

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Linda Carlone, Waterbury

File No. 2008-067
October 15, 2008

FINDINGS AND CONCLUSIONS

Complainant filed this complaint, pursuant to Connecticut General Statutes § 9-7b, and alleged that the Waterbury Democratic Registrar of Voters, Patricia Mulhall failed to provide voter registration cards to an individual that requested them on January 15, 2008. The Complainant also made additional allegations regarding an intra-party dispute that were not considered because the allegations were beyond the scope of the Commission's jurisdiction. The intra-party dispute was resolved by party rules pursuant to General Statutes § 9-387.

After the investigation of the Complainant's complaint, the Commission makes the following findings and conclusions:

1. On January 15, 2008, State Representative David Aldarondo went to the Respondent's office and requested voter registration cards. Ms. Mulhall provided State Representative David Aldarondo twenty (20) English language voter registration applications and twenty (20) Spanish language voter registration applications.
2. State Representative Aldarondo requested that Ms. Mulhall provide him with additional voter registration cards. Ms. Mulhall explained to State Representative Aldarondo that she did not currently have additional voter registration cards available and she had ordered additional voter registration cards from the Office of the Secretary of the State.
3. Prior to January 15, 2008, Ms. Mulhall provided State Representative Aldarondo's staff with approximately two hundred (200) English and five hundred (500) Spanish voter registration applications.
4. General Statutes § 9-23(g) provides in pertinent part:

(b) The Secretary of the State shall prescribe, and provide to registrars of voters, town clerks and voter registration agencies, as defined in section 9-23n, application forms and other materials necessary to complete such application and admission process. The Secretary of the State, registrars of voters and town clerks shall provide a reasonable number of such forms and materials to any elector who requests such forms and materials. The secretary shall also, in the course of the secretary's elections duties, prepare instructions and related materials describing procedures for such application and admission process and shall provide the materials to registrars of voters and town clerks. The application shall contain the information required under section 9-23h. All statements of the applicant shall be made under the penalties of perjury. The application for admission as an elector shall include a statement that (1) specifies each eligibility

requirement, (2) contains an attestation that the application meets each such requirement, and (3) requires the signature of the applicant under penalty of perjury. Nothing in this section or section 9-23h shall require that the application be executed in the state. An applicant who is unable to write may cause the applicant's name to be signed on the application form by an authorized agent who shall, in the space provided for the signature, write the name of the applicant followed by the word "by" and the agent's own signature. The completed application may be mailed or returned in person to the office of the registrars of voters or the office of the town clerk of the applicant's town of residence or a voter registration agency. If the applicant entrusts the applicant's application to another person or to such a voter registration agency for mailing or return to the registrars of voters, such person or agency shall immediately mail or return the application. Any such voter registration agency shall also provide the applicant with an application receipt, on which the agency shall record (A) the date that the agency received the application, using an official date stamp bearing the name of the agency, and (B) the party affiliation, if any, of the applicant. The agency shall provide such receipt whether the application was submitted in person or by mail. The town clerk shall promptly forward any application which the town clerk receives to the registrars of voters. Such application form shall be provided by or authorized by the Secretary of the State. [Emphasis added.]

5. Ms. Mulhall provided State Representative Aldarondo and or his staff a total of seven hundred and forty (740) voter registration applications on and or before January 15, 2008. The Commission concludes that this is a reasonable number within the meaning of General Statutes § 9-23g. Furthermore, when additional voter registration applications were made available by the Office of the Secretary of the State to Ms. Mulhall's office, Ms. Mulhall made them available to a representative for State Representative Aldarondo.
6. Accordingly, the Commission concludes that there is no violation of General Statutes § 9-23g .
7. Ms. Mulhall did not provide nominating petitions requested by State Representative Aldarondo because there was intra-party dispute that had to be resolved pursuant to General statutes § 9-387 prior to the nominating petitions being distributed. Once the intra-party dispute was resolved, Ms. Mulhall provided the nominating petitions.
8. Accordingly, the Complaint's claim that Ms. Mulhall failed to provide the nominating petitions in a timely manner is without merit.

ORDER

The following Order is issued on the basis of the aforementioned findings:

That the complaint is dismissed.

Adopted this 15th day of October 2008 at Hartford, Connecticut.

A handwritten signature in black ink, appearing to read "Stephen F. Cashman", written over a horizontal line.

Stephen F. Cashman

Chairman

By Order of the Commission