

State Elections Enforcement Commission



The Digest of Administrative Reports to the Governor

Fiscal Year 2022-2023

At a Glance

Agency: State Elections Enforcement Commission

Commission Members: Stephen Penny (Chair), Michael J. Ajello (Vice Chair), Shannon Bergquist, Gregory Piecuch

Established: 1974

Statutory Authority: Conn. Gen. Statutes §§ 9-7a, 9-7b

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

Number of Authorized Employees: 35

Recurring Operating Expenses - \$ 3,452,687.29

Organizational Structure: State Elections Enforcement Commission; Executive Director and General Counsel, Michael J. Brandi; Legal Program Director, Shannon C. Kief; Director of Disclosure and Audit, Salman Munir; Agency Information Technology Manager, Ryan J. White. Agency is organized into an Enforcement Unit, Compliance Unit, Fiscal, Administrative and Grant Payment Unit, Public Finance Unit, Campaign Disclosure & Audit Unit, and Information Technology Services.

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. The Commission's goal is to prevent violations from occurring through education and the disclosure of campaign finances and by enforcing election laws so as to 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 now include administering the Citizens' Election Program and developing and maintaining 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 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, 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.

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 2022 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 2022-2023

Public Campaign Financing

Connecticut's landmark public campaign financing program, the Citizens' Election Program, was successfully administered for the 2022-2023 timeframe, which included the 2022 regular election for Statewide and General Assembly candidates, and three special elections. The Program is financed by the Citizens' Election Fund (CEF), a separate, non-lapsing fund within the state's General Fund.

In fiscal year 2022-2023, the Commission issued \$ 21,114,439.70 in grant monies. This includes \$3,219,483.98 for primary grants and \$17,780,601.97 in general elections grant for 2022 election year. It also includes \$114,353.75 for five grants in three special elections in 2023.

Staff administered the return to the CEF of \$762,989.53 in surplus funds as part of the wrap-up of the 2022 election cycle and the 2022 and 2023 special elections.

In addition, in fiscal year 2022-2023, Audit staff completed fifty-one (51) post-election reviews of randomly selected General Assembly committees and five (5) post-election reviews of statewide committees that were presented to the Commission for consideration.

Also during the fiscal year, we completed our review and analysis of the treasurers and candidates we surveyed who participated in the CEP during the 2022 election cycle. Of those surveyed, 90% of treasurers and 86% of candidates were pleased with their experience using the Program. These rates are both increases from the prior cycle.

Compliance & Training

SEEC compliance attorneys and election officers work closely with candidates running for municipal, statewide, General Assembly, and judge of probate offices, providing candidates and campaign treasurers with materials and training necessary to understand Connecticut campaign finance laws and Program requirements.

SEEC published numerous handbooks, guides and other informational materials and provided virtual and in-person trainings for candidates and treasurers, town clerks and registrars of voters. The attorneys and elections officers answered approximately 4,144 compliance questions regarding state and local elections, referenda, fundraising and the Program. We responded to approximately 175 Freedom of Information requests as well.

The agency also managed to provide effective training with our online training options. We offered training modules for using our electronic campaign finance filing system, eCRIS, with each of these modules being viewed anywhere from 340 to 1,409 times during this fiscal year. We also monitored our online trainings for CEP candidates and treasurers, with each of these modules being viewed between 371 and 699 times. Our CEP training modules, which consists of 12 instructional videos made by subject matter experts, were viewed a total of 5,449 times during the fiscal year, averaging over 450 times per video. Finally, we continued to have municipal compliance training modules available online, which were each viewed between 491 and 4902 times.

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 over 200 calls on election day alone, and more than 80 for the primary.

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, as well as referenda and independent expenditure law, and to make SEEC the filing repository for all municipal filings. SEEC worked with the legislature on significant adjustments to the CEP aimed at increasing voluntary participation by gubernatorial candidates, which passed in HB 6942. The bill doubles the grants available to qualified gubernatorial candidates participating in the CEP, providing \$3.2 million for a primary, \$15.4 million for the general election and \$806,875 for a new pre-convention grant. The bill helps to restore the relevance of public financing to Connecticut's gubernatorial campaigns.

In addition, the agency works closely with the Attorney General's office to assess challenges to certain provisions of Connecticut campaign finance laws. The agency also works closely with other state law enforcement agencies and 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, General Assembly, or judge of probate offices, political committees formed to aid or promote the success or defeat of such candidates, and persons making independent expenditures for such candidates or for referenda on Constitutional questions.

Overall, for fiscal year ending 2023, we had approximately 1,262 entities registered with the SEEC: 496 candidates (397 candidate committees, ninety-nine (99) exemptions), fifty-eight (58) exploratory committees, 374 party committees, 331 other political committees—310 of which were traditional political committees and twenty-one (21) of which were independent expenditure political committees.

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.

Finally, throughout 2022, staff made a significant push to encourage candidate committees registering for the 2022 election cycle to register their committees electronically through eCRIS in order to ease the burden placed on Commission staff of having to process paper registrations, which requires manual data entry. We saw a vast increase in electronic registration because of these efforts – during the last statewide election cycle, in 2018, only 18% of candidate committees registered electronically whereas in 2022, 70% of committees opted for electronic registration.

Information Technology Systems and Services

During this fiscal year, the eCRIS Helpdesk handled over 2,761 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. 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:

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. IT staff continues to assist staff attorneys in responding to regular, frequent large-volume FOI requests from the public.

Investigations and Enforcement

The Commission docketed 101 new cases in the 2022-2023 fiscal year. Fifty-six (56) of the new cases were the result of sworn citizens' complaints and referrals from outside election officials. Forty-five (45) cases were initiated by the Commission on its own motion. These matters involve a multitude of election issues, including matters of election administration, the process of voting, campaign finance laws including non-filer matters and the Citizens' Election Program. The new cases do *not* include complaints filed with SEEC that were not docketed. The Unit collected \$30,935.02 in late filing fees, civil penalties and forfeitures for violations of election laws, which were deposited in the General Fund.

Of the 56 new cases docketed as a result of a sworn citizen's complaint or referral during this fiscal year, the following municipalities had more than one matter:

Branford, East Haven, Easton, Hartford, Milford, Naugatuck, New Haven, Norwalk, Norwich, Rocky Hill, South Windsor, Wolcott

SEEC closed a total of 142 docketed matters during the fiscal year. Of these, thirty-nine (39) were newly docketed cases and 103 were from prior fiscal years. Of the closures, forty-seven (47) resulted in monetary penalties or other forms of sanctions (civil penalties, forfeitures, or permanent or temporary prohibitions in serving specified campaign finance roles), twelve (12) resulted in reprimands or orders to comply, seventy-six (76) were dismissed with a finding of no violation or with no further action because either adequate compliance was reached or there was insufficient evidence to make a determination, four (4) were administratively closed, two (2) were dismissed for having exceeded the one-year time limit, and one (1) proceeded to a contested hearing that resulted in a final decision.