February 7, 2024

Chairwoman Nancy DiNardo
Executive Director Sarah Locke
Connecticut Democratic Party
750 Main Street, Suite 1108-344
Hartford, CT 06103

RE: Official complaint against the Bridgeport Democratic Town Committee and Chairman Mario Testa

Dear Chairwoman DiNardo and Executive Director Locke,

We are writing to submit a formal complaint, under Article V of the Connecticut Democratic State Party Rules, regarding the Bridgeport Democratic Town Committee and Chairman Mario Testa, for clear violations of past and current state and local party rules:

1) Proper Notice & Open to the Public:

   Both past and current state party rules require meetings to be open to the public and in a way that is also accessible to the public. (See the Preamble of the pre-2022 state party rules and Article VII, Section 8 of the current state party rules). These rules require public meetings and to be conducted in a manner which is open to the public and able to be attended especially by members of the Democratic Party. The pre-2022 rules (Article VII Section 8 states, "all meetings of Democratic town committees, subcommittees, and all other Democratic Party committees shall be open to the public, and votes shall not be taken by secret ballot." The current state party rules, Article VII, Section 8, states that: "All meetings of the full Democratic town committees… shall be open to the public for observation," and "To the extent reasonably feasible, full town committee meetings shall be held in places accessible to all Democratic Party members and shall be conducted pursuant to publicly available agendas. Notices of full Democratic town committee meetings and the applicable agenda shall be provided to the town committee members, posted electronically if feasible by such committee, not less than twenty-four (24) hours prior to said meeting."

   Further, the Preamble to the current rules emphasize the importance of conducting meetings in a manner which allows observation or participation of non-DTC Democratic Party members or the general public (Preamble, Sections 1, 3, 4, 7). The Bridgeport Town Committee has consistently failed to follow these requirements:

   a) The Bridgeport DTC ("DTC" or "town committee") is not conducting meetings pursuant to publicly available agendas, in fact, such agendas do not exist.

Notices and agendas of full meetings are not being posted anywhere, much less electronically 24 hours before said meetings.

b) The DTC maintains a Facebook page, which could otherwise serve as an easy and efficient manner through which to provide public notice of its meetings or affairs, but which appears to have never been used for this purpose and in fact has not been updated, as of the time of this Complaint being submitted, since November 6, 2022.

    i) This is especially egregious considering the fact that maintaining a social media page would come at little to no cost to the DTC.

    ii) Further, in light of the fact that there are ninety (90) members of the DTC, many of whom maintain active online and/or social media presences, considering that Bridgeport is the largest city in the state of Connecticut, and considering the common use and taxpayer subsidization of smartphones and other electronic and Internet-connected devices among the state and local population, the Bridgeport DTC cannot reasonably claim that notice via electronic posting is not feasible.

c) The DTC is not holding meetings in places open to the public and accessible to all Democratic Party members. Until 2023, Bridgeport DTC was holding the full meeting of the town committee in the private events space inside Testo's Restaurant, which was a private establishment owned and operated by Chair Mario Testa. In 2023, they held their one meeting of the year at the Circolo Sportivo Italian American Club, which is also a private establishment.

    i) It is important to note: had these meetings been held in public/municipal spaces, it would allow for the public or non-DTC Democrats to find and/or confirm the meetings in advance through general inquiry of municipal staff or consulting with publicly available calendars or schedules. However, because of the nature of these private establishments, searching or confirming the use of private event spaces in advance becomes difficult for, or disincentivizes doing so for, non-DTC Democratic Party members or the public. While sometimes there are a few non-DTC members who attend these meetings, they attend by invitation or having heard through word of mouth.

    ii) Further, the use of such private spaces prohibits or disincentivizes members of the general public or non-DTC Democratic Party members from observing or participating, and gives the appearance of town committee meetings as "invite only", consistent with the general purpose and use of private establishments or banquet halls, and inconsistent with

the nature and character of the Democratic Party via its national, state, or local rules.

iii) As treasurer's reports are rarely, if ever, distributed to DTC members or announced in any meetings, it is unclear to what degree any pecuniary benefit is accounted for, or how accurate DTC expenditure reporting is, whether relating to how the DTC pays for its use of these private spaces, or the degree to which the in-kind contributions are calculated by these private establishments in allowing the DTC to use its spaces. This is especially concerning given the fact that the few times that full DTC meetings are actually held in these private establishments, they appear to solely be for purposes relating to elections; i.e., the nomination or endorsement of candidates for elected offices, which is activity that may otherwise be subject to campaign finance reporting requirements, and is germane to the affairs of members of the Democratic Party and the general public.

iv) The DTC and its Chair are essentially - if not literally - conducting "back room" politics, all on behalf of the registered Democratic Party members of Bridgeport and without their (or the general public's) knowledge or ability to freely observe or participate in matters which affect them or their interests.

2) Robert's Rules:

Further, state party rules have always required and continue to require the observation of Robert's Rules of Order when conducting meetings or moving business, along with the general principals of proper notice, moving business when there is a presence sufficient to constitute quorum of the town committee, and as indicated above, being open to the public. However, this is not being done.

a) No public notice is provided in advance, only the DTC members are notified of the time and place of the meeting, but not always of the purpose of the meeting or any business or agenda to be addressed during the meeting. Agendas are often not provided in advance or even at the meeting to every member or attendant.

b) During full DTC meetings, the only business or issues addressed are substantially limited to voting in officers such as the chair and treasurer, and endorsing candidates for municipal or other elections. No other business is expected to be or substantially at all conducted at the DTC meetings, no minutes from prior meetings are presented for approval, and no reports are provided to DTC members, such as treasurer's or subcommittee reports, or meeting minutes.

No updates are provided or discussion invited on matters germane to DTC business, such as organization's annual budget, local party platform, outreach efforts, political positions of elected leaders, or other relevant issues or events.

i) The full town committee meetings are usually approximately thirty (30) minutes long and rarely exceed this time frame. No other business is discussed in any substantial capacity outside of voting in officers and endorsing candidates for municipal or other elections. Either discussion is not allowed or it is discouraged prior to voting on any motions regarding officer positions or endorsements.

(1) One example of the nature of this conduct: In at least one past full DTC meeting, members were seated according to their district at their respective tables, and on some tables there was a printout of certain names of individuals seeking endorsement, with the instructions and understanding given to each DTC member at that table immediately prior to the commencement of the meeting, that they are to nominate or vote in favor of endorsing those particular names, regardless of what other names are moved for nomination from the floor.

c) All such other business, including election related activities or fundraising, events in or affecting the city germane to Democratic Party affairs, DTC members, operations, or business, are either not discussed or addressed informally in the "district-level" meetings of smaller groups of DTC members.

i) As indicated above, the full town committee meetings are usually approximately thirty (30) minutes long and rarely exceed this time frame. Thus, the only opportunity to address affairs related to the DTC or Democratic Party are at the "district-level" meetings.

ii) These "district-level" meetings are run without proper notice, and no public notice is given, despite the fact that these "district-level" meetings are where DTC business is considered to be moved by DTC members. Members who are to attend these district-level meetings are often told informally of the meeting, such as a phone call or conversation.

iii) These "district-level" meetings do not run pursuant to Robert's Rules of Order. No agendas are distributed in advance, no minutes are kept, no reports are given, and motions, when acted upon, are loosely taken, often without discussion, and at times with absent members having given informal proxies to others, resulting in some members casting votes however they choose, multiple times.

iv) To the extent that DTC affairs or business is to be moved, it is done so at these district-level meetings with a maximum of nine (9) members at a time per district, and thus without the required quorum of (much less voting by) thirty-six (36) members of the DTC. District members are not expected to or otherwise discouraged from openly discuss the affairs or business moved in these district-level meetings with the remainder of the town committee at full town committee meetings (other than, as previously mentioned, as it pertains to the selection of town committee officers or nomination or endorsement of candidates for municipal or other offices)

3) Bridgeport DTC's 1983 local rules are inconsistent with or in conflict with the current state party rules. As one example:

    a) Section 7.B "Notice of meetings" indicates that the Bridgeport DTC shall give reasonable notice of the time, place, and purpose of the Town Committee meetings to all members of the Committee.

        i) Regarding the full town committee meetings, notice is only provided in advance to DTC members via letter of the time and place of the meeting, and not of the purpose of the meeting, nor are any agenda, minutes, or reports distributed in advance.

        ii) Material business appears to be conducted at the "district-level" meetings, to which informal notice (such as a phone call or a conversation, rarely in writing) is only provided to the individuals expected to participate in those meetings, and not all the DTC members, who rarely if ever know what business is being addressed by other districts.

4) Bridgeport DTC is not following their own 1983 local rules. For example:

    a) Section 7.A, "Frequency", mandates that the town committee shall meet at least four (4) times a year. Bridgeport DTC is not meeting four times a year as indicated above. Bridgeport DTC meets once or twice a year.

    b) Section 7.H "Public Participation" mandates that all meetings of the town committee shall be open to the public, and as indicated above, this is not done. Often, district-level meetings can occur at someone's house, or apartment building, someone's private office, or other such space outside.

    c) Article III, Section 14, proxies are allowed but only authorized for "each delegate to a convention." Therefore, proxy voting is not allowed at Bridgeport Democratic Town Committee meetings, even though it is in regular use at meetings.

5) As indicated above, Bridgeport DTC also consists of ten (10) district-level subcommittees. These district-level subcommittees are used to move DTC business, including filling of committee membership, and to conduct almost all of the affairs of the Democratic party and business germane thereto on behalf of or affecting the non-DTC Democratic Party members or the general public, so much so that the full town committee meetings are essentially limited to the election of officers for the DTC and the nomination or endorsement of candidates for municipal or other offices.
    a) The Chair meets with the district leaders at closed-door meetings. Generally, only District Leaders are invited to closed door monthly or bi-monthly meetings at Testo's or sometimes another private location. No minutes, reports about the discussions at those meetings are available to Town Committee Members or the public.
    b) While any town committee is permitted to use subcommittees or subgroups to address certain issues or conduct certain affairs, the state party rules and Bridgeport's local rules contemplate that the full town committee, with proper notice and quorum and open to the public, still be apprised of the business being conducted by such subcommittees or subgroups, and that any material actions or decisions to be undertaken or made on behalf of the DTC, be made by motions made, and votes taken, at town committee meetings, with proper notice and quorum and open to the public.
        i) To the extent that state party rules or Robert's Rules of Order permit committees to enter into executive session to address certain affairs of the Democratic Party, the DTC, or its members, <u>such executive session is intended to be taken by the committee at large</u>. State party rules do <u>not</u> contemplate that substantially some or all of the DTC affairs be moved solely off the record, without quorum, outside of any public notice or space, solely within the district-level subcommittees.
        ii) Article 7, Section 8, indicates that the requirement of being open to the public does not apply to subcommittees or subgroups of town committees. This is reasonable considering that subcommittees or subgroups are often formed for the purpose of addressing issues which are limited in time or scope, such as fundraising for specific elections, suggested changes to town committee bylaws, suggested slates of candidates for nominations or endorsements, etc. However, the district-level subcommittees are moving almost *all* DTC business/affairs, and never provide reports or information to the town committee at large, and without a quorum of DTC and/or without approval of the DTC at large.
    c) Accordingly, the use of these ten district-level subcommittees to move substantially some or all of the DTC town committee meetings, including the taking of votes on DTC-related affairs or the making of decisions on behalf of the DTC, without ever apprising the town committee at large, may be in violation of

the state party rules or the manner in which they are intended to apply to local town committees.

Under the Prior State Party Rules:

6) Article VII, Section 1-A of the state party rules up until they were revised effective July of 2022 stated that: "Party endorsed candidates of any local party for town committee members shall be selected by the enrolled members of such party in caucus. At caucus meetings, any eligible person may be nominated from the floor, notwithstanding any notice or pre-registration requirements in the local rules. Notice of the time, place and purpose of said caucus shall be given to all enrolled Democratic voters of the municipality at least five (5) days, but not more than fifteen (15) days, in advance of the caucus by publication of the same in a newspaper having general circulation in the municipality" (emphasis added).

    a) The Bridgeport Democratic Town Committee, under Chair Mario Testa, regularly did not hold caucuses: there was no caucus in 2022 or in 2020, or prior years, to endorse town committee members.

    b) They also did not give public notice of any caucus in a newspaper with general circulation.

7) Article VII, Section 3 of the state party rules up until they were revised effective July of 2022 stated that: "Any vacancy on the town committee, arising from any cause including failure to elect, may be filled by the town committee by a majority vote of those present and voting at a meeting called for that purpose."

    a) The Bridgeport Democratic Town Committee, under Chair Mario Testa, was not filling vacancies by calling meetings of the town committee for the purpose of filling said vacancies. According to their own local party rules, last amended in 1983, they were filling vacancies at the district level by votes of the district members present and voting.

8) Article VII, Section 10 of the state party rules up until they were revised effective June of 2022 stated that: "The town committee shall meet at least 4 times a year" (emphasis added).

    a) Complaint: The Bridgeport Democratic Town Committee, under Chair Mario Testa, did not meet at least 4 times a year in 2020, 2021, or 2022.

9) Article VII, Section 10 of the state party rules up until they were revised effective July of 2022 stated that: "For Towns of Five Thousand (5,000) or More Population Under the Last Federal Census: The enrolled members of the Democratic Party in the municipality,

at a caucus called for the purpose, shall by majority vote of those present and voting, select party endorsed candidates for the town committee."

a) The Bridgeport Democratic Town Committee, under Chair Mario Testa, did not hold a caucus in 2022 or 2020 to endorse town committee members. The Bridgeport Democratic Town Committee has been and continues to vote on filling vacancies at the district level, which does not constitute a quorum of the town committee by both the state and local rules. These vacancies are not being voted on at a full town committee meeting where quorum is present, which makes the filling of said vacancies null and void.

b) Complaint: The Bridgeport Democratic Town Committee is doing the business of the town committee at the district level, which does not constitute a quorum of the town committee by both the state and local rules. The Bridgeport Democratic Town Committee is not discussing nor voting on the ongoing operations of the town committee, such as the organization's annual budget, local party platform, outreach efforts, political positions of elected leaders, or other relevant issues or events, at its full meetings, which only occurs once or twice a year.

The foregoing conduct impedes the ability of the Democratic voters in Bridgeport to observe and participate in party business. The lack of transparency, public notice, public meetings, record keeping, and other violations also significantly impede accountability to town committee members and Democrats throughout the state.

These issues are based on our observations and experience only in the last several years, but our understanding is that this is "the way it's always been done" for a substantially longer period of time. **Considering this, it is unsurprising that Bridgeport voters are dealing with their current election issues today, relating to court orders regarding overturned elections, the appointment of an election monitor, and other such events which are a disservice to Bridgeport voters, who deserve better**.

As was expressed in letters we sent to your office on Sept. 18th, 2023 and Aug. 12th, 2021, we remain gravely concerned about the ongoing and undeniable evidence of the fact that rules and processes are simply not being followed and of the electoral and political corruption that exists in Bridgeport and specifically, within the Bridgeport Democratic Town Committee. We are very concerned about the lack of transparency in the Bridgeport DTC, which operates much like a secret society, akin to "backroom" or closed-door political dealings, despite representing a majority of voters in Bridgeport.

What is happening with Bridgeport's Democratic Town Committee, under the long leadership of Mario Testa, is a stain on our city and state as well as on the state Democratic Party. The ongoing flagrant disregard for transparency, laws, rules, policies, and procedures

cannot be allowed to stand – **especially in the municipality with the largest number of registered Democrats in Connecticut**. **The Bridgeport DTC is, in a word, undemocratic**.

To this end, we respectfully urge you and your colleagues at the Connecticut Democratic State Central Committee to act swiftly and accordingly, including but not limited to the following:

1. We request your assistance in providing clarification and decisions on the conduct of the Bridgeport DTC and its Chair and whether such conduct is in compliance with applicable rules or the Democratic Party's principles.
2. We further request an interpretation of how the state party rules are applied specifically to "committees", "subcommittees", "subgroups", or Bridgeport DTC's "district-level" committees/subcommittees, especially in light of the fact that substantial DTC business or Democratic Party affairs are conducted without quorum.
3. We request a clarification of the rules or expectations which are expected to be followed, including the scope of DTC or Democratic Party affairs which are to be addressed at town committee meetings, under the state party rules.
4. We also request a clarification as to whether Robert's Rules of Order are to be followed to any degree at the district-level meetings, including whether or not there is an expectation that minutes are kept and approved, and that decisions being made on behalf of the DTC and/or which affect the DTC or Democratic Party members be subject to any kind of discussion or vote, either at the district level or at the town committee level.
5. We also request a clarification on whether Robert's Rules of Order with respect to officer updates or reports, such as treasurer's reports, which appear to be standard in other town committees, are to be followed to any degree either at the district level or the town committee level, including whether or not minutes are kept and later distributed and voted upon.
6. We also request a clarification on whether certain DTC records, such as agendas, minutes, treasurer or other reports, are to be made available to DTC members, non-DTC Democratic Party members, or to the public.
7. Further, request clarification as to what affairs or business for the DTC or on behalf of Democratic Party members is able to be done solely at the district-level meetings without any information being provided to the Town Committee at large.

We are also enclosing a copy of the local rules which the Bridgeport Democratic Town Committee members are following, which have not been amended or updated since 1983. Many of Bridgeport's local rules stand in direct conflict with the current state party rules, despite the fact that state party rules **"shall govern the activities of the Democratic Party in each town of the state, whether or not the local party has adopted its own rules, notwithstanding any local party rules to the contrary"** (Article VII, first paragraph of the State Party Rules).

Thank you for your consideration.

Sincerely,
Gemeem Davis, President & Co-Director, Registered Democrat
Callie Gale Heilmann, Co-Director, Registered Democrat

cc: 1st Vice Chair Jimmy Ticket, 2nd Vice Chair Adrienne Billings-Smith, Treasurer Roberto Alves, Secretary Audrey Blondin, Attorney Kevin Reynolds