

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint of Tariq D. Nickson-Kanhai,
Hartford

File No. 2016-031

FINDINGS AND CONCLUSIONS

The Complainant alleged that when he went to deliver voter registration applications on April 21, 2016 to the Hartford Registrars of Voters and were incorrectly advised by staff that they had missed the registration deadline for voting at the April 26, 2016 presidential preference primary. After an investigation of the matter, the Commission makes the following findings and conclusions:

1. According to Complainant, on the day of the April 21, 2016 he and Chris Perez entered the Hartford Registrars' of Voters office to deliver a packet of new voter registration applications and amended voter registration applications for purposes of participating in the April 26, 2016 presidential preference primary.
2. The Complainant alleges that when he originally arrived at the Hartford Registrars of Voters on April 21, 2016 to submit his packet of voter registration applications he was told by staff that he was too late to submit the voter registration materials in time to participate in the April 26, 2016 presidential preference primary in Hartford. Consequently, Complainant left the office with Mr. Perez and the packet of voter registration applications.
3. Complainant asserts that when he returned with Mr. Perez towards the end of the day on April 21, 2016 to the Registrars of Voters he was at that time allowed to submit his voter registration applications by the staff.
4. General Statutes § 9-20, provides in pertinent part:

(a) Each person who applies for admission as an elector in person to an admitting official shall, upon a form prescribed by the Secretary of the State and signed by the applicant, state under penalties of perjury, his name, bona fide residence by street and number, date of birth, whether he is a United States citizen, whether his privileges as an elector are forfeited by reason of conviction of crime, and whether he has previously been admitted as an elector in any town in this or any other state. ...

Notwithstanding the provisions of any special act or charter to the contrary, the application form shall also, in a manner prescribed by the Secretary of the State, provide for application for enrollment in any political party, including, on any such form printed on or after January 1, 2006, *a list of the names of the major parties, as*

defined in section 9-372, as options for the applicant. The form shall indicate that such enrollment is not mandatory. [Emphasis added.]

5. General Statutes § 9-57, provides:

Notwithstanding the provisions of any special act or charter to the contrary, whenever any person makes application for admission as an elector in person to an admitting official, *he may, on an application for admission as an elector, make application for enrollment on the list of the political party of his preference. Any such elector who has so applied for enrollment shall, upon acquisition of electoral privileges, immediately be entitled to all the privileges of enrollment in the party named in his application, unless* (1) he ceases to be an elector in the town or voting district in which he is entitled to vote, as the case may be, (2) he makes application for erasure or transfer or enrollment on the list of another party in accordance with the provisions of section 9-59, (3) *he files his application for enrollment with the registrars of voters of his town of residence after twelve o'clock noon on the last business day before a primary, in which case he shall be entitled to the privileges of party enrollment immediately after the primary,* or (4) he files his application for enrollment with the registrars of voters of his town of residence on the day of a caucus or convention, in which case he shall be entitled to the privileges of party enrollment immediately after the caucus or convention. *The registrars of voters or assistant registrars shall add the names of all persons making such application to the enrollment list or supplementary enrollment list of the political party of each such applicant's preference,* provided, if a caucus or convention is to be held, such registrars or assistant registrars shall prepare separate lists of such names according to party, on the day before such caucus or convention. [Emphasis added.]

6. Upon investigation, the Commission finds that Complainant changed his voter registration on April 21, 2016 from "unaffiliated" to Democratic. This change is reflected in records of the Hartford Registrars of Voters and the Centralized Voter Registration System.

7. Further, the Commission finds that Complainant and Mr. Perez upon their return trip at the end of the day on April 21, 2016 were informed that they were submitting their packet of voter registration application materials in time to participate in the April 26, 2016 presidential preference primary.

8. Pursuant to General Statutes § 9-57, Complainant had until noon of April 25, 2016, to amend his April 12, 2016 voter registration application in order to enroll with a party and exercise party privileges at the April 26, 2016 primary. The Commission finds therefore that Hartford Registrars Voters original staff advice to Complainant and Mr. Perez on April 21, 2016 was incorrect.
9. The Commission further finds that despite the confusion and error by the Hartford Registrars of Voters as detailed herein regarding Complainant's original attempt to return voter registration cards to that office on April 21, 2016, they were ultimately submitted and processed at the end of that day. The Commission concludes therefore that under these facts and circumstances the Hartford Registrars of Voters did *not* violate General Statutes § 9-57.
10. While the Hartford Registrars of Voters were ultimately able to correctly advise Complainant and handle the voter registration applications submitted on April 21, 2016 the Commission finds it troubling that but for Complainant's persistence on April 21, 2016, he and Mr. Perez may have walked away from that office with the mistaken belief that the multiple applications they submitted were not in time for the applicants to participate in the April 26, 2016.
11. This complaint and investigation serves as a strong reminder to the Hartford Registrar of Voters of their duties to administer the voter registration process and to ensure the accuracy of both that process and advice to the public regarding the same.
12. Nevertheless, the Commission finds that Complainant's allegation after investigation was not supported by the facts and therefore dismisses the allegation.

ORDER

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

The matter is dismissed.

Adopted this 14th day of December, 2016 at Hartford, Connecticut.



Anthony L. Castagno, Chair

By Order of the Commission

