

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

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

File No. 2022-020

AGREEMENT CONTAINING A CONSENT ORDER

This Agreement by and between Donald Lococo, Town of Newtown, State of Connecticut, hereinafter referred to as "Respondent," and the undersigned authorized representative of the State Elections Enforcement Commission, is entered into in accordance with Connecticut General Statutes § 4-177 (c) and Regulations of Connecticut State Agencies § 9-7b-54. In accordance herewith, the parties agree that:

1. Newtown Registrar of Voters LeReine Frampton (hereinafter "Referring Official") referred this matter to the Commission and alleged that a poll worker, while counting absentee ballots during the November 3, 2020 election, used his position to perform services for a political party in violation of General Statutes § 9-258.
2. Specifically, Referring Official alleged Respondent contacted a voter during the November 3, 2020, election to inform her that her vote was not going to be counted.
3. According to Referring Official, the aforementioned voter subsequently came into the Registrar of Voters' office and said she received a phone call that her ballot did not count, and that she needed to vote.
4. Referring Official determined that Respondent was the poll worker who reached out to someone when counting absentee ballots. Referring Official therefore told the Respondent he could no longer work there, and the Respondent left the office.
5. General Statutes § 9-258 provides in pertinent part:
No election official shall perform services for any party or candidate on election day nor appear at any political party headquarters prior to eight o'clock p.m. on election day.
6. During the investigation Respondent admitted he was a volunteer helping process absentee ballots on election day. Respondent further admitted that he received training, reviewed the rules, and took an oath prior to working at the polls on November 3, 2020.

7. During the investigation the Respondent explained that while processing absentee ballots he noticed a ballot did not contain a signature. The Respondent knew this would render the ballot invalid. The Respondent said he heard a story on the radio about a judge approving "notice and cure" for absentee ballots, but he realized later the story was about other states and did not apply in Connecticut.
8. Having no ability of contact the voter directly Respondent contacted the Newtown Democratic Town Committee. The Newtown Democratic Town Committee chair, Eric Paradis, during the investigation stated that to the best of his knowledge no one from the town committee gave permission to the Respondent to contact voters, and that a person from the Rebekah Harriman-Stites campaign contacted the voter.
9. The campaign manager for the Rebekah Harriman-Stites campaign, Justin Kiser, said he did not tell the Respondent to contact voters and was not aware of anyone else on the campaign telling the respondent to contact voters.
10. The voter upon arriving at the Registrars of Voters' office mentioned she had received a phone call from someone named "Joe" that her ballot did not count, and she needed to go vote. The Referring Official stated that there is no mechanism to vote after an absentee ballot was accepted on Election Day.
11. The identity of the individual who contacted the voter regarding the issue with her absentee ballot could not be identified by investigation.
12. The Commission concludes that Respondent violated General Statutes §9-258 by reaching out to the Newtown Democratic Town Committee about curing an absentee ballot he observed while processing those ballots on election day.
13. The Commission notes that Referring Official acted expeditiously in determining who reached out to the voter and telling the Respondent he could no longer work there.
14. Respondent admits all jurisdictional facts and agrees that this Agreement and Order shall have the same force and effect as a final decision and Order entered into after a full hearing and shall become final when adopted by the Commission.

15. Respondent waives:

- a) Any further procedural steps;
- b) The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law, separately stated; and
- c) All rights to seek judicial review or otherwise to challenge or contest the validity of the Order entered into pursuant to this Agreement.

16. It is understood and agreed that this Agreement will be submitted to the Commission for consideration at its next meeting and, if the Commission does not accept it, it is withdrawn and may not be used as an admission by the Respondent in any subsequent hearing, if the same becomes necessary.

17. Upon the Respondents' compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings against him with respect to this matter.

ORDER

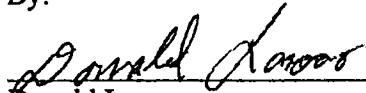
IT IS HEREBY ORDERED THAT the Respondent shall henceforth strictly comply with the requirements of General Statutes §9-258.

The Respondent

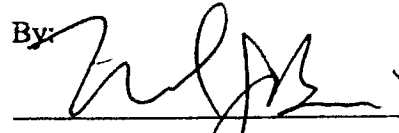
For the State of Connecticut

By:

By:



Donald Lococo
27 Hi Barlow Rd.
Newtown, CT

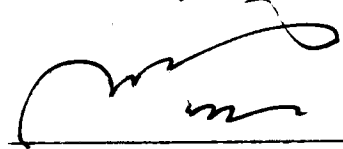


Michael J. Brandi, Esq.
Executive Director and General Counsel and
Authorized Representative of the
State Elections Enforcement Commission
55 Farmington Ave., 8th Floor
Hartford, CT

Dated: 2/13/23

Dated: 3/22/23

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



Commissioner STEPHANIE PRIDDY
By Order of the Commission