

**STATE OF CONNECTICUT**  
**STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by James E. O'Donnell,  
Bridgeport

File No. 2015-158

**FINDINGS AND CONCLUSIONS**

Complainant brought this complaint pursuant to § 9-7b, General Statutes of Connecticut, alleging that the City of Bridgeport Registrars' of Voters Office violated General Statutes § 9-244 by failing to provide notice to the candidates of the preparation, testing and sealing of the tabulators prior to the November 3, 2015, municipal election in the City of Bridgeport.

After investigation of this matter, the Commission makes the following findings and conclusions:

1. Complainant alleged that the Bridgeport Registrars' of Voters office failed to provide notice to the mayoral campaign of Mary Jane Foster of the preparation, testing and sealing of vote tabulators on October 27, 2015, prior to the November 3, 2015 municipal election in Bridgeport.
2. There was no claim or allegation that the Bridgeport Registrars' of Voters failed to provide written notice to the chairpersons of the political parties of the tabulator set up session prior to the November 3, 2015 election.
3. It is not disputed that written notice of the October 27, 2015 tabulator set-up session was *not* provided to Bridgeport mayoral candidate Mary Jane Foster.
4. General Statutes § 9-244, provides in pertinent part:
  - (a) Such registrars of voters shall give written notice *to the chairpersons of the town committees of the political parties* of the day and place a registrar or registrars will begin the preparation, test voting and sealing of the tabulators for the election, including any additional tabulators required under section 9-238. Such notice shall be given at least one day before the work on the preparation of such tabulators begins.

...

[Emphasis added.]
5. Upon investigation, the Commission finds evidence that printed notices of the October 27, 2015 vote tabulators preparation and testing date were posted in public view at the Bridgeport City Hall Annex and the Bridgeport Town Clerk's office. Further, the

investigation revealed that written notices were sent to the chairpersons of the political parties regarding the preparation and testing of the tabulators.

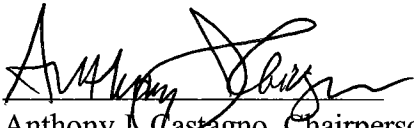
6. Further, the Commission finds credible evidence that a representative of the Foster campaign was informed by an agent of the Registrars of Voters office of the day and place of the preparation, testing and sealing of the tabulators; and that such representative did not attend.
7. General Statutes § 9-244 (a) provides that Registrars of Voters must provide written notice "...to the chairpersons of the town committees of the political parties of the day and place a registrar or registrars will begin the preparation, test voting and sealing of the tabulators for the election ."
8. The Commission concludes that while General Statutes § 9-244 (a) requires that chairpersons of political parties be provided written notice of the date and place of preparation, testing and sealing of tabulators, the provision of such notice to candidates is *not* required.
9. Moreover, the Commission has previously determined that "...Registrars of voters [are] not required to notice candidates in a primary of the date and time of the testing session," and therefore where "no evidence [was] presented of a failure to comply with § 9-244" has dismissed the allegations. *See In the Matter of a Complaint by Beth Denton*, West Haven, File No. 2009-087 and *In the Matter of a Complaint by Deborah Evangelista*, West Haven, File No. 2010-039.
10. The Commission finds, as detailed herein and consistent with its prior decisions, that the alleged violation of General Statutes § 9-244 was not supported by the law after investigation and therefore dismisses the allegation.

#### ORDER

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

That the complaint is dismissed.

Adopted this 13<sup>th</sup> day of April, 2016 at Hartford, Connecticut.

  
Anthony J. Castagno, Chairperson  
By Order of the Commission