

CARUSO FOR MAYOR

CARUSO PRESS CONFERENCE

September 26, 2007

State Representative Chris Caruso filed a complaint , yesterday, September 25,2007, to the State of Connecticut Superior Court, requesting the overturn of the results of the September 11, 2007 Bridgeport Democratic Primary.

Mr. Caruso said: "That the widespread abuse and pattern of fraud in the September 11th primary prevented a free and fair election for all voters in the city of Bridgeport "

Further allegations in the complaint discuss the failure of the Democratic Registrar of Voters, Santa Ayala , to properly administer this election especially in light of a new voter technology being implemented for this primary election.

Considering the long history of electoral fraud and historic fines levied against some members of the Democratic Town Committee also gives credence to voter and ballot fraud in this election.

Please see full copy of court complaint in your package.

**CIVIL SUMMONS
CONTINUATION OF PARTIES**

STATE OF CONNECTICUT
SUPERIOR COURT

JD-CV-2 Rev. 4-97

FIRST NAMED PLAINTIFF (Last, First, Middle Initial)

~~Simmons-Cook, Toyka~~ *CHRIS BYRON CARUSO JW*

FIRST NAMED DEFENDANT (Last, First, Middle Initial)

City of Bridgeport, c/o Fleeta Hudson, City Clerk

ADDITIONAL PLAINTIFFS

NAME (Last, First, Middle Initial, if individual)	ADDRESS (No., Street, Town and ZIP Code)	CODE
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ADDITIONAL DEFENDANTS

NAME (Last, First, Middle Initial, if individual)	ADDRESS (No., Street, Town and ZIP Code)	CODE
Borges, Joseph, Republican Registrar of Voters for the City of Bridgeport,	202 State Street, Bridgeport, CT 06604	54
Howard, Patricia, Democratic Deputy Registrar of Voters for the City of Bridgeport,	202 State Street, Bridgeport, CT 06604	55
Garfield, Jeffrey B., Executive Director and General Counsel State Elections Enforcement Commission,	20 Trinity St., Ste. 101 Hartford, CT 06106-1628	56
Finch, William,	70 Crown Street, Bridgeport, CT 06610	57
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61	FOR COURT USE ONLY - FILE DATE
62	
63	
	DOCKET NO.

RETURN DATE: OCTOBER 16, 2007

SUPERIOR COURT

CHRISTOPHER CARUSO

JUDICIAL DISTRICT
OF FAIRFIELD

V.

AT BRIDGEPORT

FLEETA HUDSON as CITY CLERK CITY OF
BRIDGEPORT; HECTOR DIAZ, as TOWN
CLERK; THOMAS L. KANASKY, JR.
SANTA AYALA as BRIDGEPORT
REGISTRAR OF VOTERS; WILLIAM FINCH;
JOSEPH BORGES as REPUBLICAN
REGISTRAR OF VOTERS;; JEFFREY B. GARFIELD,
as EXECUTIVE DIRECTOR AND GENERAL
COUNSEL of STATE ELECTIONS
ENFORCEMENT COMMISSION; PATRICIA
HOWARD, as DEPUTY BRIDGEPORT
REGISTRAR OF VOTERS

SEPTEMBER 25, 2007

COMPLAINT

1, This petition and complaint is presented and brought, inter alia,
pursuant to Connecticut General Statute § 9-328.

2. On September 11, 2007, the Petitioner, Christopher Caruso, was a
State Representative and a candidate for the Democratic Primary for the
Nomination for Mayor of the City of Bridgeport.

3. On said date, the Respondent, William Finch, was a candidate for
the Democratic Primary for the Nomination for Mayor of the City of Bridgeport.

4. On said date, the Respondent, Thomas L. Kanasky, Jr. was the Head Moderator of the September 11, 2007 primary elections for the City of Bridgeport.

5. On said date, the Respondent, Santa Ayala, was and is the Democratic Registrar of Voters for the September 11, 2007 primary elections for the City of Bridgeport.

6. On said date, the Respondent, Joseph Borges, was and is the Republican Registrar of Voters for the September 11, 2007 primary elections for the City of Bridgeport.

7. On said date, the Respondent, Hector Diaz, was and is the Town Clerk for the City of Bridgeport.

8. On said date, the Respondent, Fleeta Hudson, was and is the City Clerk for the City of Bridgeport.

9. On said date, the Respondent, Patricia Howard, was and is the Deputy Registrar of Voters for the September 11, 2007 primary elections for the City of Bridgeport.

10. On said date, the Respondent, Jeffrey B. Garfield, was and is the executive Director and General Counsel for the State Elections Enforcement

Commission for the September 11, 2007 primary elections for the City of Bridgeport.

11. On September 11, 2007, voting in this primary election occurred city wide.
12. The polls closed at 8:00 p.m. on September 11, 2007.
13. The principal rivals on that day were William Finch and Christopher Caruso, who each ran full slates on Ballot Lines A and B respectively that day.
14. The Bridgeport Registrar of Voters, Santa Ayala, violated Connecticut General Statute § 9-328 by committing a series of serious errors in her rulings as election official as evidenced by the following:
 - A. Registrar Ayala was required but failed to notify all candidates of their right to submit a list of designees for the other polling place positions, pursuant to Conn. Gen. Stat. 9-436(e).
 - B. Pursuant to 9-436(e), Registrar Ayala was required but failed to provide notice in advance of the August 31, 2007 deadline for the candidates to submit their list of designees.
 - C. Additionally, the Registrar was required but failed to ensure that the polling positions be "divided equally, as nearly as may be,

between designees of the party-endorsed candidates and designees of one or more of the contestants.”

15. Registrar Ayala was required but failed to send the Caruso campaign the requisite notice of its right to submit a list of designees.

16. Registrar Ayala refused to send out a list of one-half the available polling positions as mandated by statute, despite the campaign’s repeated requests.

17. On September 5, 2007, the Campaign Manager for the Caruso Campaign, Andrew Grossman wrote an urgent letter to the Connecticut Secretary of State Susan Bysiewicz outlining the Registrar’s failure to follow her statutory obligations. (See, Grossman letter, attached as Exhibit”A“to the Complaint).

18. The Secretary of State responded in a letter, dated September 7, 2007 agreeing with the Caruso Campaign’s assertions, which forced Registrar Ayala to finally provide the list of half of the polling worker positions just four days before the elections. (See Bysiewicz Letter, dated September 7, 2007, attached as Exhibit “B” to the complaint)

19. Upon information and belief, Registrar Ayala had already appointed polling workers aligned with the Democratic Town Committee, and hence the Finch Campaign to their positions.

20. In contrast, the Caruso campaign had from the Friday before the Tuesday election, to line up its designees to provide balance in the polls.

21. As a result of this short notice, the Caruso campaign could not get enough workers to fill all the poll positions.

22. Moreover, Registrar Ayala raised further obstacles by reassigning specific Caruso designees to different polling places on Monday.

23. In addition, the Caruso workers only had time to be trained at a last minute session on the new technology at 5pm on Monday September 10, 2007.

24. As a result of the foregoing, there have been and are substantial violations of the requirements of C.G.S § 9-328.

25. Also in violation of C.G.S § 9-328, the Registrar of Voters and her designees misled voters in introducing the use of the new optical scanner voting machines used for the first time in Bridgeport for this primary election as evidenced by the following:

- A. Voters would come into the polling place and go to the sign in table. They would have their name checked off. At that point, another poll worker would then show them a sample ballot.

- B. In most cases, the poll worker would put their finger or writing implement directly on Bill Finch's name on Line A, and tell them to vote by filling the bubble under his name. The worker would then move his or her finger or pencil straight across Line A, indicating that the voter should fill in those bubbles as well. See, Emile Bravo-Blackwood's affidavit, attached hereto as Exhibit "C."
- C. This also occurred at Hallen School. See, Vivian Lopez' affidavit, attached hereto as Exhibit "D".
- D. Another incident was experienced by a City Council Candidate. See, Toyka Simmons-Cook's affidavit, attached hereto as Exhibit "E".
- E. At another polling place, Jeff Tisdale observed the same scenario at City Hall, where Registrar Ayala threatened to have him arrested for his presence. See, Jeff Tisdale's affidavit, attached hereto as Exhibit "F".
- F. The same reports of poll workers directing voters to vote Line A were reported from other voters at such schools as Park City

Magnet, Harding, Black Rock, JFK, Winthrop, Blackham, Wilbur Cross, Roosevelt and Longfellow.

G. Observers were calling the Secretary of State's Office about the problem as well as the Registrar's Office.

26. Finally, at about 2:00 pm, the Registrar's office called up polling places to order them to put a halt to the practice.

27. This notice was noted in the Moderator's reports from a number of schools, including Blackham, Black Rock, and Roosevelt Schools.

28. However, the practice still continued at some polling places, like the Hallen School, where Raymond Lopez was directly shown the Finch line to vote at about 7:15pm. See, Raymond Lopez' affidavit, attached hereto as Exhibit "G."

29. In addition, other voters noticed Finch for Mayor literature inside the polling places, at times right where they were filling in their ballots at Park City Magnet School. See, Eleanor Brixey's affidavit, attached hereto as Exhibit "H."

30. At other schools, such as Dunbar, there were many people turned away who had been long-time Registered Democrats. Numerous people were also unexpectedly directed to new polling places, a vote dampening tactic, that

bounced one man around to three different schools. See, Thomas McNemar's affidavit, attached hereto as Exhibit "I".

31. Also, at Hallen School, another account of voting denial was reported. See, Mariali Rodriguez' affidavit, attached hereto as Exhibit "J".

32. As a result , the Petitioner has been and is aggrieved, within the meaning of C.G.S. § 9-328, because of the rulings of any and all election officials connected to the Primary Election, including but not limited to, Respondents: City of Bridgeport; Hector Diaz, as Town Clerk for the City of Bridgeport; Santa Ayala, Democratic Registrar of Voters for the City of Bridgeport; Joseph Borges, Republican Registrar of Voters for the City of Bridgeport; Thomas L. Kanasky, Jr., Head Moderator for the City of Bridgeport.

33. The errors in the rulings of the election officials require that the results in the primary elections of September 11, 2007 be voided under C.G.S. § 9-328.

34. Upon information and belief the errors in the rulings of the election officials also were caused by the election officials' negligence, in that inter alia, they failed and refused to take corrective action to ensure that the errors were prevented and avoided.

35. As a result of the foregoing, there have been and are substantial of the requirements of C.G.S. § 9-328 and, as a further result of those violations, the reliability of the results of the Primary Election is seriously in doubt and the Petitioner Caruso should be declared the winner, or in the alternative, a new election should be ordered.

PRAYER FOR RELIEF

WHEREFORE, the Petitioner prays:

1. That this Court order all of the voting machines used in the Election for the Primary Election for Mayor for the City of Bridgeport be impounded beyond the fourteen (14) days automatic impoundment period set forth in C.G.S. § 9-310 until further order of this Court.
2. That this Court order that no Democratic nominee for Mayor be recognized before this matter is resolved in its entirety.
3. That this Court orders votes cast on the ballots in the City of Bridgeport be recounted.
4. That this Court declare the Plaintiff Christopher Caruso the winner of the Primary Elections for the Democratic nomination for Mayor for the City of Bridgeport.
5. That, in the alternative, this Court order a new election for the Primary Elections for the Democratic nomination for Mayor for the City of Bridgeport.