

State Elections Enforcement Commission



The Digest of Administrative Reports to the Governor

Fiscal Year 2020-2021

At a Glance

State Elections Enforcement Commission Members: Stephen Penny (Chair), Michael J. Ajello (Vice Chair), Andrew Cascudo, Shannon Bergquist, Gregory Picuch

Executive Director and General Counsel: Michael J. Brandi, Esq.

Organizational Structure: State Elections Enforcement Commission Members; Executive Director and General Counsel; Public Campaign Financing and Compliance; Campaign Disclosure and Audit; Fiscal Affairs, Administration and Grant Payments; Information Technology Systems and Services; Investigations; Enforcement.

Established: 1974

Statutory Authority: Connecticut General Statutes §§ 9-7a, 9-7b

***Central Office: 55 Farmington Avenue
Hartford, CT 06105***

Number of Authorized Employees: 35

Recurring Operating Expenses - \$3,151,570

Citizens' Election Fund – Grant Payments - \$12,558,348

Mission

The Commission was established in the post-Watergate era of 1974 as an independent agency in the executive branch of state government, to enforce and ensure compliance with laws pertaining to state and local elections, primaries and referenda. In 2005, its mission was expanded to include the administration of the Citizens' Election Program, Connecticut's public financing program and eCRIS, the state's electronic filing repository for campaign finance filings. Following federal court decisions in 2010, its mission was again expanded to include providing transparency and disclosure for the now unlimited independent expenditures from all persons, including corporations and SuperPACs. The Commission is comprised of 5 members and is bipartisan in composition. The Commission's goal is to prevent violations from occurring by ensuring that those who require advice obtain it in a timely manner and to improve and maintain the confidence of the people of Connecticut in the electoral process and the officials involved in that process.

Statutory Responsibility

The Commission's original statutory responsibility was to enforce provisions of state election laws pertaining to elections, primaries and referenda. With the passage of Public Act 05-5, the Commission's responsibilities were considerably expanded, and now include the administration of the Citizens' Election Program (the Program). The Program provides public campaign grants to qualified candidates for statewide offices and the General Assembly, who adhere to expenditure limits and other program requirements. The Commission is also charged with developing and maintaining an electronic campaign reporting system (eCRIS). With the passage of Public Acts 10-187 and 13-180, the Commission began to provide increased transparency for independent expenditures in state elections. The Commission is the state campaign finance filing repository for all campaign finance records for candidate committees organized for state elections, party committees, traditional political committees and independent expenditure political committees formed to aid or promote the success or defeat of state candidates, and other persons making independent expenditures in state elections. The Commission is charged with the specific responsibility to conduct investigations of election complaints, review campaign finance statements filed by candidates, political parties and political committees, issue compliance advice concerning requirements of the campaign finance laws and suggest revisions to the election laws to the Connecticut General Assembly.

Public Service

The Commission is an independent watchdog agency within the executive branch of state government and serves as an impartial arbiter of complaints alleging violations of the election laws. The Commission takes a proactive approach to educate candidates, campaign officials, political parties and citizens of their rights, duties and obligations under the election laws in order to ensure voluntary compliance with the law.

During the past year, voter fraud and the security of our voting systems continued to be topics of national discussion. Our agency responded to inquiries from the media, advocacy groups, concerned citizens and other agencies at both the state and national levels, answering numerous requests for information and statistics.

Leading up to the 2020 presidential election, the State Elections Enforcement Commission worked closely with both federal and local agencies to secure critical election infrastructure. We worked

in coordination with the Department of Homeland Security and the Federal Bureau of Investigation, the Secretary of the State, the Department of Emergency Services and Public Protection, the Attorney General's Office, the Connecticut Division of Emergency Management and Homeland Security, as well as DAS/BEST in an effort to disseminate critical information in a timely manner so as to better respond to cyber threats and malicious activities. Information technology staff members provided continuous monitoring and remediation of information systems associated with the critical election infrastructure as reports of new and more active threats emerged from both nation-states and individual bad actors attempting to disrupt the presidential election.

Improvements/Achievements FY 2020-2021

Public Campaign Financing

Connecticut's landmark public campaign financing program, the Citizens' Election Program, was successfully administered for the 2020-2021 timeframe, including the end of the 2020 regular election cycle for General Assembly candidates, and three 2021 special elections. The Program is financed by the Citizens' Election Fund (CEF), a separate, non-lapsing fund within the state's General Fund.

Staff administered the return to the CEF of approximately \$671,052.70 in surplus funds as part of the wrap-up of the 2020 election cycle and the 2021 special elections.

In fiscal year 2020-2021, 192 candidate committees applied for a grant and the Commission issued \$12,558,348.10 in grant monies. This includes 5 grants in 3 special elections. Additionally, this fiscal year saw the start of the 2022 election cycle, with 4 candidate committees registering for the upcoming election cycle.

In addition, Audit staff completed 76 post-election reviews of statewide committees and randomly selected General Assembly committees and exploratory committees which were presented to the Commission for consideration.

Compliance & Training

SEEC compliance attorneys and election officers work closely with candidates running for municipal, statewide, and General Assembly offices, providing candidates and campaign treasurers with materials and training necessary to understand Connecticut campaign finance laws and Program requirements. In the past fiscal year, staff assisted candidates in primary races and in the regular election for General Assembly, as well as municipal candidates in primary races and regular elections.

SEEC published numerous handbooks, guides and other informational materials and provided trainings throughout the state for candidates and treasurers, town clerks and registrars of voters. The attorneys and elections officers answered approximately 3,107 compliance questions regarding state and local elections, referenda, fundraising and the Program. We responded to approximately 199 Freedom of Information requests as well.

Although our offices were closed to the public by Executive Order due to the COVID pandemic, the agency still managed to provide effective training with our online training options. We offered training modules for using the electronic campaign finance filing system, eCRIS, with each of

these modules being viewed anywhere from 555 to 1,159 times during this fiscal year. We also developed new trainings for municipal candidates and treasurers, covering nine topic areas. Each of these was viewed between 713 and 2,168 times. We also had CEP compliance training modules available, which were each viewed between 207 and 1,861 times during this fiscal year. The Commission staff also conducted virtual group workshops and training sessions during the year for town clerks, registrars of voters, municipal candidates, and two university classes.

In an effort to ensure that the elections are administered fairly in every city and town in Connecticut, the SEEC also runs a telephone hotline in conjunction with the Secretary of the State's Office so that anyone with knowledge of election fraud or voting rights abuses can report them. For this fiscal year, SEEC staff handled approximately 570 calls on primary and general election days.

SEEC staff also coordinates the Commission's legislative activities, as well as, acts as liaisons with legislators and other executive administrative branch agencies. This fiscal year, SEEC proposed legislation to improve and clarify the clean elections program.

In addition, the agency works closely with the Attorney General's office to assess challenges to certain provisions of Connecticut campaign finance laws. *See Dennis Bradley v. State of Connecticut State Elections Enforcement Commission, HHD-CV18-6111420-S; Joe Markley v. State of Connecticut State Elections Enforcement Commission, HHB-CV-18-6044479-S; and Caitlin Pereira v. State of Connecticut State Elections Enforcement Commission, HHB-CV-19-6054160-S*. The agency also works closely with federal enforcement agencies, including the Federal Bureau of Investigations and the Department of Justice, where fact patterns overlap with cases on our docket.

Campaign Disclosure

The SEEC serves as the filing repository for party committees, candidate committees registered for statewide or General Assembly offices, political committees formed to aid or promote the success or defeat of such candidates, and persons making independent expenditures for such candidates. The agency is responsible for receiving and processing the paper campaign disclosure filings and for scanning them into the eCRIS Document Search System.

The fiscal year saw the end of the 2020 election cycle, with the registration of 100 candidate committees, and the beginning of the 2021 municipal election cycle.

Overall, for fiscal year ending 2021, we had approximately 1,252 entities registered with the SEEC: as many as 512 candidates, 374 party committees, 355 political committees -- 340 of which were traditional political committees and 15 of which were independent expenditure political committees. We also had 11 entities reporting independent expenditures who were not required to register with us before beginning to file disclosure reports.

All together, these filers submitted approximately 9,303 campaign finance disclosure reports and amendments during the fiscal year. All of these were available to the public and searchable through our electronic filing system, eCRIS.

Information Technology Systems and Services

During this fiscal year, the eCRIS Helpdesk handled over 3,418 contacts (including on holidays and weekends). SEEC information technology staff run the Helpdesk, providing technical support to the regulated community who are required to submit electronic campaign finance filings. The Helpdesk is critical to the successful electronic filing initiative. Through our continued outreach effort by staff, we have been able to achieve electronic filing via eCRIS by nearly all of the 1,000+ committees that file with SEEC. This continues to result in a major savings in data entry costs, staff resources, and expenses for storage of paper documents.

SEEC's responsibilities as the repository for campaign filings, the administrator of the CEP, the year-round answer desk for election law questions, and the agency tasked with enforcing all election laws has required the development of highly specific, customized in-house computer systems. These have been routinely maintained, upgraded and improved by our IT staff. The systems include eCRIS (Electronic Campaign Reporting Information System), Candidate Tracking System (CTS), and SEEC Support (internal call and query tracking system). The IT Unit continued active development projects on all of these in-house systems, which is necessary to maintain the flow of information and online application infrastructure to the eCRIS customer base. All of the critical system enhancement requests were completed and put into production with little or no down time impacting our customers even with the COVID-19 shutdown. IT staff, along with other SEEC staff, also have continued to enhance and refine the LaserFiche document management workflow system to organize our internal case flow for the Enforcement Unit.

The Applications Development group completed all approved work assignments on development/enhancement projects assigned. Successful completion of these projects allowed IT to shift its focus to additional enhancement and workflow activities:

- Updated / upgraded the Microsoft SQL Servers to latest versions.
- Partnered with DAS/BEST on Cyber Security to secure the Enterprise and Election Enforcement systems.
- Continuous monitoring of SEEC Enterprise systems and applications.
- Updated eCRIS Search functions to meet the needs of mobile customers.
- Enhanced eCRIS registration process.
- Continued to enhance CTS with enforcement tabs and milestone tracking.

The IT Staff continued with direct staff engagements and solicited customer feedback to enhance and make improvements to the CTS interface, while continuing to provide additional functionality to enhance the audit tracking function of CTS in order to leverage the existing data and make reporting and fact finding more relevant. The Audit Tracking functionality offers streamlined workflow and provides productivity gains in the Audit Review process.

With the ongoing COVID-19 restrictions, IT continued to support all SEEC technological functionality remotely, which included the following:

- Enhanced e-Alerts for financial disclosure statements filed to eCRIS
- Enhanced document and filing search for eCRIS;
- Pilot Use of SharePoint for external customer enablement;
- Enhanced data integration with third party vendors working with eCRIS systems;
- Added online committee registration functionality for eCRIS; and

- Updated the State Contractor Contribution Ban Electronic Filing System.

Investigations and Enforcement

The Commission docketed 185 new cases in the current fiscal year. One hundred and twenty-one of the new cases were the result of sworn citizens' complaints with the remainder being from either a referral from a state or local election official or from a decision by the Commission to initiate a case investigation on its own motion. These matters involve a multitude of election issues, including matters of election administration, the process of voting, campaign finance laws and the Citizens' Election Program. The new cases do *not* include complaints filed with SEEC which allege facts that, even if accepted as true, would not have constituted violations of state election law. The Unit collected \$163,261 in late filing fees, civil penalties and forfeitures for violations of election laws, which were deposited in the General Fund.

Of the 121 new complaints docketed as a result of a sworn citizen's complaint during this fiscal year, the following municipalities had more than one complaint:

Danbury, Fairfield, Glastonbury, Greenwich, Hartford, Middletown, Norwalk, Orange, Southington, Stamford, Stonington, Torrington, West Hartford, Weston

SEEC closed a total of 172 docketed matters during the fiscal year. Of these, 60 were newly docketed cases and 112 were from prior years. Forty Commission decisions resulted in monetary penalty sanctions (civil penalties or forfeitures), 22 resulted in reprimands or orders to comply, 102 were dismissed with a finding of no violation or with no further action because adequate compliance was reached or there was insufficient evidence to make a determination. One of the dismissed matters was also referred to another enforcement agency. SEEC also administratively resolved 8 docketed matters, with 5 being removed from the docket due to the 1-year provision in General Statutes § 9-7b (g) (1), as revised by P.A. 17-2.