

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by
Peter R. Munn, Bristol

File No. 2012-120

FINDINGS AND CONCLUSIONS

The Complainant brings this Complaint pursuant to Connecticut General Statutes § 9-7b, alleging a violation of General Statutes § 9-169 by City of Bristol Republican Registrar of Voters, Sharon Krawiccki pertaining to the selection of a polling place for the November 6, 2012 election. After an investigation of the matter, the Commission makes the following findings and conclusions:

1. Complainant alleged that City of Bristol Republican Registrar of Voters, Sharon Krawiccki violated General Statutes § 9-169. Specifically, that by appealing to the Bristol City Council for a decision in the choice of a new District 78B polling place for the November 6, 2012 election, without consulting her Democratic counterpart, Ms. Krawiccki violated the requirements of § 9-169.
2. At all times relevant to this complaint, Sharon Krawiccki was the Republican Registrar of Voters in the City of Bristol, and Mary Rydingsward was the Democratic Registrar of Voters in the City of Bristol. Furthermore, the City of Bristol has a mayor and city council form of government, where the latter serves as the legislative body for the municipality.
3. Due to redistricting that occurred after the 2010 decennial census, the boundaries of District 78B in the City of Bristol changed and consequently necessitated that a new polling place location be chosen prior to the August 14, 2012 primary and for the November 6, 2012 election in the City of Bristol.
4. General Statutes § 9-169 provides in pertinent part:

The legislative body of any town, consolidated town and city or consolidated town and borough may divide and, from time to time, redivide such municipality into voting districts. The registrars of voters of any municipality taking such action shall provide a suitable polling place in each district but, ***if the registrars fail to agree as to the location of any polling place or places, the legislative body shall determine the location thereof.*** Polling places to be used in an election shall be determined at least thirty-one days before such election, and such polling places shall not be

changed within said period of thirty-one days except that, if the municipal clerk and registrars of voters of a municipality unanimously find that any such polling place within such municipality has been rendered unusable within such period, they shall forthwith designate another polling place to be used in place of the one so rendered unusable and shall give adequate notice that such polling place has been so changed. ...
[Emphasis added.]

5. Upon investigation, the Commission finds that by memo received in the Bristol City Clerk's office July 13, 2012, Registrars of Voters Krawiccki and Rydingsward provided notice to Bristol City Clerk Ms. Therese Pac that the polling location for District 78B would be the Bristol Polish American Citizens Club (hereinafter "BPACC") at 541 North Main Street, Bristol.
6. The Commission finds that while Ms. Krawiccki admits that she consented to the BPACC as the new polling place location for the District 78B in the City of Bristol, she asserts that the consent was limited to such use of the aforementioned facility for the August 14, 2012 primary only.¹ Furthermore, by e-mail of July 13, 2012 and letter of July 27, 2012, it is clear that Ms. Krawiccki raised her concerns pertaining to the use of the BPACC as a polling place for District 78B to her counterpart Ms. Rydingsward.
7. The Commission, upon investigation, finds that there is ample evidence that Bristol Republican Registrar of Voters Krawiccki, and her Democratic counterpart Registrar of Voters Rydingsward failed to agree, to the point of impasse, regarding a choice of location for the polling place in District 78B for the November 6, 2012 election.
8. Furthermore, the Commission finds that this disagreement persisted at the time Ms. Krawiccki chose to submit the question and dispute to Bristol's legislative body pursuant to General Statutes §9-169. Finally, the Commission notes that the aforementioned statutory mechanism applies when "*...registrars fail to agree as to the location of any polling place...*," and does otherwise specify or imply that consultation between registrars in referring their disagreement over polling place choice is a necessary prerequisite to referring the matter to the legislative body for determination. *See* General Statutes § 9-169.

¹ By way of background, upon investigation it was determined that Registrars of Voters Krawiccki and Rydingsward agreed to a "coin toss" in the presence of the Town Clerk Therese Pac and an Assistant Registrar Barbara Lynell Jones to determine whether Ms. Rydingsward's preference of the BBACC or Ms. Krawiccki's preference of the Swedish Social Club would be used at the August 14, 2012 primary as a polling place for District 78B. Ms. Jones flipped the coin and the ultimate choice of the BBACC as the polling place for the August 14, 2012 primary was the outcome of the aforementioned coin toss.

9. The Commission concludes therefore that Ms. Krawiccki followed General Statutes § 9-169 based on the Bristol Registrars of Voters failure to agree on a choice of location for a polling place for the District 78B in the City of Bristol for the November 6, 2012 election, and therefore dismisses the allegations of a violation by Ms. Krawiccki of § 9-169 as they are not supported by the evidence upon investigation.
10. Therefore, for the reasons detailed herein, the complaint is dismissed.

ORDER

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

That the matter be dismissed.

Adopted this 16th day of January, 2013, at Hartford, Connecticut


By Order of the Commission