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STATE ELECTIONS
ENFORCEMENT COMMISSION

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Robert E. Halstead, Bridgeport

File No. 2022-006

AGREEMENT CONTAINING A CONSENT ORDER

The Complainant brought this Complaint pursuant to Connecticut General Statutes § 9-7b and alleged Patricia A. Howard (hereinafter "Respondent") failed to perform her duties as Democratic Registrar of Voters in the City of Bridgeport by preparing and issuing petition forms that contained errors.

After an investigation of the Complaint, the Commission makes the following findings and conclusions:

1. At all times relevant hereto, Respondent was the Democratic Registrar of Voters in the City of Bridgeport.
2. Complainant alleged, that the Respondent issued primary petitions that left off the name for one of the candidates and had the wrong address for another candidate. This resulted in the petitioners losing four days to collect signatures.
3. General Statutes § 9-405 provides the timeframe in which a primary petition must be filed and states that:

(a)(1) Candidacies of persons other than party-endorsed candidates for nomination by a political party to a municipal office to be voted upon at a municipal election, or for election as town committee members shall be filed with the registrar, as provided in section 9-406, not later than four o'clock p.m. on the thirty-fourth day preceding the day of the primary of such party for the nomination of candidates for such office or for the election of town committee members. Said day and hour shall be specified on the petition forms.

(2) Candidacies of persons, other than party-endorsed candidates, for nomination by a political party to a municipal office to be voted upon at a state election shall be filed with the registrars, as provided in section 9-406, not later than four o'clock p.m. on the sixty-third day preceding the day of the primary for such office. Said day and hour shall be specified on the petition forms.

(b) On the last day for filing primary petition candidacies, in accordance with the provisions of this section, the office or office facilities of the registrars of voters shall open not later than one

o'clock p.m., and remain open until at least four o'clock p.m., and such registrars or their deputy or assistant registrars shall be present.

4. General Statutes § 9-406, provides:

A candidacy for nomination by a political party to a municipal office or a candidacy for election as a member of a town committee may be filed by or on behalf of any person whose name appears upon the last-completed enrollment list of such party within the senatorial district within which a person is to be nominated in the case of the municipal office of state senator, or the assembly district within which a person is to be nominated in the case of the municipal office of state representative, or the municipality or political subdivision within which a person is to be nominated in the case of a town committee member or for any other municipal office. ***Any such candidacy shall be filed by filing with the registrar within the applicable time specified in section 9-405*** a petition signed by (1) at least five per cent of the electors whose names appear upon the last-completed enrollment list of such party in such municipality or in such political subdivision, senatorial district or assembly district, or (2) such lesser number of such electors as such party by its rules prescribes, as the case may be. ...
[Emphasis added.]

5. General Statutes § 9-409 details the obligations of a Registrar of Voters when issuing a primary petition:

(a) Except as provided in subsection (b) of this section, ***petition forms for candidacies for nomination to municipal office or for election as members of town committees shall be available from the registrar*** beginning on the day following the making of the party's endorsement of a candidate or candidates for such office or position, or beginning on the day following the final day for the making of such endorsement under the provisions of section 9-391, whichever comes first.

...

(c) ***Any person who requests a petition form shall give his name and address and the name, address and office or position sought of each candidate for whom the petition is being obtained, and shall file a statement signed by each such candidate that he consents to be a candidate for such office or position.*** In the case of the municipal offices of state senator and state representative, each such candidate shall include on the statement of consent his name as he authorizes it to appear on the ballot. ***Upon receiving such information and statement, the registrar shall type or print on a petition form the name and address of each such candidate, the office sought and the political party holding the primary.*** The registrar shall give to any person requesting such form one or more petition pages, suitable for duplication, as the registrar deems

necessary. ... An original petition page filled in by the registrar may be duplicated by or on behalf of the candidate or candidates listed on the page and signatures may be obtained on such duplicates. The duplicates may be filed in the same manner and shall be subject to the same requirements as original petition pages. All information relative to primary petitions shall be a public record.
[Emphasis added.]

6. General Statutes § 9-410, provides in pertinent part:

(a) The petition form for candidacies for nomination to municipal office or for election as members of town committees shall be prescribed by the Secretary of the State and provided by the registrar of the municipality in which the candidacy is to be filed or duplicate petition pages shall be produced in accordance with section 9-409, and signatures shall be obtained only on such forms or such duplicate petition pages. Such form shall include, at the top of the form and in bold print, the following:

WARNING

IT IS A CRIME TO SIGN THIS PETITION

IN THE NAME OF ANOTHER PERSON

WITHOUT LEGAL AUTHORITY TO DO SO

AND YOU MAY NOT SIGN THIS PETITION

IF YOU ARE NOT AN ELECTOR.

The form shall include thereon a statement of instructions to persons using the form and shall indicate the date and time by which it shall be filed and the person with whom it shall be filed. The form shall provide spaces for the names and addresses of the candidates, the offices to which nomination is sought or the positions to which election is sought and the political party holding the primary, and shall provide lines for the signatures, street addresses, dates of birth and the printing of the names of enrolled party members supporting the person or persons on behalf of whose candidacy the petition is used. Only as many candidates may be proposed in any one primary petition for the same office or position as are to be nominated or chosen by such party for such office or position; but any one primary petition may propose as many candidates for different offices or positions as there are nominations to be made or positions to be filled.

...

[Emphasis added.]

7. The 2022 Election Calendar published by the Secretary of the State provides the relevant dates for petitioning town committee candidates, as excerpted below:

JANUARY 12, 2022

(Wednesday)

4:00 p.m.

POLITICAL PARTIES / TOWN CLERK

PARTY ENDORSEMENTS – CERTIFICATION – TOWN COMMITTEE PRIMARIES. Last day for the chairman or presiding officer OR the secretary of the caucus to certify to the town clerk the names and street addresses of party-endorsed candidates for town committee. Clerk must forthwith publish notice of certification and that list of candidates is on file. (§§ 9-391 and 9-395)

JANUARY 26, 2022

(Wednesday)

4:00 p.m.

REGISTRARS

PRIMARY PETITIONS – FILING – TOWN COMMITTEE PRIMARIES. Primary petitions for opposition candidates for town committee must be submitted to respective registrars by 4:00 p.m. of this day. Registrar of voters, deputy registrar or assistant registrar must be in their office or office facilities between 1:00 p.m. and 4:00 p.m. to accept petitions. (§§ 9-405 and 9-406)

[Emphasis added.]

8. In January 2022, the Bridgeport Democratic Town Committee held a caucus to nominate members of the town committee.
9. On or about Friday January 14, 2022, Joy AC Jackson, Donald R. Taylor, Robert E. Halstead, Brian P McInerney, Johnson Celestin, Sara W. Witherington, Frank M. Szivos, Jr., and Marie E. Jones requested from Respondent Howard, the forms required to force a primary for the 132nd Democratic Town Committee district. Respondent Howard prepared the request form but left off Johnson Celestin, and incorrectly listed Sara W. Witherington's address as 948 Howard Ave. when it is in fact 141 Astoria Ave.
10. Respondent issued and distributed the petition forms with these errors. These error were not caught before the office of Registrar closed for the day. The Registrar's office was closed for the weekend and Monday January 17, 2022, for observing Martin Luther King Jr. Day.¹
11. On or about January 18, 2022, Respondent Howard corrected and reissued petition forms with Johnson Celestin being listed and Sara W. Witherington's correct address.

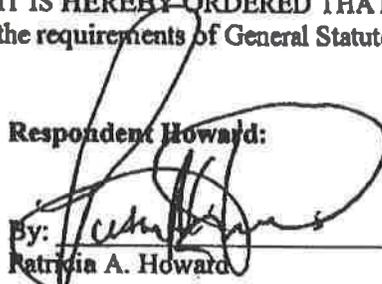
¹ Part of the relief sought by Complainant, while beyond the Commission's jurisdiction pursuant to General Statutes § 9-7b to provide, was to extend the deadline for filing petitions to January 31, 2022; based on Respondent's errors and the delays based on office closures for an official holiday. While limited in its authority to septicly address this request, the Commission may nevertheless consider these facts in weighing the harm done to Complainant's and/or caused by Respondent's actions in weighing and applying any appropriate remedy withing its jurisdiction

12. Complaint Halstead alleges he lost 4 days to collect signatures for his petition. Records show there was no primary for the 132nd Democratic Town Committee district.
13. As detailed above, Respondent Howard did not comply with the requirements of her position when she issued primary petition pages that contained an incorrect address and missing a petitioner. When issuing petition pages with these errors, Respondent Howard failed to comply with the Registrar of Voters obligations under General Statutes § 9-409.
14. The Respondent admits to 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. The 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 to contest the validity of the Order entered into pursuant to this Agreement.
16. Upon the Respondent's agreement to comply with the Order hereinafter stated, the Commission shall not initiate any further proceedings against the Respondent regarding this matter.
17. It is understood and agreed by the parties to this Agreement that the Commission will consider this Agreement at its next available meeting and, if the Commission rejects it, the Agreement will be withdrawn and may not be used as an admission by the Parties in any subsequent hearing, proceeding or forum.

ORDER

IT IS HEREBY ORDERED THAT Respondent Patricia A. Howard shall henceforth strictly adhere to the requirements of General Statutes § 9-409.

Respondent Howard:

By: 
Patricia A. Howard
99 Broad St
Bridgeport, CT 066064

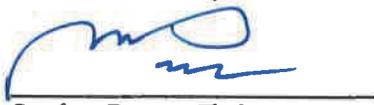
Dated: 5/2/2023

For the State of Connecticut:

By: 
Michael J. Brand
Executive Director and General Counsel and
Authorized Representative of the
State Elections Enforcement Commission
55 Farmington Ave
Hartford, CT 06105

Dated: 5/3/23

Adopted this 3rd day of May, 2023 at Hartford, Connecticut by vote of the Commission.


Stephen Penny, Chairman
By Order of the Commission