

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Referral by the Stratford Registrars of Voters

File No. 2017-018

FINDINGS AND CONCLUSIONS

The Referring officials in this matter allege their records show that the Respondent, Ilya I. Press, may have cast a ballot in person in Stratford and cast a second vote, via absentee ballot, in West Hartford. As detailed hereinafter, it is the Commissions determination that this matter should be dismissed.

1. The Referring officials in this matter allege their records show that the Respondent, Ilya I. Press, may have cast a ballot in person in Stratford and cast a second vote, via absentee ballot, in West Hartford.

2. General Statutes § 9-360 provides:

Any person not legally qualified who fraudulently votes in any town meeting, primary, election or referendum in which the person is not qualified to vote, and any legally qualified person who, at such meeting, primary, election or referendum, fraudulently votes more than once at the same meeting, primary, election or referendum, shall be fined not less than three hundred dollars or more than five hundred dollars and shall be imprisoned not less than one year or more than two years and shall be disfranchised. Any person who votes or attempts to vote at any election, primary, referendum or town meeting by assuming the name of another legally qualified person shall be guilty of a class D felony and shall be disfranchised.

3. General Statutes § 9-7b (a) (1) empowers the Commission to investigate “alleged violations of any provision of the general statutes relating to any election or referendum.”
4. General Statutes § 9-7b (a) (2) further authorizes the Commission to levy a civil penalty of “two thousand dollars per offense against any person the commission finds to have (i) improperly voted in any election, primary or referendum, and (ii) not been legally qualified to vote in such election, primary or referendum[.]”

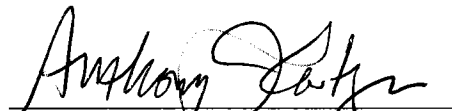
5. Official records reveal that on October 22, 2008, the Respondent registered to vote in the Town of West Hartford, stating that his address was 706 Farmington Ave., Apt C1, West Hartford, Connecticut.
6. At all times relevant hereto, 706 Farmington Ave., Apt. C1, West Hartford, Connecticut was the residence of the Respondent's parents, Isaac and Tanya Press.
7. On October 19, 2016, the Respondent completed a voter registration, indicating that his address was 197 Third Avenue, Stratford, Connecticut.
8. The "Previous Voting Address" section of the October 19, 2016 voter registration completed by the Respondent was left blank.
9. As a result of the Respondent failing to complete the "Previous Voting Address" section of the voter registration, the Respondent was not removed from the West Hartford registry list when he was added to the Stratford registry list.
10. On November 8, 2016, the Respondent appeared, in person, at a Stratford polling location and cast a ballot in the general election.
11. Copies of absentee ballot documents from the town of West Hartford show that Isaac Press cast an absentee ballot in the November 8, 2016 general election, in West Hartford.
12. Evidence, including copies of the relevant absentee ballots, registration cards, check lists, and statements of elections officials, supports a finding that, due to a clerical error, Ilya Press was marked as having voted by absentee ballot, when in fact it was his father Isaac.
13. On May 1, 2017 the Respondent registered to vote in the Town of Milford. The Respondent's name has been removed from the registry lists of all other towns.
14. Accordingly, the Commission concludes that Respondent's name was crossed off as having voted by absentee ballot in West Hartford in error. The Commission further concludes that the Respondent only voted in Stratford on November 8, 2016 and therefore did not violate General Statutes § 9-360.
15. The Commission considers double voting an egregious act, and commends the Referring Officials for their diligence in calling this potentially serious infraction to its attention.

ORDER

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

1. This matter is dismissed.

Adopted this 20th day of September, 2017 at Hartford, Connecticut.



Anthony J. Castagno, Chairperson
By Order of the Commission