Roger Rosendahl alleges that Dan Quigley and James Waters should have registered a political committee. In Commission File No. 2024-007, Complainant Roger Rosendahl alleges that the Voting Moms should be registered as a political committee. After an investigation of the complaint, the Commission makes the following findings and conclusions:

1. Due to the similarity in facts, allegations, and Respondents, the Commission will resolve Commission File No. 2023-128, 2024-006, and 2024-007 together.
2. In Commission File No. 2023-128, 2023 RTM Candidate James Waters, 2023 RTM Candidate Steven Rubin, 2023 RTM Candidate Daniel Quigley, 2023 RTM Candidate Jaysen Medhurst, Co-Founder of the Voting Moms Jenna Lowe, Co-Founder and Chief Experience Officer of the Local Moms Network Layla Lisiewski, Co-Founder of the Voting Moms Emily Goodman, 2023 RTM Candidate Stephanie Cowie, Treasurer of the GDTC Robert Brady, and Chairperson of the GDTC Joseph Angland were named as Respondents. In Commission File No. 2024-006, Dan Quigley and James Waters were named as Respondents. In Commission File No. 2024-007, Emily Goodman and Jenna Lowe were named as Respondents.

Applicable Legal Authority

3. General Statutes § 9-601 provides in pertinent part:
 - (1) "Committee" means a party committee, political committee or a candidate committee organized, as the case may be, for a single primary, election or

referendum, or for ongoing political activities, to aid or promote the success or defeat of any political party, any one or more candidates for public office or the position of town committee member or any referendum question.

- (2) "Political committee" means (A) a committee organized by a business entity or organization, (B) persons other than individuals, or two or more individuals organized or acting jointly conducting their activities in or outside the state, (C) an exploratory committee, (D) a committee established by or on behalf of a slate of candidates in a primary for the office of justice of the peace, but does not mean a candidate committee or a party committee, (E) a legislative caucus committee, or (F) a legislative leadership committee.

4. General Statutes § 9-601b provides in pertinent part:

- (a) As used in this chapter and chapter 157, the term "expenditure" means:
- (1) Any purchase, payment, distribution, loan, advance, deposit or gift of money or anything of value, when made to promote the success or defeat of any candidate seeking the nomination for election, or election, of any person or for the purpose of aiding or promoting the success or defeat of any referendum question or the success or defeat of any political party;
- (2) Any communication that (A) refers to one or more clearly identified candidates, and (B) is broadcast by radio, television, other than on a public access channel, or by satellite communication or via the Internet, or as a paid-for telephone communication, or appears in a newspaper, magazine or on a billboard, or is sent by mail...

5. General Statutes § 9-601c provides in pertinent part:

- (a) As used in this chapter and chapter 157, the term "independent expenditure" means an expenditure, as defined in section 9-601b, that is made without the consent, coordination, or consultation of, a candidate or agent of the candidate, candidate committee, political committee or party committee.

6. In Commission Declaratory Ruling 2018-01, Political Activity of Organized Groups, the Commission answered a question concerning what communication may take place between candidates and groups planning to make endorsements or produce scorecards and also spend money to either publicize the endorsement or scorecards, or otherwise support the candidates of their choice by stating:

Questionnaires and interviews should be confined to issues and policies and should not veer into campaign strategy. They should not include questions aimed at determining campaign plans, projects and/or needs, because if expenditures are later made by the group based on the candidate's own plans, it would likely be deemed a contribution (i.e. a coordinated expenditure). If the content of a questionnaire includes such questions about strategy, for example, that would be evidence of coordination or cooperation with the candidate should the organized group attempt to do an independent expenditure at a later point in time.

7. General Statutes § 9-602 provides in pertinent part:
 - (a) Except with respect to an individual acting alone, or with respect to a group of two or more individuals acting together that receives funds or makes or incurs expenditures not exceeding one thousand dollars in the aggregate, no contributions may be made, solicited or received and no expenditures, other than independent expenditures, may be made, directly or indirectly, in aid of or in opposition to the candidacy for nomination or election of any individual or any party or referendum question, unless (1) the candidate or chairman of the committee has filed a designation of a treasurer and a depository institution situated in this state as the depository for the committee's funds, or (2) the candidate has filed a certification in accordance with the provisions of section 9-604. In the case of a political committee, the filing of the statement of organization by the chairman of such committee, in accordance with the provisions of section 9-605, shall constitute compliance with the provisions of this subsection.

Facts Found After an Investigation

8. In response to the investigation, Respondent Waters provided the following statement:

“In addition, I exercised my right to free speech by creating and disseminating what was called “The Bipartisan Coalition” list of recommended candidates for the BET and the RTM. I did not spend any funds on this. These two offices of local government are not widely understood by voters and residents. My objective was to help educate voters across town on the choices before them. This was covered heavily in local press outlets and shared through personal networks in the Town of

Greenwich...The 'Bipartisan Coalition' is not an official organization; rather, that was what it was called after a press article released by the Greenwich Time on October 5, 2023."

9. The Respondents that appear on "The Bipartisan Coalition" list are Respondent Waters, Respondent Cowie, Respondent Medhurst, Respondent Quigley, and Respondent Rubin.
10. On Respondent Waters' SEEC Form 1, Registration by Candidate, he checked the box indicating he was exempt from forming a candidate committee, and on his SEEC Form 1B, Certification of Exemption from Forming a Candidate Committee, he checked box C indicating he did not intend to receive or expend any funds in excess of one thousand dollars. On Respondent Cowie's SEEC Form 1, she checked the box indicating she was exempt from forming a candidate committee, and on her SEEC Form 1B, she checked box B indicating she was funding her campaign entirely from her own personal funds and would not request or receive contributions from other individuals or committees. On Respondent Medhurst's SEEC Form 1, he checked the box indicating he was exempt from forming a candidate committee, and on his SEEC Form 1B, he checked box B indicating he was funding his campaign entirely from his own personal funds and would not request or receive contributions from other individuals or committees. On Respondent Quigley's SEEC Form 1, he checked the box indicating he was exempt from forming a candidate committee, and on his SEEC Form 1B, he checked box D indicating he did not intend to receive or expend any funds, including personal funds, for his campaign. On Respondent Rubin's SEEC Form 1, he checked the box indicating he was exempt from forming a candidate committee, and on his SEEC Form 1B, he checked box D indicating he did not intend to receive or expend any funds, including personal funds, for his campaign.
11. The Voting Moms is a website, not a registered business, operated by Respondent Goodman and Respondent Lowe, who came together in 2021 with the specific goal of increasing voter turnout in local elections and to help inform voters on key local issues. In 2023, Respondent Goodman and Respondent Lowe spent a total of \$393 on operating the Voting Moms website. Voting Moms website does not contained ads to raise funds and Respondent Goodman and Respondent Lowe do not solicit contributions. Respondent Goodman and Respondent Lowe created a newsletter and distributed the newsletter on the Voting Moms website and via email. The Voting Moms shared a list of candidates for the BET and the RTM in a newsletter, which listed Respondent Waters, Respondent Cowie, Respondent Medhurst, Respondent Quigley. Respondent Goodman and Respondent Lowe contacted Respondent Quigley and Respondent Waters

about shared concerns over policy issues such as funding for public schools and supporting bipartisan moderate representation. In the newsletter, Respondent Goodman and Respondent Lowe described how they created the list with the following statement:

“We researched and reviewed voting records and talked to many of the stakeholders who have helped shape our understanding of the RTM’s role in town and specifically in the school infrastructure crisis... This group is bipartisan, made of everyone from lifelong Greenwich residents to newcomers.”

12. The Local Moms Network is an online lifestyle blog that delivers hyper-local resources and community connections to moms across the country. The website does not focus on politics. Respondent Goodman and Respondent Lowe were interviewed by the Local Moms Network as working mothers making a difference in their community. Respondent Goodman and Respondent Lowe do not operate the Local Moms Network, which is a separate website from the Voting Moms.

13. Also, the complaint in Commission File No. 2023-128 states that “[t]he GDTC illegally coordinated the purchase of Tents and signage for all twelve polling places in Greenwich to support the GDTC/James Waters list of RTM candidates.” In response to that allegation, Respondent Angland and Respondent Brady stated the following:

“The GDTC used its inventory of twelve tents and banners at the twelve polling locations on election day in 2023, as it has for many years. The GDTC expended no funds on those tents in 2023. The last expenditure was on a repair to one of the tents in 2022. The GDTC staffs each tent with one or two volunteers while the polls are open. In addition, it is common for others, especially candidates, to cluster near the tents and urge people to vote for them or their preferred candidates. The GDTC was not involved in Mr. Waters compilation of a list of preferred RTM candidates. Thus, there was no “GDTC/James Waters list.”

14. Additionally, Respondent Waters, Respondent Quigley, Respondent Lowe, Respondent Lisiewski, Respondent Goodman, Respondent Brady, and Respondent Angland stated there was not any cooperation or collusion between them. Respondent Cowie, Respondent Medhurst and Respondent Rubin did not provide statements; however, they did contact the Commission and offered to cooperate in any way.

Analysis and Conclusion

15. The Commission determines the \$393 spent by Respondent Lowe and Respondent Goodman on operating the Voting Moms website as an “expenditure,” within the meaning of General Statutes § 9-601b; however, because Respondent Lowe and Respondent Goodman spent less than a thousand dollars on expenditures related to promoting certain candidates via the Voting Moms website, the Commission concludes Respondent Lowe and Respondent Goodman did not violate General Statutes § 9-602.¹
16. Based on the investigation, the Commission determines that the Local Moms Network operates a non-political lifestyle website dedicated to motherhood that did not discuss, neither in terms of advocacy nor opposition, political candidates, elections, or referendum; as a result, the Commission concludes that Local Moms Network did not violate General Statutes § 9-602.²
17. The Commission concludes there is insufficient evidence to support a conclusion that there was an statutory obligation for Respondent Quigley and Respondent Waters to register a political committee pursuant to General Statutes § 9-602 because the mere fact that Respondent Quigley’s name appeared on the Bipartisan Coalition list for which the evidence shows was solely created by Respondent Waters is not sufficient proof the two acted together in the creation of the Bipartisan Coalition list nor is there sufficient evidence to indicate that Respondent Waters spent over one thousand dollars on expenditures creating the Bipartisan Coalition list.³
18. The Commission determines that there is insufficient evidence to support a violation of General Statute § 9-601c because Respondent Goodman and Respondent Lowe contacting Respondent Quigley and Respondent Waters to discuss policy concerns about funding for public schools and bipartisan governance without any indication that said discussions involved, for example, the candidate’s campaign or strategy is insufficient evidence of coordination, and the placement of the Respondents who were candidates on the Voting Moms approved list of candidates when said list was derived from the independent research of Respondent Goodman and Respondent Lowe, which included the permissible activities such as speaking with candidates and other

¹ Connecticut General Statutes § 9-601b. Connecticut General Statutes § 9-602.

² *Id.*

³ *Id.*

stakeholders about key policy issues important to the Voting Moms and checking voting records, without more is insufficient evidence of coordination.⁴

19. Under the narrow and specific facts, the Commission dismisses the matters pertaining to Commission File Nos. 2023-128, 2024-006, and 2024-007.⁵

⁴ Connecticut General Statutes § 9-601c; Commission Declaratory Ruling 2018-01.

⁵ Connecticut General Statutes § 9-7b.

ORDER

The following Order is issued based on the aforementioned findings and conclusions:

That the matters pertaining to Commission File Nos. 2023-128, 2024-006, and 2024-007 are dismissed.

Adopted this 6th day of November, 2024 at Hartford, Connecticut.



Stephen T. Penny, Chairman
By Order of the Commission