

**STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION**

Complaint of Giselle Feliciano, Hartford

File No. 2010-037

FINDINGS AND CONCLUSIONS

Complainant brings this Complaint pursuant to Connecticut General Statutes § 9-7b and asserts that on March 2, 2010, Radamas Vazquez (hereinafter the "Respondent") violated General Statutes § 9-236 by approaching a voter within 75 feet of the polling place and handing her a written communication that advocated the election of a several candidates. After the investigation, the Commission makes the following findings and conclusions:

1. The Complainant specifically alleges that on March 2, 2010, she was driving a woman to the Sand Elementary School Library polling place in Hartford so that she could cast her vote in a Democratic Town Committee Primary taking place on that day. According to the Respondent, she parked her vehicle between each side of the 75 foot markers so that the voter could easily approach the entrance to the polling place.
2. The Complainant maintains that as she helped her passenger out of the vehicle, The Respondent approached her with a written communication (a palm card) advocating the election of a particular slate of candidates. The Complainant asserts that when doing do, the Respondent was within 75 feet of the entrance to the polling place.
3. The Complainant did not provide the Commission with the palm card she alleges was distributed by the Respondent.
4. General Statutes § 9-236 (a) provides in pertinent part as follows:

On the day of any . . . election, no person shall solicit in behalf of or in opposition to the candidacy of another or himself . . . 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
5. The Complainant has not provided, nor has the Commission uncovered, any additional evidence in support of the allegations set forth in the Complaint.
6. The Respondent denies the Complainant's allegations and maintains instead that the Complainant violated the aforementioned provision herself each time she escorted a voter to the entrance of the polling place. He admits that at the time at issue in the Complaint he was within seventy five feet of the entrance to the polling place but did so only to address what he believed was the Complainant's failure to remain outside the 75 foot marker in continued violation of the law.
7. The Commission concludes that under these circumstances, the Complainant's

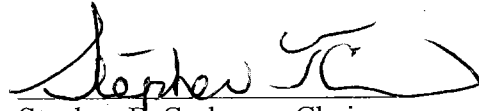
statement alone is insufficient to establish a violation of General Statutes § 9-236 (a). The Commission cautions the Respondent to be mindful of the prohibitions set forth in that provision in the future.

ORDER

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

That the Complaint be dismissed.

Adopted this 14th day of October of 20 10 at Hartford, Connecticut



Stephen F. Cashman, Chairman
By Order of the Commission

