

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

In the Matter of a Complaint by James E. O'Donnell,  
Bridgeport

File No. 2015-160

**FINDINGS AND CONCLUSIONS**

Complainant brought this complaint pursuant to § 9-7b, General Statutes of Connecticut, alleging that the City of Bridgeport Registrars' of Voters Office violated General Statutes § 9-229, in that they failed to provide Complainant with a list of moderators pursuant to § 9-244, pertaining to the November 3, 2015, municipal election in the City of Bridgeport.

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

1. Complainant alleged that the Bridgeport Registrars' of Voters office violated General Statutes § 9-229, in that they failed to provide complainant with the list of moderators assigned to the polling places pertaining to the November 3, 2015 municipal election in Bridgeport.
2. General Statutes § 9-229, provides in pertinent part:
  - (a) *The registrars of voters* in the several towns and, in towns where there are different registrars for different voting districts, the registrars of voters in such districts *shall appoint the moderators of regular and special state and municipal elections in their respective towns or districts*. ... Moderators and alternate moderators shall be appointed at least twenty days before the election or primary. *The registrars shall submit a list of the names of such moderators and alternate moderators to the municipal clerk, which list shall be made available for public inspection by such clerk*. Each person appointed to serve as moderator or alternate moderator shall be certified by the Secretary of the State in accordance with the provisions of subsection (c) of this section, except as provided in subsection (d) of this section or section 9-436. [Emphasis added.]
3. Upon investigation, the Commission finds that Complainant, on behalf of the mayoral campaign of Mary Jane Foster, on November 2, 2015, presented himself at the Bridgeport Registrars' of Voters office and requested a copy of the list of moderators appointed and assigned by that office to polling places for the November 3, 2015 municipal election in Bridgeport.

4. Further, the Commission finds that the Bridgeport Registrars of Voters referred Complainant to the city clerk's office in response to his request for the moderators list that was prepared by the registrars pursuant to General Statutes § 9-229 for the November 3, 2015 election.
5. Moreover, the Commission finds, that Complainant on November 2, 2015 was instructed by the Bridgeport Registrars of Voters office that he could obtain the aforementioned moderators list pertaining the next day's election, at the Bridgeport City Clerk's office, where the list had been filed pursuant to General Statutes § 9-229.
6. Finally, the Commission finds, credible evidence that the Bridgeport Registrars of Voters had submitted their list of moderators pertaining to the November 3, 2015 municipal election, with the Bridgeport City Clerk's office and that the City Clerk's office maintained that list for public inspection at the time of Complainant's November 2, 2015 request to the Bridgeport Registrar of Voters.
7. General Statutes § 9-229 provides that registrars of voters "...shall appoint the moderators of regular and special state and municipal elections in their respective towns or districts." Further, § 9-229 requires registrars of voters to "...submit [the] list of the names of such moderators and alternate moderators *to the municipal clerk, which list shall be made available for public inspection by such clerk.*" (Emphasis added.)
8. The Commission concludes at the time of Complainant's request for the list of moderators, as detailed herein, the Bridgeport Registrars of Voters had satisfied the filing requirements for such list pursuant to General Statutes § 9-229.
9. The Commission therefore dismisses Complainant's alleged violation of General Statutes § 9-229 by the Bridgeport Registrars of Voters under these narrow and specific circumstances as it was not supported by the facts or the law after investigation.

#### ORDER

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

That the complaint is dismissed.

Adopted this 13<sup>th</sup> day of April, 2016 at Hartford, Connecticut

  
Anthony J. Castagno, Chairperson  
By Order of the Commission