

Response to Election Compliance Audit Meeting
Post KPMG Report
Anastasia Rioux

Despite Mr. Leduc's request to censor me from responding to the audit report findings, I am happy to be submitting this today as per the committee procedures. I would like to start by reminding the panel why we are here in a process that began on September 11, 2022, almost two years ago.

From signage locations, messaging, and conduct, I had serious concerns with how the incumbent candidate in my ward was running his campaign in 2022.

In the late summer of 2022, promotional material began to surface for Grandparent's Day. There were two different versions of the poster circulating. One sign said "sponsored by Ward 11" while another read "sponsored by Ward 11 CAN." When I called Westmount Retirement, I was told by an employee that the event was being paid for and organized by Bill Leduc. Given that Mr. Leduc was mid-campaign and as the incumbent in the riding, there are strict rules around drawing a clear distinction between campaigning as a candidate and attending an event to show support as a councillor. This was becoming very much a candidate-driven event complete with prizes, city services, and horse and buggy rides.

I did not attend the event but watched from a close proximity. From my bird's eye view, there were city emergency vehicles and city emergency workers on hand. The EMCEE continued to remind everyone that "none of this would happen without Ward 11 Councilman Bill Leduc". I saw Councillor Leduc's car parked at the entrance showcasing a "re-elect Bill Leduc" election magnet. This vehicle was not parked off the property like everyone else in attendance. It was situated prominently at the front entrance. Then I saw the draw tables loaded with prizes including a motorized ride-along vehicle for children. I began to wonder about how these items came to end up on the prize table.

Afterwards, Mr. Leduc posted pictures of the event attendees which showed volunteers and Bill himself wearing Team Leduc election coats, and that beautiful draw table loaded with prizes that the EMCEE indicated were all courtesy of Bill Leduc himself who "quarterbacked the whole event." Attendees shared videos with me which proved my Spidey sense was correct and left me questions about whether this election event was recorded as an election expense.

After some tough and heated exchanges at the ECAC Committee hearing last April between its members and Councillor Leduc, the ECAC voted to hire KPMG to further investigate the councillor's expenses. This was the messaging shared by ECAC with KPMG:

"The collective weight of the photographs and videos, and the Candidate's own admissions, demonstrates that the Candidate's election campaign was to some extent promoted at the Event. The Committee is of the opinion that in these factual

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circumstances, the cost of the prizes donated to the Event by the Candidate was a campaign expense because they were used, in part, for the Candidate's election campaign and the promotion of the Candidate's Candidacy", and

"On that basis, the Committee is of the opinion that there are reasonable grounds to believe that: a. the Candidate failed to properly record all campaign expenses and campaign contributions in his financial statement, namely, the prizes he donated to the Event; and b. the Candidate paid for campaign expenses from personal funds, not from his campaign bank account."

The mandate of KPMG is to determine if there is evidence to suggest a candidate violated the Municipal Elections Act or MEA. We are here now with the report. Section 1.3 of the KPMG report identifies several contraventions to the MEA.

- There are issues with cash donations exceeding limits during the election period, and one of those donations involved cash, as in bills. One transaction had a contributor taking out 3 bank drafts signed by one person - which also violated MEA rules
- There were notes about improper use of the campaign account for 15 expenditures
- And of course, there were many issues with Grandparent's Day on September 11, 2022, as this event was during Mr. Leduc's campaign period that ran between May 2nd, 2022, and December 31st, 2022 and KPMG noted that the evidence shows that this event was used to promote Mr. Leduc's election campaign and can be considered an election expense as Section 1.4.4 on page of the KPMG report states:

Photographic and video evidence submitted by the Applicant, together with Mr. Leduc's own admissions, demonstrated that Mr. Leduc's election campaign was promoted at Grandparent's Day 2022;

The Election Compliance Audit Committee was of the opinion that the cost of prizes donated to Grandparent's Day 2022 by Mr. Leduc constituted a campaign expense since they were used, in part, for Mr. Leduc's election campaign and the promotion of Mr. Leduc's candidacy;

Despite "Re-elect Bill Leduc" election magnets on cars, election coats, and an MC thanking Mr. Leduc for everything that day, he tells KPMG that it was not an election event on page 32. He accuses another candidate of coming to share election material but what Mr. Leduc fails to understand is that he is the incumbent and falls under a different set of rules than someone else who showed up to share campaign literature. Given Mr. Leduc considered this a community event - the other non-incumbent councillor candidate had every right to do what he did. On the other hand, as the incumbent councillor, Mr. Leduc did not have the right to orchestrate a hidden campaign event sponsored by the ward-funded CAN (city-administered Community Action Network), the Lion's Club and the Minnow Lake Sudbury Credit Union, where I bank.

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Here is the response by Mr. Leduc on page 32 regarding Grandparent's Day and the accusation that it is an election event complete with my rebuttals (red).

During our (KPMG) interview on November 28, 2023, Mr. Leduc told us the following:

— Grandparent's Day 2022 was not an election event. Mr. Leduc told KPMG he has signed witness statements supporting that assertion and they have been submitted as part of Mr. Leduc's response to the Rioux Application;

- Mr. Leduc provided letters from friends and relatives to back up that this event was not election-driven however ECAC dismissed these letters noting the videos shared proved the letters were not credible.
- The EMCEE says in the video "Ward 11 Councilman...Bill Leduc thank you so much for putting this together Bill. All your food, all your prizes...compliments of Bill Leduc. Putting this together year in and year out."
- It is also important to note that Mr. Leduc admittedly wiped away a lot of the evidence off his Facebook page and was questioned on that last spring.

— Mr. Leduc did not bring any campaign materials to Grandparent's Day 2022;

- If this is the case, why are a number of organizers wearing Team Leduc coats and why is a re elect Leduc election magnet on your car at the front entrance of the home? Why is the MC going on and on about your role as a Ward 11 Councilman?

— Grandparent's Day 2022 and similar events have been held annually (with the exception of years during the COVID-19 Pandemic) and therefore the event exists only for the enjoyment of the senior community and their families.

- This event only ran 4 times at Westmount. 2018 was an election year for Mr. Leduc. 2019 was not. Then there was a worldwide pandemic. The event came back in 2022 which happened to be another election year whereby Mr. Leduc was an incumbent. He also ran one in 2023. I also question why Healthy Community Initiative Funds or

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HCI's are made payable directly to the councillor. See the screen capture attached.

Appendix A - Healthy Community Initiative Fund – Applications

Healthy Community Initiative (HCI) Fund Applications for Council Approval – July 10, 2023

Capital Funds

Ward	Recipient/ Project/ Location	Purpose for Funds	Estimated Operating Costs per year	Amount Requested	Amount Recommended for Approval by the GM
1	Delki Dozzi Neighbourhood Association / Outdoor Rink Resurfacing / Delki Dozzi Outdoor Rink	Resurface outdoor rink with asphalt	\$3,000	\$45,000	\$45,000
12	Greater Sudbury Pickleball Association / Installation of lighting / O'Connor Pickleball Court	Purchase and installation of lighting equipment for pickleball court	\$100	\$23,110	\$23,110

Grants

Ward	Recipient/Initiative	Purpose for Funds	Amount Requested	Amount Recommended for Approval by the GM
5	Carol Richard Park Community Association / Community BBQ	Assist with costs related to food, refreshments, inflatables, children's activities, and entertainment	\$3,000	\$3,000
7	Royal Canadian Legion Branch 179 / Community Celebration at Capreol Days	Assist with costs of entertainment	\$2,000	\$2,000
11	Councillor Leduc / Westmount Grandparents' Day	Assist with costs related to food and refreshments, entertainment, and horse and wagon rides	\$2,500	\$2,500

Lastly, on page 34, KPMG noted that the councillor’s comments are inconsistent: “KPMG notes that comments by the Election Compliance Audit Committee as included in the Notice of Decision appear to include findings with respect to Mr. Leduc’s actions at Grandparent’s Day 2022, which are inconsistent with comments made to KPMG by Mr. Leduc.”

Longstanding?

When questioned about his campaigning at Grandparent’s Day in 2018, the councillor was first running for council and used the event to campaign too. Going back, if this was an election event in 2018 with pamphlets and posters, the expenses should have also been reported. But when Mr. Leduc stands in front of his large-scale signs at the 2018 event, he tells KPMG auditors that “residents who attended the event may have brought campaign materials with them, as a show of support.” What is the likelihood that seniors living in nursing homes brought pamphlets and huge signs and displayed them at Grandparent’s Day on their own accord?

Audit Rocks Overturned

The report went deeper into Grandparent’s Day spending. KPMG questioned how drinks at the event were paid for, and the 550 dollars in pizza. There's \$500 in chicken wings expenses. The horse and buggy rides totaled more than 900 dollars. Live music payments

were also questionable. Lastly, the report has lots to report on the raffle prizes totaling over 750 dollars that were also questionable election expenses.

With regards to the video footage obtained at Grandparent's Day by a local company. The company was there and admitted to being present to obtain footage. The footage was used a week later for Mr. Leduc's campaign commercial. While both claim the video footage was not "politically driven", page 38 of the KPMG report says "*Mr. Leduc's use of footage from the Grandparent's Day 2022 event for his election campaign video appears to support the Rioux Application's assertion that Mr. Leduc promoted his election campaign attendance at the event.*"

With regards to the items purchased as big-ticket prizes for the prize table for Grandparent's Day which was but was not an election event. There are serious concerns with the prizes purchased for the event by Councillor Leduc. As noted by KPMG on page 31.

- *Transaction #2 relates to invoice numbered #100 and dated September 6, 2022, for Nathalie's Online Deals ... The invoice is billed to Mr. Leduc for, "Grandparents days" and lists various items purchased subtotaling \$1,328.00. There appears to be a discount listed as, "Other" for \$(750.64) for a net total of \$750.00. This transaction is discussed further in section 5.2.7.6.*
- *Transaction #3 appears to be a deposit to the Campaign Bank Account to reimburse the account from Mr. Leduc's personal funds, for a cheque written to Ms. Grenier in relation to the invoice discussed under transaction #2. The date of the deposit appears to be approximately 6 months.*
- It is also important to note that the owner of said business has not responded to auditor requests to discuss the transactions, the discount, or answer any questions.

The after party

After the event was said and done, Mr. Leduc invited the team of volunteers who helped him run the event by treating them all at a local high-end restaurant. What's interesting is that Mr. Leduc claimed this expense as a campaign expense. When questioned by KPMG as to why the thank you dinner would be a campaign expense if it wasn't a campaign event, Leduc shared a story. So once again, he doesn't believe Grandparent's Day was an election event but treats the volunteers to a 500-dollar dinner and charges it as an election expense.

Mysteries

It is safe to say KPMG found violations but after the deep dive, there are also many mysteries. The mysteries are in the report which I urge the public to read. But what is most interesting is that even after all this time, the councillor refuses to sign off on his interviewer notes with KPMG on page 13 of the report. "*...at this time, the document will remain unsigned as this is to the best of my recollection of the details that you require from 2022. After a series of questions, spanning the course of almost 6 years, I am answering with my upmost [sic] integrity.*"

When can campaigning begin?

Much like these Municipal Elections Act concerns addressed by the KPMG report, Mr. Leduc has made it a habit of skirting election rules.

Greater Sudbury Sign By-law 2021-111 regulations state:

51. (2) No Person shall Erect, cause or authorize an Election Sign to be Erected or continue to be Erected:

*(b) in the case of a municipal election, for a period longer than the day **after** the nomination date, as determined in accordance with the Municipal Elections Act, 1996 until seventy-two (72) hours following the end of the voting day for that election.*

*The MEA stipulates the nomination date as follows: Nomination day **31** Nomination day for a regular election is the **third Friday in August** in the year of the election.*

The nomination date for the 2022 election was August **19th**. On August 15th and **18th**, Leduc prematurely posted photos on his Facebook page photos where he had erected election signs. See the attached screenshots. The first day one would have been allowed to post municipal election signs would have been August **20th**. Another bending of the rules.

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Conclusion

In Mr Leduc's report submitted last week, he indicates I should not be here today because I am a common "layperson" and that I have "no purpose or skill set" other than to "besmirch" his good name. This for me has been about democracy and justice and not besmirching.

Let's look at the facts. The evidence in the KPMG report shows Mr. Leduc underreported his election spending limits. With the contraventions to the MEA, I hope justice can be served. This needs to go to the courts so future candidates see clearly that the MEA rules are to be followed and not played with.

Skirting the rules creates unfair advantages and opportunities. The other candidate did not get Ward 11 CAN funding to run an election-driven event. The other candidate didn't get to go on to win and then make moral and ethical decisions for our city. He also didn't get to have a democratic voice in the Council's financial decisions in the amounts of hundreds of millions of dollars on behalf of the residents of our city.

Please accept these notes as signed and dated,

Anastasia Rioux

*Anastasia Rioux
Election Compliance Initial Applicant
June 26th, 2024*