

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

Complaint of George R. Sefcik, New London

File No. 2012-191

FINDINGS AND CONCLUSIONS

The Complainant filed this complaint with the Commission pursuant to General Statutes § 9-7b concerning potential irregularities with the checking of voter names at the polling place for District 2 in New London, Connecticut during the November 6, 2012 general election. In the light most favorable to the Complainant, the allegations in the complaint may be construed as potentially alleging a violation of General Statutes § 9-258 (a) by elections officials.

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

1. The Complainant cast his ballot early on election day and noted that his name was crossed off by the elections official when he checked into the polling place. When the Complainant returned to his polling place later in the day with another elector, he noticed that his name was not crossed off on the list used to check the other elector.
2. While the Complainant does not directly alleged a cognizable violation, the Complainant's observations do raise some perceived concerns regarding the integrity of the voting process that are addressed herein and are, at least in this matter, without any evidence of actual harm.
3. The Registrars of the City of New London (the "Registrars"), have provided the following explanation: "During the election of November 6, 2012, they were advised that the lines of people waiting to vote were getting longer and that it was taking from 30-45 minutes to enter a privacy booth to vote. We at that time decided that we would, according to Section 9-258, establish another line for people to check in to vote. We sent additional books to the 3 voting districts, with instructions on adding the checkers and ballot clerks to account for additional lines. Since the [other elector] had gone to the new line that was set up she would not have seen [the Complainant's] name checked off in that line."
4. Both lines used the authoritative list of electors required by General Statutes § 9-38.

5. Because the secondary line was only established in response to long lines during polling hours and new unmarked copies of the lists of electors were only distributed during this process, the lists used by checkers at the new line did not have those individuals who already cast their ballot crossed off.
6. The Registrars have completed the process of inputting the information for the 2012 general election for the Complainant's polling place into the Connecticut Voter Registration System maintained by the Office of the Secretary of the State. Any record of multiple votes cast by the same elector in the same polling precinct would have been revealed during such a process. According to the Registrars, none have been discovered. None have been otherwise reported or alleged to the SEEC.
7. The Registrars have cooperated fully with this investigation.
8. General Statutes § 9-258 (a), permitting election officials to add additional lines of electors provides, in relevant part:

If, in the opinion of the registrar of voters, the public convenience of the electors in any voting district so requires, provision shall be made for an additional line or lines of electors at the polling place and, if more than one line of electors is established, at least one but not more than two additional official checkers and at least one but not more than two ballot clerks for each line of electors shall be appointed and, if more than one tabulator is used in a polling place, at least one and not more than two additional voting tabulator tenders shall be appointed for each additional machine so used.

9. General Statutes § 9-38 requires registrars to use authoritative lists of registered voters and provides, in relevant part:

The registrars of voters in all towns shall produce a final registry list in accordance with the provisions of section 9-37 and certified by such registrars of voters to be correct. Such final registry list and an updated list that contains the names and addresses of electors to be transferred, restored or added to such list, shall be available in the municipal clerk's office not later than the day following the last day that an elector may make changes to the elector's registration and shall be

available in the registrars of voters' office for public inspection....


10. The Commission concludes that the Registrars exercised their lawful authority under General Statutes § 9-258 (a) and that they did so to help every interested elector cast a ballot in a timely manner.
11. Now that the Registrars are aware of this potential deficiency regarding establishing an additional line in the course of the election day, the Commission informally recommends that the Registrars establish a mechanism for further insuring against double voting and disseminate information regarding such mechanism to the applicable officials. This could be accomplished in any number of ways; taking the physical pages off a registry list, making copies and checking off the names who voted, etc.

ORDER

The following is ordered on the basis of the aforementioned findings:

That the matter be dismissed.

Adopted this 19 day of June of 2013 at Hartford, Connecticut


Anthony J. Castagno, Chair
By Order of the Commission