

STATE OF CONNECTICUT



*AUDITORS' REPORT
OFFICE OF GOVERNMENTAL ACCOUNTABILITY
FISCAL YEARS ENDED JUNE 30, 2015 AND 2016*

AUDITORS OF PUBLIC ACCOUNTS
JOHN C. GERAGOSIAN ❖ ROBERT J. KANE

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EXECUTIVE SUMMARY

In accordance with the provisions of Section 2-90 of the Connecticut General Statutes we have audited certain operations of the Office of Governmental Accountability. The objectives of this review were to evaluate the office’s internal controls, compliance with policies and procedures, as well as certain legal provisions, and management practices and operations for the fiscal years ended June 30, 2015 and 2016.

The key findings and recommendations are presented below:

<p>Page 15</p>	<p>Our review of the Board of Firearms Permit Examiners found that the delay between an appellant’s hearing request and the scheduled hearing date did not meet the statutory standard. The Board of Firearms Permit Examiners should continue its efforts to reduce its hearing backlog to ensure compliance with Section 29-32b of the General Statutes. The board should retain copies of its appeal logs to measure its progress in reducing the backlog. (Recommendation 1.)</p>
<p>Page 16</p>	<p>The Office of State Ethics and the State Elections Enforcement Commission did not file annual reports as required by the General Statutes. The Office of State Ethics and the State Elections Enforcement Commission should file their annual reports required by the General Statutes in a timely manner. The reports should include all statutorily required information. OSE should seek legislation to combine the reporting requirements of Section 1-81(a)(6) and Section 1-92(f) of the General Statutes. (Recommendation 2.)</p>
<p>Page 18</p>	<p>We reviewed Core-CT user accounts for employees who terminated, transferred or retired during the audit period. We found that the State Elections Enforcement Commission did not disable 3 of 7 separated employee accounts at the time of our review. The State Elections Enforcement Commission should strengthen controls over access to Core-CT when employees terminate employment. The agency should add necessary steps to its separation procedures to ensure that it promptly disables employee access at the time of termination. (Recommendation 3.)</p>

STATE OF CONNECTICUT



AUDITORS OF PUBLIC ACCOUNTS

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February 26, 2020

AUDITORS' REPORT

INTRODUCTION

We have audited certain operations of the Office of Governmental Accountability in fulfillment of our duties under Section 2-90 of the Connecticut General Statutes. The scope of our audit included, but was not necessarily limited to, the years ended June 30, 2015 and 2016. The objectives of our audit were to:

1. Evaluate the office's internal controls over significant management and financial functions;
2. Evaluate the office's compliance with policies and procedures internal to the department or promulgated by other state agencies, as well as certain legal provisions; and
3. Evaluate the effectiveness, economy, and efficiency of certain management practices and operations, including certain financial transactions.

Our methodology included reviewing written policies and procedures, financial records, minutes of meetings, and other pertinent documents; interviewing various personnel of the office; and testing selected transactions. We obtained an understanding of internal controls that we deemed significant within the context of the audit objectives and assessed whether such controls have been properly designed and placed in operation. We tested certain of those controls to obtain evidence regarding the effectiveness of their design and operation. We also obtained an understanding of legal provisions that are significant within the context of the audit objectives, and we assessed the risk that illegal acts, including fraud, and violations of contracts, grant agreements, or other legal provisions could occur. Based on that risk assessment, we designed and performed procedures to provide reasonable assurance of detecting instances of noncompliance significant to those provisions.

We conducted our audit in accordance with the standards applicable to performance audits contained in Government Auditing Standards, issued by the Comptroller General of the United States. Those standards require that we plan and perform our audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides such a basis.

The accompanying Résumé of Operations is presented for informational purposes. This information was obtained from various available sources including, but not limited to, the office's management and the state's information systems, and was not subjected to the procedures applied in our audit of the office. For the areas audited, we identified:

1. Deficiencies in internal controls;
2. Apparent noncompliance with policies and procedures or legal provisions; and
3. Need for improvement in management practices and procedures that we deemed to be reportable.

The State Auditors' Findings and Recommendations in the accompanying report presents any findings arising from our audit of the Office of Governmental Accountability.

COMMENTS

FOREWORD

The Office of Governmental Accountability (OGA) was formed by Public Act 11-48, effective July 1, 2011, to consolidate the administrative functions of the following 9 agencies: Office of State Ethics (OSE), State Elections Enforcement Commission (SEEC), Freedom of Information Commission (FOIC), Judicial Review Council (JRC), Judicial Selection Commission (JSC), Board of Firearms Permit Examiners (BFPE), Office of the Child Advocate (OCA), Office of the Victim Advocate (OVA), and State Contracting Standards Board (SCSB). The Office of the Executive Administrator (OEA) of OGA performed administrative functions that included personnel, payroll, affirmative action, administrative and business office functions, and the information technology associated with these functions.

OGA operates under the provisions of Chapter 15a of the General Statutes, sections 1-300 to 1-302.

Significant Legislation

Public Act 16-2, May Special Session, removed funding for the OGA Office of the Executive Administrator (OEA). As a result, OEA closed as of July 1, 2016, and the OEA functions transferred to the Department of Administrative Services' Small Agency Resource Team (SmART) for the 6 remaining OGA agencies.

Public Act 16-3, May Special Session, removed the Office of State Ethics, State Elections Enforcement Commission and the Freedom of Information Commission from OGA, effective July 1, 2016.

Office of the Executive Administrator

Public Act 11-48 required the Governmental Accountability Commission to provide the Governor with a list of 3 candidates from which to appoint the executive administrator. Shelby J. Brown was appointed January 10, 2014, and served as the executive administrator through March 31, 2016. The position remained vacant through the end of the audit period.

Office of State Ethics

The Office of State Ethics (OSE) is authorized by and operates under Title 1, Chapter 10 of the General Statutes. Section 1-80 (a) of the General Statutes provides that the Office of State Ethics shall consist of an executive director, a general counsel, an ethics enforcement officer, and other staff. In addition, a Citizens Ethics Advisory Board was established within OSE.

The Citizens Ethics Advisory Board is composed of 9 members who serve 4-year terms. As of June 30, 2016, the members were as follows:

	<u>Term expires</u>
Appointed by the Governor:	
Reverend Tommie Lee Jackson	September 30, 2016
Daniel M. Young, Esq.	September 30, 2016
Dena M. Castricone	September 30, 2018
Appointed by the President Pro Tempore of the Senate:	
Kevin P. Johnston	September 30, 2022
Appointed by the Speaker of the House of Representatives:	
Richard D. Lang	September 30, 2019
Appointed by the Majority Leader of the Senate:	
Mary Bigelow, Vice Chair	September 30, 2021
Appointed by the Majority Leader of the House of Representatives:	
Nichelle Mullins	September 30, 2019
Appointed by the Minority Leader of the Senate:	
Charles F. Chiusano, Chair	September 30, 2021
Appointed by the Minority Leader of the House of Representatives:	
Cheryl Lipson	September 30, 2019
Others who served on the board during the audit period:	
General David W. Gay	
Herbert A. Grant	
Susan Gruen	
Roger L. Kemp	

Dennis Riley

Carol Carson served as executive director of OSE throughout the audited period.

State Elections Enforcement Commission

The State Elections Enforcement Commission (SEEC) operates by the authority of Sections 9-7a and 9-7b of the General Statutes.

Commission membership consists of 5 members appointed with the consent of the General Assembly and members shall be appointed for 3-year terms. It prohibits members from serving consecutive terms. As of June 30, 2016, members with their appointing authorities are as follows:

	<u>Term expires</u>
Appointed by the Governor: Patricia Stankevicius	June 30, 2017
Appointed by the President Pro Tempore of the Senate: Stephen T. Penny, Esq.	June 30, 2016
Appointed by the Speaker of the House of Representatives: Anthony J. Castagno, Chair	June 30, 2015*
Appointed by the Minority Leader of the Senate: Michael J. Ajello	June 30, 2018
Appointed by the Minority Leader of the House of Representatives: Salvatore Bramante, Vice Chair	June 30, 2018

*Section 9-7a(2) allows for members to serve until their successor is appointed and has qualified.

Michael Brandi has served as the executive director and general counsel of SEEC since February 10, 2012, and served throughout the audited period.

Freedom of Information Commission

The Freedom of Information Commission (FOIC) operates by the authority of Section 1-205 of the General Statutes.

Commission membership consists of 9 members, 5 of which are appointed by the Governor with the advice and consent of either house of the General Assembly for terms of 4 years, and 4 members are appointed by the Senate President, House Speaker, and Senate and House Minority Leaders for 2-year terms. As of June 30, 2016, members with their appointing authorities are as follows:

	<u>Term expires</u>
Appointed by the Governor:	
Owen P. Eagan, Chair	June 30, 2019
Michael Daly	June 30, 2020
Jay A. Shaw	June 30, 2018
Lenny T. Winkler	June 30, 2020
Sean McElligott	June 30, 2019
Appointed by the President Pro Tempore of the Senate:	
Christopher P. Hankins	June 30, 2017
Appointed by the Speaker of the House of Representatives:	
Ryan P. Barry	June 30, 2017
Appointed by the Minority Leader of the Senate:	
Jonathan Einhorn	June 30, 2019
Appointed by the Minority Leader of the House of Representatives:	
Matthew E. Streeter	June 30, 2019
Others who served the commission during the audit period:	
Francis J. Brady, Esq.	

Colleen Murphy has served as the executive director and general counsel of FOIC since February 1, 2006.

Judicial Review Council

Section 51-51k of the General Statutes provides for a Judicial Review Council (JRC). Scott J. Murphy was executive director of the Council through August 28, 2014. Dennis O'Connor was appointed as executive director and continued to serve throughout the audited period. The executive director is hired by JRC to manage its functions and duties.

The Judicial Review Council consists of 12 members and 13 alternate members appointed by the Governor with the approval of the General Assembly. JRC is empowered to hear complaints about the conduct of judges, perform investigations, and censure or suspend judges if necessary. Members receive no compensation for their services. JRC members serve 4-year terms while alternate members serve 3-year terms.

The composition of JRC and alternate members as of June 30, 2016, is as follows:

Council Members:

Three Superior or Appellate Court Judge Members:

Honorable Hillary Strackbein
Honorable Barbara N. Bellis
Honorable Frank Iannotti

Three Attorney Members:

Barbara D. Aaron, Esq.
Richard T. Meehan, Esq., Chair
Genea O. Bell, Esq.

Six Public Members:

Patricia LeBel-Lasse
John Soto
Jay A. Dirnberger
Clarence R. Grebey, III
Kenneth H. Neal, Jr.
Lawrence Goldman

Alternate Members:

Judge Members:

Honorable Jose A. Suarez
Honorable Maureen M. Keegan

Attorney Members:

Mark D. Leighton, Esq.
Vacancy

Public Members:

Ervin Gerveni
Motkue Bowles
David A. Roche

Family Support Magistrate Members:

Honorable Frederic Gilman
Honorable Jane K. Grossman
Honorable Norma I. Sanchez-Figueroa

Workers' Compensation Commissioner (WCC) Members:

WCC Scott A. Barton
WCC Randy L. Cohen
WCC Jodi M. Gregg

Others who served the Council during the audit period:

Honorable Joan K. Alexander
Martin B. Burke, Esq.
Honorable Julia D. Dewey
Honorable Kevin G. Dubay
Russell L. London, Esq.
Honorable John J. Nazzaro
Carl M. Porto, Esq.

Judicial Selection Commission

The Judicial Selection Commission (JSC) was established under the authority of Article XXV of the Amendments to the Constitution of the State of Connecticut. Additional authority is provided in Section 51-44a of the General Statutes. Section 51-44a provides that the commission shall seek, evaluate, and recommend qualified candidates to the Governor for consideration in nominating new judges. This section also provides that the commission evaluate incumbent judges seeking re-nomination or nomination to a different court. Except for elected judgeships (probate judges), the Governor nominates judges for all state courts exclusively from the commission's approved list.

Per Section 51-44a of the General Statutes, JSC consists of 12 members. The commission members serve for 3-year terms and until their successors are appointed and have qualified or 90 days after the completion of their terms, whichever is earlier. Members and appointments as of June 30, 2016, are as follows:

	<u>Term expires</u>
Appointed by the Governor:	
Frank Alvarado	March 5, 2017
Robert S. Bello, Chair	February 18, 2019
Audrey B. Blondin, Esq.	December 9, 2016
Clifford Leach, Esq.	June 30, 2018
Joseph McGee	June 8, 2019
Pamela Sawyer	March 5, 2018
Appointed by the President Pro Tempore of the Senate:	
Joel Rudikoff, Esq.	April 30, 2017
Appointed by the Senate Majority Leader:	
Reverent Dr. Lindsay Curtis	April 9, 2018
Appointed by the Senate Minority Leader:	
Phillip W. Ryan	January 18, 2019
Appointed by the Speaker of the House of Representatives:	
Cara Passaro	October 19, 2018

Appointed by the Majority Leader of the House of Representatives:

William Watson III, Esq.

April 25, 2016

Appointed by the Minority Leader of the House of Representatives:

Sarah Fryxell, Esq.

February 16, 2019

Others who served the council during the audit period:

David Cappiello

Stephen J. Conover, Esq.

Eric J. George, Esq.

Ulysses B. Hammond

Andrea Jackson-Brookes

Milagros T. Limson

Maureen Magnan

Ndidi Moses, Esq.

Ann Gimmartino served as manager of operations of JSC throughout the audited period.

Board of Firearms Permit Examiners

The Board of Firearms Permit Examiners (BFPE) operates under Title 29, Chapter 529, Section 29-32b of the General Statutes.

The function of the BFPE is to hear appeals of any person aggrieved by any refusal to issue or renew a permit or certificate under the provisions of section 29-28 (local chief of police, warden of the borough, or first selectman) or 29-36f (commissioner of emergency services and public protection); or by any limitation or revocation of such permit or certificate; or by refusal to provide an application for such permit or certificate. On such appeal, the board is required to inquire into and determine the facts and, unless it determines that such refusal, limitation, or revocation would be for just cause, it shall order such permit or certificate to be issued, renewed, or restored or the limitation modified or rescinded.

Under the provisions of Section 29-32b, (a) of the General Statutes, the 9 members of the BFPE are appointed by and serve terms concurrently with the Governor until their successors are appointed and qualify. Members of the board are not compensated for their services, but are reimbursed for reasonable expenses incurred in performing their duties. As of June 30, 2016, the board was comprised of the following members, along with the agencies or organizations that nominated them:

Ye Connecticut Gun Guild, Inc.

Peter Kuck

The Connecticut State Rifle and Revolver Association, Inc.

Vacant

Commissioner of Emergency Services and Public Protection
Gudrun K. Johnson

Connecticut State Association of Chiefs of Police
Chief Carl Rosensweig

Commissioner of Energy and Environmental Protection
Colonel Kyle E. Overturf, Board Secretary

Commissioner of Mental Health and Addiction Services
Dr. Charles C. Dike

Chief Court Administrator:
Vacant, Retired judge of the Superior Court

Public Members:
Frank P. Blando, Esquire, Chair
James A. Greer II, Esquire

Others who served the Council during the audit period:
Dr. S. David Bernstein
Craig C. Fishbein, Esquire

BFPE consisted of an office manager and assistant during the audited period.

Office of the Child Advocate

The Office of the Child Advocate (OCA) operates primarily under the provisions of Title 46a, Chapter 813a of the General Statutes, sections 46a-13k to 46a-13s.

The purpose of OCA is to safeguard the legal and civil rights of children who reside in the state. This includes evaluating the procedures for and delivery of services to children by state agencies and those entities that receive state funds, investigating complaints about services for children, and various other activities specified in the statutes.

The child advocate is appointed by the Governor, based on the advice of the office's advisory committee, and is also a classified employee subject to civil service rules. Sarah Healy Eagan, Esq., became the child advocate on September 9, 2013 and served in that capacity throughout the audited period.

As provided in Section 46a-13r of the General Statutes, there exists an advisory committee for OCA. The advisory committee shall prepare and submit to the Governor a list of candidates for appointment of the Child Advocate. Membership consists of 7 members appointed to 5-year terms. As of June 30, 2016, the members with their appointing authorities were as follows:

	<u>Term expires</u>
Appointed by the Governor: Jeanne Milstein	June 30, 2016
Appointed by the President Pro Tempore of the Senate: Shelley Geballe	June 30, 2016
Appointed by the Speaker of the House of Representatives: Rudolph Brooks	June 30, 2016
Appointed by the Majority Leader of the Senate: Attorney Joel Rudikoff	June 30, 2016
Appointed by the Majority Leader of the House of Representatives: Vacant	
Appointed by the Minority Leader of the Senate: Catherine Cook	June 30, 2017
Appointed by the Minority Leader of the House of Representatives: John Fenton	June 30, 2016

In addition, there exists a Child Fatality Review Panel in accordance with Section 46a-137 (b), of the General Statutes. The panel consists of 13 permanent members. As of June 30, 2016, the members were:

Child Advocate

Sarah Healy Eagan, J.D., Co-Chair

Commissioner of Children and Families designee

Ken Mysogland, MSW

Commissioner of Public Health designee

Margie Hudson, R.N., MPH

Commissioner of Emergency Services and Public Protection designee

Lt. Seth Mancini, Esq.

Chief Medical Examiner designee

Susan Williams, M.D.

Chief State's Attorney designee

Anne Mahoney, Esq.

Appointed by the Governor:

Kirsten Bechtel, M.D., Pediatrician, Co-Chair

Appointed by the President Pro Tempore of the Senate:
Deputy Chief Jack Reed, Law Enforcement

Appointed by the Speaker of the House of Representatives:
Giuseppina M. Violano, Ph.D., Community Service Group Representative

Appointed by the Majority Leader of the Senate:
Attorney Andrea Barton Reeves

Appointed by the Minority Leader of the Senate:
Thomas C. Michalski, Jr., LCSW

Appointed by the Majority Leader of the House of Representatives:
Regina Wilson, Ph.D., Psychologist

Appointed by the Minority Leader of the House of Representatives:
Steven Craig Rogers, M.D., Injury Prevention Representative

There are 3 additional temporary members with particular expertise who were also selected by a majority of the panel:

Ted Rosenkrantz, M.D., Neonatal-Perinatal practitioner
Tonya Johnson, domestic violence representative
Michael Soltis, M.D., child abuse physician

Office of the Victim Advocate

Section 46a-13b of the General Statutes charges the Office of Victim Advocate (OVA) to ensure the statutory and state constitutional rights of victims of crimes.

Section 46a-13h of the General Statutes provides for the advisory committee. The advisory committee consists of 7 members. As of June 30, 2016, the committee with their appointing authorities consisted of:

	<u>Term expires</u>
Appointed by the Governor: Michael Lawlor	June 30, 2016
Appointed by the President Pro Tempore of the Senate: Emily Landers	February 28, 2017
Appointed by the Speaker of the House of Representatives: Vacant	
Appointed by the Majority Leader of the Senate: Dina Berlyn, Esquire	June 30, 2017

Appointed by the Majority Leader of the House of Representatives:
Vacant

Appointed by the Minority Leader of the Senate:
Leonard F. Suzio June 30, 2018

Appointed by the Minority Leader of the House of Representatives:
Dawn Luddy June 30, 2016

Others who served the Committee during the audit period:
Brenda Jones Barnes
Cathy Malloy

The state victim advocate is appointed by the Governor based on the advice of the advisory committee. Garvin Ambrose was appointed on March 15, 2013 and served in the capacity until July 25, 2014. Natasha M. Pierre, Esquire has been the state victim advocate since December 26, 2014.

State Contracting Standards Board

The State Contracting Standards Board (SCSB) operates under Chapter 62 of the General Statutes, Sections 4e-1 to 4e-50.

Section 4e-2 of the General Statutes established SCSB to consist of 14 members whose terms are coterminous with the terms of their appointing authority. The Governor appoints the chairperson. The members were as follows on June 30, 2016:

Appointed by the Governor:
Claudia Baio, Chair
Alfred Bertoline
Bruce Buff
Lawrence Fox
Albert Ilg
Jean Morningstar
Robert Rinker
Brenda Sisco

Appointed by President Pro Tempore of the Senate:
Salvatore Luciano

Appointed by Speaker of the House of Representatives:
Charles W. Casella, Jr.

Appointed by Majority Leader of the Senate:
Donna Karnes

Appointed by the Majority Leader of the House of Representatives:
Stuart Mahler

Appointed by the Minority Leader of the Senate:
Thomas Ahneman

Appointed by the Minority Leader of the House of Representatives:
Roy Steiner

Section 4e-2(f) of the General Statutes states that the Governor shall appoint the executive director of the board. David Guay has served as executive director of SCSB since October 18, 2013.

Section 4e-2(g) of the General Statutes states that SCSB shall appoint a chief procurement officer for a term not to exceed 6 years. Julia K. L. Marquis resigned on March 16, 2017 and the board has not appointed a replacement.

RÉSUMÉ OF OPERATIONS

General Fund Receipts

General Fund receipts during the fiscal years ended June 30, 2014, 2015, and 2016 are presented below:

	<u>2013-2014</u>	<u>2014-2015</u>	<u>2015-2016</u>
Recording Fees	\$ 93,698	\$ 855,316	\$ 113,181
Civil Penalties Imposed	64,088	117,543	90,307
Late fee – Elections/Financial Disclosure	29,573	36,300	21,100
Other	<u>10,707</u>	<u>327</u>	<u>3,738</u>
Total General Fund Receipts	<u>\$ 198,066</u>	<u>\$ 1,009,486</u>	<u>\$ 228,326</u>

Recording fees consist mainly of lobbyist fees. The increase in fiscal year 2015 reflects the lobbyist registration fee imposed by Section 1-95 of the General Statutes for a 2-year period beginning in January of each odd-numbered calendar year. Lobbyists who commenced lobbying activities in an even-numbered year are required to pay half the normal fee in that year

General Fund Expenditures

General Fund expenditures during the fiscal years ended June 30, 2014, 2015, and 2016 are presented below:

	<u>2013-2014</u>	<u>2014-2015</u>	<u>2015-2016</u>
Personal Services	\$7,280,942	\$7,760,626	\$8,132,929
Purchased and Contracted Services	<u>713,668</u>	<u>809,170</u>	<u>580,173</u>
Total General Fund Expenditures	<u>\$7,994,610</u>	<u>\$8,569,796</u>	<u>\$8,713,102</u>

Capital Equipment Purchase Fund Expenditures

Expenditures from the Capital Equipment Purchase Fund totaled \$67,073, \$54,803 and \$0 for the fiscal years ended June 30, 2014, 2015 and 2016, respectively. These expenditures were primarily for IT hardware and office equipment purchases.

Special Revenue Funds – Federal and Other Restricted Accounts

The Citizens’ Election Fund is non-lapsing. It is funded primarily from proceeds from the sale of unclaimed property in the state’s custody. In compliance with subsection (a)(2) of Section 3-69a of the General Statutes, the State Treasurer transfers the required amount to the Citizens’ Election Fund, which is restricted for the expenditures of the Citizens’ Election Program. The fund balances were \$21,566,312, \$8,437,988, and \$11,981,455 at June 30, 2014, 2015, and 2016, respectively. Receipts during the audited period, including the required transfers, are summarized below.

	<u>2013-2014</u>	<u>2014-2015</u>	<u>2015-2016</u>
Transfer from General Fund	\$11,083,065	\$11,282,938	\$11,349,883
Interest	39,233	16,180	31,143
Contributions to Fund	<u>194,392</u>	<u>221,114</u>	<u>92,753</u>
Total Citizens’ Election Fund Receipts	<u>\$11,316,690</u>	<u>\$11,520,232</u>	<u>\$11,413,779</u>

A comparison of expenditures for the Citizens’ Election Fund for the audited period is presented below:

	<u>2013-2014</u>	<u>2014-2015</u>	<u>2015-2016</u>
Representative Campaign Grants	\$ 961,719	\$ 4,662,612	\$ 418,849
Senate Campaign Grants	439,879	4,556,377	80,887
Statewide Campaign Grants	<u>8,652,564</u>	<u>13,185,957</u>	<u>(23,328)</u>
Total Citizens’ Election Fund Expenditures	<u>\$10,054,162</u>	<u>\$22,404,946</u>	<u>\$ 476,408</u>

Expenditures are dependent on the election cycle. The 2014-2015 fiscal year included the election for Governor and constitutional officers, which resulted in an increase in statewide campaign grants.

STATE AUDITORS' FINDINGS AND RECOMMENDATIONS

Our examination of the records of the Office of Governmental Accountability disclosed the following 3 findings and recommendations, of which 2 have been repeated from the previous audit:

Board of Firearms Permit Examiners' Hearing Backlog:

Background: Subsection (b) of Section 29-28 of the General Statutes states that individuals may apply for a state permit to carry a pistol or revolver through their local authorities who may deny or issue a temporary 60-day permit, pending further review by the Department of Emergency Services and Public Protection (DESPP). Decisions to deny a permit at either the local or state level may be appealed to the Board of Firearms Permit Examiners.

The Board of Firearms Permit Examiners schedules 13 denials of permit applications and 14 revocations of permits per board meeting. The board holds one or two meetings a month.

Criteria: Section 29-32b (b), (c), and (d) of the General Statutes indicate that the Board of Firearms Permit Examiners should schedule a hearing within ten days of receiving an appeal at such time and place as it reasonably determines to be required, but not less than once every ninety days. While an appeal is pending, the board may request such additional information from the appellant and the issuing authority as it deems reasonably necessary to conduct a fair and impartial hearing.

Condition: Our review found the delay between an appellant's hearing request and the scheduled hearing date did not meet the statutory "reasonably determines" standard. The backlog as of May 1, 2019 is 615 cases (501 revocations and 114 denials). Based on this backlog and case scheduling, it would take 36 meetings to resolve the revocations and 9 meetings to resolve the denials. Based on the meetings scheduled at the time of our review, the last revocation case in the backlog would be heard on February 4, 2021, and the last denial case would be heard on October 3, 2019. In addition, the board does not retain historical copies of the appeal log. Therefore, we were unable to determine the backlog at prior dates.

Effect: The considerable delay between the receipt of a request for an appeal and the related hearing or negotiated DESPP settlement may deny appellants their right to a timely hearing.

Cause: The number of firearm permit revocations and permit denials has been increasing. The only way a permit holder can appeal a revocation is through the board.

Prior Audit Finding: This finding has been previously reported in the last 5 audit reports covering 2001 to 2014.

Recommendation: The Board of Firearms Permit Examiners should continue its efforts to reduce its hearing backlog to ensure compliance with Section 29-32b of the General Statutes. The board should retain copies of its appeal logs to measure its progress in reducing the backlog. (See Recommendation 1.)

Board of Firearms Permit Examiners Response:

“The Board agrees with the audit recommendation and is diligently working to reduce the backlog. However, the revocations from 2015 to 2019 have increased over 53% from 291 in 2015 to 446 in 2019.

The Board has agreed to meet more often and to hear more cases with a goal to reduce the backlog. In 2019 we scheduled 19 Board hearings. In the year 2020 we have 21 Board hearings scheduled. We have increased the number of scheduled appellants from 25 cases in 2018 to 27 cases in 2019/2020. The Board will continue to be cognizant of the backlog and with the cooperation of the Department of Emergency Services and Public Protection continue to review cases that can be resolved prior to the hearing.”

Reporting Deficiencies of the Office of State Ethics and State Elections Enforcement Commission:

Background: The Office of Governmental Accountability is mandated by various sections of the General Statutes to submit numerous reports. The designated recipients of those reports may be the Governor, the General Assembly, or various legislative committees. These reports provide necessary information to facilitate executive and legislative oversight of the office’s activities.

Criteria: Section 4-60 of the General Statutes requires each budgeted agency to provide a report to the Governor of its activities of the previous fiscal year. The Governor then provides these reports to the Commissioner of Administrative Services for annual publication by December 1st.

Section 9-7a (c) of the General Statutes requires that the State Elections Enforcement Commission report the “action it has taken including, but not limited to a list of all complaints investigated by the commission and the disposition of each such complaint, by voting districts, where the alleged violation occurred; the names, salaries and duties of the

individuals in its employ and the money it has disbursed” to the General Assembly and Governor each fiscal year.

Section 9-716 (a) of the General Statutes requires that “not later than June 1, 2007, and annually thereafter, the State Elections Enforcement Commission shall issue a report on the status of the Citizens’ Election Fund during the previous calendar year. Such report shall include the amount of moneys deposited in the fund, the sources of moneys received by category, the number of contributions, the number of contributors, the amount of money expended by category, the recipients of moneys distributed from the fund and an accounting of the costs incurred by the commission in administering the provisions of this chapter.”

Section 1-81(a)(6) and Section 1-92(f) of the General Statutes require that Office of State Ethics shall “report annually, not later than February fifteenth, to the Governor summarizing the activities of the Office of State Ethics.”

Condition:

The State Elections Enforcement Commission did not file its Section 4-60 report for the fiscal year ended June 30, 2015. In addition, SEEC did not file reports required by Section 9-716(a) and Section 9-7a(c) of the General Statutes for the fiscal years ended June 30, 2015 and 2016.

The Office of State Ethics did not file its reports required by Section 1-81(a)(6) and Section 1-92(f) of the General Statutes for the fiscal years ended June 30, 2015 and 2016.

Effect:

The commission and office did not provide information to public officials in a timely manner. They did not comply with the General Statutes, because they did not file their required reports.

Cause:

The reduction in available staff may have contributed to the reports not being filed.

Prior Audit Finding:

This finding has been previously reported in the last audit report for the Office of Governmental Accountability covering 2012 to 2014 and in the last audit report for the State Elections Enforcement Commission covering 2009 to 2011.

Recommendation:

The Office of State Ethics and the State Elections Enforcement Commission should file their annual reports required by the General Statutes in a timely manner. The reports should include all statutorily required information. OSE should seek legislation to combine the reporting requirements of Section 1-81(a)(6) and Section 1-92(f) of the General Statutes. (See Recommendation 2.)

Office of the State Ethics Response:

“The Office of State Ethics experienced significant reductions in staffing during this period and did not have the sufficient staff to complete reports required by Section 1-81(a)(6) and Section 1-92(f).”

State Elections Enforcement Commission Response:

“Due to staffing shortages and election related backlog of cases, and a major contested court action which required significant staff resources, the agency was unable to timely submit these reports.”

Access to Core-CT upon Termination of State Elections Enforcement Commission Employees:

Criteria:

The Core-CT Security Liaison Guide requires agency security liaisons to immediately request deletion of Core-CT access upon notice of an employee’s termination, retirement, or transfer. The guide further instructs liaisons to reset passwords to immediately lock out user account access upon notice of separation.

Condition:

We reviewed 7 Core-CT user accounts for employees who separated their employment during the audit period. We found that the State Elections Enforcement Commission did not disable 3 of those employee accounts at the time of our review. SEEC disabled 3 of the other 4 accounts 35 to 86 days after the employee’s separation.

Effect:

There is an increased risk of unauthorized access to Core-CT and possible manipulation or destruction of data.

Cause:

The State Elections Enforcement Commission did not follow established procedures.

Prior Audit Finding:

This finding has not been previously reported.

Recommendation:

The State Elections Enforcement Commission should strengthen controls over access to Core-CT when employees terminate employment. The agency should add necessary steps to its separation procedures to ensure that it promptly disables employee access at the time of termination. (Recommendation 3.)

State Elections Enforcement Commission Response:

“This role was previously performed by the OGA, and with our new statutory independence, increased controls over CORE-CT have been implemented by SEEC.”

RECOMMENDATIONS

Status of Prior Audit Recommendations

Our prior audit report on the Office of Governmental Accountability contained 8 recommendations. Six have been implemented or otherwise resolved and 2 have been repeated or restated with modifications during the current audit.

- The Board of Firearms Permit Examiners should continue its efforts to reduce the hearing backlog to ensure compliance with Section 29-32b of the General Statutes. **This recommendation is being repeated. (See Recommendation 1.)**
- Agencies of the Office of Governmental Accountability should file reports required by Section 4-60 of the General Statutes. The State Elections Enforcement Commission should file its annual report in a timely manner, as required by Section 9-7a(c) of the General Statutes. The report should include all statutorily required information. **This recommendation is being repeated. (See Recommendation 2.)**
- The State Elections Enforcement Commission should comply with Section 5-208a of the General Statutes regarding dual employment by ensuring that the dual employment request form is signed by both agencies prior to the employee working at the secondary agency. **Although the Office of Governmental Accountability performed payroll and human resource functions for each of the 9 entities, when the office was split at the end of our audit period, we were not able to obtain supporting documentation to review these functions. This recommendation will not be repeated.**
- The Office of Governmental Accountability, the State Elections Enforcement Commission, and the Office of the Victim Advocate should ensure that overtime is approved in advance by employees' supervisors and retain the forms for audit purposes. **As of the end of this audit period, the Department of Administrative Services began providing payroll and human resource services for the Office of Governmental Accountability. We determined the level of overtime to be immaterial for all 9 entities, therefore, we did not review overtime. This recommendation will not be repeated.**
- The Office of State Ethics and the State Elections Enforcement Commission should ensure that their CO-59 forms include all required items and that the items are reported accurately. **When the office was split at the end of our audit period, the Department of Administrative Services began providing fiscal services for the Office of Governmental Accountability. We were unable to obtain documentation supporting the amounts reported by the Office of Governmental Accountability on its CO-59 forms for the audit period. This recommendation will not be repeated.**

- The State Elections Enforcement Commission should remind its employees on a regular basis to comply with the state's Acceptable Use of State Systems Policy by not misusing state equipment. **This recommendation has been resolved.**
- The State Elections Enforcement Commission should maintain a complete and accurate record of all accounts receivable due, including the length of time the receivable has been outstanding. Furthermore, the commission should ensure that all accounts are properly pursued. **This recommendation has been resolved.**
- The Freedom of Information Commission should enter into a memorandum of understanding with the Department of Administrative Services detailing its disaster recovery plan. **This recommendation has been resolved.**

Current Audit Recommendations

- 1. The Board of Firearms Permit Examiners should continue its efforts to reduce its hearing backlog to ensure compliance with Section 29-32b of the General Statutes. The board should retain copies of its appeal logs to measure its progress in reducing the backlog.**

Comment:

Even though the Board of Firearms Permit Examiners increased the frequency of hearings and the number of cases heard, there continues to be a significant backlog of cases. The considerable delay between the receipt of a request for an appeal and the related hearing or negotiated DESPP settlement may deny appellants their right to a timely hearing.

- 2. The Office of State Ethics and the State Elections Enforcement Commission should file their annual reports required by the General Statutes in a timely manner. The reports should include all statutorily required information. OSE should seek legislation to combine the reporting requirements of Section 1-81(a)(6) and Section 1-92(f) of the General Statutes.**

Comment:

The State Elections Enforcement Commission did not file its Section 4-60 report for the fiscal year ended June 30, 2015. In addition, SEEC did not file reports required by Section 9-716(a) and Section 9-7a(c) of the General Statutes for the fiscal years ended June 30, 2015 and 2016.

The Office of State Ethics did not file its reports required by Section 1-81(a)(6) and Section 1-92(f) of the General Statutes for the fiscal years ended June 30, 2015 and 2016.

- 3. The State Elections Enforcement Commission should strengthen controls over access to Core-CT when employees terminate employment. The agency should add necessary steps to its separation procedures to ensure that it promptly disables employee access at the time of separation.**

Comment:

We reviewed Core-CT user accounts for employees who terminated, transferred or retired during the audit period. We found that the State Elections Enforcement Commission did not disable 3 of 7 separated employee accounts at the time of our review. SEEC disabled 3 of the other 4 accounts 35 to 86 days after the employee's separation.

ACKNOWLEDGMENTS

The Auditors of Public Accounts would like to recognize the auditors who contributed to this report:

Martha Escudero
Mark Fortin
Patrick Tierney

CONCLUSION

In conclusion, we wish to express our appreciation for the courtesies and cooperation extended to our representatives by the personnel of the Office of Governmental Accountability during the course of our examination



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Associate Auditor

Approved:



John C. Geragosian
State Auditor



Robert J. Kane
State Auditor