

# HORTON TO PAY HEFTY FINE

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**B**arnaby Horton, a former Hartford state legislator accused of inducing elderly residents to cast absentee ballots for him, has agreed to pay one of the largest fines ever imposed by the state Elections Enforcement Commission.

Under a written agreement between Horton and the commission, Horton agreed to pay \$10,000 and to not run for public office for two years. He also promised never again to solicit, distribute or assist with absentee ballots.

Though he signed the agreement with the commission, Horton specified that he did not concur with its findings -- namely, that, as a candidate, he had gone from room to room at a home for low-income, elderly residents, circulating absentee ballots and encouraging tenants to check off his name.

The fine came as a Superior Court judge placed Horton on two years' probation and ordered him to perform 1,000 hours of community service for felony charges of ballot fraud.

The penalty and the probation resolve the civil and criminal charges that have been filed against Horton in connection with his failed 2002 race for re-election to the House.

Horton, 35, declined to comment on the specifics of the agreement with the elections commission and on the terms of his probation. He did say that the community service component of the probation was fair.

"Public service to me has been a deep public commitment," Horton said Wednesday. "I am happy to serve the public by my own choice or by the judge's order. I have been blessed with a second chance and I will not let the people of the state of Connecticut or the judge down."

Horton, now of West Hartford, will perform part of his community service at a Hartford soup kitchen and another part at a city high school, said his friend and former political adviser Shawn Fisher.

Fisher stressed that the \$10,000 was not a penalty, but a negotiated settlement worked out between Horton and the commission as a way of finally putting the matter to rest.

"This is to say, 'This is the end,'" Fisher said of the agreement with the commission, whose director he characterized as overzealous.

Horton's brush with the law began in 2002. A state representative in his second term, he was forced into an acrimonious primary battle against another incumbent, four-term Democratic state Rep. Kenneth Green, after redistricting merged Horton's and Green's legislative districts into a single 1st House District.

During that race, Green complained to the commission that Horton had personally collected absentee ballots from residents at the Betty Knox housing complex on Woodland Street -- a violation of state elections law. After investigating the complaints, the commission found them to be valid.

Jeffrey B. Garfield, executive director of the Elections Enforcement Commission, said the \$10,000 that Horton agreed to pay reflects the severity of the charges against him, and the seriousness with which the commission treats ballot fraud.

"Not only were the violations egregious, but Mr. Horton obviously was a lawmaker at the time," Garfield said. "He was a member of the government administration and elections committee, he had a particularized knowledge of absentee voting laws, and he, of course, was an attorney."

Garfield had said that Horton, as a state legislator, had been instrumental in toughening the state's absentee ballot laws, which he then violated.

The case also resulted in criminal charges. Last year Horton was criminally charged with seven felony counts of unlawful possession of another person's absentee ballot and three counts of being present, as a candidate, when absentee ballots were completed.

Horton's terms of probation are part of an accelerated rehabilitation program for first-time, nonviolent criminal offenders in which Horton is participating. Horton has never admitted to any wrongdoing, nor has he had to as part of his accelerated rehabilitation program.

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