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- STATEMENT -

## **SECRETARY MERRILL PRAISES DECISIONS BY TWO JUDGES IMPACTING THIRD PARTY CANDIDATES IN EASTON, EAST HAMPTON**

**Hartford** – Secretary of the State Denise Merrill today issued the following statements praising decisions by two separate judges resolving the legal cases of third party candidates for municipal office in the towns of Easton in one case and East Hampton in the other.

Bridgeport Superior Court Judge Barbara Bellis today rejected a lawsuit filed by petitioning candidates under the Easton Coalition party designation seeking to be placed on the ballot for the November 5, 2013 municipal election. The Easton Coalition candidates sued Secretary Merrill after their nominating petitions to get on the ballot were rejected by her office. Secretary Merrill's office rejected the petitions by Easton Coalition candidates because they lacked an accompanying letter of endorsement from the party, required by law to be filed with the Secretary of the State by September 4<sup>th</sup> of this year.

“Although it is disappointing for voters in Easton that the Easton Coalition candidates won't be on the ballot this fall, Judge Bellis made the right decision. It is a good reminder that all of us who serve the public are bound to uphold the law. The Easton Coalition failed to file a legally required document with my office by the September 4<sup>th</sup> deadline, so by law, I had to reject their petitions. My office is given the legal authority to approve general election nominating petitions for those who want to run independently or under a party designation. The law unequivocally states that those candidates who want to petition their way onto the ballot under a party designation must file a separate letter of endorsement from the party. This is not a trivial matter, and the law was put in place for a reason. The letter of endorsement is the only legal document we have confirming that the party wants these candidates on the ballot, and these candidates want to represent their chosen party on the ballot. There have actually been recent cases where either the candidate was endorsed by a party without their consent, or local minor parties were unaware candidates were petitioning under the party name. This law requiring a separate letter of endorsement was designed to eliminate those scenarios. We don't rejoice in this legal victory, as it deprives Easton voters a choice on the ballot for these municipal seats. The responsibility for this result, however, rests with the members of the Easton Coalition.”

In a separate case, Secretary Merrill praised today's order by Judge Edward Domnarski of the Middletown Superior Court permitting candidates from the "Chatham" party to appear on the ballot for the November 5, 2013 municipal election in East Hampton. Several candidates from the "Chatham" minor party were not permitted ballot access for the municipal election by the East Hampton Town Clerk because they failed to sign their endorsement paperwork as required by state election law. Judge Domnarski endorsed a stipulated agreement by the East Hampton Town Clerk and the minor party candidates ordering the candidates be placed on the ballot for various municipal offices despite their failure to comply with the law.

"Judge Domnarski's decision is good for the voters of East Hampton. It is always in the best interest of voters to have choices on the ballot, and I am relieved the judge resolved this issue. It was never the intention of my office or any town clerk to keep candidates from this minor party or others off the ballot this November. The legal requirement for a candidate to sign the endorsement paperwork for a minor party is not a trivial or technical matter. This law exists so that a candidate for office cannot be nominated by a political party without their knowledge or consent. We have consistently advised local town clerks that state election law clearly says a signature is required for minor party endorsements. There have been many calls in the past couple of weeks for my office or town clerks to waive this legal requirement if the minor party made its best effort to turn in their endorsement paperwork correctly. There is no legal authority for a town clerk to ignore the law and permit a candidate onto the ballot if they or their party have not done what was legally required of them. In a municipal election, there is also no legal authority for my office to intervene and change the outcome for a minor party or overrule the decision of a town clerk. Our role in this case and other towns facing the same issue this year is simply to remind local officials of what state election laws require for minor party endorsements for municipal office. Courts are the appropriate venue to resolve such cases, and I am glad the ballot in East Hampton is now set in a way that benefits the minor party candidates, the town clerk, and most importantly, the voters."