

Marcus Paca
1 Saint John Connector
New Haven, CT 06511

In re: Complaint by Enrico F. Melita, New Haven, File No. 2017-050

Dear Commission Enforcement Unit:

I am in receipt of the above-referenced SEEC complaint received in your office on August 31, 2017. Please consider this letter and the attached supporting documents a formal response to the complaint. The facts and circumstances related to Mr. Melita's complaint raise grave concerns, including violations of Connecticut General Statutes, the United States Constitution and state and federal voting rights laws. It is my belief that Mr. Melita, Ms. Priscilla Knox and others associated with the Harp Campaign as explained below have engaged in felonious activity for the purpose of unlawfully interfering with a public election process. I request that these very serious concerns be thoroughly investigated by your Commission.

I. Response to Mr. Enrico Melita's Allegation of 76 Fraudulent Signatures

Mr. Melita, Toni Harp's campaign manager and Legislative Liaison to the Board of Alders "on leave," is not a graphologist or a forensic document examiner. No one associated with the Harp campaign is a graphologist or a forensic document examiner. Mr. Melita does not suggest or indicate that the Harp Campaign hired or even consulted with a graphologist or a forensic document examiner. Absent any training in or any advise from anyone trained in graphology or forensic examination, Mr. Melita's allegation that "at least 76 signatures are clearly written by the same individual(s)" is completely baseless and absurd.

II. Response to the Affidavit of Ms. Priscilla Knox

On July 20th Priscilla Knox attended a circulator training hosted by the Progress with Paca campaign along with approximately 40 other individuals. Prior to the training, Ms. Knox had asked me on numerous occasions over social media for paid opportunities working on my campaign. She repeatedly expressed that she'd had difficulties finding work and was very much in need of an employment opportunity. Ms. Knox attended the July 20th training seeking a paid opportunity and in response to a public call for workers and volunteers made by my campaign on social media.

The purpose of the training was to instruct individuals on how to properly and lawfully obtain signatures in the petitioning process. In the training it was stated that paid circulators would receive between \$5-10 per completed petition sheet, depending on the number of paid workers hired. (Progress with Paca relied almost exclusively on volunteer circulators.) In the training it was also stated that all circulators should review the forthcoming circulator instructions prior to beginning any work. Ms. Knox attended the July 20th circulator training in its entirety.

On July 26th Priscilla Knox began temporary, contract employment with the Progress with Paca campaign as a circulator of petitions to get my name on the ballot in the City of New Haven's Democratic Primary. At no point was Ms. Knox informed that she would receive a rate of pay higher than the \$5-10 per petition sheet that was outlined in the July 20th circulator training attended by dozens of people, including Ms. Knox. Ms. Knox was never instructed to have people sign for members of their family or to engage in any other act in violation of the circulator instructions by me or anyone else associated with the Paca Campaign.

Ms. Knox circulated petitions for the Progress with Paca campaign on various days between July 27 – August 9, 2017. Most of the days Ms. Knox circulated petitions she was in the general company of myself, my wife, or circulator Arthur Gary Stewart. None of the aforementioned parties witnessed Ms. Knox commit the larceny and fraud she confessed to committing in Mr. Melita's complaint.

On information and belief I assert that the Harp Campaign, under Mr. Melita's direction, worked in partnership with Ms. Knox to fabricate a case of fraudulent signature collection in order to defame me and undermine my campaign. This deliberate act resulted in a negative, sensational and misleading news story that was purposefully released on September 8, 2017 just four days before New Haven's Democratic Primary

(http://www.newhavenindependent.org/index.php/archives/entry/primary_petition/). The negative reporting orchestrated by the Harp Campaign impacted voting activity to my detriment on Election Day. See below the facts that lead to this conclusion:

1. On Saturday, August 5, 2017 I picked Priscilla Knox up at her home on 923 Elm Street, New Haven, CT in the late afternoon to accompany me circulating petitions at a block party in her neighborhood hosted by Alder Yvette Hamilton. When I arrived at Ms. Knox's home there was a Toni Harp campaign lawn sign in the front yard. I inquired about the lawn sign and Ms. Knox stated that she did not know how the sign had ended up in front of her home and removed it. However, Ms. Knox then informed a member of my campaign staff and me that Alder Yvette Hamilton had introduced her to Toni Harp earlier that day at the block party we were en route to. Ms. Knox stated that Alder Hamilton had encouraged her to sign up for campaign work with Harp while she was circulating a petition for me. **Ms. Knox also stated that Toni Harp had personally told her to "go to [her] campaign office" so she could "be taken care of" while she was circulating a petition for the Paca Campaign.** (At the time Ms. Knox told me

that she'd declined Toni Harp's employment offer. However it has now been revealed that per Harp's instructions, Ms. Knox did eventually go to the Harp Campaign office, where she worked out a quid pro quo arrangement with Enrico Melita, Harp's campaign manager, and was "taken care of" financially. According to Harp, Melita and Knox as reported in the press Knox currently remains on Harp's payroll.)

2. On August 9, 2017 Priscilla Knox completed work as a petition circulator for the Progress with Paca campaign. She was paid \$200 in cash, bringing total payments (cash and expense reimbursements) made for Ms. Knox to \$380. Ms. Knox's compensation exceeded the maximum compensation of \$10 per petition sheet offered in the circulator training.
3. After accepting payment on August 9th, Ms. Knox began making threatening posts by text and over social media to me and other members of my campaign staff (see Attachment A for an example). She demanded more money than she had been paid and was owed. When repeatedly asked why she was demanding more money than she was owed, Ms. Knox refused to provide an explanation and only repeatedly stated, "I will get the last laugh if you fuck with my money." She threatened to "get" my wife and me if her financial demands were not met.
4. In an effort to resolve the conflict and stop Ms. Knox's threatening behavior I agreed to pay her an additional \$120 on August 10, 2017. Ms. Knox was informed that there would not be any future employment opportunities for her with the Paca Campaign. **Final payment was made to Ms. Knox on August 10, 2017 and Ms. Knox signed a contract (Attachment B) agreeing that she had been paid in full for services rendered.**
5. After final payment was made on August 10th to Ms. Knox, she continued her social media harassment, demanding more payment or again threatening to make me "pay". As her ongoing threatening behavior was clearly an attempt at extortion, my campaign blocked Ms. Knox from our social media accounts on the evening of August 10, 2017.
6. I have not had any contact with Ms. Knox since August 10, 2017 (with the exception of when she harassed me at the September 5th mayoral debate and at the Ward 24 polling station on Election Day – more on this below).
7. The Harp Campaign formally hired Ms. Knox at some time in August 2017. **After it was made public that Ms. Knox was a Harp Campaign employee, the Harp Campaign elected to miss the filing deadline for their pre-primary financial disclosure forms, which would have included information about Ms. Knox's employment.** (On information and belief, it is my supposition that Ms. Knox's employment and collusion with the Harp Campaign may have begun as early as August 5, 2017 at Toni Harp's request.)
8. On August 23, 2017 Ms. Knox provided an affidavit at the request of Harp campaign manager, Enrico Melita. **Melita drafted the affidavit for Ms. Knox and accompanied her to have it notarized.** In Ms. Knox's affidavit she admitted to knowingly committing election fraud. Ms. Knox made a false and thoroughly unsubstantiated claim that I had instructed her to have individuals sign for members of their family. Ms. Knox admitted to committing fraud on multiple occasions, despite knowing her behavior was unlawful per the circulator

instructions sheet. However, the Harp Campaign only identified one such example of the allegedly fraudulent activity, citing a woman named LaQuita Norris, who apparently signed a petition sheet on her mother's behalf, believing she had power of attorney.

9. Ms. Knox is the only one of approximately 20 circulators who has alleged that I, or anyone associated with the Paca Campaign, instructed him/her to do anything unlawful (see Attachments C1-C17 for affidavits from other circulators).
10. Ms. Knox is the only circulator who attempted to extort the Paca Campaign for money by threatening to make false claims if I did not acquiesce to her arbitrary financial demands.
11. **Ms. Knox is the only Paca Campaign circulator who is currently employed by the Harp campaign AND was paid by the Harp campaign in a quid pro quo arrangement immediately after she made false allegations against me.**
12. Ms. Knox has an extensive criminal history, including multiple charges of larceny (which includes extortion and fraud), threatening, breach of peace, prostitution, drug paraphernalia, assault, reckless endangerment, obtaining drugs, possessing drugs, failure to appear in court and violating probation.
13. **On September 9, 2017 Toni Harp stated, "I stand behind [my campaign's] decision to hire [Knox]"**
(http://www.newhavenindependent.org/index.php/archives/entry/harp_stands_by_campaign_hire/). There is no rational reason to "stand behind" such a decision in light of Ms. Knox's recent admission of committing larceny, extortion and fraud and revelations of her prior criminal charges and convictions unless the Harp Campaign received something very valuable, such as Knox's willingness to make false allegations about me, in return for hiring Knox.
14. Ms. Knox was paid by the Harp Campaign to sit in the front row at the mayoral debate on September 5, 2017 in order to "heckle" me and express her defamatory, false allegations in a public setting. She created such a disturbance that the debate moderator had to ask her to control her behavior on more than one occasion.
15. On Election Day the Harp Campaign paid Ms. Knox to stand in front of the polling station in Ward 24 and continue to slander and defame me with false allegations. I ask the Commission to investigate whether Ms. Knox's actions at the debate and polls constitute violations of Connecticut General Statute 9-364a.
16. **Ms. Knox informed one of my campaign volunteers (name and contact information will be provided at the Commission's request) that she is being "represented" by John Rose, who she described as "Toni Harp's attorney".** John Rose is not in fact Toni Harp's personal or campaign attorney, but rather he is the City of New Haven's Corporation Counsel, whose salary is paid by New Haven taxpayers.
17. Since Ms. Knox's allegations surfaced in the press, multiple character witnesses have come forth who are prepared to speak to Ms. Knox's penchant for stating falsehoods, engaging in criminal behavior and general deceitful behavior. Names and contact information will be provided at the Commission's request.

For the aforementioned reasons I believe the Commission should find that Ms. Knox's testimony thoroughly lacks credibility.

Furthermore, I am formally requesting that the Commission open investigations into:

1. Ms. Knox's admissions and actions and whether they constitute larceny, including extortion and fraud, in connection with a public election process. (The Paca Campaign intends to seek to legally recoup any money paid to Ms. Knox if it is determined, per Ms. Knox's confessions, that she willfully and knowingly engaged in criminal activity when circulating petitions in violation of the terms of her employment with the Paca Campaign)
2. The Harp Campaign's role in aiding and abetting larceny, including extortion and fraud, in connection with a public election process
3. The legality of the Harp Campaign's quid pro quo arrangement with Ms. Knox in which Ms. Knox manufactured false information about me and my campaign in exchange for payment, thereby interfering with a public election process
4. The Harp Campaign's use of the City of New Haven's Corporation Counsel's Office to aid in Toni Harp's re-election efforts

Ms. Knox's actions would constitute serious violations of Connecticut and Federal election, criminal, and/or constitutional law, including Connecticut General Statute 53a-119. Violation of Connecticut General Statute 53a-119 is a class B felony. Mr. Melita's actions would constitute serious violations of Connecticut and Federal election, criminal, and/or constitutional law, including aiding and abetting Ms. Knox in commission of a class B felony, as well as violation of Connecticut General Statute 53a-148. Violation of Connecticut General Statute 53a-148 is a class C felony.

III. Response to the Affidavit of Sheila Carmon

The Harp Campaign provided an affidavit from Sheila Carmon, the City of New Haven's Deputy Community Services Administrator. Ms. Carmon is a top fundraiser for the Harp Campaign, per the campaign's financial disclosures and online fundraising activity. Ms. Carmon frequently accompanies Toni Harp to campaign events.

Ms. Carmon provided an affidavit as a third party on behalf of another person whom she alleges she witnessed sign a petition for the Progress with Paca Campaign. It seems extraordinary that one of Toni Harp's top administrative officials and top campaign fundraisers and surrogates would be the only witness to allege wrongdoing. It seems even more extraordinary that Ms. Carmon would suggest that she has more knowledge of the circumstances she alleges to have witnessed than the actual parties involved.

Ms. Carmon's credibility should be questioned and investigated. Once her allegations were made public in the press, the Progress with Paca Campaign received an anonymous letter from a concerned citizen (Attachment D) regarding Ms. Carmon's role on the Harp Campaign and employment status with the City of New Haven. In evaluating her credibility, I request that the Commission thoroughly investigate the allegations in this letter as well as Ms. Carmon's personal legal and employment history to determine 1) if

she has a history of making false statements and 2) if she has incentive to make false statements in order to aid Toni Harp, thereby protecting her employment in the Harp Administration. (The letter suggests that Ms. Carmon's current employment is in a precarious state.) The name and contact information of the individual who provided the background information on the state of Ms. Carmon's employment with the City of New Haven will be provided at the request of the Commission, but has been omitted to protect the individual from retaliation.

Lastly, Ms. Carmon's confession as a high-ranking Harp Administration official that she takes pictures of Paca Campaign supporters during community events is deeply troubling and part of a Harp Campaign/Administration pattern of illegal voter intimidation and harassment to interfere with a public election process. Ms. Carmon offers no explanation for why she was taking pictures of people wearing Paca T-shirts on August 6, 2017; therefore we ask the Commission to seek an explanation of Ms. Carmon's actions. On information and belief, I posit that Ms. Carmon's behavior was designed to intimidate and harass Paca supporters and to deter potential petition signers, thereby interfering with a public election process.

It is also worth noting that Mr. Ed Jefferson, who Ms. Carmon names in her affidavit, is the spouse of Nicole Jefferson, who is currently engaged in an active wrongful termination case with the City of New Haven. The State Department of Labor classified Toni Harp's behavior towards Mrs. Jefferson as a "witch hunt" and Ms. Carmon's actions are consistent with the Harp Campaign/Administration's pattern of illegal harassment, intimidation and targeting of the Jefferson family and other private citizens.

Ms. Carmon's acts of intimidation as a municipal official would constitute serious violations of Connecticut and Federal election and constitutional law, specifically Article 1§ 5 of the Connecticut Constitution and the First Amendment of the United States Constitution.

IV. Response to the Affidavit of Corey Staggers

Mr. Staggers provided an affidavit asserting that he signed a petition to allow my name to be placed on the ballot for the September 12, 2017 Democratic Primary. Mr. Staggers asserted that he signed the petition because he inexplicably believed it was a "condition of [his] job to sign." Mr. Staggers as well as the person whom he alleges asked him to sign the petition are part-time employees of the City of New Haven Department of Parks and Recreation. Neither supervises the other. Toni Harp is the current mayor of the City of New Haven and in charge of the City of New Haven Parks and Recreation Department. It would have been irrational for Mr. Staggers to have believed that it was a "condition of [his] job" to sign a petition to allow someone to run in a competitive election against his current boss. On information and belief I posit that Mr. Staggers' irrational affidavit, as well as his regret for signing the Paca Campaign petition, were the direct result of voter intimidation he experienced from the Harp Campaign and

Administration. In light of this intimidation I do not believe Mr. Staggers' claims should be taken at face value.

Voter harassment and intimidation is a serious legal offense and a violation of Connecticut General Statute § 9-364 prohibiting voter intimidation as well as a violation of the right to free speech under Article 1§ 5 of the Connecticut constitution. The Harp Campaign and its official surrogates have engaged in a concerted pattern of voter intimidation and harassment to interfere with the City of New Haven's public election process:

1. During the week of August 6th, Tomas Reyes, Toni Harp's Chief of Staff, and Andrea Scott, Toni Harp's executive assistant, picked up copies of petition sheets submitted by the Progress with Paca Campaign from the City Town Clerk's Office.
2. Intimidation and Harassment of Private Citizens:

After picking up the Paca Campaign petition sheets, Reyes and Scott immediately began calling individuals who signed the petition. They inquired whether the signatures were legitimate and expressed Toni Harp's disapproval that the individuals would sign a petition to enable my name to be placed on the ballot. Several individuals have reported receiving such phone calls within hours of Reyes and Scott obtaining copies of the Paca Campaign petition sheets.

A Paca Campaign supporter reported being instructed by Tomas Reyes to remove a "Marcus Paca for Mayor" lawn sign from his/her private property. **The Paca supporter was told that if he/she did not comply with Reyes' directive, Toni Harp would defund a city-funded program with which the supporter is associated. Mr. Reyes' threat would constitute a serious violation of Connecticut and Federal election, criminal, and/or constitutional law, including violation of Connecticut General Statute 53a-148. Violation of Connecticut General Statute 53a-148 is a class C felony.**

Names and contact information of individuals referenced above will be provided to the Commission upon request but have been intentionally omitted to prevent retaliation. **It is unlawful and unethical to use the power of the Mayor's Office to intimidate and harass voters for participating freely in a public election process. Under CT General Statute 9-364, it is unlawful to influence an elector to refrain from voting.** I ask the Commission to investigate these serious allegations and to follow-up with all individuals who signed the Paca Campaign petition to determine what, if any, harassment or intimidation they experienced from Toni Harp or members of the Harp Campaign or Administration subsequent to signing the Paca Campaign petition.

3. Intimidation and Harassment of Municipal Employees:

Mr. Clifton Graves, Director of Re-entry Services for the City of New Haven and current candidate for Probate Judge, was intimidated and harassed by the Harp Administration for signing the Paca Campaign petition to enable a competitive election. Please refer to the attached email in which Mr. Graves articulates the harassment he received from “City Hall” for participating freely in the public election process (Attachment E).

I ask the Commission to investigate this serious allegation further and to follow-up with Mr. Graves to determine what, if any, intimidation or harassment he experienced from Toni Harp or members of the Harp Campaign or Administration subsequent to signing the Paca Campaign petition.

The intimidation and harassment directed at Mr. Graves may constitute a violation of Connecticut General Statute Sec. 9-365, which prohibits employers' threats. The Commission should also note that ONLY paid employees of the Harp Campaign (Priscilla Knox) or the Harp Administration (Sheila Carmon, Claudine Chambers, Corey Staggers) have alleged wrongdoing in complaint No. 2017-050. In light of the documented intimidation and harassment of Mr. Graves by the Harp Administration, there is reason to seriously question the credibility of each of the claimants, as their statements may have been coerced in violation of CT General Statute 9-365.

4. Intimidation and Harassment of Elected Officials:

A City of New Haven alder made several disturbing reports to me; members of my campaign staff; Albert Lucas, City of New Haven Legislative Services Director; and constituents regarding harassment and intimidation he/she faced for signing the Paca Campaign petition. The alder’s name and contact information will be provided at the Commission’s request but have been omitted to prevent additional retaliation. The alder stated to the above-referenced parties that he/she was:

- Called by Tyisha Walker, President of the New Haven Board of Alders, and berated, harassed, intimidated and threatened for signing the petition
- Called by a representative from the Mayor’s Office and berated, harassed, intimidated and threatened for signing the petition
- Called by Shannel Evans, Democratic Registrar of Voters, and asked whether his/her signature on the petition was legitimate. Ms. Evans confirmed verbally and did not deny in writing that it is not protocol for the Registrar’s office to make phone calls to individuals to inquire about the authenticity of signatures during the petition certification process

- Called by Eli Markham, who is listed online as an organizer for Unite Here (<https://www.unionfacts.com/local/employee/15059/UNITHE/35/ELI/MARKHAM>), a union that has endorsed Harp's re-election bid, to inquire about the authenticity of his/her signature and to generally harass him/her. The alder stated that this disturbing conversation with Mr. Markham occurred after the Paca Campaign's petition sheets were submitted to the Democratic Registrar of Voters, but BEFORE the City Town Clerk certified the signatures. When asked how he had access to the petition sheets during the period of time when only staff in the Registrar's office should have had access, according to the alder, Mr. Markham responded, "Please don't tell anyone".

John Rose, the City Corporation Counsel, and Enrico Melita, Toni Harp's campaign manager, were witnessed having what a witness described as "contentious" conversations with Shannel Evans on multiple occasions in the Registrar of Voters Office during the period of time that the aforementioned voter intimidation and harassment was reported. (Names and contact information of witnesses will be provided at the Commission's request.) On information and belief, I contend that these conversations related directly to the incidents and facts described in this response.

These are very serious allegations. As previously stated, I will provide the Commission with names and contact information for all individuals referenced in this response provided they are able to speak with anonymity and under oath. **Many voters in the City of New Haven have tremendous, justifiable fear of retaliation from Toni Harp and her campaign and administration; I do not wish to create additional fear or anxiety. Furthermore it is essential that individuals be required to speak under oath, as the Harp Campaign/Administration has privately coerced false statements using threats from the Mayor's Office in the past.**

I request that the Commission carefully and extensively investigate this pattern of illegal voter intimidation and harassment by the Harp Campaign and its surrogates, including City of New Haven appointed and elected officials. I am confident that the extent of voter intimidation and harassment is much more than even I am aware and I trust that the Commission will be able to uncover the full severity. Specifically I am seeking a thorough investigation into:

- The nature and content of any conversations between Paca Campaign petition signers and Toni Harp, Tomas Reyes, Andrea Scott, Tyisha Walker, Shannel Evans or any other City of New Haven elected or appointed official
- Whether and why Ms. Evans broke with protocol and called signatories to inquire about the authenticity of their signatures on Progress with Paca's petition sheets
- The nature and content of any conversations between Shannel Evans, John Rose and Enrico Melita during and after completion of the petition certification process
- Whether and why Mr. Eli Markham, a private citizen, had access to Progress with Paca's petition sheets after they were submitted to the Democratic Registrar of Voters but before they were certified by the City Town Clerk as

well as the nature and content of any conversations between Mr. Markham and any Paca Campaign petition signers

- The Harp Campaign's use of the City of New Haven's Corporation Counsel's Office to aid in Toni Harp's re-election efforts

It is my understanding that if the information presented above is true and substantiated by the sworn testimonies of all involved parties, then core tenants of Connecticut and Federal election, criminal, and constitutional law have been violated by the Harp Campaign and Administration and individuals associated with those entities. Specifically, all intimidation and harassment of private citizens and appointed and elected city officials by Harp Campaign and Administration officials and surrogates would violate CT GS 53a 182b (class D felony) or in the alternative the class C misdemeanor standard would be met under 53a-183. Acts of intimidation and harassment would also violate Article 1§ 5 of the Connecticut Constitution and the First Amendment of the United States Constitution. Political action as speech was protected at common law in CT in Seymour v. Elections Enforcement Commission, 255 Conn. 78, 762 A.2d 880 (2000).

The integrity of the City of New Haven's public election process is threatened if the municipal government is permitted to actively interfere with voters' civil rights to freely support and associate with competitive political candidates and campaigns.

I am hopeful that the Commission will share my view regarding the high importance of protecting citizens' constitutional, statutory and voting rights. Please advise whether I need to open a separate complaint in order to have these serious allegations investigated or if they can be investigated thoroughly in the context of this formal response to File No. 2017-050.

Sincerely,



Marcus Paca
Candidate for Mayor of the City of New Haven