



John DeStefano, Jr.  
*Mayor*

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Victor A. Bolden  
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### **BY FACSIMILE AND MAIL**

November 1, 2012

Herbert J. Shepardson, Esq.  
Cooney, Scully and Dowling  
Hartford Square North  
Ten Columbus Boulevard  
Hartford, Connecticut 06106-5109

Re: Correspondence to City Clerk and Registrars of Voters

Dear Attorney Shepardson:

I write in response to your October 29, 2012 letter to Ron Smith, Clerk of the City of New Haven, but not received by the City Clerk's Office until yesterday, Wednesday, October 31st. Having now received word today of your injunction action in Hartford Superior Court, I further write to request that you withdraw this action immediately in order to spare the City of New Haven from having to expend scarce resources defending against a lawsuit with no merit.

As a preliminary matter, please direct any further inquiries to my attention and not the City Clerk, Mr. Smith, or the City's Registrars of Voters, Mrs. Sharon Ferrucci and Mrs. Rae Tramontano. As the City of New Haven's Corporation Counsel, I represent all of the City's officials and departments in matters relating to their official duties.

As another preliminary matter, while I am responding to your inquiries most expeditiously, neither I nor anyone else could be expected to have responded within the time you allotted – "by close of business on Tuesday October 30, 2012" – particularly when many areas of the State of Connecticut have been affected greatly by Hurricane Sandy, including New Haven, and given the fact that your letter was sent on October 29<sup>th</sup>, the very day the storm hit the City.

As to the substance of your correspondence, you question the certification of ballot order submitted to the Secretary of State. However, as you should know – particularly since you raised the issue of certification – the absence of the signatures of the registrars of voters and the municipal clerk on the certification of ballot order only has the following legal consequence: the requirement to "order a number of ballots equal to the total number of registered voters in their municipality for such election or primary." Public Act 11-46, Section 5(b).

As I have stated on the phone, I am prepared to provide documentation sufficient to demonstrate that the City of New Haven has fulfilled its obligations under the law. The Connecticut Voter Registration System lists the number of registered voters in New Haven as 70, 558. On October 12, 2012, the Registrar's Office ordered more than 75,000 ballots, more than enough to satisfy the City's obligations under the law, as further explained below. Thus, in order to avoid wasting everyone's time, an in-person review of this documentation would be prudent.

In any event, I am prepared to have the Registrars of Voters re-submit information to the Secretary of State in order to obviate any issues whatsoever in this regard. For example, you questioned the number of ballots ordered by the Registrars. For Ward Three, Precinct 1, in fact, 1500 ballots had been ordered, not 150. The reported 150 ballots was nothing more than a Scriveners' error. As noted above, the City is prepared to re-submit the information to the Secretary of State to eliminate any confusion about whether there will be a sufficient number of ballots in this precinct.

For Ward 11, Precinct 2, you claim that there is "no historical or contemporaneous information upon which to judge whether enough ballots have been ordered." This criticism is just plain Kafkaesque. The Registrars indicated to the Secretary of State's Office that "this is a new polling place" with "no history." As a result, there would be "no historical or contemporaneous information upon which to judge whether enough ballots have been ordered."

Finally, you have questioned the validity of duly registered electors of the City of New Haven. Your allegations yet again cannot be substantiated. First, you challenge a "certain individual residing at Bradley Street, #3, New Haven, CT." No such address exists in our registry. In fact, the Connecticut Voter Registration System makes it clear that the address numbers for Bradley Street only go as low as 50 and as high as 275. In other words, there is no #3 Bradley Street.

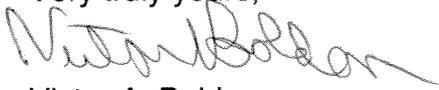
Similarly, the Registrars have no basis for doubting that the electors living at 23 Temple Street in New Haven are qualified to vote. Under Connecticut General Statutes Section 9-23(b), the "registrars shall enter the name, residence, date of birth and date of admission of each person admitted as an elector in the records of the registrars' office, which shall be prima facie evidence that each such person possesses the requisite qualifications of an elector." In short, under Connecticut law, the Registrars properly recognize this "certain individual" as possessing "the requisite qualifications of an elector."

Please know that the City of New Haven shares your interest as well as that of your client in having "an accurate and fair counting process in place which is integral to an open democracy." The City also takes in pride in knowing that it has a City Clerk's Office and Registrars of Voters committed to that goal not only for this election year but for every election year.

Your correspondence as your pending lawsuit, on the other hand, seems to cast aspersions without complete and accurate information and does not serve the process

well. Nevertheless, New Haven's dedicated public servants with responsibility for ensuring fair elections will continue to perform its duties diligently.

Very truly yours,

A handwritten signature in black ink, appearing to read "Victor A. Bolden". The signature is fluid and cursive, with a long horizontal stroke at the end.

Victor A. Bolden

cc: Hon. Ron Smith, City Clerk  
Hon. Sharon Ferrucci, Registrar of Voters  
Hon. Rae Tramontano