

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Enrico Melita, New Haven

File No. 2017-050B

AGREEMENT CONTAINING A CONSENT ORDER

The parties, Diane Glenn (“Respondent”) and the undersigned authorized representative of the State Elections Enforcement Commission (the “Commission”), enter into this agreement as authorized by Connecticut General Statutes § 4-177 (c) and Regulations of Connecticut State Agencies § 9-7b-54. In accordance with those provisions, the parties agree that:

Factual Background

1. At all times relevant hereto, Marcus Paca was a candidate for election as Mayor of The City of New Haven in the 2017 general election.
2. At all times relevant hereto, Toni Harp was the incumbent Mayor of the City of New Haven and a candidate for reelection in the 2017 general election.
3. Prior to the September 12, 2017 Democratic primary in The City of New Haven, the New Haven Democratic Town Committee endorsed Toni Harp for reelection as Mayor.
4. Prior to the September 12, 2017 Democratic primary in The City of New Haven, Marcus Paca attempted to obtain petition signatures to force a primary for the Democratic Party’s nomination for Mayor of The City of New Haven.
5. In order to obtain the petition signatures required to force a primary, Marcus Paca enlisted the help of individuals, including Respondent Diane Glenn, to circulate petitions on his behalf.
6. On or about August 31, 2017, the Complainant filed the instant complaint with the Commission alleging, among other things, that Respondent Glenn had not witnessed each signature that she had attested to witnessing on some petition pages supporting Mr. Paca.
7. As part of the Complaint, Corey Staggers provided a statement indicating that the petition he had signed was circulated by Respondent Diane Glenn’s daughter, Kayla Glenn, not Diane Glenn herself.¹

¹ Corey Staggers statement contained other allegations concerning intimidation relating to the petition that could not be substantiated after investigation.

8. However, when Commission investigators attempted to contact Mr. Stagers, both over the phone and in person, Mr. Stagers declined to cooperate with the investigation and would not provide Commission investigators a further, more detailed, sworn statement.
9. On September 4, 2019, Diane Glenn came to the offices of the Commission and provided a sworn statement. In the statement, Ms. Glenn stated that while Kayla Glenn did approach Mr. Stagers for a signature, Diane Glenn was in the car and witnessed the entire interaction.
10. In addition to the statement of Mr. Stagers, the Complaint also contained a sworn statement of Sheila Carmon alleging a violation by Respondent Glenn. Specifically, Ms. Carmon stated that Claudine Chambers signed a petition circulated by Edward Jefferson, but on which page Diane Glenn had signed as a circulator.
11. In her September 4, 2019 statement to the Commission, Ms. Glenn stated that “I acknowledge that I did not circulate [the petition signed by Claudine Chambers] however, I do acknowledge my signature on the back.”
12. In conversations with Commission staff, Ms. Glenn stated that she likely signed the petition when she was signing others that she did, in fact, circulate, and that this was the result of “sloppy paperwork.”

Law

13. General Statutes § 9-410, governing petition gathering for municipal offices provides, in pertinent part:

(a) 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. . . .

. . .

(c) . . . Each separate sheet of such petition shall contain a statement as to the authenticity of the signatures thereon and the number of such signatures, and shall be signed under the penalties of false statement by the person who circulated the same, setting forth such circulator's address and the town in which such circulator is an enrolled party member and attesting that each person whose name appears on such sheet signed the same in person in the presence of such circulator, that the circulator either knows each such signer or that the signer satisfactorily identified the signer to the circulator and that the spaces for candidates supported, offices or positions sought and the political party involved were filled in prior to the obtaining of the signatures. Each separate sheet of such petition shall also be acknowledged before an appropriate person as provided in section 1-29. Any sheet of a petition filed with the registrar which does not contain such a statement by the circulator as to the authenticity of the signatures thereon, or upon which the statement of the circulator is incomplete in any respect, or which does not contain the certification hereinbefore required by the registrar of the town in which the circulator is an enrolled party member, shall be rejected by the registrar. Any individual proposed as a candidate in any primary petition may serve as a circulator of the pages of such petition, provided such individual's service as circulator does not violate any provision of this section.

14. General Statutes § 9-7b (a) (2) (B) permits the Commission to impose a civil penalty of “two thousand dollars per offense against any person the commission finds to be in violation of any provision of . . . 9-410”

Discussion

15. There are two distinct allegations that must be addressed with regard to Respondent Dianne Glenn.

16. First, with regard to the allegations related to the petition signature of Corey Staggers, Ms. Glenn's account that she witnessed the signature from her vehicle is not inconsistent with the allegations or factual investigation and, in the absence of cooperation by Mr. Staggers, this portion of the allegations against Ms. Glenn shall be dismissed.
17. Second, Ms. Glenn admitted that she had signed a petition page as a circulator even though she had not circulated such a page. Such conduct is a violation of General Statutes § 9-410 and is not contested by Ms. Glenn.
18. The failure to properly certify signatures on a primary petition page is a violation the Commission has previously considered serious. *In the Matter of a Complaint by Solomon Hall, Hartford*, File No. 2007-343; *In the Matter of a Complaint by JoAnn Alligari, West Haven*, File No. 2008; *In the Matter of a Complaint by Louise G. Graver, Guilford*, File No. 2013-108.
19. However, when the signatures at issue were only members of the same household, the Commission has considered that mitigating in the assessment of civil penalties. *In the Matter of a Complaint by Allison C. Heimer, New Haven*, File No. 2013-111D.
20. In this case, while there was sloppiness that resulted in the above described violations, such conduct appears to be limited to a single petition page each and does not appear to be the result of intentional conduct or related to a pattern of activity.
21. Moreover, the Respondent has been cooperative with the instant investigation and has no history of similar acts or omissions with the Commission.
22. Accordingly, the Commission declines to assess a civil penalty in this case.

ORDER

It is hereby ordered that the Respondents shall henceforth strictly adhere to the requirements of General Statutes § 9-410.

The Respondent:

For the State of Connecticut:

By: Diane Glenn
Diane Glenn
84 Osborn Ave.
New Haven, CT 06511

By: Michael J. Brandi
Michael J. Brandi
Executive Director and General Counsel and
Authorized Representative of the
State Elections Enforcement Commission
20 Trinity St.
Hartford, CT 06106

Dated: 1/7/2020

Dated: 1/8/2020

Adopted this 15 day of January, 2020 at Hartford, Connecticut by vote of the Commission.

Anthony J. Castagno
Anthony J. Castagno, Chairman
By Order of the Commission
Stephen T. Penny