

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Referral by Newtown Registrar of Voters
LeReine Frampton, Newtown

File No. 2022-017

FINDINGS AND CONCLUSIONS

Newtown Registrar of Voters LeReine Frampton, , made this referral pursuant to General Statutes §9-7b. She alleged several irregularities with the signatures regarding the voter registration applications and absentee ballot applications from the same named individual. These alleged irregularities included the potential that someone signed the applicant's name. After an investigation of the Referral, the Commission makes the following findings and conclusions:

1. Newtown Registrar of Voters LeReine Frampton (hereinafter "Referring Official") alleged that a voter registration and absentee ballot application may have been signed by someone other than the elector.
2. Referring Official determined that the signatures of Geraldine Bepko, who submitted two voter registrations and two absentee ballot applications, were "completely different." Referring Official alleged Ms. Bepko's son, Joseph "Danny" Bepko (hereinafter "Respondent"), who has a power of attorney for his mother, may have signed his mother's name.
3. General Statutes §9-140, provides in pertinent part:
 - (a) Application for an absentee ballot shall be made to the clerk of the municipality in which the applicant is eligible to vote or has applied for such eligibility. Any person who assists another person in the completion of an application shall, in the space provided, sign the application and print or type his name, residence address and telephone number. Such signature shall be made under the penalties of false statement in absentee balloting. The municipal clerk shall not invalidate the application solely because it does not contain the name of a person who assisted the applicant in the completion of the application. ... The application shall be signed by the applicant under the penalties of false statement in absentee balloting on (1) the form prescribed by the Secretary of the State pursuant to section 9-139a, (2) a form provided by any federal department or agency if applicable pursuant to section 9-153a, or (3) any of the special forms of application prescribed pursuant to section 9-150c, 9-153a, 9-153b, 9-153d, 9-153e, 9-153f or 9-158d, if applicable. ...

4. General Statutes § 9-357 provides:

Any person who fraudulently procures himself or another to be registered as an elector shall be fined not more than five hundred dollars or imprisoned not more than one year or be both fined and imprisoned.
5. General Statutes § 9-359 provides:

Any (1) person who executes an absentee ballot for the purpose of informing any other person how he votes, or procures any absentee ballot to be prepared for such purpose, (2) municipal clerk or moderator, elector appointed to count any absentee ballot or other person who wilfully attempts to ascertain how any elector marked his absentee ballot or how it was cast, (3) person who unlawfully opens or fills out, except as provided in section 9-140a with respect to a person unable to write, any elector's absentee ballot signed in blank, (4) person designated under section 9-140a who executes an absentee ballot contrary to the elector's wishes, or (5) person who wilfully violates any provision of chapter 145, shall be guilty of a class D felony.
6. General Statutes § 9-359a provides:

(a) A person is guilty of false statement in absentee balloting when he intentionally makes a false written statement in or on or signs the name of another person to the application for an absentee ballot or the inner envelope accompanying any such ballot, which he does not believe to be true and which statement or signature is intended to mislead a public servant in the performance of his official function.
7. In the course of this investigation the following timeline was determined:
 - September 10, 2020, Geraldine Bepko registered to vote.
 - September 25, 2020, Geraldine Bepko submitted an application for absentee ballot. Respondent completed *Section IV- Declaration of Person Providing Assistance*.
 - October 20, 2020, another voter registration for Geraldine Bepko was received by the Newtown Registrar of Voters. Also, on this day another application for absentee ballot was submitted with Anna Marie Pescatelli completing and signing *Section IV- Declaration of Person Providing Assistance*.
8. Commission investigators interviewed the Respondent who cooperated with this investigation. Respondent stated that he assisted his mother with the absentee ballot application dated September 25, 2020, and he completed *Section IV- Declaration of Person Providing Assistance*.

9. Respondent stated that his mother signed her own name on the application. Respondent further stated he recalled Anna Marie Pescatelli was an employee of Church Hill Village, which is the assisted living home where his mother resided, and that Ms. Pescatelli may have assisted his mother.
10. Commission investigators interviewed Ms. Piscatelli regarding this matter and she denied assisting Geraldine Bepko or other residents of Church Hill Village with voter registration and absentee ballot applications. She asserted that she did not remember Geraldine Bepko and stated she only worked at Church Hill Village for one year doing arts and crafts with the residents.
11. To identify staff members who may have assisted with voter registration and absentee ballot applications at Church Hill Village, Commission investigators interviewed staff members, including a former employee, who served as a Program Assistant when she worked there. The former Program Assistant stated she was never asked to assist residents with voting and did not know who would have assisted Geraldine Bepko with her absentee ballot application.
12. After investigation, there was a lack of evidence to support the allegations against the Respondent. Moreover, the Commission notes that the potentially fraudulent registration card and absentee ballot application derived from Church Hill Village and not from Respondent.
13. The Commission therefore dismisses the allegations against the Respondent based on a lack of evidence to establish that he violated the law by fraudulently signing his mother's voter registration card and absentee ballot application as alleged.
14. Based on the above-referenced findings and conclusions, the Referring Official's allegations were unsubstantiated after investigation and therefore this matter shall be dismissed.

ORDER

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

This matter is dismissed

Adopted this 15th day of February 2023 at Hartford, Connecticut by vote of the Commission.



Stephen T. Penny, Chairman
By Order of the Commission