

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

In the Matter of a Referral by the New Haven Registrar of Voters

File No. 2017-044

**FINDINGS AND CONCLUSIONS**

New Haven Registrar of Voters Shannel Evans made this referral pursuant to General Statutes §9-7b. She alleged that petition pages filed on behalf of the Americo Carchia for Judge of Probate 2017 campaign included names of individuals that had not, in fact, signed the petition. After an investigation of the Referral, the Commission makes the following findings and conclusions:

1. Referring official alleges that the Americo Carchia for Judge of Probate 2017 campaign submitted fraudulent signatures on nominating petitions for the September 12, 2017, Democratic Primary.
2. Americo R. Carchia of New Haven, in 2017 ran for Judge of Probate for the New Haven Probate Court.
3. To assist with collecting signatures for nominating petitions the Americo Carchia for Judge of Probate 2017 campaign hired political consulting firm Yellow Dog Strategies, LLC to circulate petitions. Yellow Dog Strategies, LLC was paid \$5,750 to collect 1,000 nominating petition signatures.
4. Yellow Dog Strategies, LLC was co-owned by Respondents Cole Haymond and Victor Cuevas.
5. An exam of the petition pages revealed that four circulators had signed multiple petition pages: Respondent Lissette Rosario signed eleven pages; Crus Torres signed thirteen pages; Respondent Brenda Rivera signed sixteen pages; and Respondent Carmen Fernandez signed eight pages.
6. Commission investigators interviewed Respondent Rosario, and she signed a sworn statement that she did not ever work for Yellow Dog Strategies, LLC as a paid or volunteer employee, but she stated that she was very familiar with Respondent Victor Cuevas.
7. Respondent Rosario further stated that she received several phone calls and text messages from Respondent Cuevas on or about August 25, 2017, a date shortly after the instant complaint had been filed with the Commission. Respondent Rosario stated that Respondent Cuevas wanted to meet with her to discuss an affidavit he wanted her to

sign. Respondent Rosario further stated that, at that meeting, Respondent Cuevas told her that his girlfriend, Respondent Rivera, forged Respondent Rosario's name on a number of petition pages. Respondent Rosario further recalled that Respondent Cuevas wanted her to sign an affidavit which attesting, falsely, to the fact that Respondent Rosario had signed the petition pages in question.

8. Respondent Rosario reported that she refused to sign the affidavit, even after Respondent Cuevas offered to pay her \$500.00 in cash to do so. Respondent Rosario further stated that Respondent Cuevas also offered to pay any fine levied by the Commission against her. Respondent Rosario did not accept any money from Respondent Cuevas and refused to sign the affidavit.
9. Respondent Cuevas sent her a photograph of the pre-typed statement via text message, which she then provided to Commission investigators. Respondent Rosario further stated that she learned that Respondent Cuevas paid her father, Daniel Rosario Sr., and her brother, Daniel Rosario Jr., \$50.00 each to convince her to sign Respondent Cuevas's affidavit. Both her brother and father did approach Respondent Rosario and they told her to sign the affidavit. She refused to sign the affidavit.
10. General Statutes § 9-453a requires, *inter alia*:

The petition form for candidacies for nomination to municipal office or for election as members of town committees shall be prescribed by the Secretary of the State and provided by the registrar of the municipality in which the candidacy is to be filed or duplicate petition pages shall be produced in accordance with section 9-409, and signatures shall be obtained only on such forms or such duplicate petition pages. Such form shall include, at the top of the form and in bold print, the following:

**WARNING**

**IT IS A CRIME TO SIGN THIS PETITION  
IN THE NAME OF ANOTHER PERSON  
WITHOUT LEGAL AUTHORITY TO DO SO  
AND YOU MAY NOT SIGN THIS PETITION  
IF YOU ARE NOT AN ELECTOR.**

The form shall include thereon a statement of instructions to persons using the form and shall indicate the date and time by which it shall be filed and the person with whom it shall be filed. The form shall provide spaces for the names and addresses of the candidates, the offices to which nomination is sought or the positions to which election is sought and the political party holding the primary, and shall provide lines for the signatures, street addresses, dates of birth and the printing of the names of enrolled party members supporting the person or persons on behalf of whose candidacy the petition is used. Only as many candidates may be proposed in any one primary petition for the same office or position as are to be nominated or chosen by such party for such office or position; but any one primary petition may propose as many candidates for different offices or positions as there are nominations to be made or positions to be filled.

11. General Statutes § 53a-130 details the crime of criminal impersonation and provides:

(a) A person is guilty of criminal impersonation when such person: (1) Impersonates another and does an act in such assumed character with intent to obtain a benefit or to injure or defraud another; or (2) pretends to be a state marshal with intent to obtain a benefit or induce another to submit to such pretended official authority or otherwise to act in reliance upon that pretense; or (3) pretends to be a representative of some person or organization and does an act in such pretended capacity with intent to obtain a benefit or to injure or defraud another; or (4) pretends to be a public servant other than a sworn member of an organized local police department or the Division of State Police within the Department of Emergency Services and Public Protection, or wears or displays without authority any uniform, badge or shield by which such public servant is lawfully distinguished, with intent to induce another to submit to such pretended official authority or otherwise to act in reliance upon that pretense; or (5) with intent to defraud, deceive or injure another, uses an electronic device to impersonate another and such act results in personal injury or financial loss to another or the initiation of judicial proceedings against another.

(b) The provisions of subdivision (5) of subsection (a) of this section shall not apply to a law enforcement officer acting in the performance of his or her official duties.

(c) Criminal impersonation is a class A misdemeanor.

12. General Statutes § 53a-139 details the crime of forgery in the second degree and provides:

(a) A person is guilty of forgery in the second degree when, with intent to defraud, deceive or injure another, he falsely makes, completes or alters a written instrument or issues or possesses any written instrument which he knows to be forged, which is or purports to be, or which is calculated to become or represent if completed: (1) A deed, will, codicil, contract, assignment, commercial instrument or other instrument which does or may evidence, create, transfer, terminate or otherwise affect a legal right, interest, obligation or status; or (2) a public record or an instrument filed or required or authorized by law to be filed in or with a public office or public servant; or (3) a written instrument officially issued or created by a public office, public servant or governmental instrumentality; or (4) a prescription of a duly licensed physician or other person authorized to issue the same for any drug or any instrument or device used in the taking or administering of drugs for which a prescription is required by law.

(b) "Drugs" as used in this section includes all drugs except controlled drugs as defined in section 21a-240.

(c) Forgery in the second degree is a class D felony.

13. General Statutes § 9-53a-149 details the crime of bribery of a witness and provides:

(a) A person is guilty of bribery of a witness if he offers, confers or agrees to confer upon a witness any benefit to influence the testimony or conduct of such witness in, or in relation to, an official proceeding.

(b) Bribery of a witness is a class C felony.

14. General Statutes § 53-156 details the crime of perjury and provides:

(a) A person is guilty of perjury if, in any official proceeding, such person intentionally, under oath or in an unsworn declaration under sections 1-65aa to 1-65hh, inclusive, makes a false statement, swears, affirms or testifies falsely, to a material statement which such person does not believe to be true.

(b) In any prosecution for an offense under this section, it shall be an affirmative defense that the actor was coerced into committing such offense by another person in violation of section 53a-192.

(c) Perjury is a class D felony.

15. General Statutes § 53a-302 details the crime of criminal misrepresentation and provides:

(a) A person is guilty of criminal misrepresentation when such person, with intent to intimidate or coerce the civilian population or a unit of government and with respect to any criminal matter under investigation by an agency or official of the state or any political subdivision of the state, knowingly and wilfully (1) falsifies, conceals or covers up a material fact by any trick, scheme or device, (2) makes any materially false, fictitious or fraudulent statement or representation, or (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious or fraudulent statement or entry, and such act materially impairs such investigation.

(b) Criminal misrepresentation is a class C felony.

16. Based upon the Commission's investigation this matter was referred to the United States Attorney for Connecticut.

17. On October 25, 2022, Respondent Cuevas pleaded guilty in Hartford federal court to conspiring to defraud a New Haven Probate Judge candidate in 2017. Respondent Cuevas pleaded guilty to one count of conspiracy to commit wire fraud.

18. Considering Respondent Cuevas pleading guilty in federal court, the Commission will take no further action on this matter against him.

19. After the investigation the Commission could not show Respondents Haymond, Rosario, Rivera, or Fernandez violated the law. The scheme to collect and submit fraudulent signatures on nominating petitions was orchestrated by Respondent Cuevas, and he has pleaded guilty to the charges stemming from this.
20. The Commission concludes therefore that this complaint against the remaining named Respondents shall be dismissed.

**ORDER**

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

The Commission takes no further action against Victor Cuevas; and, the Commission dismisses the allegations against the other named Respondents.

Adopted this 15<sup>th</sup> day of February 2023 at Hartford, Connecticut by vote of the Commission.



Commissioner STANLEY T. HENRY  
By Order of the Commission