

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In re: Referral of the East Hartford Registrar of Voters Stephen Watkins

File No. 2017-035

FINDINGS AND CONCLUSIONS

East Hartford Democratic Registrar of Voters Stephen Watkins brings this Referral pursuant to Connecticut General Statutes § 9-7b, alleging that the same voter may have registered under two names and voted at the November 8, 2016 General Election in the Town of East Hartford.

After an investigation of the Complaint, the Commission makes the following findings and conclusions:

Allegations

1. The Referring Official alleges in his referral that his office received a Voter Registration Application (“VRA”) through the online voter registration system on or about October 3, 2016 for a “Shanay Meggie” on Alexander Drive in East Hartford, which they accepted and made active ahead of the November 8, 2016 General Election.
2. The Referring Official further alleges that his office received a VRA through the online voter registration system on or about October 12, 2016 for a “Roger Meggie” on Alexander Drive in East Hartford, which they accepted and made active ahead of the November 8, 2016 General Election.
3. The Referring Official further alleges that his offices’ records reflect that the names “Shanay Meggie” and “Roger Meggie” were crossed off on the official voter list at the District 7 polling place for the November 8, 2016 General Election, indicating that those voters had cast ballots.
4. The Referring Official further alleges that upon inspection of the VRAs for “Shanay Meggie” and “Roger Meggie,” those VRAs used the same birth date and address information and the DMV-supplied signatures were a match.
5. Upon discovery of the above, the Referring Official referred these VRAs to the Commission requesting that we investigate into whether any impermissible activity occurred, such as a person fraudulently creating two voter registrations so as to cast two ballots in the same election.

Law

6. General Statutes § 9-7b (a) (2) (C) reads, in pertinent part:

(a) The State Elections Enforcement Commission shall have the following duties and powers:

...

(2) To levy a civil penalty not to exceed . . . (C) 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. . . (Emphasis added.)

7. General Statutes § 9-19k reads:

(a) The Secretary of the State shall establish and maintain a system for online voter registration. Such system shall also permit a registered elector to apply for changes to such elector's registration. An applicant may register to vote through this system, provided the applicant's (1) registration information is verifiable in the manner described in subsection (b) of this section, and (2) signature is in a database described in said subsection (b) and such signature may be imported into such system for online voter registration.

...

(c) The submission of an online application shall contain all of the information that is required for an application under section 9-23h, except that a signature shall be obtained from another state agency's database pursuant to subsection (b) of this section.

(d) In order for an applicant's registration or change in registration to be approved, the applicant shall mark the box associated with the following statement included as part of the online application:

"By clicking on the box below, I swear or affirm all of the following under penalty of perjury:

(1) I am the person whose name and identifying information is provided on this form, and I desire to register to vote in the State of Connecticut.

(2) All of the information I have provided on this form is true and correct as of the date I am submitting this form.

(3) I authorize the Department of Motor Vehicles or other Connecticut state agency to transmit to the Connecticut Secretary of the State or my town's registrars of voters my signature that is on file with such agency and understand that such signature will be used by the Secretary of the State or my town's registrars of voters on this online application for admission as an elector as if I had signed this form personally.”

(e) Upon approval of such application, the registrars of voters shall send a notice of approval pursuant to section 9-19b to the applicant. . . . (Emphasis added.)

8. General Statutes § 9-172 reads:

At any regular or special state election any person may vote who was registered on the last-completed revised registry list of the town in which he offers to vote, and he shall vote in the district in which he was so registered; provided those persons may vote whose names are restored to the list under the provisions of section 9-42 or whose names are added on the last weekday before a regular election under the provisions of section 9-17. Each person so registered shall be permitted to vote if he is a bona fide resident of the town and political subdivision holding the election and has not lost his right by conviction of a disfranchising crime. . . . (Emphasis added.)

9. General Statutes § 9-357 reads:

Any person who fraudulently procures himself or another to be registered as an elector shall be fined not more than five hundred dollars or imprisoned not more than one year or be both fined and imprisoned.

10. General Statutes § 9-360 reads:

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.

Investigation

11. Importantly, the investigation here revealed that “Roger Meggie” and “Shanay Meggie” are not the same person. In fact, “Shanay Meggie” is actually “Shanay Johnson.”
12. In her responses to interviews with Commission investigators, Ms. Johnson asserted that an error occurred on or about October 3, 2016 when she used the online registration system to attempt to move her registration from a prior address on Ginger Lane to the Alexander Drive address at which she lived with Roger Meggie. Neither she nor Mr. Meggie recall specifically the mechanics of how the error occurred in which Ms. Johnson’s first name, but all of Mr. Meggie’s information, including his last name, were filled in. But they assert that it was an error and one that they attempted to correct.
13. The investigation here supports Ms. Johnson’s and Mr. Meggie’s assertion that an error led to the creation of a “Shanay Meggie” entry into Connecticut Voter Registration System. Indeed, the record of the investigation reflects that they made considerable efforts to correct the error, but that the East Hartford Registrars did not correctly process the CVRS entries, which led to the “Shanay Meggie” and “Roger Meggie” names on the official voter list on Election Day, November 8, 2016.
14. The investigation revealed the following relevant facts:
 - a. Prior to the events of this case, Roger Meggie was a registered voter in East Hartford at an address on Alexander Drive since at least 2006
 - b. Prior to the events of this case, Shanay Johnson was a registered voter in East Hartford at an address on Ginger Lane since at least 2012
 - c. On or about October 3, 2016, the abovementioned “Shanay Meggie” VRA was sent to the East Hartford Registrars of Voters through the online registration system
 - d. Also on or about October 3, 2016, a VRA for a “Shanay Johnson” was sent to the East Hartford ROVs through the online registration system, identifying the prior Ginger Lane address.
 - e. The East Hartford ROVs processed both of the above VRAs on or about October 5, 2016.
 - f. The East Hartford ROVs deleted the CVRS record for “Shanay Johnson” at Ginger Lane and changed CVRS record for “Roger Meggie” to “Shanay Meggie,” leaving only a single CVRS record for “Shanay Meggie,” but no record for “Roger Meggie”

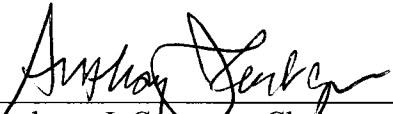
- g. A VRA for “Shanay Johnson” dated October 11, 2016 was sent to the East Hartford ROVs through the online registration system, *again* identifying the prior Ginger Lane address (also with a different phone number)
 - h. A VRA for “Roger Meggie” dated October 12, 2016 was sent to the East Hartford ROVs through the online registration system
 - i. The East Hartford registrars processed both of these registrations and sent notices. However, no new Shanay Johnson record was created. The East Hartford registrars only created a new Roger Meggie record in CVRS, leaving the “Shanay Meggie” record alone, and *did not* create or re-create a “Shanay Johnson” record, despite receiving the October 11, 2016 VRA.
 - j. After the above events, two records remained active in CVRS: the “Shanay Meggie” record—which was actually the former “Roger Meggie” record with the name changed—and the “Roger Meggie” record that was only created after the October 12, 2016 submission and did not reflect any of Mr. Meggie’s prior history from 2006 forward.
15. After the above events, Mr. Meggie and Ms. Johnson appeared at the East Hartford District 7 polling place on Election Day November 8, 2016. Only the names “Roger Meggie” and “Shanay Meggie” appeared on the official voter list. After some discussion with the elections officials at the polling place, both of them were permitted to vote. Importantly, neither voted twice.
16. Considering the aforesaid, the Commission concludes as an initial matter that neither Roger Meggie nor Shanay Johnson impermissibly registered or impermissibly voted here. The investigation revealed that it was more likely than not that Ms. Johnson made an error using the online voter registration system. But, the investigation also revealed that Ms. Johnson made considerable efforts to correct the error and had a reasonable expectation that the error had been corrected when she arrived at the polling place on November 8, 2016.
17. Accordingly, the matter should be dismissed concerning Mr. Meggie and Ms. Johnson.
18. Further, in order to correct the CVRS records to accurately reflect these voters’ history and elector status, the Commission should order the East Hartford Registrars of Voters to consult with the Office of the Secretary of the State to correct the CVRS records here by: 1) changing the “Shanay Meggie” record back to “Roger Meggie;” 2) taking the “Roger Meggie” record created by the VRA submitted on or about October 12, 2016 and putting it into “off” status; and 3) finally by taking the original “Shanay Johnson” record from Ginger Lane and amending it to the Alexander Drive address per the VRA submitted on or about October 11, 2016.

ORDER

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

- 1) That the matter is dismissed.
- 2) That the East Hartford registrars work with the Office of the Secretary of the State and correct the CVRS records in accordance with the above findings and conclusions.

Adopted this 15h day of November, 2017 at Hartford, Connecticut.



Anthony J. Castagno, Chairperson
By Order of the Commission