

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Patricia Bollettieri
and Arthur J. Penna, Jr., West Haven

File No. 2021-149

COMMISSION DISMISSAL

1. This complaint was received June 17, 2021. Commission staff docketed this complaint on June 18, 2021. Based on extension requests by Respondent that were approved by Commission staff the one year resolved by date of this matter is August 31, 2021. The Commission as detailed herein dismisses this matter by motion and order of the Commission pursuant to General Statutes § 9-7a,¹ as detailed herein.
2. Complainants alleged that Stephen R. Mullins (hereinafter “Respondent”), who was petitioning to appear on the November 2, 2021 municipal ballot in West Haven as a candidate for Mayor, falsely certified and submitted a petition page as circulator indicating that the signature therein was made in his presence, when he did not in fact circulate the page he signed as circulator in violation of General Statutes § 9-410 (c). Respondent did not qualify to appear on the ballot.
3. General Statutes § 9-410 (c), in part, requires that:
 - (c) Each circulator of a primary petition page shall be an enrolled party member of a municipality in this state who is entitled to vote. Each petition page shall contain a statement signed by the registrar of the municipality in which such circulator is an enrolled party member attesting that the circulator is an enrolled party member in such municipality. ... ***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

¹ Pursuant to General Statutes § 9-7a (g) (1), “... ***if the commission does not, by one year following receipt of such complaint, issue a decision thereon, the commission shall dismiss such complaint***, provided the length of time of any delay caused by (i) the commission or ***commission staff granting any extension or continuance to a respondent prior to the issuance of any such decision***, (ii) any subpoena issued in connection with such complaint, (iii) any litigation in state or federal court related to such complaint, or (iv) any investigation by, or consultation of the commission or commission staff with, the Chief State's Attorney, the Attorney General, the United States Department of Justice or the United States Attorney for Connecticut related to such complaint, shall be added to such one year (emphasis added).’ Accordingly, the Commission determines “resolved by dates” by calculating one year from the receipt of the complaint, as augmented by any statutorily appropriate extensions or continuances.

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 ...

[Emphasis added.]

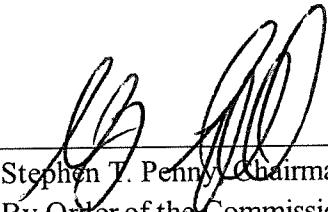
4. In response to this complaint and investigation, Respondent admitted the facts as alleged. Respondent asserted that it was “mistake.”
5. Further, the investigation determined that Respondent presented the petition page to the West Haven Registrar of Voters and signed its certification in her presence attesting to the authenticity of a signature on a petition page that he did not circulate.
6. The Commission makes no findings of facts or conclusions of law regarding whether Respondent violated General Statutes § 9-410 (c) based on his submission of the petition page to the West Haven Registrars of Voters in this instance.
7. Pursuant to General Statutes 9-7a (g) (1)), the Commission dismisses this complaint as it has not within one year plus relevant statutory extensions in this instance issued a decision.

ORDER

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

That this matter is dismissed, without prejudice.

Adopted this 7th day of September, 2022 at Hartford, Connecticut.



Stephen T. Penny, Chairman
By Order of the Commission
Michael Ajello
Vice Chair