

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

In the Matter of a David G. LaPointe,  
Winsted

File No. 2014-129

**AGREEMENT CONTAINING CONSENT ORDER**

This Agreement, by and between Steven Sedlack, of the City of Winsted, County of Litchfield, State of Connecticut (hereinafter "Respondent") and the 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. Complainant alleged that Respondent did not submit a list of prospective absentee ballot applicants to the town clerk's office to whom he distributed applications for the September 13, 2014 special election in Winsted until September 19, 2014 in violation of General Statutes § 9-140 (k) (2). Complainant alleges Respondent was required by § 9-140 (k) (2) to submit the aforementioned list *prior* to the special election.
2. Additionally, Complainant alleged that Respondent's spouse, Town of Winchester Town Clerk Sheila Sedlack, "did nothing" in response to the aforementioned alleged violation. The Commission notes that Sheila Sedlack was at all times relevant to this complaint Winchester Town Clerk, which serves as the town clerk's office of Winsted.
3. By way of background, there was a special election in Winsted on September 13, 2015 to fill two vacancies on the Board of Selectmen that occurred due to resignations. Further, Respondent has no prior history with the Commission
4. General Statutes § 9-140, provides in pertinent part:
  - (a) Application for an absentee ballot shall be made to the clerk of the municipality in which the applicant is eligible to vote or has applied for such eligibility. . . . The municipal clerk shall maintain a log of all absentee ballot applications provided under this subsection, including the name and address of each person to whom applications are provided and the number of applications provided to each such person. . . .
  - (k) (1) A person shall register with the town clerk before distributing five or more absentee ballot applications for an election, primary or referendum, not including applications

distributed to such person's immediate family. Such requirement shall not apply to a person who is the designee of an applicant.

***(2) Any person who distributes absentee ballot applications shall maintain a list of the names and addresses of prospective absentee ballot applicants who receive such applications, and shall file such list with the town clerk prior to the date of the primary, election or referendum for which the applications were so distributed.*** Any person who distributes absentee ballot applications and receives an executed application shall forthwith file the application with the town clerk.

[Emphasis added.]

5. Upon investigation, Respondent admitted that he requested and received 25 absentee ballot applications from the Winchester Town Clerk's office prior to the September 13, 2014 special election for the Winsted Board of Selectmen and distributed to prospective applicants four of those applications. Further, the Commission finds that Respondent admitted to retaining the remaining 21 absentee ballot applications, which he did not return to the town clerk's office until September 19, 2014.
6. Respondent cooperated with the Commission investigation and admitted in response to the complaint in writing that he was "a circulator of absentee ballot applications" and asserts that he "did not understand that [he] had to file the list of the names of people to whom I circulated applications prior to the election."
7. Further, Respondent admitted that he was notified by the town clerk's office regarding his failure to turn in the a list of absentee ballots he distributed after the special election and subsequently delivered the list of four absentee ballot applications he distributed as well as the remaining 21 applications to the Winchester Town Clerks' office as detailed above only *after* the September 13, 2014 special election. Finally, Respondent has shown contrition for his errors and explained in writing that: *[He] understand that ignorance of the statute is no excuse and will accept whatever consequence is appropriate.*
8. The Commission finds that Respondents assertions pertaining his failure to return a list and unused absentee ballots to the town clerk's office until *after* the September 13, 2015 special election were corroborated by the investigation. Further, the Commission finds nothing contrary pertaining to either Respondent's factual assertions pertaining to his use of absentee ballot applications as detailed above or his assertion that he lacked knowledge regarding specific requirements pertaining to the distribution of absentee ballots including the requirement to return a list of prospective absentee ballots to the town clerk's office pursuant to General Statutes § 9-140 (k) (2) prior to any election, primary or referendum for which they are distributed.

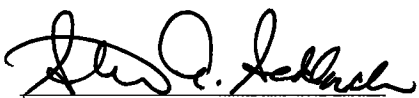
9. The Commission concludes that Respondent's admittedly violated General Statutes § 9-140 (k) (2) by failing to return the town clerk's office a list of four prospective absentee ballot applicants *prior* to the September 13, 2014 special election for Winsted Board of Selectman
10. The Commission notes that Respondent provided a candid response to this complaint and his assertions and admissions of having unknowingly violated General Statutes § 9-140 (k) (2) appear credible.
11. Pertaining to Complainant's claim against Ms. Sedlack as Winchester Town Clerk as it relates to Respondent's conduct in this matter, the Commission finds that she *did* contact Respondent on or about September 18, 2014. Specifically, the Commission finds that upon discovery of Respondent's failure to return absentee ballot applications and a list of prospective applicants pursuant to Statutes § 9-140 (k) (2) Ms. Sedlack the Commission finds as detailed herein that there was credible evidence after investigation that Ms. Sedlack effected the return of the absentee ballots and list by the very next day.
12. Additionally, the Commission finds that by causing the return of the 21 unused absentee ballot applications and the list of four prospective applicants upon discovery of the error Ms. Sedlack attempted to correct the situation. The Commission notes that Ms. Sedlack responded to this complaint and investigation with candor.
13. The Commission finds that Complainant's claim that Ms. Sedlack "did nothing" and thereby violated election laws upon discovery of her husband's alleged violations of General Statutes § 9-140 (k) (2), was neither supported by the facts or the law under these circumstances and therefore dismisses the claim against Ms. Sedlack.
14. 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
15. It is understood and agreed that this Agreement will be submitted to the Commission for consideration at its next meeting and, if the Commission does not accept it, it is withdrawn and may not be used as an admission by either party in any subsequent hearing, if the same.

**ORDER**


IT IS HEREBY ORDERED that Respondent shall henceforth strictly comply with the requirements of General Statutes § 9-140 (k).

The Respondent:

For the State of Connecticut:



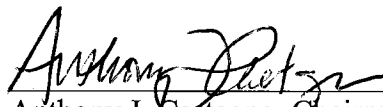
Steven Sedlack  
103 Indian Meadow Drive  
Winsted, Connecticut

BY:   
Michael J. Brandi, Esq.  
Executive Director and General Counsel  
& Authorized Representative of the  
State Elections Enforcement Commission  
20 Trinity St., Suite 101  
Hartford, Connecticut

Dated: 4/27/15

Dated: 5/4/15

Adopted this 19<sup>th</sup> day of May, 2015 at Hartford, Connecticut

  
Anthony J. Castagno, Chairman  
By Order of the Commission

**RECEIVED  
STATE ELECTIONS**

**APR 29 2015**

**ENFORCEMENT COMMISSION**