



# New Haven Democracy Fund

"To ensure that all the citizens of New Haven have a fair and meaningful opportunity to participate in the election of mayor."  
New Haven Code of General Ordinances, Chapter 2, Article XI, §2-821 • Established in 2007 • [democracyfund@newhavenct.net](mailto:democracyfund@newhavenct.net)



## Testimony

To: CT General Assembly's General Administration and Elections Commission

From: NHDF Administrator Kenneth J. Krayeske

Date: March 3, 2014

re: Senate Bill 228, An Act Establishing a Pilot Program for Municipal Campaign Finance Filings

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At the outset, I must note the New Haven Democracy Fund Board has not had an opportunity to deliberate on this matter and choose a policy preference, so I stand before the GAE Committee today individually as the Administrator of the New Haven Democracy Fund, Connecticut's only municipal public campaign finance system.

The New Haven Democracy Fund is a government ethics program built around the concept of data transparency. The Fund was created as part of a similar pilot project included in the Clean Elections Program. The CEP provided for three municipalities to create local public campaign financing programs. New Haven is the only city to do so, and the Fund began in 2006.

The Administrator oversees the day-to-day operations of the Fund. I began serving in this capacity on July 1, 2012, and I will finish my time as administrator, I believe, on June 30, 2014. As Administrator of the Democracy Fund, I wholly support this bill, and my experience demands I call for it to be more expansive and ambitious. I would love to see a mandatory phase-in for all 169 towns in Connecticut, as opposed to a voluntary pilot program for 20 towns.

To the best of my knowledge, the only municipal candidates who currently use e-CRIS with the State Elections Enforcement Commissions are those candidates running for mayor in New Haven who voluntarily participate in the New Haven Democracy Fund.

Providing a mechanism for municipal candidates to file digital records with e-CRIS has a few major advantages over the traditional printed SEEC Form 20s filed in paper in the City Clerk's office. First, City Clerks no longer have to store or manage the data. In my experience as a journalist and as Administrator, I have seen a vast differential of quality of record storage between town to town.

Second, forcing all municipal candidates to file with SEEC's e-CRIS provides that more candidates will follow the law. It is not just the threat of transparency, but the fact that e-CRIS has built in digital functions which guarantee compliance with the law. Improved programming could insure that candidates follow more campaign finance laws

more effectively. For example, if a donor gave more than the allowed amount, e-CRIS could reject that donor because of the too-high donation. There are many examples like this.

Third, mandatory participation in e-CRIS for all municipal candidates eliminates the outdated five-year document retention period in Connecticut General Statutes Section 9-608(c)(7). This section of law allows clerks to destroy municipal campaign finance data after five years.<sup>1</sup>

A short digression explains why this is so vital to end this short five-year data retention cycle. The policy of public campaign financing aims to increase participation in elections, both in terms of more voters and more donors, and to eliminate the perception of corruption and its corrosive effects on citizen trust in our institutions, and to end the idea pay-to-play in politics.

The Democracy Fund wants to generate hard statistical data about the efficacy of the Fund as a policy. The most effective way to do this would be to compare the two most heated races in New Haven in the past 15 years, say Sen. Martin Looney's 2001 campaign against incumbent Mayor John DeStefano, to the 2013 contest between Sen. Toni Harp and Alderman Justin Elicker. The problem is that those Looney-DeStefano records from 2001 were destroyed, legally under C.G.S. §9-608(c)(7).<sup>2</sup>

How are we to create a landscape and a comparison that shows us the efficacy of our policies without a large reservoir of data?

E-CRIS keeps records forever. Yet when one searches e-CRIS now, the only municipal office that appears in its drop down is Mayor, and the only candidates inhabiting that limited universe are Democracy Fund candidates. So Senator Harp's 2013 New Haven campaign finance records are only online as far as the New Haven town Clerk posts them. Since she was not a participating candidate in the Fund, she did not have to post her Form 20s with the SEEC. The New Haven Town Clerk has posted Sen. Harp's Form 20s on the city website, but they are not searchable.

A researcher, then, does not have ready access to quality digital data for municipal campaigns. This is not limited to New Haven, though. Say a researcher wants to explore the donors who gave Norwich Mayor Deb Hinchey \$66,000 or so in 2013, I have to go to Norwich, or hope that Norwich's Town Clerk posts the .pdfs of her form 20s, which, again, may not be searchable. We should be demanding more transparency of data, especially as campaigns get more expensive.

Or, say, a person wants to examine the past seven elections worth of data from Danbury Mayor Mark Boughton. They can't, because the Danbury town Clerk is only required by law to have two cycles on hand (pursuant to the five year law). Thus, as we

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1 It is worth noting that Connecticut is somewhere in the middle of the pack of States in regards to this law. Nevada requires campaign finance records to be stored permanently, some other states 15 or 10 years, and some other states 6 or 5 years. Connecticut, though, with its proud history of legislatively enacted campaign finance, should be taking a national lead in this category, and preserve all campaign finance data permanently.

2 If the GAE chooses not to forge a path towards digitization of all records, Raised Bill No. 91, An Act Modifying Records Retention for Certain Records in Electronic Form, could provide an opportunity to eliminate the short five-year campaign finance data retention cycle. Raised Bill No. 91, already heard by the GAE, could easily be amended to change this five year period.

walk into a contested gubernatorial election, the public debate is limited by the fact that we cannot know who funded Mayor Boughton's rise to power in Danbury.

The GAE can take steps by expanding this pilot program and bringing all towns under the umbrella, and, by asking SEEC to improve the quality of data on e-CRIS itself.

I mention the desirability of searchable data in creating hard evidence. Prof. Michael Malbin of the University of Albany-SUNY is the head of Campaign Finance Institute. He concluded New York City's Campaign Finance Board has been successful in allowing City Council candidates to attract more small dollar donors.<sup>3</sup>

In part, Prof. Malbin, a political scientist, was able to draw his conclusions because the NYC CFB online data portal provides instant access to electronically formatted data. It is my opinion after working the hotly contested 2013 New Haven mayoral election, that e-CRIS would be more effective a data portal for candidates and campaign finance researchers if it was more like the NYC CFB's portal.

Ideally, the Democracy Fund is able to create something like this for New Haven. But it would be much easier if the SEEC, through legislation, to work towards a standardization of data and permanent record retention. The transparency created by this would work to create more voter confidence in our civic institutions.

Thank you in advance for your time and cooperation

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<sup>3</sup> Campaign Finance Institute press release dated February 13, 2014, please see CFI Website at: <http://www.cfinst.org/Press/PReleases/14-02->

[13/Testimony\\_before\\_the\\_New\\_York\\_City\\_Campaign\\_Finance\\_Board\\_Says\\_Small\\_Donor\\_Matching\\_Funds\\_a\\_Success\\_but\\_the\\_City\\_Should\\_Look\\_at\\_Changes\\_Moving\\_Forward.aspx](http://www.cfinst.org/Press/PReleases/14-02-13/Testimony_before_the_New_York_City_Campaign_Finance_Board_Says_Small_Donor_Matching_Funds_a_Success_but_the_City_Should_Look_at_Changes_Moving_Forward.aspx)