

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

Complaint of Martha S. Epstein-Semega, Bridgeport

File No. 2010-153

FINDINGS AND CONCLUSIONS

The Complainant brings this Complaint pursuant to Connecticut General Statutes § 9-7b and alleges that she was deprived her voting rights during the November 2, 2010 general election.

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

1. General Statutes § 9-236b (a) provides as follows:

The Secretary of the State shall provide each municipality with sufficient quantities of a poster size copy, at least eighteen by twenty-four inches, of a Voter's Bill of Rights, which shall be posted conspicuously at each polling place. The text of the Voter's Bill of Rights shall be:

"VOTER'S BILL OF RIGHTS

Every registered voter in this state has the right to:

- (1) Inspect a sample ballot before voting;
- (2) Receive instructions concerning how to operate voting equipment, on sample voting equipment before voting;
- (3) Cast a ballot if the voter is in line when the polls are closing;
- (4) Ask for and receive assistance in voting, including assistance in languages other than English where required by federal or state law;
- (5) Vote free from coercion or intimidation by election officials or any other person;
- (6) Cast a ballot using voting equipment that accurately counts all votes;
- (7) Vote by provisional ballot if the individual registered to vote and the individual's name is not on the voter list;
- (8) Be informed of the process for restoring the individual's right to vote if the individual was incarcerated for a felony conviction; and
- (9) Vote independently and in privacy at a polling place, regardless of physical disability.

If any of your rights have been violated, you have the right to file an official complaint with the State Elections Enforcement Commission at (toll-free telephone number) or the United States Department of Justice at (toll-free telephone number). In addition, before leaving the polling place you may notify the moderator of the violation."

(b) In any municipality or voting district where federal or state law requires ballots to be made available in a language or languages other than English, the Voter's Bill of Rights shall also be made available in such language or languages.

(c) Sample ballots shall be made available at all polling places, and any voter shall be permitted to inspect a sample ballot before voting.

(d) Any voter standing in line at a polling place at the time when polls are scheduled to close shall be permitted to vote.

(e) For use at elections for federal office, the Secretary of the State shall prescribe and the municipal clerk shall provide for all polling places in the municipality: (1) Instructions on how to cast a provisional ballot, (2) instructions for mail-in registrants and first-time voters who register to vote by mail on or after January 1, 2003, (3) general information concerning voting rights under federal and Connecticut laws, including information on the right of an individual to cast a provisional ballot and instructions on how to contact the appropriate officials if these rights are alleged to have been violated, and (4) general information on federal and state laws concerning prohibitions on acts of fraud and misrepresentation.

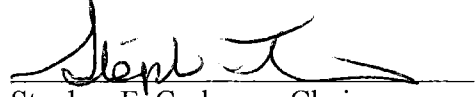
2. Upon investigation, the Complainant clarified the allegations set forth in her complaint. Specifically, she maintains that her voting rights were violated because the disorganization at her polling place caused long lines and resulted in her waiting over two hours to vote. However, she admits that she voted. She also asserts that an election official was inappropriately dressed. Finally, she asserts that voters with disabilities were not provided assistance *outside* of the polling place. She did not, however, provide the name of any specific voter and the Commission has not been provided with any evidence suggesting that those voters wanted assistance.
3. The Commission therefore concludes that the Complainant has not alleged facts, which if proven true, would constitute a deprivation the rights articulated in the Voter's Bill of Rights or a violation of any other state election law.

ORDER

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

That the matter be dismissed.

Adopted this 16th day of February, 2011 at Hartford, Connecticut.



Stephen F. Cashman, Chairperson
By Order of the Commission