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STATE OF CONNECTICUT

STATE ELECTIONS ENFORCEMENT COMMISSION

**ENFORCEMENT
COMMISSION**

In the Matter of a Complaint by
Rae Tramontano and Sharon Ferrucci,
New Haven

File No. 2007-375

AGREEMENT CONTAINING CONSENT ORDER
AND PAYMENT OF A CIVIL PENALTY FOR A VIOLATION OF
CONNECTICUT GENERAL STATUTES §9-23g.

This agreement, by and between Yasmin R. Ramadan, of the City of New Haven, County of New Haven, State of Connecticut, hereinafter referred to as the Respondent, and the authorized representative of the State Elections Enforcement Commission, is entered into in accordance with Section 9-7b-54 of the Regulations of Connecticut State Agencies and Section 4-177(c) of the General Statutes of Connecticut. In accordance herewith, the parties agree that:

1. Complainants are the City of New Haven Republican and Democratic Registrars of Voters, respectively, and alleged that they received a voter registration card from Respondent, who had previously registered to vote. While that is not an offense *per se*, the complaint was docketed to review whether any irregularities occurred with respect to Respondent, and two other electors not referenced in this document.
2. Pursuant to Conn. Gen. Stats. § 9-20b registrars of voters and the Office of the Secretary of the State provide voter registration services at United States citizenship ceremonies.
3. The New Haven Registrars of Voters administered the voter registration services at citizenship ceremonies in New Haven on September 21, 2007.
4. Respondent attended the September 21, 2007 citizenship ceremonies in the City of New Haven, and completed a voter registration card and submitted it to the Registrars of Voters at that time.
5. Respondent had previously completed a voter registration card in the City of New Haven on October 5, 2003. The Respondent swore or affirmed on such voter registration application that she was United States citizen.
6. Connecticut General Statutes § 9-12, provides in pertinent part:
 - (a) Each *citizen of the United States* who has attained the age of eighteen years, and who is a bona fide resident of the town to which the citizen applies for admission as an elector shall, on approval by the registrars of voters or town clerk of the town of residence of such citizen, as prescribed by law, be an elector, except as provided in subsection (b) of this section. For purposes of this section a person shall be deemed to have attained the age of eighteen years on the day of

the person's eighteenth birthday. No mentally incompetent person shall be admitted as an elector. [Emphasis added.]

7. Connecticut General Statutes § 9-20b, provides in pertinent part:

The Secretary of the State, within available appropriations and in consultation with registrars of voters and nonprofit organizations promoting voter registration, *shall provide or arrange for voter registration services for new citizens at each naturalization ceremony held in the state* by the federal Bureau of Citizenship and Immigration Services for twenty-five or more new citizens. [Emphasis added.]

8. Connecticut 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. The application shall contain the information required under section 9-23h. *All statements of the applicant shall be made under the penalties of perjury. The application for admission as an elector shall include a statement that (1) specifies each eligibility requirement, (2) contains an attestation that the application meets each such requirement, and (3) requires the signature of the applicant under penalty of perjury.* Nothing in this section or section 9-23h shall require that the application be executed in the state. ... The completed application may be mailed or returned in person to the office of the registrars of voters or the office of the town clerk of the applicant's town of residence or a voter registration agency. If the applicant entrusts the applicant's application to another person or to such a voter registration agency for mailing or return to the registrars of voters, such person or agency shall immediately mail or return the application. ... [Emphasis added.]

9. Connecticut General Statutes § 9-23h, provides in pertinent part:

The application provided for in section 9-23g shall provide spaces for the following information for each applicant: (1) Name, (2) bona fide residence, including street number, street address, apartment number if applicable, town and zip code, (3) telephone number, (4) date of birth, (5) whether the applicant is registered as an elector in any other town in the state of Connecticut or in any other state, and if so, the applicant's last previous voting residence, (6) *whether the applicant is a United States citizen*, (7) whether the applicant will be eighteen years of age on or before election day, (8) party affiliation, if any, (9) the applicant's signature and date of signature, and (10) the applicant's Connecticut motor vehicle operator's license number or, if none, the last four digits of the applicant's Social Security number. The spaces for the applicant's telephone number and party affiliation shall indicate that such information does not have to be provided. ... *The spaces regarding United States citizenship and whether the applicant will be eighteen years of age on or before election day shall indicate that if the applicant answers "No" to either question, the applicant may not complete the voter registration form.* [Emphasis added.]
10. On September 21, 2007, Respondent became a United States citizen at a naturalization ceremony in New Haven.
11. Respondent was not a United States citizen at the time she completed a voter registration card on October 5, 2003. It is concluded that by completing a voter registration application swearing or affirming that she was a United States citizen, when she was not, the Respondent violated Connecticut General Statutes § 9-23g.
12. In 2003, Respondent's application to register to vote was solicited by two individuals who were canvassing door-to-door. Respondent did not completely understand the legal consequences of attempting to register to vote while she was not a United States citizen, but after consulting with a university professor, was advised that she could not register to vote and vote in elections unless she attained United States citizenship.
13. The Respondent did not thereafter vote or attempt to vote between 2003 and becoming a citizen on September 21, 2007, but neither did she seek to rescind her application during that period.
14. Connecticut General Statutes § 9-7b(a)(2) provides the Commission may assess a civil penalty of two thousand dollars for each violation of Conn. Gen. Stats. §§ 9-23 and 9-23h. The Commission may also refer evidence of a violation of the state election laws to the Chief State's Attorney's office, United States Attorney or United State Department of Justice, pursuant to Conn. Gen. Stats. § 9-7b(a)(7) and (11).

15. Regulations of Connecticut State Agencies § 9-7b-46(a) provides:

The Commission is authorized to act in accordance with the powers granted to it under Section 9-7b and 9-369b and Chapter 150 of the General Statutes. Except in circumstances when its investigation reveals significant evidence of a criminal violation or violations of the state election laws within its jurisdiction, the Commission shall attempt to resolve cases pending before it by use of its civil and administrative authority, including but not limited to, the issuance of orders necessary to secure compliance with such laws. [Emphasis added.]

16. The Commission considers registering to vote while not being a United States citizen to be a serious offense, but is utilizing its civil authority due to what it perceives as the lack of intent on the part of the Respondent to commit a crime. Respondent acknowledges that the above violations are serious and could subject her to possible criminal penalties. In determining whether or not to refer the Respondent to the Chief State's Attorney, United States Attorney or United States Department of Justice for criminal prosecution, the Commission has carefully considered that the Respondent has no prior cases with the Commission and the Respondent's lack of specific knowledge concerning registration requirements, in addition to the fact that she has now become a United States citizen and these events will not transpire again.
17. The Respondent admits all jurisdictional facts and agrees that this agreement and Order shall have the same force and effect as a final decision and Order entered after a full hearing and shall become final when adopted by the Commission. The Respondent shall receive a copy hereof as provided in Section 9-7b-56 of the Regulations of Connecticut State Agencies.
18. It is understood and agreed that this agreement will be submitted to the Commission at its next meeting and, if it is not accepted by the Commission, it is withdrawn by the Respondent and may not be used as an admission in any subsequent hearing, if the same becomes necessary.

19. The Respondent waives:
 - a. Any further procedural steps;
 - b. The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law, separately stated; and
 - c. All rights to seek judicial review or otherwise to challenge or contest the validity of the agreement or Order entered into pursuant to this agreement.

20. Upon the Respondent's compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings against her pertaining to this matter.

ORDER

IT IS HEREBY ORDERED that the Respondent shall remit a civil penalty to the Commission in the amount of five hundred dollars (\$500) on or before April 2, 2008, and shall henceforth strictly comply with Connecticut General Statutes §9-23g.

Dated: 4/1/08

For the State of Connecticut

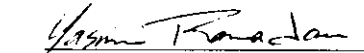
BY:



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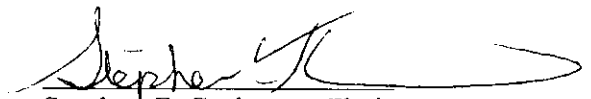
Dated: April 1, 2008

The Respondent



Yasmin A. Ramadan
71 Nash Street
New Haven, Connecticut

Adopted this 9th day of April, 2008 at Hartford, Connecticut



Stephen F. Cashman, Chairman
By Order of the Commission