Absentees: Early ballots bring victories, sometimes fraud

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BRIDGEPORT -- "Goal: 1,200 absentee applications," read a sign hanging in Mayor Bill Finch's campaign headquarters last month.

By the time polls opened at 6 a.m. on Sept. 27, that goal had been surpassed -- more than 1,300 applications were turned in and nearly 900 ballots returned. Before the first paper ballot was marked, Finch already had a 420-vote lead over Democratic challenger Mary-Jane Foster on Primary Day, the fruits of a well-organized absentee ballot operation.

"We, the politicians, we will do whatever we can to get that vote," said Lydia Martinez, an East Side city councilwoman who for years has led the most successful absentee ballot operations in the city. "You can give transportation to people. You can call people to ask if they got their absentee ballot. I do have a record of who votes by absentee every year. I've been doing this for 30 years. I know who the people are."

In Bridgeport, a hallmark of Democratic Party politics has been the aggressive use of absentee ballots -- so aggressive, in fact, that more than a dozen consent decrees have been signed since 1988 with the State Elections Enforcement Commission stemming from allegations of wrongdoing by party operatives.

Nearly all the cases involved a Democrat helping someone apply, vote or submit their absentee ballot.

Secretary of the State Denise Merrill said she'd like to make reforms that could prevent absentee voter fraud. She said the problems could be resolved if Connecticut took advantage of new technology. One area she is considering is keeping electronic copies of voter signatures on file so they could be compared to what appears on the ballot or application.

Additionally, she is proposing a constitutional amendment that would allow the state to explore methods of increasing voter turnout by such practices as early voting, thus eliminating reasons for voting by absentee ballot.

Connecticut is one of 15 states, including New York, Pennsylvania and Massachusetts, that do not allow early voting and require valid reasons for voting by absentee ballot. Nearly 30 states allow voters to cast an absentee ballot without Connecticut's required excuses of being out of town, working, disabled or sick on election day. In Oregon and Washington, voting is done entirely by mail.
"No system is going to be perfect," Merrill said. "Think of how elaborate the process is now and you still get allegations of fraud."

For her part, Martinez, not one of those cited for fraud, said she is providing a service to the community by giving the ill, physically disabled and those who will be out of town -- three of the six legal reasons for voting by absentee -- a chance to vote.

"Those people want to vote, too," Martinez said.

She said the process of locating the people, getting them to apply and then making sure they vote is "a lot of work."

"I don't do it all by myself," she said. "Some of the town committee helps out, too."

She said what they're doing is "giving the community the right to vote."

But former East Side Councilman Daniel Martinez, who is not related to the councilwoman, sees a bigger goal.

He said the Democratic Town Committee revs its absentee ballot operation into high gear whenever it faces a tough challenge.

So when Mary-Jane Foster's campaign to unseat Mayor Bill Finch appeared to be gaining momentum, absentee ballot application requests skyrocketed. About 1,300 absentee ballots were requested for the primary.

Compare that with Finch's expected re-election romp in November over Republican Rick Torres and Independent Jeff Kohut.

As of Friday afternoon, 223 absentee ballots have been issued citywide with only 20 returned. "Why is it that you have that many for the primary and not that many for November?" Daniel Martinez said. "Because when there is a need for (votes) they make sure they guarantee them. You can make sure they know how someone is voting. That vote is a secure vote."

The Foster campaign filed its own complaints with the commission during this year's primary, saying Finch supporters -- including Martinez -- had violated the rules by assisting voters in filling out the absentee ballots. To date, the commission has taken no action, or reached any conclusion on the merits of those claims, which were disputed by the mayor's supporters.

A statement released by Finch's mayoral campaign said the absentee voting system is vital to the electoral process. "An absentee operation is important to any campaign to ensure that those who want to vote, but who are otherwise unable to (they are out of town, have mobility issues, are ill, etc.), have the ability to vote and participate in the democratic process," the campaign said.

But complaints involving the way absentee ballot applications are solicited, the votes that are cast and the ballots collected, are not unusual in Bridgeport.
SCRATCHING THE SURFACE?

Since 1988, the State Elections Enforcement Commission investigated at least 17 complaints involving Bridgeport absentee ballots.

Of those, 14 resulted in consent agreements reached with the violators, who agreed to a civil monetary penalty, prohibition from seeking office or working on a campaign or simply to abide by the laws in the future.

The names of those sanctioned read like a who's who in Democratic politics in the city.

Sybil Allen, a longtime town committee member and former councilman, Warren Blunt, a city councilman, and Ernest Newton, a former state representative and state senator, all paid civil penalties ranging from Allen's $5,000 to Newton's $1,000.

Blunt was also one of three people forced to resign from the town committee after the commission determined they collected the ballot and were present when it was marked -- both illegal actions.

Then there's Ralph Ford, a longtime district leader, whom the commission did not punish but suspects authorized the payment of $150 to Jacqueline Rogers, who solicited emergency absentee ballot votes in a Sept. 14, 1993, primary, according to commission records. Ford told the commission the payment was for office work.

The history of commission cases don't fully tell the tale of how the absentee ballot process is improperly used, some say.

"Those 17 complaints just scratch the surface," said City Councilman Robert Walsh, a longtime foe of machine politics.

He said the difficulty of filing complaints has led to a relatively low number of them.

"To file a complaint, you just can't claim you were cheated out of an election and want an investigation. There has to be a specific complaint about a specific individual involving a specific action," he said.

And, too often, it's the worker who is punished, he said.

Walsh said he would like the elections enforcement panel to start "looking at people much higher up on the political totem pole" rather than "just smacking the lowest ones."

Gary Rose, chairman of Sacred Heart University's department of government and politics, said 17 complaints exhibits a disturbing pattern in Bridgeport.
"That number strikes me as excessive for one community to have so many," he said. "The State Elections Enforcement Commission has to put the word out that the city is going to be under more scrutiny from them."

Rose said word "has to come from above because it is certainly not working from below."

When you consider the city's absentee ballot issues, then add in the voting problems outlined in unsuccessful Democratic mayoral candidate Chris Caruso's lawsuit stemming from the 2007 primary and last year's lack of ballots in the gubernatorial election, "you can see the city is in need of supervision," Rose said.

A CHANGE IN THE LAW

By most accounts, the use of absentee ballot operations had waned in recent years -- until last month's hotly contested primary.

"There hasn't been an absentee ballot operation like this since 2002, when Paul Ganim, the probate judge, beat Kevin Boyle," said Leonard Grimaldi, a Foster supporter who has been involved in Bridgeport politics for decades.

Back then, Boyle beat Ganim at the polls, but lost once the absentee ballots were counted.

This time around, Finch won at the polls -- with 57 percent of votes. But the number of absentee ballots cast for the mayor was even higher -- 74 percent. Finch won the absentee vote 643 to Foster's 223 out of a total of 5,393 votes for Finch and 3,798 for Foster.

"Typically, when no one is playing games, the absentee ballot totals will reflect the poll totals," Grimaldi said.

Caruso said he finds it hard to believe that everyone who applied for an absentee ballot over the summer was going to be sick, or is disabled, was out of town or serving in the military on primary day.

"For a while, the use of absentee ballots seemed to be clamped down in Bridgeport," Caruso said.

Part of the reason for that may have stemmed from his efforts in the Legislature as co-chairman of the Government Administration and Elections committee. Caruso helped push through a law requiring people who applied for absentee ballots to sign the applications that are now numbered.

"This helps investigators track who is getting them," he said.

Some, like Americo Santiago, a former Democratic state representative, said there is nothing wrong with the state's absentee ballot laws.
"The process works if people follow the law," said Santiago, who visited the town clerk's office a week after the primary to inquire about absentee ballots for the general election. "There is no need to do anything inappropriate when the process is open. And I don't think anybody does anything inappropriate."

`I CAN'T REMEMBER'

Still, many city residents don't seem to know the law.

Take Gil Torres, a Brook Street resident who never knows when the cleaning service he works for will send him out on a job. He could be working an evening shift at a building in New York or a day shift in Fairfield County.

Because Torres is never sure he'll be near his Bridgeport polling place during an election, he's voted by absentee the past four years.

"It's easy for those that work day and night," the 52-year-old said in Spanish.

Often, his application is delivered by Lydia Martinez.

So who did Torres vote for in the mayoral primary?

"I can't remember his name," Torres said, with an embarrassed smile.