

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Betzaieda Valazquez, Bridgeport

File No. 2018-072

FINDINGS AND CONCLUSIONS

Complainant Betzaieda Velazquez filed this Complaint pursuant to General Statutes § 9-7b alleging that Respondent Maria Pereira 1) was present when an absentee ballot was completed; 2) pre-marked an absentee ballot; 3) offered to pay for a completed absentee ballot; 4) and threatened voters.¹ After reviewing the investigation into this matter, the Commission makes the following findings and conclusions:

1. By way of background, Complainant and Respondent supported opposing candidates, in the August 14, 2018 Democratic Primary, including candidates for state senator from the 23 district.
2. Complainant alleges that the Respondent 1) was present when an absentee ballot was completed; 2) pre-marked an absentee ballot; 3) offered to pay for a completed absentee ballot; 4) and threatened voters.
3. It is a violation for any agent of a candidate, political party or committee to knowingly be present when an absentee ballot is being completed pursuant to General Statutes § 9-140b (e), which provides:

No (1) candidate or (2) agent of a candidate, political party or committee, as defined in section 9-601, shall knowingly be present when an absentee ballot applicant executes an absentee ballot, except (A) when the candidate or agent is (i) a member of the immediate family of the applicant or (ii) authorized by law to be present or (B) when the absentee ballot is executed in the office of the municipal clerk and the municipal clerk or an employee of the municipal clerk is a candidate or agent.

4. Furthermore, General Statutes § 9-140b (d) explicitly states who may, and may not, be in possession of an absentee ballot:

No person shall have in his possession any official absentee ballot or ballot envelope for use at any primary, election or referendum except the applicant to whom it was issued, the Secretary of the State or his or her authorized agents, any official printer of absentee ballot forms and his designated carriers, the United

¹ Complainant makes numerous other allegations within the Complaint. Any allegation not specifically addressed herein has been omitted because the allegations, even if true, would not amount to a violation of any law within the jurisdiction of the Commission.

States Postal Service, any other carrier, courier or messenger service recognized and approved by the Secretary of the State, any person authorized by a municipal clerk to receive and process official absentee ballot forms on behalf of the municipal clerk, any authorized primary, election or referendum official or any other person authorized by any provision of the general statutes to possess a ballot or ballot envelope.

5. General Statutes § 9-622 (1) the following persons shall be guilty of an illegal practice:

Any person who, directly or indirectly, individually or by another person, gives or offers or promises to any person any money, gift, advantage, preferment, entertainment, aid, emolument or other valuable thing for the purpose of inducing or procuring any person to sign a nominating, primary or referendum petition or to vote or refrain from voting for or against any person or for or against any measure at any election, caucus, convention, primary or referendum;

6. Finally, General Statutes § 9-364a provides:

Any person who influences or attempts to influence by force or threat the vote, or by force, threat, bribery or corrupt means, the speech, of any person in a primary, caucus, referendum convention or election; or wilfully and fraudulently suppresses or destroys any vote or ballot properly given or cast or, in counting such votes or ballots, wilfully miscounts or misrepresents the number thereof; and any presiding or other officer of a primary, caucus or convention who wilfully announces the result of a ballot or vote of such primary, caucus or convention, untruly and wrongfully, shall be guilty of a class C felony.

7. The conduct alleged Complainant is serious and this matter was investigated thoroughly by Commission investigators, including obtaining sworn statements numerous witnesses alleged to have direct knowledge of the facts alleged including, but not limited to, Jennifer Morales, Miraya Zayas, Hector, Zayas, and Javiel Morales.
8. The investigation revealed no evidence supporting the allegations in the Complaint.
9. In fact, several individuals listed as "Complainants" in the Complaint gave sworn statements to Commission investigators that contradicted the complaint. Such statements specifically provided that their absentee ballots were completed by themselves and that the handwriting on their absentee ballots and absentee ballot applications were their own.
10. Accordingly, the Commission determines that this matter should be dismissed.

ORDER

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

That the complaint is dismissed.

Adopted this 17th day of July 2019, at Hartford, Connecticut



Stephen T. Penny
By Order of the Commission