

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the matter of a Complaint by
Karen Jackson, Bridgeport

File No. 2012-171

FINDINGS AND CONCLUSIONS

Complainant brings this Complaint pursuant to General Statutes § 9-236 (a) and asserts that on November 6, 2012, an unidentified female elector at the Cesar Batalla School Polling Place in the City of Bridgeport, complained to her that the Democratic Ballot Clerk was instructing voters how to vote on the ballot question while distributing ballots to electors.

After investigation, the Commission makes the following findings and conclusions.

1. The Complainant alleged that on November 6, 2012, an unidentified voter made a verbal complaint to her as the Republican Assistant Registrar that the Democratic Ballot Clerk was giving instructions to voters on how to vote on the ballot question as he distributed ballots to electors at the Cesar Batalla School Polling Place in the City of Bridgeport.
2. The Complainant maintains that she discussed the elector's complaint with the Democratic Ballot Clerk and the Moderator in the presence of the complaining elector. Complainant concedes that at that time each of the aforementioned election officials denied that the alleged incident occurred.
3. The Complainant otherwise failed to identify the elector who made the original complaint or identify additional witnesses to the alleged incident identified in her complaint.
4. General Statutes § 9-236 (a) provides in pertinent part as follows:

On the day of any primary, referendum or election, no person shall solicit on behalf of or in opposition to the candidacy of another or himself or on behalf of or in opposition to any question being submitted at the election or referendum, or loiter or peddle or offer any advertising matter, ballot or circular to another person within a radius of seventy-five feet of any outside entrance in use as an entry to any polling place or in any corridor, passageway or other approach leading from any such outside

entrance to such polling place or in any room opening upon such corridor, passageway or approach, except as provided in section 9-294.
[Emphasis added]

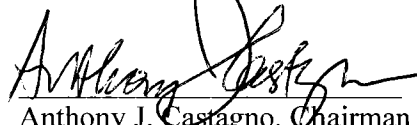
5. Upon investigation, the Commission finds insufficient evidence to corroborate or support the allegations as set forth in the complaint.
6. Further, the Commission finds that the ballot clerk that allegedly instructed voters on how to vote on the ballot question denied to Commission staff that he instructed anyone how to vote at the November 6, 2012 election in Bridgeport and that there is a lack of evidence to contradict this assertion. Finally, after investigation, Commission staff has determined that the likelihood of identifying either additional witnesses or the unidentified elector referenced in this complaint is negligible.
7. The Commission concludes that under these circumstances, the Complainant's Statement alone is insufficient to establish a violation of General Statutes § 9-236 (a), and therefore declines to take further action on this matter.

ORDER

The following Order is recommended on the basis of the aforementioned finding:

That the Complaint be dismissed.

Adopted this 20th day of March of 2013 at Hartford, Connecticut.


Anthony J. Castagno, Chairman
By Order of the Commission