

**STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION**

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

File No. 2017-050C

AGREEMENT CONTAINING A CONSENT ORDER

The parties, Mendi Blue ("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 Mendi Blue, 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. After reviewing the complaint, Commission staff reviewed every petition page for which there was any suspicion of signature anomalies.
8. As a result of that review, Commission sent out 48 witness questionnaires to individuals whose signatures on petitions raised concern.

9. In response to one of the witness questionnaires, one individual admitted that he signed the petition for his wife.
10. The individual that signed the attestation as circulator of that petition page was Respondent Mendi Blue.
11. However, in a sworn statement to Commission investigators on May 31, 2019, another individual, Harvey M. Feinberg, stated that he had circulated the petition containing that individuals name. He further stated that Respondent Blue was not present for the signing of that petition.
12. Subsequently, Respondent Blue provided the following statement, in relevant part, to Commission investigators on November 26, 2019:

I circulated several petition pages for the campaign. I was allowed to view the petition page bearing my name as the circulator of record and Joel Waggner as a petition signer. The handwritten information in Section C, "Statement by Registrar of Voters as to Circulator's Status Enrolled Party Member", call [sic] seeing Ali Palmelee or Joel Waggner sign this petition page. I do not know if this page was circulated by Harvey Feinberg. I do not believe I circulated a petition page on Westwood Road, but I did circulate several petition pages in Westville and at events.

....

I do not believe that Harvey Feinberg refused to sign this petition page. I did not ask Harvey to sign a petition page that he didn't circulate. I wouldn't have signed off on a sheet I thought was Harvey's. It's possible I thought this was my sheet. I don't recall or know the people who signed this sheet. I didn't intentionally sign this knowing it wasn't my sheet.

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 9-410, 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 . . ."

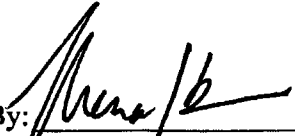
Discussion

15. Respondent Blue admits to the facts as alleged in the Complaint to the extent that she admits that she did not witness the signature that appeared on a petition that she signed as a circulator.
16. Such conduct is a violation of General Statutes § 9-410.
17. 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. 2008-077 (\$500 civil penalty for failure to properly authenticate signatures); *In the Matter of a Complaint by Louise G. Graver, Guilford*, File No. 2013-108 (\$1000 civil penalty for falsely signing others names on primary petitions).
18. 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.
19. 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.
20. Moreover, the Respondent has been cooperative with the instant investigation and has no history of similar acts or omissions with the Commission.
21. Accordingly, the Commission declines to assess a civil penalty in this case.

ORDER

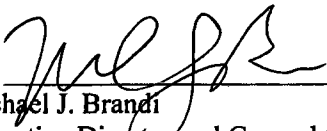
It is hereby ordered that the Respondents shall henceforth strictly adhere to the requirements of General Statutes § 9-410.

The Respondent:

By: 

Mendi Blue
1 Saint John Connector
New Haven, CT 06511

For the State of Connecticut:


By: 

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

Dated: 1/6/20

Dated: 1/6/2020

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



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