

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Ralph R. Ford, Bridgeport

File No. 2012-160

FINDINGS AND CONCLUSIONS

The Complainant brings this complaint pursuant to §9-7b, General Statutes, alleging that Mr. Kevin Johnson of Bridgeport witnessed two individuals take unauthorized possession of absentee ballots for the November 8, 2012 election in the City of Bridgeport.

After an investigation of this matter, the following findings and conclusions are made:

1. Complainant alleged that Mr. Kevin Johnson informed him that two women were soliciting and receiving absentee ballot applications from residents of an apartment building at 1491 Central Avenue in Bridgeport in a manner which violated election laws.
2. Complainant further alleged that Mr. Johnson "agreed to file a complaint" regarding these same women who allegedly returned to the aforementioned facility and took possession of the absentee ballots from residents at 1491 Central Avenue.
3. Connecticut General Statutes §9-140b, provides in pertinent part:

(a) *An absentee ballot shall be cast at a primary, election or referendum only if: (1) It is mailed by (A) the ballot applicant, (B) a designee of a person who applies for an absentee ballot because of illness or physical disability, ...*

(b) As used in this section and section 9-150c, "*designee*" means (1) a person who is caring for the applicant because of the applicant's illness or physical disability, including but not limited to, a licensed physician or a registered or practical nurse, (2) a member of the applicant's family, who is designated by an absentee ballot applicant and who consents to such designation, or (3) if no such person consents or is available, then a police officer, registrar of voters, deputy registrar of voters or assistant registrar of voters in the municipality in which the applicant resides.

[Emphasis added]


4. Mr. Johnson was provided with multiple opportunities by Commission investigators to substantiate the allegations alluded to by Complainant, but failed to confirm the allegations detailed above or otherwise submit a sworn affidavit of complaint or written statement to the Commission detailing improper conduct by any individuals in connection with absentee ballot applications and absentee ballots solicited from residents at 1491 Central Avenue for the November 8, 2012 election in the City of Bridgeport.
5. The Commission concludes that the affidavit of complaint that was submitted in support of alleged violations as described herein, fails to provide first-hand knowledge of facts to support possible violations of General Statutes § 9-140b, or otherwise meet the requirements for investigation as provided by Commission authority pursuant to § 9-7b. The Commission finds therefore that this complaint warrants no further action or investigation by the Commission.
6. Finally, the Commission, in the absence of a sworn statement satisfying the Commission standards for making a complaint by Mr. Johnson, dismisses this complaint without prejudice.

ORDER

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

The complaint is hereby dismissed, without prejudice.

Adopted this ^{21ST}~~17th~~ day of ^{AUGUST}~~July~~, 2013, at Hartford, Connecticut.


Anthony J. Castagno, Chair
By Order of the Commission