



STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

DRAFT MINUTES
STATE ELECTIONS ENFORCEMENT COMMISSION
SPECIAL MEETING
5th Floor Conference Room
March 22, 2017
9:30 A.M.

I. Call to Order

Commissioner Castagno was present and called the meeting to order at 9:31 A.M. Commissioners Bramante and Penny were present. Commissioner Stankevicius was present via teleconference. Agency staff and a member of the public were also present.

II. Approval of the Minutes

Approval of the Minutes of the Meeting of February 10, 2017

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the February 10, 2017 Minutes by a 4-0-0 vote. So voted.

Approval of the Minutes of the Meeting of February 15, 2017

It was moved by Commissioner Penny and seconded by Commissioner Bramante to approve the February 15, 2017 Minutes by a 3-0-1 vote. So voted. Commissioner Stankevicius abstained.

III. Administrative Reports

Executive Director Brandi noted that a second set of Special Elections for the General Assembly have been set for April 25. These elections are to fill the 7th and 68th House seats for the two sitting Representatives who won the previous Special Election for the Senate. For the April Special Election, once grant application has already been received, however we are still waiting for the Secretary of the State to confirm that there are endorsements determining both an applicant's ballot status and their confirmed opposition to determine the eligibility and amount of the grant. Mr. Brandi noted that the commission will have to establish additional special meetings to approve any grants for these special elections.

SEEC staff and Mr. Brandi have made a presentation to the Appropriations Committee on the budget needs of the agency. Mr. Brandi recognized the work of Sheri-Lyn Lagueux, Shauna Khang and Henry Herschkorn on handling information requests from the legislature. While there is no clear indicator that the budget the legislature will approve will look anything like the Governor's proposed budget, we are still actively pursuing preserving the \$96,000 holdback that was attempted through the most recent mid-year budget process. A \$96,000 reduction in our budget would practically eliminate the money needed to operate the agency.

Legislative Session is in full swing, and the Government Administrations and Elections committee is one week out from their Joint Favorable Deadline for bills. There are many new members of the Government Administration and Elections committee as well as new leadership, and the staff have been having productive discussions on the various campaign finance bills with committee members, caucuses and the non-partisan offices. The agency hopes the efforts to help legislators gain an understanding of the proposals will result in the language and recommendations being utilized in existing bills.

One piece of legislation that the agency is paying particular attention to is Senate Bill 211 which would require the enforcement unit to close cases within a year of them being determined Necessary to Investigate. In that year, the investigation would need to occur, any hearings would need to happen, and the respondents would have to comply with requests much more quickly than happens in some cases. Mr. Brandi shared that while this is an effort to have the agency speed up the legal process, in 2015 65% of the cases were resolved within the proposed year timeframe. This time constraint would be extremely burdensome as SEEC faces a vacancy in a Legal Investigator, an Attorney and a cut in resources. Other state agencies, Common Cause and the League of Women Voters have been made aware of this bill and many have submitted testimony opposing it.

IV. Pending Complaints and Investigations

A. Public Session

1. In the Matter of a Complaint by Pedro L. Cordero, Hartford
File No. 2016-027
Proposed Findings & Conclusions
Respondent: Hartford Registrar of Voters
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

The matter was marked off.

2. In the Matter of a Complaint by Jordan J. Freeman, Hartford
File No. 2016-028
Proposed Consent Order & Agreement
Respondent: Hartford Registrar of Voters
Attorney: William B. Smith
Lead Legal Investigator: Gilberto Oyola

The matter was marked off.

3. In the Matter of a Complaint by Derek Czenczelewski, Bristol
File No. 2015-140
Proposed Consent Order & Agreement
Respondent: Karen Vibert
Attorney: James Talbert-Slagle
Legal Investigator: Scott Branfuhr

Attorney James Talbert-Slagle summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-140. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Stankevicius and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement in File No. 2015-140. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

4. In the Matter of a Complaint by Michael Pohl, Manchester
File No. 2016-061
Proposed Findings & Conclusions
Respondent: John Topping
Attorney: James Talbert-Slagle
Legal Investigator: Scott Branfuhr

Attorney James Talbert-Slagle summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2016-061. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Stankevicius and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2016-061. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

5. In re: Audit Report for *Goff for the 34th*
File No. 2014-011
Proposed Consent Order & Agreement
Respondent: Christopher Goff, Thomas O'Brein

Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlie Urso

Attorney James Talbert-Slagle summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-011. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Stankevicius and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement in File No. 2014-011. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

V. *Executive Session per General Statutes §§ 1-200(6)(B) and (E), and 1-210(b)(1), (3),(4),(10) and General Statutes §9-7a, as amended by Public Act 11-48 §300 (Preliminary draft and agency consideration of enforcement action and exempt records relative thereto)*

6. In the Matter of a Referral by the Suffield Registrar of Voters
File No. 2017-001
Recommendation of Counsel
Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

The matter is continued.

7. In the Matter of a Referral by the Suffield Registrar of Voters
File Nos. 2017-003 & 2017-005
Recommendation of Counsel
Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

The matter is continued.

8. In the Matter of a Complaint by Robert Kalechman, Simsbury
File No. 2016-089
Recommendation of Counsel
Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

The matter is continued.

9. In the Matter of a Complaint by Judith Lester, Mansfield
File No. 2016-099
Recommendation of Counsel
Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

The matter is continued.

10. In the Matter of a Referral by the Audit & Disclosure Unit of the SEEC
File No. 2016-118SF
Recommendation of Counsel
Attorney: Ryan M. Burns

Attorney Ryan M. Burns summarized the above referenced complaint in File No. 2016-118SF.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt that Given the unique circumstances in matter 2016-118SF, the Commission elects to take no further action with regard to the file and instructs staff to close File No. 2016-118SF. So voted by a vote 4-0-0.

11. In the Matter of a Complaint by Kirk Carr, Clinton
File No. 2015-031A
Recommendation of Counsel
Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

Attorney Ryan M. Burns summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-031A. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Stankevicius and seconded by Commissioner Penny to adopt the Proposed Consent Order & Agreement in File No. 2015-031A. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

12. In the Matter of a Complaint by Kirk Carr, Clinton
File No. 2015-031B
Recommendation of Counsel
Attorney: Ryan M. Burns
Legal Investigator: Scott Branfuhr

Attorney Ryan M. Burns summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-031B. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Stankevicius and seconded by Commissioner Penny to adopt the Proposed Consent Order & Agreement in File No. 2015-031B. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

13. In the Matter of a Complaint by Kirk Carr, Clinton

File No. 2015-031C

Recommendation of Counsel

Attorney:

Ryan M. Burns

Legal Investigator:

Scott Branfuhr

Attorney Ryan M. Burns summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-031C. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Stankevicius and seconded by Commissioner Penny to adopt the Proposed Consent Order & Agreement in File No. 2015-031C. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

14. In the Matter of a Referral by Ann Marie Logan, Somers

File Nos. 2014-116 & 2015-023MNF

Recommendation of Counsel

Attorney:

Ryan M. Burns

Legal Investigator:

The matter is continued.

15. In the Matter of a Complaint by Bernandus Van Gool, Old Lyme

File No. 2014-183

Recommendation of Counsel

Attorney:

Kevin M. Ahern

Lead Legal Investigator:

Gilberto Oyola

Attorney Kevin M. Ahern summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2014-183. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement in File No. 2014-183. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

16. In the Matter of a Complaint by John M. Tremaine, New Canaan

File No. 2015-097A

Recommendation of Counsel

Attorney:

Kevin M. Ahern

Legal Investigator:

Scott Branfuhr

Attorney Kevin M. Ahern summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-097A. He recommended adoption of the Proposed Consent Order & Agreement upon receipt in 10 days.

It was moved by Commissioner Stankevicius and seconded by Commissioner Penny to adopt the Proposed Consent Order & Agreement in File No. 2015-097A upon receipt in 10 days. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions upon receipt.

17. In the Matter of a Complaint by John M. Tremaine, New Canaan
File No. 2015-097B
Recommendation of Counsel

Attorney:	Kevin M. Ahern
Legal Investigator:	Scott Branfuhr

Attorney Kevin M. Ahern summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-097B. He recommended adoption of the Proposed Consent Order & Agreement upon receipt in 10 days.

It was moved by Commissioner Penny and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement in File No. 2015-097B upon receipt in 10 days. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions upon receipt.

18. In the Matter of a Complaint by Britta Lerner, Weston
File No. 2015-136A
Recommendation of Counsel

Attorney:	Kevin M. Ahern
Lead Legal Investigator:	Gilberto Oyola

Attorney Kevin M. Ahern summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-136A. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Stankevicius and seconded by Commissioner Bramante to adopt the Proposed Consent Order & Agreement in File No. 2015-136A. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

19. In the Matter of a Complaint by Britta Lerner, Weston

File No. 2015-136B
Recommendation of Counsel

Attorney: Kevin M. Ahern
Lead Legal Investigator: Gilberto Oyola

Attorney Kevin M. Ahern summarized the above referenced complaint and Proposed Consent Order & Agreement in File No. 2015-136B. He recommended adoption of the Proposed Consent Order & Agreement.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to adopt the Proposed Consent Order & Agreement in File No. 2015-136B. So voted by a vote 4-0-0. The Consent Order & Agreement will be available on our website under Commission Decisions.

20. In re: Audit Report for *Minnie Gonzalez for State Representative*
File No. 2015-130
Recommendation of Counsel
Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlie Urso

The matter is continued.

21. In re: Audit Report for *Soliani 2014*
File No. 2015-131
Recommendation of Counsel
Attorney: James Talbert-Slagle
Lead Legal Investigator: Charlie Urso

The matter is continued.

22. In re: Audit Report for *People for Ortiz*
File No. 2015-141
Recommendation of Counsel
Attorney: James Talbert-Slagle
Legal Investigator: Scott Branfuhr

The matter is continued.

23. In re: Audit Report for *Christine Rosati for State Representative*
File No. 2015-144
Recommendation of Counsel
Attorney: James Talbert-Slagle
Legal Investigator: Scott Branfuhr

The matter is continued.

24. In the Matter of a Complaint by Mark Dumas, Milford

File No. 2015-088

Recommendation of Counsel

Attorney:

William B. Smith

Legal Investigator:

Scott Branfuhr

Attorney William B. Smith summarized the above referenced complaint and Proposed Stipulated Agreement in File No. 2015-088. He recommended adoption of the Proposed Stipulated Agreement.

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius to adopt the Proposed Stipulated Agreement in File No. 2015-088. So voted by a vote 4-0-0. The Stipulated Agreement will be available on our website under Commission Decisions.

25. In the Matter of a Referral from New Hartford Democratic Registrar of Voters

File No. 2016-066

Recommendation of Counsel

Attorney:

William B. Smith

Lead Legal Investigator:

Gilberto Oyola

Attorney William B. Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2016-066. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Stankevicius and seconded by Commissioner Bramante to adopt the Proposed Findings & Conclusions in File No. 2016-066. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

26. In the Matter of a Complaint by Peter J. Gostin, New Britain

File No. 2016-100

Recommendation of Counsel

Attorney:

William B. Smith

Lead Legal Investigator:

Gilberto Oyola

Attorney William B. Smith summarized the above referenced complaint and Proposed Findings & Conclusions in File No. 2016-100. He recommended adoption of the Proposed Findings & Conclusions.

It was moved by Commissioner Bramante and seconded by Commissioner Penny to adopt the Proposed Findings & Conclusions in File No. 2016-100. So voted by a vote 4-0-0. The Findings & Conclusions will be available on our website under Commission Decisions.

27. Recommendation of Counsel: Necessary to Investigate Determination pursuant to General Statutes §9-7a, as amended by Public Act 11-48 §300

Attorney Smith summarized the Recommendation of Counsels dated March 2, 2017 and March 15, 2017 respectively, and requested that six (6) matters be moved to investigate.

It was moved by Commissioner Bramante and seconded by Commissioner Stankevicius to make a determination that it is necessary to investigate violations relating to six (6) complaints File Nos.: 2017-009, 2017-010, 2017-011, 2017-018, 2017-019 and 2017-020. So approved by the Commission, 4-0-0. So voted.

VI. Consideration of Matters Discussed in Executive Session

VII. Adjournment

It was moved by Commissioner Penny and seconded by Commissioner Stankevicius at 12:53 A.M. to adjourn the meeting. So voted. Unless otherwise indicated, all votes of the Commission were unanimous.

The next regular scheduled meeting is April 19, 2017 at 9:30 A.M. in the 5th Floor Conference room.