



# 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



## DEMOCRACY FUND Emergency Meeting

**8:00 pm Monday, November 6, 2023**

**Virtual via Zoom**

New Haven Democracy Fund Board, Sergio Rodriguez, Chair; William Wynn, Vice Chair

Members: Aaron Goode, James O'Connell, Lesley Heffel-McGuirk, Sarah Ficca, one vacant seat

Democracy Fund Administrator: Alyson Heimer

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To join the meeting please use one of the options below:

Web Browser: <https://us02web.zoom.us/j/82382679039> ; Meeting ID: 823 8267 9039

Phone: Please dial by your location

+1 301 715 8592 US (New Haven, CT) Meeting ID: 823 8267 9039

+1 312 626 6799 US (Outside New Haven) Meeting ID: 823 8267 9039

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### Minutes:

- I. Called to Order at 6:04pm. All members were in attendance virtually via Zoom.
- II. Public Comment
  - A. John Carlson restated his complaint as filed. He highlighted areas of the mailer that called a voter to support the candidate for office and areas of the mailer that asked for a voter to vote yes on the ballot question.  
See the mailer in question as an attachment to these minutes.
  - B. Mayor Elicker responded to the complaint and highlighted that it was a position piece about his take on the ballot question, the support of which has been part of his overall platform.
  - C. Susan Metrick highlighted the timeline of purchasing the mail piece in question, noting that they had not been given a check for the matching funds nor grant when the mail piece was ordered.
    - 1. Member Goode noted that this may not matter as the ordinance clearly states no funds may be used for the promotion of a ballot question and all campaign expenditures must relate to the candidate.
  - D. Michael Farina reiterated that the campaign had a few major positions that were important to convey to the public that define and differentiate the candidate from the opposition. This piece's intention was to showcase the candidate's position.



- III. Discussion regarding Complaint: John Carlson Vs. Elicker 2023
- IV. Executive session (if required) motioned by Sergio Rodriguez, Seconded by Jim O'Connell.
- V. Return from executive session
- VI. Motion to respond to complaint made by Sergio Roriguez.

**The Democracy Fund Board hears the concerns of John Carlson, the complainant, and the public views on this issue. The Board also understands that the Elicker Campaign sought the advice of the Administrator and the SEEC. The Democracy Fund Board has determined that it would be unfair to draw any conclusions without further investigation. The Democracy Fund is cognizant of our responsibility to conduct careful deliberation and not make any hasty decisions on the eve of an election. There are some matters of fact and law that require further investigation that cannot be completed at this time. The Administrator will issue a written request for additional information from the campaign for supplemental documentation.**

Unanimousl approved, 6-0-0.

A request for clarity on the call for an executive session was requested by member of the public Leslie Radcliff, and under Conn. Gen. Stat. § 1-225 (f): A public agency may hold an executive session as defined in subdivision (6) of section 1-200, upon an affirmative vote of two-thirds of the members of such body present and voting, taken at a public meeting and stating the reasons for such executive session, as defined in section 1-200.

The referenced subsection includes a provision accepting that any pending claim or litigation might need to be discussed privately by a board.

Member Goode referenced a pending case in the CT supreme court case Markley and Sampson Vs. State Elections Enforcement Commission (admin note: more information for which can be found [here](#) and [here](#)).

The arguments are exceedingly similar between the current claim being made by Mr. Carlson and the response from Mayor Elicker. The similarity at issue of campaign freedom of speech vs. elective participation in a self-limiting campaign finance program cannot be overstated.

Further discussion will occur at the next regular board meeting for the New Haven Democracy Fund.

- VII. Adjournment at 9:38pm.

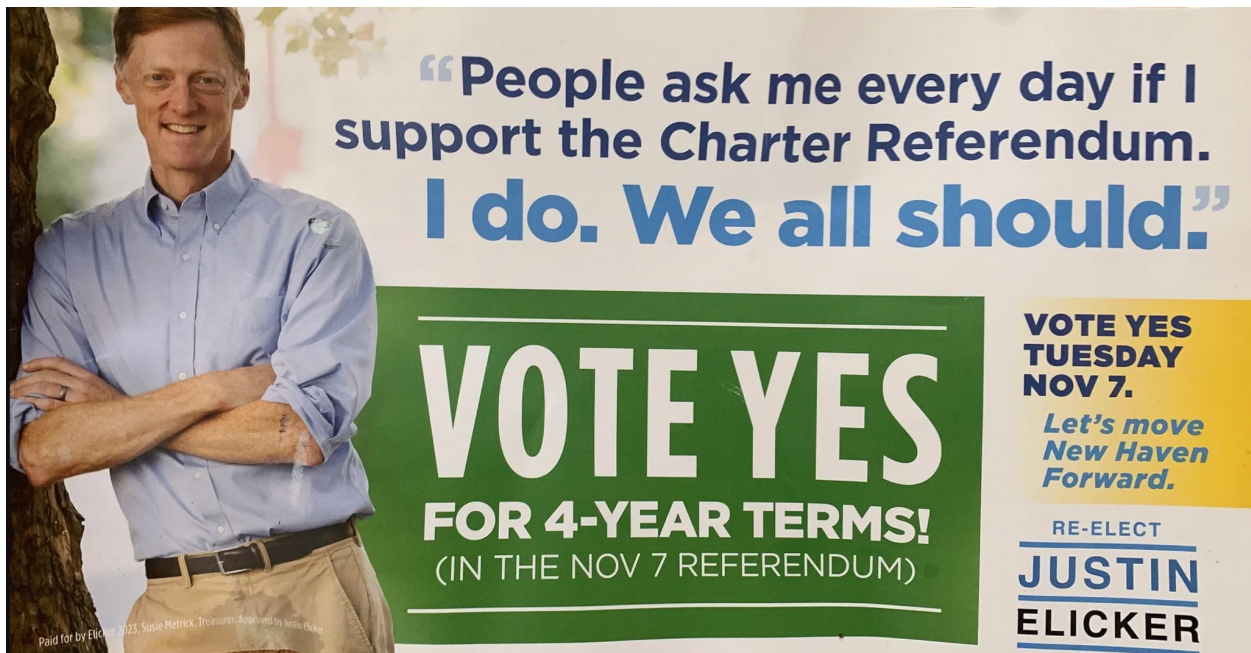


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Attachment 1: Mailer from the Elicker for Mayor Campaign



**“People ask me every day if I support the Charter Referendum. I do. We all should.”**

**VOTE YES FOR 4-YEAR TERMS!**  
(IN THE NOV 7 REFERENDUM)

**VOTE YES TUESDAY NOV 7.**  
*Let's move New Haven Forward.*

RE-ELECT  
**JUSTIN ELICKER**

Paid for by Elicker for Mayor 2023, Susie Metrick, Treasurer. Approved by Robin Pliska