

STATE OF CONNECTICUT  
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by  
Luis Caban, et al., Hartford

File No. 2007-341

AGREEMENT CONTAINING CONSENT ORDER  
AND PAYMENT OF A CIVIL PENALTY FOR  
VIOLATIONS OF CONNECTICUT GENERAL STATUTES § 9-410 (c)

This agreement, by and between Christopher Ryan of the City of Hartford, County of Hartford, State of Connecticut, hereinafter referred to as the Respondent, and the authorized representative of the State Elections Enforcement Commission, is entered into in accordance with General Statutes § 4-177(c) and Section 9-7b-54 of the Regulations of Connecticut State Agencies. In accordance herewith, the parties agree that:

1. The Complainants, Luis Caban, Diana Reyes, and Nancy Stephenson are residents of the City of Hartford that challenge the authenticity of several signatures on a primary petition for the municipal office of Mayor of the City of Hartford submitted for the September 11, 2007 Democratic primary on behalf of Art J. Feltman. Two other consolidated complaints were also filed with respect to the authenticity of several signatures on primary petitions circulated on behalf of Mr. Feltman. The allegations concerning the additional Respondents identified in those three complaints will be addressed in separate documents.
2. In the present matter, the Commission voted on October 10, 2007 to expand the investigation of this complaint to include all primary and nominating petitions circulated on behalf of Art Feltman by the Respondent as the handwriting of several signatures on those petitions also appeared to be strikingly similar.
3. The Respondent circulated five petition pages on behalf of Art. J. Feltman, candidate for Mayor of the City of Hartford. Four of the five petitions were primary petitions. The fifth was a nominating petition for the November election. The Respondent was paid \$100 by the Feltman campaign for the petition circulation.
4. One of the primary petitions contained the following Statement of Authenticity of Signatures:

I am the circulator of this petition page and I make this statement pursuant to the provisions of Chapter 153 of the General Statutes of Connecticut. . . .  
**Each person whose name appears on this petition signatures page signed the same in person in my presence. I either know each such signer or**

**such signer satisfactorily identified himself or herself to me.** The spaces for candidates supported, offices sought and the political party involved was filled in prior to my obtaining signatures. **The number of signatures on this petition page is \_\_\_\_.**

**I hereby declare under the PENALTIES OF FALSE STATEMENT, that the statements made in the foregoing Circulator's Statement of Authenticity of Signatures are true.** [Emphasis added.]

5. The other primary petition pages contained the same Statement except the number of signatures that appeared on those pages were identified as 20 per page.
6. Those Statements were followed by the Respondent's signature.
7. The Respondent was also expressly instructed by David Kovacs, campaign manager for the Feltman campaign that each person on the list had to sign their own name to the petition. Mr. Kovacs maintains that he personally witnessed the Respondent sign the circulator's Statement of Authenticity on each petition.
8. With respect to the four primary petitions circulated by the Respondent, the evidence establishes that each person whose name appears on that petition did not actually sign the petition in the Respondent's presence nor did Mr. Ryan know each signer or have them identify themselves. After carefully inspecting the petition pages in question, thirteen individuals whose names appear on those petitions provided sworn statements that they did not sign their names to them.
9. In addition, the handwriting of every individual listed on the petitions looks strikingly similar.
10. General Statutes § 9-410, provides as follows in pertinent part:

(c) Each circulator of a primary petition page shall be an enrolled party member of a municipality in this state who is entitled to vote. . . . **Each separate sheet of such petition shall contain a statement as to the authenticity of the signatures thereon . . . and shall be signed under the penalties of false statement by the person who circulated the same,** setting forth such circulator's address and the town in which such circulator is an enrolled party member **and attesting that each person whose name appears on such sheet signed the same in person in the presence of such circulator, that the circulator either knows each such signer or that the signer satisfactorily identified the signer to the circulator** . . . . [Emphasis added.]

11. General Statutes § 9-410 (c) requires that each individual that circulates a petition must provide an attestation under the penalties of false statement that each person who signed that petition signed in the circulator's presence, and that each

signatory was either known to the circulator or satisfactorily identified him or herself to the circulator.

12. An implicit requirement of General Statutes § 9-410 (c) is that the circulator's attestation be true. Accordingly, if the circulator signed a General Statutes § 9-410 (c) petition statement that he or she knew or reasonably should have known was untrue, that circulator will be deemed to have violated General Statutes § 9-410 (c).
13. With respect to the thirteen individuals who provided sworn statements concerning the petition pages in question, it is found that they did not sign their own name to the Petition in the Respondent's presence and did not identify themselves to him.
14. Accordingly, it is concluded that the Respondent knew or should have known that his four Statements of Authenticity of Signatures that "each person whose name appears on this page signed the same in person in my presence. I either know each such signer or each such signer satisfactorily identified himself or herself to me" were not accurate.
15. As such, each of the Respondent's four knowingly inaccurate Statements of Authenticity on the petitions at issue constitute four separate violations of General Statutes § 9-410 (c).
16. The Respondent admits all jurisdictional facts and agrees that this Agreement and Order shall have the same force and effect as a final decision and order entered after a full hearing and shall become final when adopted by the Commission. The Respondent shall receive a copy hereof as provided in Section 9-7b-56 of the Regulations of Connecticut State Agencies.
11. It is understood and agreed that this Agreement will be submitted to the Commission at its next meeting and, if it is not accepted by the Commission, it is withdrawn by the Respondent and may not be used as an admission in any subsequent hearing, if the same becomes necessary.
12. The Respondent waives:
  - a. Any further procedural steps;
  - b. The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law, separately stated; and
  - c. All rights to seek judicial review or otherwise to challenge or contest the validity of the agreement or Order entered into pursuant to this agreement.
13. Upon the Respondent's compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings against him pertaining to this matter.

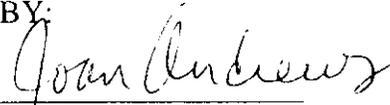
ORDER

IT IS HEREBY ORDERED that the Respondent shall refrain from circulating primary petitions in Connecticut for a period of two years from the date of this Agreement is adopted by the Commission and shall henceforth strictly comply with Connecticut General Statutes § 9-410 (c).

IT IS FURTHER ORDERED that on or before January 14, 2009 or February 11, 2009, the Respondent, shall pay a civil penalty in the amount of and is assessed a civil penalty in the amount of two thousand dollars (\$2000.00) to the Commission, *which due to financial circumstances is remitted to (80.00) dollars.*

For the State of Connecticut

Dated: 3/4/09

BY:  
  
Joan M. Andrews, Esq.  
Director of Legal Affairs  
And Enforcement and  
Authorized Representative of  
the State Elections  
Enforcement Commission  
20 Trinity St., Suite 101  
Hartford, Connecticut

Dated: 3/4/09

The Respondent,  
  
Christopher A. Ryan  
2197 Main Street  
Hartford, CT

Adopted this 25<sup>th</sup> day of March, 2009 at Hartford, Connecticut

  
Stephen F. Cashman, Chairman  
By Order of the Commission