

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by William Moffett, Hartford

File No. 2018-062

FINDINGS AND CONCLUSIONS

The Complainant alleged that during the August 14, 2018 Democratic Party Primary for state elected positions he witnessed an election official potentially violating General Statutes § 9-236 (a) by electioneering within the Parkville Community School polling place in the City of Hartford.

Law

1. General Statutes § 9-236 (a) reads, in pertinent part:

(a) On the day of any primary, referendum or election, no person shall solicit on behalf of or in opposition to the candidacy of another or himself or on behalf of or in opposition to any question being submitted at the election or referendum, or loiter or peddle or offer any advertising matter, ballot or circular to another person within a radius of seventy-five feet of any outside entrance in use as an entry to any polling place or in any corridor, passageway or other approach leading from any such outside entrance to such polling place or in any room opening upon any such corridor, passageway or approach. . . . (Emphasis added.)

. . .

2. The Complainant here alleged that while he was casting his ballot in the August 14, 2018 primary at the Parkville Community School polling place in the City of Hartford, he personally heard and witnessed a conversation between a voter and an unidentified individual that he asserted was a “volunteer working inside the polling center” (i.e., an election official)
3. The Complainant alleged in his complaint that the voter approached the unidentified election worker and asked her “Who is Minnie Garcia?”

4. The Complainant alleged further that the election official “not only did not correct the man on the name, but gave a brief description of [state representative candidate] Minnie [Gonzalez], saying ‘she’s good’ and passively encouraging [the voter] to vote for Gonzalez. This volunteer never mentioned [primary opponent Gannon Long’s] name.”¹
5. The Complainant did not assert that he made any complaint to any election official or any other individual present that day, including but not limited to the moderator in charge of that polling location.
6. The Complainant did not identify any other individual who may have witnessed the events alleged.
7. Commission investigators attempted to corroborate the allegations and identify the election official through the office of the Registrars of Voters and by reviewing the documentary evidence, including but not limited to the moderator’s diary.
8. Six of the seven election officials stationed at the Parkville Community School polling place were female—which was the only identifying information provided by the Complainant—any one of whom could have fit this extremely limited description.
9. The moderator’s diary contained no record of any similar event to that which the Complainant alleged occurred here.
10. The Commission’s investigation revealed no other witnesses who would corroborate the allegations made by Complainant.
11. Considering the lack of supporting evidence found during the Commission’s investigation, the Commission concludes that it cannot hold that any violation of General Statutes § 9-236 (a) occurred here.
12. Accordingly, this matter should be dismissed.

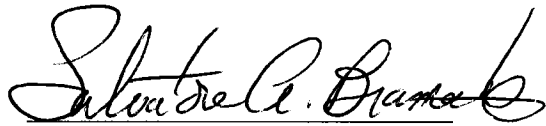
¹ The Commission notes that the Complainant was not cooperative in assisting the Commission with its investigation of his claim. The Complainant failed to return multiple inquiries made of him by Commission investigators by telephone and mail (including certified) seeking further information.

ORDER

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

Dismissed.

Adopted this ~~12~~¹⁹th day of ~~May~~^{June}, 2019 at Hartford, Connecticut.



~~Anthony J. Castagno, Chairperson~~

By Order of the Commission

Salvatore Bramante *Vice Chair*

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