

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Allen J. Friedrich, Glastonbury

File No. 2012-117

AGREEMENT CONTAINING CONSENT ORDER

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

1. Respondent was the incumbent State Representative for the 31st General Assembly District at the time of the August 14, 2012 Primary in the Town of Glastonbury.
2. Complainant alleged that Respondent impermissibly entered polling places during the August 14, 2012 Primary in the Town of Glastonbury. Respondent was not on the August 14, 2012 primary ballot.
3. General Statutes § 9-236 provides in pertinent part:

(a) ***On the day of any primary***, referendum or election, ***no person shall*** solicit in behalf of or in opposition to the candidacy of another or himself or in 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 any such corridor, passageway or approach, except as provided in section 9-294. ...

(c) ***No person*** except those permitted or exempt under this section or section 9-236a and primary or election officials and party checkers appointed under section 9-235 ***shall be allowed within any polling place except for the purpose of casting his vote.*** ... Any person who violates any provision of this section or, while the polls are open for voting, removes or injures any such distance marker, shall be fined not more than fifty dollars or imprisoned not more than three months, or both. [Emphasis added.]

4. Upon investigation, Respondent admitted that he visited polling places during the August 14, 2012 Primary in the Town of Glastonbury. Specifically, Respondent admits that he visited polling places in Glastonbury and spoke to elections officials in each during the August 14, 2012 primary.
5. Respondent claims, and there is no evidence or allegation to the contrary, that he was unaware of the aforementioned statute and prohibition at the times relevant to this complaint. Furthermore, the investigation revealed that Respondent did not electioneer during the approximately six visits to four polling places as discussed herein, and that each visit had a duration of several minutes.
6. The Commission concludes that General Statutes § 9-236 (a) & (c), prohibit loitering within polling places and entering within a polling place other than to cast his own ballot. The Commission concludes therefore that Respondent, by being present at various polling places in the Town of Glastonbury at the August 14, 2012 primary for reasons other than casting his vote, violated General Statutes §9-236 (a) & (c).
7. While there is no evidence that Respondent intentionally violated General Statutes § 9-236 (a) & (c), the Commission nevertheless finds the fact that Respondent was an incumbent General Assembly member at the time of his violations is an aggravating factor under these circumstances, in that the Commission deems the Respondent, as a member of the General Assembly, a sophisticated participant in elections matters, and therefore holds him to a higher standard than like individuals who otherwise have no prior history with the Commission.
8. 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 into 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.
9. 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.
10. 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 Order entered into pursuant to this agreement.

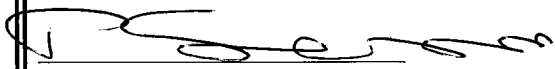
11. Upon the Respondent's compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings against Respondent pertaining to this matter.

ORDER

IT IS ORDERED THAT Respondent is *reprimanded* for violations of General Statutes § 9-236 (a) & (c).


IT IS HEREBY FURTHER ORDERED THAT Respondent shall henceforth strictly comply henceforth comply with the General Statutes § 9-236 (a) & (c).

The Respondent:



Dr. Prasad Srinivasan
268 Grandview Drive
Glastonbury, Connecticut

For the State Elections Enforcement Commission

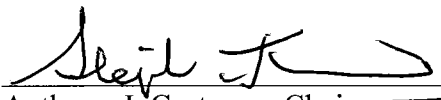
BY: 

Michael J. Branch, Esq.
Executive Director and General Counsel and
Authorized Representative of the
State Elections Enforcement Commission
20 Trinity Street, Hartford, Connecticut

Dated: 1/8/13

Dated: 1/11/13

Adopted this 16th day of January of 2012 at Hartford, Connecticut, by vote of the Commission.



~~Anthony J. Castagno, Chairperson~~
By Order of the Commission
Stephen Cashman