

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

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

File No. 2009-013

FINDINGS AND CONCLUSIONS

The Complainants, City of New Haven Registrars of Voters, filed this complaint with the Commission, pursuant to Connecticut General Statutes §9-7b(a)(1), alleging that Andrew N. Patrick voted in both Glastonbury and in the New Haven at the November 4, 2008 presidential election.

After an investigation of this matter, the following findings and conclusions are made:

1. The Respondent's name appeared on both the Town of Glastonbury and City of New Haven official active list of voters for the November 4, 2008 presidential election. Respondent completed a voter registration application for Glastonbury dated October 18, 2004, and subsequently, a registration application for New Haven dated October 23, 2008.
2. The voter history section of the Connecticut Voter Registry System for both Glastonbury and New Haven indicate that Respondent voted in person in both locations at the November 4, 2008 presidential election. The Respondent's name is crossed off at each address on the official voter registry list at his registration address in each town, District 6 in Glastonbury and District 9 in New Haven.
3. Respondent's voter registration card from New Haven provides an 18 Cottage Street #2 address, and his voter registration card from Glastonbury provides an address of 19 Bidwell Street. When Respondent registered in New Haven, he disclosed 19 Bidwell Street, Glastonbury, in the "Name or Address Change" data field. Voting District 6 in Glastonbury is at Glastonbury High School.
4. 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. ... [Emphasis added.]

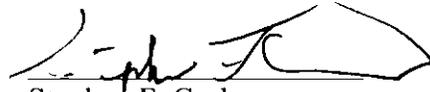
5. The Respondent, asserts that he moved from Glastonbury to New Haven in March 2005, denies voting in Glastonbury, and asserts that he voted only in New Haven at the November 4, 2008 election.
6. The Respondent's father, a resident of Glastonbury who voted at the District 6 polling place at Glastonbury High School on November 4, 2008, indicated that he and his other son announced their names at the checker's table on November 4, 2008 when they went to vote together, and that the checker mistakenly crossed off Andrew Patrick's name rather than that of his brother Jordan Patrick, whose name is adjacent to his on the voting list and was present to vote.
7. The District 6 Moderator in Glastonbury on November 4, 2008, completed a Form 6 "*Re: Remedy When Elector's Name Erroneously Checked Off List*" that indicates that the "Checker crossed [Respondent's] name off in error when [Respondent's] brother came to vote." Further, the Moderator's diary for that day records this error and indicates that Respondent's brother, who was registered at 19 Bidwell Street, presented himself to vote and that his name was erroneously checked off as that of Respondent.
8. The Commission concludes that Respondent's name was crossed off as having voted in Glastonbury at the November 4, 2008 election, in error, when his brother presented himself at the checker's table to vote. The Commission concludes that the Respondent only voted in New Haven on November 4, 2008 and therefore did not violate General Statutes § 9-360.
9. The Commission considers double voting an egregious act, and commends the Complainants, as the City of New Haven Republican and Democratic Registrars of Voters, for their diligence in calling this potentially serious infraction to its attention.

ORDER

The following order is issued on the basis of the aforementioned findings and conclusions:

That the complaint is dismissed, and based upon the evidence gathered in this matter, the Glastonbury Registrars of Voters should be instructed to remove Andrew N. Patrick from the Glastonbury voter registry list, if they have not already done so.

Adopted this 5th day of Aug, 2009 at Hartford, Connecticut.



Stephen F. Cashman
Chairman
By Order of the Commission