

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Raquel Calderon,
Hartford

File No. 2015-049

FINDINGS AND CONCLUSIONS

The Complainant brought this Complaint pursuant to Connecticut General Statutes § 9-7b and alleged that Olga Iris Vasquez, City of Hartford Democratic Registrar of Voters, failed to provide her with voter registration cards as she requested, in violation of General Statutes § 9-23g. After an investigation of the Complaint, the Commission makes the following findings and conclusions:

1. Complaint alleged that the City of Hartford Registrars of Voters' office (hereinafter "Hartford ROVs") failed to provide her with voter registration application forms (VRAs) upon request as required by General Statutes § 9-23g.
2. Specifically, Complainant alleged that she requested VRAs in-person from the Hartford ROVs and was told by that office that they could not provide the forms as requested. Instead, they allegedly directed Complainant to the Office of the Secretary of the State (SOTS) and instructed her to request the VRAs from that office.
3. Complainant and the Hartford ROVs could not identify with certainty the number of VRAs original requested, but there was a general understanding that it was *in the hundreds*.
4. General Statutes § 9-23g, provides in pertinent part:
 - (a) In addition to the procedures for admission of electors under sections 9-19b, 9-19c, 9-19e, 9-20 and 9-31, **any person may apply to a registrar of voters of the town of his residence** for admission as an elector in accordance with the provisions of this section and section 9-23h.
 - (b) The Secretary of the State shall prescribe, and provide to registrars of voters, town clerks and voter registration agencies, as defined in section 9-23n, application forms and other materials necessary to complete such application and admission process. **The Secretary of the State, registrars of voters and town clerks shall provide a reasonable number of such forms and materials to any elector who requests such forms and materials.** The secretary shall also, in the course of the secretary's elections duties, **prepare**

instructions and related materials describing procedures for such application and admission process and shall provide the materials to registrars of voters and town clerks.

[Emphasis added.]

5. Upon investigation, the Commission finds that the Hartford ROVs and the SOTS disagreed as to when the former was required to provide VRAs upon request to an individual or when they were instructed by the SOTS to refer such requests to its office. Additionally, the Commission finds that more than one Hartford ROVs staff member understood office policy to require them to refer requests for large numbers of VRAs to the SOTS so that such forms could be processed by the SOTS for record keeping purposes.
6. Finally, the Commission finds after investigation credible evidence that the Hartford ROVs misconstrued SOTS instructions delivered at the April 24, 2015 Registrar of Voters Association of Connecticut (ROVAC) conference regarding Registrars duties pursuant to General Statutes § 9-23g pertaining to the issuance of VRAs by registrars of voters.
7. By way of background, pursuant to General Statutes § 9-23g, while registrars of voters provide an application to an individual that requests to register to vote in-person, it is the SOTS that provides the forms. Further, the SOTS instructs ROVs as to the process and has provided advice on what a “reasonable number” of VRA forms are when an individual requests them in-person. *See* General Statutes § 9-23g.
8. The Commission finds, as corroborated by staff at the Hartford ROVs in response to this complaint and investigation, as well as by the SOTS, that SOTS instructions were to provide an individuals with *up to* 250 forms or less if requested, and direct any greater requests for VRA forms to that office.
9. Further, the Commission finds that any confusion in the development and implementation by the Hartford ROVs of its policy for distributing VRAs likely arose *after* its staff members attended the April 24, 2015 ROVAC conference and misconstrued SOTS instructions regarding General Statutes § 9-23g and the distribution of VRAs by registrars of voters.

10. The Commission notes that there is credible evidence that Respondent and the Hartford ROVs on the day of the incident that gave rise to this complaint set aside 125 Spanish language VRA forms and 125 English language VRA forms for Complainant, consistent with the advice of the SOTS pertaining to General Statutes § 9-23g, which upon returning to the Hartford ROVs later that day *Complainant refused to accept*.
11. Accordingly, the Commission concludes that the Hartford ROVs in good faith implemented a policy pursuant to General Statutes § 9-23g that requires that registrars of voters provide a “reasonable number” of VRAs to any elector who requests them.
12. The Commission concludes therefore that Complainant’s allegation of a law violation by the Hartford ROVs with regards to her request for VRAs and registrars of voters duties pursuant to General Statutes § 9-23g was not supported by the facts after investigation and therefore her allegation is dismissed.

ORDER

The following Order is recommended on the basis of the aforementioned findings:

That the matter be dismissed.

Adopted this 15th day of December, 2015 at Hartford, Connecticut.


Anthony J. Castagno, Chairman
By Order of the Commission