



Court of Common Council

COMMITTEE OF INQUIRY REPORT OF FACTUAL FINDINGS

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I. INTRODUCTION

It has been widely reported that several polling places in Hartford opened late on the morning of the November 4, 2014 General Election, resulting in an Order by Superior Court Judge Carl J. Schuman mandating that two Hartford polling places stay open an extra 30 minutes so that those who were unable to vote earlier that morning could cast ballots. In response to these reports, the City of Hartford Court of Common Council (the “Council”) passed a resolution creating a Committee of Inquiry (the “Committee”) to investigate the administration of the General Election. As part of the Committee’s investigation, counsel for the Committee reviewed

*The Committee would like to thank Day Pitney LLP and Shipman & Goodwin, LLP for providing extensive pro bono legal service in connection with this investigation and report.

more than 10,000 documents and conducted numerous witness interviews. The Committee then took formal testimony during two days of public hearings on December 22 and 23, 2014.

The Committee's investigation confirmed that several Hartford polling places did not allow voting to commence at 6:00 a.m., as required by law. In addition, the investigation revealed additional irregularities. The Head Moderator failed to account for all of the absentee ballots received, failed to correctly tally and report the vote count, and failed to submit a timely Amended Head Moderator's Return. The Hartford Registrars:

- failed to provide the Secretary of the State ("SOTS") with information about the polling place moderators ;
- failed to file the final registry books with the Town Clerk by October 29;
- failed to timely prepare and deliver the final registry books by 8:00 p.m. on November 3, and thereafter failed to develop or implement a plan for delivering the books to the polling places before the polls opened at 6:00 a.m. on November 4;
- failed to adequately prepare and open several polling places;
- failed to maintain adequate communications among key election day personnel;
- failed to provide the Head Moderator with the proper form to submit his Head Moderator's Return in advance of the election;
- failed to attend a statutorily required meeting to correct errors in the Head Moderator's Return; and
- failed to identify and correct discrepancies in the vote tallies reported by the Head Moderator, with the result that the final vote tally remains unclear, and no Hartford election official can explain what happened to approximately 70 absentee ballots reported as having been received.

In short, multiple, serious errors plagued the administration of the 2014 General Election in Hartford. These errors appear to have resulted in the disenfranchisement of Hartford voters and, even several months later, a lack of an accurate vote count.

The Committee has determined that many of the Election Day problems are attributable to errors or omissions by certain Hartford election officials (as described in detail below); a dysfunctional working relationship among all election officials; a lack of leadership and accountability; and the absence of a clear, legally prescribed chain of command.

II. PROCEDURAL BACKGROUND

After the Committee was formed, counsel for the Committee reviewed more than 10,000 documents and interviewed at least seventeen witnesses who agreed to cooperate with the investigation.¹ The Committee met on December 5, 2014, to approve the issuance of subpoenas to witnesses.

The Committee held a hearing on December 22 and 23, 2014.² At the hearing, the Committee took testimony from eleven witnesses who were involved in the administration of the November 4, 2014 General Election: (i) Ted Bromley, an attorney at SOTS; (ii) John Bazzano, the Hartford Town Clerk; (iii) Deborah Santostefano, an employee in the City of Hartford Information Systems group; (iv) Peter Condon, a City of Hartford employee responsible for printing city publications; (v) Eric Lusa, the Assistant Hartford Town Clerk; (vi) Victoria Christie, the Republican Head Moderator; (vii) Joseph Wilkerson,³ the deputy Democratic Head Moderator; (viii) Urania Petit, the Connecticut Working Families Registrar; (ix) Sheila Hall, the Republican Registrar; (x) Martin Jones, the Democratic Head Moderator; and (xi) Olga Vazquez, the Democratic Registrar. The testimony and documents presented at the hearing revealed that at least six polling places received the final registry books after 6:00 a.m. on November 4, and that there were significant problems in the counting and reporting of the votes that were cast on November 4, 2014.

¹Only two persons who were asked to interview with counsel before the hearings failed or refused to do so, Olga Vazquez and Garey Coleman (the Democratic Deputy Registrar).

²The December 22 and 23, 2014 hearing transcripts are Exhibits A-1 and A-2 to this Report.

³Joseph Wilkerson's position as deputy Democratic Head Moderator is also known as a "spare" Democratic moderator. Wilkerson had responsibility for overseeing the absentee ballot counting throughout November 4 and therefore was also known as the "central counting moderator." (Tr. 12/23/14 at 155.)

III. FACTUAL BACKGROUND

The Hartford Registrar of Voters Office consists of three full-time registrars, one full-time assistant registrar, one part-time assistant registrar, and two administrative staff persons. Each full-time registrar earns a salary of \$80,000 plus benefits. Before and during an election, the Hartford Registrars are supported by approximately 200 temporary election workers. The job duties for some of the temporary election worker positions vary. For some positions the job duties begin weeks before election day, for other positions, the job duties begin days before election day, and some temporary election workers work only on election day.

Registrars of voters are elected municipal officials. Conn. Gen. Stat. § 9-185. Conn. Gen. Stat. § 9-190 provides that each town shall have two, and in some circumstances three, registrars of voters:

. . . The candidate having the highest number of votes and the candidate having the next highest number of votes for the office of registrar of voters, who does not belong to the same political party as the candidate having the highest number, shall be declared elected registrars of voters for the municipality or district, provided, if the candidate for registrar of voters of a major party is not one of the registrars so elected, such candidate of such major party shall also be declared elected registrar of voters. . . .⁴

In 2008 and 2012, Urania Petit, a member of the Connecticut Working Families party, received the second highest number of votes for the office of registrar of voters. Pursuant to Conn. Gen. Stat. § 9-190, Hartford was required to declare the election of a third, Republican, registrar of voters because Petit, who received the second highest number of votes, is a member

⁴“Major party” means (A) a political party or organization whose candidate for Governor at the last-preceding election for Governor received, under the designation of that political party or organization, at least twenty per cent of the whole number of votes cast for all candidates for Governor, or (B) a political party having, at the last-preceding election for Governor, a number of enrolled members on the active registry list equal to at least twenty per cent of the total number of enrolled members of all political parties on the active registry list in the state. Conn. Gen. Stat. § 9-372 (5).

of the Connecticut Working Families party which is not a “major party.” In 2014, Hartford had three registrars of voters: (1) Olga Vazquez, the Democratic Registrar; (2) Sheila Hall, the Republican Registrar; and (3) Urania Petit, the Connecticut Working Families Registrar.

Vazquez has served as the Democratic Registrar for the past seven years. (Tr. 12/23/14 at 432.) She has the longest tenure of the three Hartford Registrars. (*Id.*) Hall has served as the Republican Registrar for “a little over a year.” Before serving as the Republican Registrar, Hall was the Deputy Republican Registrar for two-and-one-half years. (*Id.* at 314.) Hall has been involved in Hartford elections for more than thirty years. (*Id.*) Petit has served as the Working Families Registrar of Voters for the past six years. (*Id.* at 232.)

The poor personal relationships between and among the three Hartford Registrars contributed to their failure to carry out their official election duties before and after the November 4 General Election. Petit testified that “from the time I came in in 2009 it changed the dynamics of things. . . . I’m the only first-party registrar in the State of Connecticut. So once I got in, some felt like I ruffled some feathers, and I have never been accepted. In this office I have never been accepted, and it creates a problem, and most times decisions are made, and I have no idea it’s being made.” (*Id.* at 312.) Similarly, Vazquez testified about the poor relationship among the three Hartford Registrars, saying that after November 4 “everything was not going well” with Petit and that she “blocked” herself from Petit and did not read any of the e-mails that Petit sent. (*Id.* at 520–21.) Petit testified that the day following the election, Vazquez began shouting her name, accusing Petit of calling the media and the mayor, and stating that if “[Vazquez] goes down, we all goes down with her.” (*Id.* at 276–77.) Following this outburst, police were called to respond to the Registrars’ Office.

IV. GENERAL PREPARATIONS FOR ELECTION DAY

The Hartford Registrars met on or about September 19, 2014, and divided up the main functions of the office for the General Election. (*Id.* at 235.) Hall and Petit testified that Hall had responsibility for Supervised Absentee Ballots; Petit had responsibility for voter registration, orientating election day office workers, and Election Day Registration; and Vazquez had responsibility for the remaining duties of the office, including but not limited to the set-up crew, the printing of the voter lists, and the crossing-off of absentee ballots from those lists. (*Id.* at 235–36, 271, 314–18.) Petit also testified that Hall had responsibility for timekeeping, ordering supplies, and “the money aspect of the office.” (*Id.* at 234.) Vazquez, on the other hand, testified that at the September meeting the Hartford Registrars preliminarily agreed to divide certain duties of the office but that all three shared equal responsibility for carrying out all of the duties of the office. (*Id.* at 432–34.) She stated further: “I will say for me personally it’s just you have to look at it that it’s three registrars, and three registrars are required to abide by the rules in order for us not to violate any of the rules” (*Id.* at 533.)

Petit testified that Vazquez has more responsibility and power because of her position as the Democratic Registrar.⁵ (*Id.* at 234.) Petit testified that Vazquez is “the lead person in the office, because she has made it quite clear that the Democrats ha[ve] more registered voters in the City so she has the most power.” (*Id.*)

Despite the Hartford Registrars’ decision among themselves to divide up responsibilities for the November 4 General Election, the Connecticut General Statutes impose the obligation to carry out the elections duties on the three registrars collectively. The SOTS and the State

⁵Nothing in the Connecticut General Statutes assigns greater authority to a particular registrar of voters because of the number of votes that s/he received or the number of registered voters affiliated with the party that s/he represents.

Elections Enforcement Commission (“SEEC”) have taken the position that all of the registrars in a town or city are jointly responsible for carrying out the duties of their office. The SEEC has repeatedly stated that registrars are jointly responsible for the functions of the office. *See, e.g., Complaint of Christine Halfar, Danbury*, File No. 2012 -086 (SEEC may impose penalties for registrars’ failure to jointly carry out their duty to train poll workers) (Ex. N-1); *Complaint by James D. Smith, et al., Bridgeport*, File No. 2013-021 (Republican and Democratic registrars share joint responsibility for accurate administration of election) (Ex. N-2). *See also* SOTS Moderator’s Handbook (Ex. B-1) at 8 (registrars are jointly responsible for proper voting machine preparation, polling place preparation, poll worker training and other duties as required by Connecticut election laws).

The Hartford Registrars were required to certify to the Secretary of the State “the location of each polling place” to be used in the November 4 General Election on or before October 4, 2014. Conn. Gen. Stat. § 9-228a (a). The certification must include the name, address, relevant contact information, and corresponding federal, state, and municipal district information for each polling place as well as the name and address of the moderator for each polling place. Conn. Gen. Stat. § 9-228a (a)–(b). This requirement is listed on page 20 of the SOTS 2014 Election Calendar (Ex. B-2). The Hartford Registrars had a copy of the SOTS 2014 Election Calendar. (Hall Testimony, Tr. 12/23/14 at 320–21.) They knew they were required to comply with the deadlines in the SOTS 2014 Election Calendar. (Petit Testimony, *id.* at 320–21; Vazquez Testimony, *id.* at 436; Hall Testimony, *id.* at 320.) Yet, the Hartford Registrars failed to provide SOTS with the names and addresses of the moderator for each of the polling places. (Bromley Testimony, Tr. 12/22/14 at 24.)

At the hearing held before the Committee on December 23, 2014, Vazquez testified that the law requires that moderators receive election day materials by a certain time. (Tr. 12/23/14 at 525). She testified further that the moderators were not provided with the materials by the legally mandated time. (*Id.*) Yet when asked whether the law required her, as the registrar of voters, to ensure that the materials were in fact provided on time, Vazquez declined to answer, invoking her Fifth Amendment rights through counsel. (*Id.* at 525–26).

V. FAILURE TO PROPERLY PREPARE THE FINAL REGISTRY LIST

Prior to each election, Registrars of Voters are required to prepare a “final registry list” of active voters. *See* Conn Gen. Stat. §§ 9-37, 9-38. The registry lists are used at polling places to verify that voters wishing to vote are eligible and have not already cast absentee ballots. The lists are, therefore, also necessary to conduct the “absentee ballot cross-off” process, during which the names of individuals voting by absentee ballot are “crossed-off” the official list. *See* Conn. Gen. Stat. § 9-140c (b).⁶ Registrars of Voters are statutorily responsible for conducting the cross-off process, though the process takes place in the Town and City Clerk’s office.

For the November 4 General Election the cross-off process was permitted by statute to begin as early as 11:00 a.m. on October 28, 2014, and required to be completed by November 3, 2014. The final registry list was statutorily required to be printed and filed with the Town Clerk no later than October 29, 2014. (Ex. B-2 at 23 (citing Conn. Gen. Stat. § 9-38).)

⁶The “absentee ballot cross-off” process is also known as the “cross-off” process, the “absentee ballot check-off” process, and the “check-off” process.

A. Vazquez Assumed Responsibility for Preparing the Final Registry List.

Although all three Hartford Registrars were collectively responsible for all aspects of the administration of the General Election, all three testified that Vazquez alone was tasked with, and took responsibility for, preparing the final registry list. Specifically, Petit testified that making sure the voting lists were available at the polls “was Olga’s responsibility, because she had been doing it the longest. She’s the one. She printed the list.” Petit added: “Olga has always been responsible for it, and she never give up that responsibility this election.” (Tr. 12/23/14 at 237.) In fact, Petit testified that, in her view, she (Petit) “had no responsibility in printing out the list” and that “the only responsibility [she] had was making sure that the data was inputted [sic] in the State system so that the list could be printed” (*Id.* at 248.) Petit also testified that she has never participated in the cross-off process. (*Id.* at 251.) Hall similarly testified that Vazquez agreed to handle the printing of the voter lists to be delivered to the polling places. (*Id.* at 317–18.) Vazquez testified that, among the three Hartford Registrars, she handled the printing and preparation of the final registry books and did not ask for help from any of the other Hartford Registrars. (*Id.* at 439–440.)

B. The Hartford Registrars Misread the SOTS 2014 Election Calendar.

On October 24, 2014, Vazquez sent an e-mail to Peter Condon, who ran the City Hall print shop, indicating that the three Hartford Registrars had met, discussed the printing of the final registry books, and concluded that they were “mandated to run this report on the night of Wednesday, October 29.” (Ex. E-1.) Hall and Petit each acknowledged that the Hartford Registrars held and attended the meeting referenced in Vazquez’s e-mail. (*See* Tr. 12/23/14 at 249 (Petit testifying: “We did have a conversation in the office, the three registrars, yes.”); *id.* at

320 (Hall acknowledging meeting).) Hall explained that the Hartford Registrars “originally wanted to do the book before the 29th . . . , but discovered that wouldn't be feasible, because we had to wait until the 29th.” (*Id.* at 320.)

The Hartford Registrars’ reading of the SOTS 2014 Election Calendar, however, is plainly incorrect. Rather than requiring the list to be printed *on* October 29th, the Calendar provides that the 29th is “the *last day* for the registrars to file with the town clerk the final registry list.” (Ex. B-1 at 23.) Hall and Petit each received Vazquez’s e-mail and neither objected to this obviously incorrect interpretation of the Election Calendar.

In any event, the final registry list was not printed to hard copy until October 31, 2014, and was never filed with the Town Clerk.⁷ (Tr. 12/23/14 at 323, 325.) Although Vazquez had notified the Clerk’s office that the Hartford Registrars would be conducting cross-off on “October 30, 2014 at 9:30 a.m. . . . Saturday, November 1, 2014 at 9:30 a.m., Monday November 3, 2014 at 9:30 a.m. and finally on Tuesday, November 4, 2014,” no cross-off occurred until the afternoon of November 3, 2014. (*See* Ex. C-3; Tr. 12/22/14 at 48–50.)

The late preparation of the final registry list contributed to the Hartford Registrars’ failure to complete the cross-off process on time. Vazquez attributed the delays in beginning the cross-off process to the books not being ready by this time. However, Vazquez also testified that the reason the final registry books were not ready was “Petit came up with this idea that let’s wait until the 29th at 5 o’clock since that was the last cutoff for additional names to be added on the enrollment list,” and that Petit convinced Hall and Vazquez to wait to prepare the books until the 29th. (Tr. 12/23/14 at 451.) Notwithstanding this testimony, Vazquez acknowledged that

⁷Hall testified that the Hartford Registrars never sent the final registry list to the Town and City Clerk’s Office. According to Hall, the failure to send the final registry list to the Town Clerk was consistent with office practice. (Hall Testimony, Tr. 12/23/14 at 323 (“[W]e never send it up to them. We never do that.”).)

she voiced no opposition to waiting until the 29th to print the final registry books—despite being the registrar with the most experience and despite her own professed disagreement with the plan—and that she went along with the decision. (Tr. 451–452.) Vazquez also authored the e-mail sent to Peter Condon stating that the registrars had determined they were “mandated” to print the list on the 29th. (Ex. E-1.)

C. There Were No Computer Problems Creating the Final Registry List.

The Hartford Registrars did not encounter any computer problems that prevented them from timely importing the list of registered voters from the state registered voter database, CVRS, generating the final registry list, and sending it to be printed. Deborah Santostefano, a Hartford employee in the Metro Hartford Information Systems group, is responsible for maintaining the Microsoft Access Database.⁸ (Tr. 12/22/14 at 77–79.) Santostefano also provides technical support to the Hartford Registrar of Voters Office and the Town Clerk’s Office. (*Id.*) Santostefano testified that the registrars import the active registered voter list from the statewide registered voter database, CRVS, to the local registered voter database, Microsoft Access Database. Once the import is complete, the registrars are able to generate the final registry list and send it to be printed. (*Id.* at 81.) Santostefano testified that on October 29 Vazquez successfully imported the list of registered voters from CVRS to Microsoft Access Database. (*Id.*) She further testified that there were no technical computer issues that delayed the Hartford Registrars’ ability to import, generate, or print the final registry lists. (*Id.* at 79–81.)

⁸The Microsoft Access Database is the system the Hartford Registrars use to generate the final registry list. The Hartford Registrars import the list of registered voters from CVRS, the statewide registered voter database, to Microsoft Access Database. Once the import is complete, the Hartford Registrars generate the final registry list by exporting the information in Microsoft Access Database to a PDF file. The Hartford Registrars then send PDF copies of the final registry list to be printed and bound.

D. There Were No Problems Printing the Final Registry Books.

There were no technical problems with the printing of the registry lists. Peter Condon testified that he is responsible for all of the printing for the City of Hartford. His responsibilities include printing the final registry books. Condon testified that he is familiar with the process of printing the final registry books because he has printed and prepared the final registry books “many times.” (*Id.* at 82.) Condon testified that there are 24 final registry books corresponding to 24 polling places. (*Id.* at 82.) He testified that typically after he prints two copies of the 24 registry lists and covers, one copy for each polling place and one copy for the Registrar of Voters office, he creates the final registry books by hole punching and binding the registry lists and covers. (*Id.*) Condon testified that he worked with Vazquez to print and create the final registry books for the November 4 General Election and that he has worked with Vazquez in past elections. (*Id.* at 83.)

At 10:43 p.m. on Wednesday October 29, 2014, Vazquez attempted to send Condon the final registry list and asked him to begin printing and preparing the final registry books. At 7:56 a.m. on Thursday October 30, Condon notified Vazquez that he was unable to begin printing the lists because she saved the registry list files to a computer drive to which he did not have access. (Tr. 12/22/14 at 84; E-mail Exchange Between Vazquez and Condon (Ex. E-3).) Approximately one hour and forty minutes later, Vazquez sent electronic copies of the final registry list to Condon so that he could begin printing and preparing the final registry books. (Tr. 12/22/14 at 84–85; 9:39 a.m. 10/30/14 E-mail from Vazquez to Condon (Ex. E-4).) After receiving the electronic copies of the final registry list, Condon began downloading and printing the 24 registry lists. (Tr. 12/22/14 at 85.)

On October 31, Vazquez informed Condon that she wanted to divide each of the 24 registry books into three separate registry books—the first book would contain street addresses beginning with letters A through M, the second book would contain street addresses beginning with letters M through T, and the last book would contain street addresses beginning with letters T through Z. (*Id.* at 85–86.) Condon finished printing the final registry lists and covers on the night of October 31. (*Id.* at 86.) At 6:00 a.m. on November 1, Condon arrived at City Hall to bind the registry lists and covers and finalize the final registry books. (*Id.*) Condon completed the final registry books at approximately 8:00 a.m., and attempted to deliver the final registry books to the Registrar of Voters Office at that time but no one was there. (*Id.*) Around 10:00 a.m., Condon delivered the completed final registry books to Hall and Vazquez. (*Id.* at 87.) Vazquez, who had other criticisms of Condon, did not criticize his activities in connection with producing the final registry books for the November 4 general election. (Tr. 12/23/14 at 448–50.)

E. There Were No Budgetary Problems.

Petit testified that the Hartford Registrars had sufficient funding to perform their duties. (*Id.* at 239.) She further testified that the Hartford Registrars had sufficient funding to hire all of the temporary election day workers that were needed for election day. (*Id.* at 240.)

F. The Late Printing of the Final Registry Books Delayed the Cross-Off Process.

The delays in producing the final registry books directly contributed to the Hartford Registrars' failure to complete the cross-off process prior to election day and resulted in their failure to provide election materials to moderators before 8 p.m. on November 3, as required by

law. As reflected in the SOTS 2014 Election Calendar, Conn. Gen. Stat. § 9-259 requires all registrars of voters to “provide election materials to Moderators before 8:00 p.m.” the day before the election. (Ex. B-2 at 23.) These materials include the checked-off final registry list, which must be completed no later than November 3, 2014. In fact, it was not until the afternoon of November 3, 2014, that the cross-off process started.

G. The Hartford Registrars Failed to Take Corrective Measures to Ensure that Absentee Ballots Were Timely Crossed-Off.

Even after it became apparent that problems had seriously delayed the preparation of the final registry lists, the Hartford Registrars failed to take appropriate corrective measures to ensure the cross-off process would be completed in sufficient time for Election Day. In fact, the Hartford Registrars repeatedly delayed or missed entirely the dates scheduled for crossing off absentee ballots. For example, on Wednesday October 29, 2014, Eric Lusa advised Vazquez that the Town and City Clerk’s Office would be ready for cross-off to begin at 9:30 a.m. on Thursday October 30, 2014. (Ex. C-4.) At 10:29 p.m. on October 29 Vazquez informed Lusa that the Hartford Registrars “must push the first cross-off for possibly 2:30 p.m.” (Ex. C-5.) No ballots were crossed off on October 30.

Then, at 9:17 a.m. on Saturday November 1, 2013, Lusa e-mailed Petit, Vazquez, and Hall, reminding them that the Clerk’s Office would be open from 9:00 a.m. to 12:00 p.m. (Ex. C-8; Tr. 12/22/14 at 49.) Lusa testified that he sent this e-mail as a “friendly reminder,” but also because “typically a majority of cross off would get done at that point on a Saturday when there is not a lot of public interacting in both offices.” (Tr. 12/22/14 at 96.) Vazquez testified that the final registry books were not ready until shortly after 11:00 a.m. on Saturday, and therefore Vazquez and Hall concluded that there was not enough time to begin the cross-off process before

the Clerk's Office closed at 12:00 p.m.⁹ (Hall Testimony, Tr. 12/23/14 at 331.) Hall testified that because the cross-off process was not done before the Town Clerk left on Saturday, the Hartford Registrars "had no option but to start on Monday morning, because you couldn't do it on Sunday." (*Id.*) As a result, the cross-off process did not occur on either Saturday or Sunday as originally scheduled. (10/28/14, 8:01 p.m. E-mail from Vazquez (Ex. C-3) (setting times for cross-off).) Vazquez also testified that she did not call the Town Clerk's Office, the Mayor's office, or anyone in a position of authority to request that they keep the Town Clerk's office open longer because of her past experiences with others. (Tr. 12/23/14 at 460.)

Notwithstanding Vazquez's testimony that by November 1 she was very concerned about the crossing-off process being completed on time, the Hartford Registrars did not begin that process until approximately 2:00 p.m. on November 3, after receiving yet another reminder from the Town Clerk that the cross-off had not yet begun. (Tr. 12/22/14 at 99 (Lusa testifying that cross-off began between 2:00 p.m. and 3:00 p.m.)) In his November 3rd e-mail, Lusa advised Vazquez that the Town and City Clerk's Office had "over 1200 ballots" and asked whether Vazquez could indicate when the cross-off process would start. (Ex. F-12.) Lusa testified that he sent this e-mail due to a growing concern in the Clerk's Office that the cross-off process had not yet begun and there did not seem to be enough time to complete it. (Tr. 12/22/14 at 98.) Vazquez did not respond to Lusa's e-mail. At this point, Hall was not involved in the cross-off process and only learned that it was behind schedule when she was asked to assist at some point after 4:00 p.m. (Tr. 12/23/14 at 330.) Petit took no part in the cross-off process.

⁹ Vazquez testified that she believed Lusa had verbally, or by e-mail, informed the Hartford Registrars that the Clerk's office would be closing at 11:30 p.m. Lusa's e-mail, however, explicitly states that the office would remain open until 12:00 p.m.

After the cross-off process had commenced, Lusa observed that the progress being made was “not sufficient.” (Tr. 12/22/14 at 100.) Lusa voiced this concern to Petit and Vazquez. In response, the Hartford Registrars allocated about six additional staff to assist with the cross off process. (*Id.* at 101.) At this point, which Lusa recalls to be approximately 5:00 p.m., the cross-off process was roughly one-third complete. (*Id.*)

H. Vazquez Allowed the Cross-Off Process to Stop Before Completion.

At approximately 7:00 or 7:30 p.m. on November 3, while Lusa was assisting Vazquez with an internal computer database issue in Vazquez’s office, Lusa again raised the progress being made on the cross-off. Lusa testified that “at that point . . . a decision had to made if . . . we were going to stay late into the evening to finish the cross off or we were going to circle back and come in at very, very early in the morning to finish the cross off.”¹⁰ (Tr. 12/23/14 at 103.) Both Vazquez and Lusa testified that they discussed the status of the absentee ballot cross-off and that only Vazquez and Lusa participated in the conversation. Both also testified that during that conversation, the decision was made to stop the cross-off process and resume at 4:00 a.m. the following day. Lusa and Vasquez now disagree about how this decision was made. Lusa testified that the decision to suspend the cross-off until Election Day morning was entirely made by Vazquez. (Tr. 12/22/14 at 104.) In contrast, Vazquez testified that Lusa “made her” stop at 7:30 p.m., and that this made her angry. Vazquez testified that she pleaded with him to remain, but that because she has no authority over Lusa, she had to give in. (Tr. 12/23/14 at 473.)

¹⁰Hall testified that on the night of November 3, Vazquez was in her office preparing the supplemental registry list. (Tr. 12/23/14 at 337.) Vazquez testified that on the night of November 3, she was in her office “troubleshooting with the IT people.” (*Id.* at 471.)

Under either scenario, Vazquez either decided to or consented to stop the cross-off process at about 7:30 p.m. the night before Election Day, even though it was not completed, and even though the moderators would necessarily not receive the final registry books until the next morning. There is no evidence that Vazquez complained about this supposed action by Lusa, appealed to Lusa's superior or anyone in authority, or that she sought an alternative means of continuing the cross-off. To the contrary, at approximately 11:00 p.m., Vazquez sent Lusa a text message thanking him for being so helpful. (Ex. F-13.) In that text message, Vazquez stated: "Eric I would like to thank you for your patients [sic] and your assistance this evening. You have been a great help with this election process. Again 'thank you.' Olga." (*Id.*)

I. The Hartford Registrars Did Not Form a Plan to Deliver the Final Registry Books to the Moderators.

After the decision was made to have election staff return at 4:00 a.m. to complete the cross-off process, the Hartford Registrars failed to take appropriate steps to ensure that the final registry books would be delivered to the polling places in advance of their legally mandated 6:00 a.m. opening. The Hartford Registrars did not develop and supervise a plan for the delivery of the final registry books. Petit, with Vazquez's consent, sent the moderators home on November 3 without discussing the process for the next day, advising the moderators only to "[r]ead [their] emergency plan" and informing them that they would receive the final registry books "at 5 in the morning before the polls opened." (*Id.* at 169–70, 262.) None of the Hartford Registrars discussed the implications of the late delivery of the final registry books with the moderators. Vazquez testified that she does not know who was in charge of getting the bags of election day supplies to the polling places, but knew that "there was some sort of strategy or plan that they had mapped out for each individual to go and deliver." (*Id.* at 496–97.) In fact, Vazquez could

not say with certainty whether or not she was responsible for ensuring the final registry books arrived at the polling places. (*Id.*)

To the extent that there was a “plan” it was developed and implemented by the moderators. Before leaving City Hall on November 3, Jones, Wilkerson, and Jackson initiated a discussion about the “plan” for completing the cross-off process and delivering the final registry lists to the moderators. (Hall Testimony, *id.* at 341.) The first part of the plan was to arrive at City Hall at 4:00 a.m. on November 4 and finish the cross-off process. (*Id.*; Tr. 12/22/14 at 143.) The second party of the plan was for the Hartford Registrars, head moderators, and spare moderators to leave City Hall no later than 5:30 a.m. to deliver the final registry books and bags of moderators’ election materials to the polling places before 6:00 a.m. (Tr. 12/23/14 at 342.) Each individual would be responsible for three to four polling places.¹¹ (*Id.* at 342.)

VI. FAILURE TO PREPARE AND OPEN THE POLLS ON TIME

A. The Hartford Registrars Failed to Deliver the Final Registry Books to the Moderators By 8:00 p.m. the Night Before Election Day.

Registrars are required to provide election materials, including the final registry book, to the moderators for each individual polling place by 8:00 p.m. the night before an election. Conn. Gen. Stat. § 9-238. The final registry books were not complete by 8:00 p.m. on November 3. The moderators who had arrived at City Hall to pick up their election materials on November 3 were sent home because the final registry books were not ready. They were told that they would receive their election materials before the polls opened the following morning. (*Id.* at 169–170.)

¹¹Jones testified that the moderators divided the voting districts among themselves, with each person responsible for three to four voting districts. (Tr. 12/23/14 at 396.) Wilkerson similarly testified that the voting districts were divided among the spare moderators, but noted that he was responsible five polling places. (*Id.* at 179.)

B. The Hartford Registrars Failed to Deliver All of the Final Registry Books to the Moderators Before 6:00 a.m. on Election Day.

In keeping with the “plan,” the delivery of the final registry books to the polling places did not begin until approximately 5:30 a.m., just 30 minutes before the polls were legally required to open. (Jones Testimony, *id.* at 399; Hall Testimony, *id.* at 347.) At least six polling places received the final registry books after 6:00 a.m. on November 4.

Wilkerson was responsible for delivering the final registry books to four polling places: Districts 1 and 2 (Liberty Christian Center), District 3 (Grace Lutheran Church), District 4 (United Methodist Church), and District 5 (Hartford Seminary). Wilkerson arrived at the first location, Liberty Christian Center, at 5:50 a.m. (*Id.* at 186–87.) He remained at the first location until 6:30 a.m. because the poll was not properly set up and the voting tabulator was not functioning. He testified that one of his responsibilities as deputy Democratic moderator was to “troubleshoot” problems; therefore, he believed that he could not leave Liberty Christian Center until the problems were solved and the poll was operational. (*Id.* at 188–90.) Wilkerson failed to advise anyone that he was remaining at Liberty Christian Center, and not proceeding immediately to the other locations. He arrived at his second location, Grace Lutheran Church, between 6:30 and 6:45 a.m. and delivered the final registry list. (*Id.* at 191–92.) When he arrived, the moderators were letting people vote, despite not verifying their eligibility in the voter rolls, based on the execution of an affidavit of eligibility. (*Id.* at 192.) Wilkerson told the moderators to stop immediately, not to let anyone vote by affidavit, to call City Hall, and to make sure that anyone voting was first crossed off in the final registry book. (*Id.* at 192–93) Around 6:45 a.m. Wilkerson arrived at United Methodist Church and delivered the final registry book without any problems. While at United Methodist Church, Garey Coleman told Wilkerson that the Hartford Registrars had been trying to contact him and that he needed to move quickly

and deliver the remaining final registry books.¹² (*Id.* at 194.) Around 7:00 a.m. Wilkerson arrived at his last polling place, the Hartford Seminary, and delivered the final registry list. After delivering the last final registry list, Wilkerson returned to the City Hall.

Victoria Christie delivered the final registry books to four polling places: District 9 (YWCA), District 10 (House of Restoration Church), District 23 (Mary Shepard Place), and District 24 (Parker Memorial). Christie delivered the final registry books to the first three locations before 6:00 a.m. Christie arrived at her last polling place, Parker Memorial, sometime between 6:05 and 6:10 a.m. (Tr. 12/22/14 at 147.)

Jones delivered the final registry books to three polling places: District 6 (the NEAT Market), District 7 (Rawson School), and District 8 (Annie Fisher School). (Tr. 12/23/14 at 398–99.) He testified that he delivered all three final registry books before the polls opened at 6:00 a.m. (*Id.*)

Hall delivered the final registry books to three polling places: District 14 (Environmental Sciences Magnet School), District 15 (Batchelder School), and District 16 (Kennelley School). (Tr. 12/23/14 at 348.) Hall delivered the final registry books to her first two polling places before 6:00 a.m. (*Id.*) Hall arrived at her last assigned polling place, Kennelley School, to deliver the final registry book sometime between 6:10 and 6:15 a.m. (*Id.*)

Vazquez delivered the final registry books to three polling places: District 17 (South End Senior Center), District 18 (Metzner Center), and District 19 (Bulkeley High School). (*Id.* at 488, 495.) Although Vazquez had agreed the previous evening to deliver the registry books to

¹²Wilkerson testified that he got a new telephone number before November 4, 2014. He said that the telephone number he had given the Hartford Registrars in the past was non-operational, but that he updated the Hartford Registrars with his new telephone number “a few weeks before the election.” (Tr. 12/23/14 at 229.) He testified that no one from the Registrar of Voters Office called his cellphone on November 4. (*Id.*)

these locations, she testified that at some time between 5:30 a.m. and 6:00 a.m. she observed the bags containing the books sitting in the office and thought “What the F are these things doing here?” (*Id.* at 493-94). Upon realizing that she was responsible for delivering the bags, Vazquez grabbed them and left to deliver them. Vazquez testified that she arrived at her last assigned polling place, South End Senior Center, sometime after 6:00 a.m.¹³ There, she said, she encountered reporters who were already confronting her about the polls opening late. (*Id.* at 499–500.)

Although Petit participated in the process of assigning polling places to those who would be delivering registry books (*Id.* at 261–64, 266–67), Petit did not herself deliver registry books to any polling places (*Id.* at 274, 269). Petit was stationed at the Election Day Registration location in the atrium of City Hall. (*Id.* at 271.)

Based on the testimony at the Committee hearing, at least six polling places received the final registry books after 6:00 a.m. on November 4.

¹³Vazquez did not specify the time that she arrived at her two other assigned polling places.

**TESTIMONY SUMMARY
FINAL REGISTRY BOOK DELIVERY**

Voting District Number	Polling Place Name	Time the Final Registry Books Were Delivered	Person Responsible for Delivering the Final Registry Books
1 & 2	Liberty Christian Center	5:50 a.m.	Wilkerson
3	Grace Lutheran Church	6:30 – 6:45 a.m.	Wilkerson
4	United Methodist Church	6:45 a.m.	Wilkerson
5	Hartford Seminary	7:00 a.m.	Wilkerson
6	The NEAT Market	Before 6:00 a.m.	Jones
7	Rawson School	Before 6:00 a.m.	Jones
8	Annie Fisher School	5:50 a.m.	Jones
9	YWCA	Before 6:00 a.m.	Christie
10	House of Restoration Church	Before 6:00 a.m.	Christie
14	Environmental Sciences Magnet School	Before 6:00 a.m.	Hall
15	Batchelder School	Before 6:00 a.m.	Hall
16	Kennelly School	6:10 – 6:15 a.m.	Hall
17	South End Senior Wellness Center	After 6:00 a.m.	Vazquez
18	Metzner Center	Unclear	Vazquez
19	Bulkeley High School	Unclear	Vazquez
23	Mary Shepard Place	Before 6:00 a.m.	Christie
24	Parker Memorial Community Center	6:05 – 6:10 a.m.	Christie

VII. FAILURE TO PROPERLY ACCOUNT FOR AND COUNT THE ABSENTEE BALLOTS

Town Clerks are required to deliver absentee ballots to registrars of voters at specified times before and during election day. Conn. Gen. Stat § 9-140c. Every time absentee ballots are delivered, the clerk and registrars are required to execute an affidavit of delivery and receipt stating the number of ballots delivered. Conn. Gen. Stat. § 9-140c (j).

Absentee ballots must be counted in accordance with Conn. Gen. Stat. § 9-150a. Absentee ballots may be counted by voting tabulator machine. Conn. Gen. Stat. § 9-150d. Where central counting is designated, the central counting moderator is required to record the result of each absentee ballot count on a separate moderator's return and declare and deliver the absentee ballot count to the head moderator. Conn. Gen. Stat. § 9-150b (c).

Wilkerson, the Deputy Democratic Head Moderator, was also the central counting moderator. (Tr. 12/23/14 at 155.) Wilkerson testified that he and Vanessa Jackson had primary responsibility for counting the absentee ballots. Wilkerson testified that Jackson filled out the Certificate of Absentee Ballot Count form (Ex. L-1). (*Id.* at 203.)

The Certificate of Absentee Ballot Count (the "Certificate") indicates that the Hartford Registrars received 1,309 absentee ballots from the town clerk. (Ex. L-1.) Wilkerson testified that he and Jackson counted each absentee ballot individually to ensure that they received all 1,309 absentee ballots that the Town Clerk's Office purported to deliver. (Tr. 12/23/14 at 198, 202, 203–04.) After verifying the number of absentee ballots they received from the Town Clerk's office to be 1,309, Wilkerson and Jackson took the absentee ballots to the central counting location in City Hall. (*Id.* at 199.)

The Certificate (Ex. L-1) lists that the number of absentee ballots counted by tabulator (wholly or partially) is 1,182 and that the number of absentee ballots counted by hand is 34. (Tr.

12/23/14 at 199.) The Certificate lists that the total number of absentee ballots that were counted is 1,216. (*Id.*) The Certificate then indicates that 23 ballots were rejected. (*Id.*)

City of Hartford Elections Administrators/ROV
General Elections
Tuesday, November 4, 2014

Moderator Return

Town Hartford - Voting Districts: 1-24

CERTIFICATE OF ABSENTEE BALLOT COUNT

TO BE COMPLETED AND SIGNED BY MODERATOR AFTER 8 P.M. COUNTING

I hereby certify that the absentee ballot vote, including "overseas ballots"* set forth in this Return for each candidate and for against each question** is correct and that the following numbers are true and accurate according to the worksheets signed by the absentee ballot counters.

ABSENTEE BALLOTS

a.	Absentee Ballots Received	<u>1309</u>
b.	"Overseas" Ballots* Received (if applicable)	<u>0</u>
c.	"Presidential" Ballots** Received (if applicable)	<u>0</u>
c.	Total ballots received (a+b+c)	<u>1309</u>
d.	Absentee Ballots counted by Tabulator (wholly or partially)	<u>1182</u>
e.	Absentee Ballots counted by hand (completely)	<u>34</u>
f.	Total Ballots Counted (d+e)	<u>1216</u>
g.	Total Ballots Rejected	<u>23</u>

Attest: *James J. York*
Moderator

* To be used only at elections or primaries at which U.S. Senators and/or Representatives in Congress are elected or nominated.
** Not applicable in a primary.

Wilkerson testified that he did not know whether the Certificate was either amended or modified. (Tr. 12/23/14 at 208.) Jones testified that the Certificate (Ex. L-1) was the only certificate of absentee ballot count that he received. (Tr. 12/23/14 at 402.)

Wilkerson testified that the sum of the number of absentee ballots that were counted and the number of absentee ballots that were rejected should equal the number of absentee ballots that the Hartford Registrars received from the clerk's office, i.e. 1,309 absentee ballots. (*Id.* at

205.) Simple arithmetic, however, reveals that the Certificate fails to account for 70 absentee ballots that the Hartford Registrars received from the Clerk's office.

Wilkerson never noticed that the Certificate did not account for 70 absentee ballots. (*Id.* at 205–10.) He testified that he did not speak with anyone about missing or unaccounted for absentee ballots, and that he had not heard that there might be missing or uncounted absentee ballots. (*Id.* at 209.) After acknowledging the variance, he offered the following explanation:

This document doesn't look like it reflects any ballots that were . . . not accepted for some reason. A ballot cannot be accepted for a reason . . . either they were not inserted correctly into the envelope or they were over voted or for some odd reason, but – I mean, I do see the rejected there, but, yes, there is a variance there, yes.

(*Id.* at 205.) Wilkerson posited several potential reasons for the variance. He stated that there may have been some ballots that did not go through the voting tabulator machine and that consequently were not listed on the Certificate as counted absentee ballots or rejected ballots. (*Id.* at 207.) He also testified, however, that if a ballot was not fed into the machine, or was rejected by the machine, he would have recorded the ballot in the “rejected portion” of the Certificate. (*Id.* at 208.) Ultimately, Wilkerson testified that he did not fill out the form and could not give a reason for the variance. (*Id.*)

The First Amended Head Moderators Return (Ex. B-7) indicates that 1,216 absentee ballots were received, 23 absentee ballots were rejected, and 1,193 absentee ballots were counted. (*See* Ex. B-7 at 6.) The Second Amended Head Moderator's Return, (Ex. B-10) indicates that 1,309 absentee ballots were received, 23 absentee ballots were rejected, and 1,286 absentee ballots were counted. (*See* Ex. B-10 at 6.)

Jones testified that he changed the number of absentee ballots between the First Amended Return and the Second Amended Return. (Tr. 12/23/14 at 402.) He testified that he received

the Certificate from the Town Clerk's Office and that he relied on the Certificate in preparing the final Amended Head Moderator's Return (Ex. B-10). (Tr. 12/23/14 at 402-03.) He further testified that the amendment to the Head Moderators Return was based solely on the information in the Certificate. (*Id.* at 403.) Jones also testified that he never noticed that the Certificate failed to account for 70 absentee ballots:

[Question]: At any time before today had you noticed that there were 70 ballots missing or not accounted for on this form?

[Mr. Jones]: Didn't pay attention to it.

(*Id.* at 404-05.)

VIII. FAILURE TO PROPERLY REPORT ELECTION RESULTS

A. The Head Moderator's Return.

The head moderator is required to submit a Head Moderator's Return certifying the votes cast for candidates to the Secretary of the State (i) by midnight on election day, if filing electronically; or (ii) by 6:00 p.m. the day after the election, if hand delivering. Conn. Gen. Stat. §§ 9-314, 9-369a. Conn. Gen. Stat. § 9-314 provides:

The moderator shall forthwith transmit to the Secretary of the State the results of the vote for each office contested at such election by facsimile machine or other electronic means prescribed by the Secretary of the State, not later than midnight on election day. If the moderator transmits such list by such electronic means, the moderator shall also seal and deliver one of such lists to the Secretary of the State not later than the third day after the election. If the moderator does not transmit such list by such electronic means, the moderator shall seal and deliver one of such lists by hand either (1) to the Secretary of the State not later than six o'clock p.m. of the day after the election, or (2) to the state police not later than four o'clock p.m. of the day after the election, in which case the state police shall deliver it by hand to the Secretary of the State not later than six o'clock p.m. of the day after the election. Any such moderator who fails to so deliver such list to either the Secretary of the State or the state police by the time required shall pay a late filing fee of fifty dollars. Such moderator shall include in such return a statement of the total number of names on the official check list of such town and

the total number checked as having voted. Such return shall be on a form prescribed by the Secretary of the State.

Conn. Gen. Stat. 9-314. (*See also* Ex. B-2 at 25.)

As explained below, Jones, the Head Moderator, failed to properly provide the results of the November 4 election to the Secretary of State. The original Head Moderator's Report was filed using an incorrect form (Ex. B-5). The three subsequent amended returns failed to rectify obvious discrepancies. Moreover, and more significantly, subsequent accountings conducted by the City Clerk and Petit reach vote counts that differ from those reflected in the final moderator's report. These discrepancies have not been resolved and there appears to be no process underway to do so.

From the inception, the process of reporting vote totals was plagued with error and lack of diligence. Vazquez received a blank copy of the proper form of the Head Moderator's Return from the Secretary of the State (*see* Exs. L-2, Ex. L-3), but failed to provide Jones with the that form. The original certification of the vote that the Hartford Registrars filed with the SOTS on November 5, 2014 was not the proper form. (Bromley Testimony, Tr. 12/22/14 at 26.) On November 6, Taffy Womack, of the SOTS, sent an e-mail to the Hartford Registrars indicating that the Head Moderator's Return that they submitted was not on the proper form provided by the SOTS. (*See* Ex. L-5.)

B. Hall and Vazquez Did Not Attend the Statutorily Required Meeting to Rectify Errors in Head Moderator's Return.

Conn. Gen. Stat. § 9-322a mandates that the registrars meet with the town clerk and head moderator no later than seven days after an election to rectify any errors in the Head Moderator's Report. (*See also* Ex. B-2 at 26.) On November 10, Petit, Jones, Bazzano and Lusa held a meeting to discuss problems and inconsistencies in the Head Moderator's Report. (Tr. 12/22/14

at 53, 55–56, 412; *see also* E-mail from Petit to Bazzano, Lusa, Hall, and Vazquez (Ex. C-12).) However, Vazquez and Hall failed to attend the November 10 meeting. (Tr. 12/23/14 at 56; Hall Testimony, Tr. 12/23/14 at 359; Vazquez Testimony, Tr. 12/23/14 at 503.) Vazquez could provide no meaningful explanation for her failure to attend that meeting. (*Id.* at 503 – 06.)

C. Supplemental Head Moderator’s Returns.

On November 11, a Head Moderator’s Return in the proper format was filed with the SOTS, designated as the First Amended Return by the SOTS. (Ex. B-7.) The First Amended Return contained obvious discrepancies. First, the sum of the number of votes cast for governor exceeded the total number of names checked as having voted. Page 6 lists the total number of names checked as having voted as 15,175. However, the total number of votes cast for governor, calculated by adding the number of votes for each of the candidates for governor on page 1, equals 17,210. (*See* Ex. B-7-A at 1.) Second, page 6 lists the number of absentee ballots received as 1,216, the number of absentee ballots rejected as 23, and the number of absentee ballots counted as 1,193. The number of absentee ballot received that is listed on the First Amended Head Moderator’s Return is 93 absentee ballots short of the number of absentee ballots received that is listed on the Certificate of Absentee Ballot Count. (Ex. L-1.)

On November 12, Vazquez sent an e-mail to Bazzano and others (Ex. B-8), including the Secretary of the State Denise Merrill and Ted Bromley at the SOTS, attaching a different version of the Head Moderator’s Return, designated as the Second Amended Head Moderator’s Return by the SOTS (Ex. B-9). The Second Amended Head Moderator’s Return inserted photocopies of

Martin Jones' signature on two pages.¹⁴ (Ex. B-9 at 5, 6.) The Second Amended Return changed the total number of names checked as having voted from 15,175 to 15,668. (Ex. B-10 at 6.) The number of votes for each candidate for governor remained unchanged. The total number of votes cast for governor, calculated by adding the number of votes for each candidate remained 17,210, which still exceeds 15,668, the modified total number of names checked as having voted. (Ex. B-10 at 1, 6.) The Second Amended Return also changed the total number of absentee ballots received from 1,216 to 1,309. The number of rejected absentee ballots remained the same. The total number of counted absentee ballots increased from 1,193 to 1,286. (*Id.* at 6.)

Jones testified that he relied solely on the Certificate in amending the number of absentee ballots received and the number of absentee ballots counted. (Jones Testimony, Tr. 12/23/14 at 402–03.) Vazquez testified that she looked through all of the absentee ballot voting tabulator tapes in connection with the preparation of the last Amended Head Moderator's Return. (*Id.* at 506.) She did not prepare any document reflecting her review of the tapes.

A second meeting was held on November 18 to discuss the errors identified in the Head Moderator's Returns and the preparation of an amended return. Importantly, November 18 was the deadline for the head moderator to correct any error identified in the review conducted on November 10, 2014. (Ex. B-2 at 26.) In attendance at the second meeting were Bazzano, Lusa, Vazquez, Hall and Petit. (Tr. 12/22/14 at 62.) The Head Moderator, Jones, did not attend.

Following the meeting, it was determined that an extension of time to file an amended return should be sought from the SOTS. (*See* 11/18/14, 1:56 p.m. E-mail from Petit to Bazzano, Lusa, Vazquez and Hall (Ex. C-20) (identifying unresolved errors in the return).) Vazquez

¹⁴Jones did not authorize the filing of the Second Amended Moderator's Return with the Secretary of State. He understood that the document would be only used for purposes of internal discussions. (Jones Testimony, Tr. 12/23/14 at 415; Vazquez Testimony, *id.* at 507, 509.)

recounted a conversation in which Petit stated that Bazzano should request an extension to file the amended return so that errors could be rectified. (Tr. 12/23/14 at 510–11.) Bazzano agreed to request the extension, and did so by e-mail to Bromley later that day. (Tr. 12/22/14 at 64–65.) Shortly thereafter, Bromley denied the request for an extension, explaining that Secretary of the State was required to certify the election results by November 26, 2014, and that the SOTS was awaiting the amended return. The Hartford Registrars did not file an amended return by November 18, as required by statute.¹⁵ (Ex. B-2 at 26 (citing Conn. Gen. Stats. § 9-322a (a)).)

D. Final Amended Head Moderator’s Return and Petit Review.

Jones ultimately signed a final Amended Head Moderator’s Return on November 25, 2014 (Ex. B-14). This return changed only the number of write in votes for one candidate, Ralph Maurer. (*Id.* at 5.) It did not address any of the other irregularities, such as, the total number of names checked as having voted, the total number of votes for governor, or the number of absentee ballots counted. By that date, Petit had conducted her own independent analysis of the moderators’ returns and tabulator tapes in an effort to reconcile the previously identified errors. Petit then prepared a spreadsheet identifying many differences from the Head Moderator’s returns. (Ex. I-27.) This spreadsheet was not filed with the SOTS, but was sent to Bazzano, Vazquez, and Hall. Vazquez testified that she did not read the spreadsheet because she had a practice of not reading any e-mail sent by Petit, though she acknowledged that she believes it is part of her job to read the e-mails of the other Hartford Registrars. (Tr. 12/23/14 at 522–23.)

¹⁵On November 19, 2014, Bromley e-mailed Bazzano and Vazquez noting that he had read in the Hartford Courant that an amended return had been filed with the SOTS “one hour before the deadline,” but that he had not received any such return. (Ex. B-12.)

E. The Town Clerk “Vote by District” Report and Unresolved Errors.

Bazzano and Lusa also conducted an independent review of the tabulator tapes and prepared a Vote by District Report (Ex. B-19.) This report was prepared over the course of two full days and involved reviewing the tabulator tapes for each voting district and counting the votes for each candidate. (Tr. 12/22/14 at 67–68.) Bazzano filed this report with the SOTS on November 26, 2014, though the Election Calendar provided that it was due no later than November 25, 2014. CGS § 9-322a (b). In filing the report, however, Bazzano advised the SOTS that he had remaining concerns regarding the numbers of absentee ballots cast and the total number of absentee ballots reported. (Exs. C-27; C-28.)

While Vazquez testified that she, too, had reviewed tabulator tapes and moderators’ returns in order to resolve the errors in the Head Moderator’s return, she did not prepare or file any document summarizing the results of her review. (Tr. 12/23/14 at 519.) Hall took no action whatsoever in connection with this process, even though she was on notice of serious issues with respect to the counting of the vote.

There are significant differences between and among the final Head Moderator’s return, the spreadsheet prepared by Petit, and the Vote by District Report filed by Bazzano. For example, as reflected in the table below, the November 25 Head Moderator’s return reports 15,668 total votes cast for governor, whereas the Town Clerk’s Vote by District Report shows 17,018 and Petit’s spreadsheet shows 19,391. Similarly, each of the reports differs with respect to votes cast for gubernatorial candidates Malloy and Foley.

	Original Return Exhibit B6	Amdmt #1 page Exhibit B7	Amdmt #2 page Exhibit B10	11/25 Return page Exhibit B14	Urania Petit page Exhibit C26B	Clerk's Office page Exhibit C28
Total Governor Votes	16745	15175 p.6	15668 p.6	15668 p.7	19391 p.19	17018 p.1
Absentee Ballots Total	N/A	1216 p.6	1309 p.6	1309 p.7	N/A	N/A
Absentee Ballots Counter	N/A	1193 p.6	1286 p.6	1286 p.7	1182 p.4	1182 p.5
Malloy for Governor						
	12660				14464	
	868	14248	14248	14248	1025	14058
	1356	1009	1009	1009	1552	1003
Total	14884 p.1	15257 p.1	15257 p.1	15257 p.2	17041 p.25	15061 p.1
Foley for Governor						
	24				39	
	1651	1739	1739	1739	1797	1749
	114	126	126	126	129	127
Total	1789 p.1	1865 p.1	1865 p.1	1865 p.2	1965 p.25	1876 p.1

There is no agreement between the Hartford Registrars, the Head Moderator, and the Town and City Clerk as to which election results, if any, are accurate. Bazzano expressed that he viewed the Clerk's Vote by District Report as the most accurate, whereas Petit testified that she did not know whose report reflected the correct numbers. Jones admitted that he "assumed" that Bazzano's report was more accurate than his report, although he had never read it. Vazquez similarly testified that she does not know which numbers are correct but "will assume and hope that it's the City's clerk." (Tr. 12/23/14 at 522-23.) To date, there is no evidence that these outstanding concerns have been resolved, or that any official has undertaken to resolve them. In other words, the officials responsible for administering the election process in Hartford do not agree that they have provided correct election results to the Secretary of the State, and, therefore, the final vote tally of the November 4, 2014 General Election remains unclear.

January 16, 2015