

**STATE OF CONNECTICUT**  
**STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint of Yaritza M. Ramos,  
Hartford

File No. 2016-034

**FINDINGS AND CONCLUSIONS**

The Complainant alleged that when she went to vote at the April 26, 2016 presidential preference primary in Hartford she was denied the right to vote and also denied a provisional ballot. After an investigation of the matter, the Commission makes the following findings and conclusions:

1. According to Complainant, on the day of the April 26, 2016 presidential preference primary, she went to the District # 14 polling place at Broadview Terrace in Hartford, to participate in the Democratic primary.
2. Complainant alleges that when she presented herself at the checkers' table an unidentified polling place official told her that she was "too young to vote" and was therefore not allowed by the polling place officials to cast a ballot.
3. Complainant also asserts that "*...it was an ongoing fight to get a provisional ballot before [she] finally got one.*"
4. General Statutes § 9-12, provides:
  - (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*** and a person shall be deemed to be a bona fide resident of the town to which the citizen applies for admission as an elector if such person's dwelling unit is located within the geographic boundaries of such town. No mentally incompetent person shall be admitted as an elector.
  - (b) ***Any citizen who will have attained the age of eighteen years on or before the day of a regular election may apply for admission as an elector.*** If such citizen is found to be qualified the citizen shall become an elector on the day of the citizen's eighteenth birthday. The registrars shall add the name of any person applying under this subsection, if found qualified, to the

registry list and, if applicable, to the enrollment list, together with the effective date of his registration. The registrars may place the name of each such person at the end of the registry and enrollment lists for the voting district. [Emphasis added.]

5. 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. Each such applicant shall present his birth certificate, drivers' license or Social Security card to the admitting official for inspection at the time of application. 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.]

6. 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.]*

7. General Statutes § 9-232l, provides in pertinent part;
  - (a) An individual may apply for and be issued a provisional ballot if (1) the individual appears at the polling place and declares that such individual is an elector in the town in which the individual desires to vote and that the individual is eligible to vote in the primary or election for federal office in the polling place, **but the name of the individual does not appear on the official registry list for such polling place**, and (2) the registrars determine that such name cannot be restored under section 9-42 or transferred from another polling place under section 9-35. [Emphasis added.]
8. Upon investigation, the Commission finds that on February 29, 2016, Complainant filed a voter registration application with the Hartford Registrars of Voters and answered the question "Yes" as to whether she wanted to enroll with a political party and checked next to "Democratic."
9. Additionally, the Commission finds that Complainant was born on October 31, 1998. Further, the Commission finds that Complainant turned 18 years of age on October 31, 2016. Therefore, the Commission finds that Complainant was 17 years of age on the day of the April 26, 2016 presidential preference primary and was 18 years of age on the day of the November 8, 2016 election.
10. The Commission concludes that, pursuant to General Statutes § 9-12, Complainant was an elector at the time she presented herself to vote at the Broadview Terrace polling place at the April 26, 2016 presidential preference primary. Further, the Commission concludes that pursuant to General Statutes §9-232l, Complainant was an enrolled member of the Democratic party and, as an elector, the provisional ballot was irrelevant.

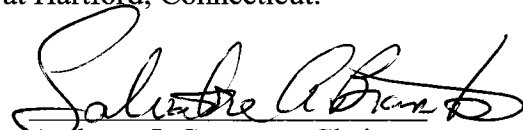
11. Upon investigation, the Commission finds that after Complainant's initial problems with voting at Broadview Terrace polling place the election officials contacted the Hartford Registrars of Voters to confirm her ability to vote at the April 26, 2016 presidential preference primary. Further, the Hartford Registrars of Voters confirmed that Complainant was an elector, who was enrolled with the Democratic party, and therefore permitted to cast a ballot at the Democratic primary.
12. The investigation revealed that Complainant's correct polling place was at the District #16 polling place at the E. B. Kennelly School, *not* District #14 where Complainant originally attempted to vote. The Commission further finds that the District #14 Broadview Terrace polling place officials, at the direction of the Hartford Registrars of Voters staff, instructed Complainant to present herself at the E. B. Kennelly School polling place in District #16, where records indicate that she was ultimately able to cast a ballot at the April 26, 2016 presidential preference primary.
13. The Commission concludes that, pursuant to election day protocols and General Statutes § 9-57, the District # 14 polling place officials at Broad View Terrace correctly contacted the Hartford Registrars of voters, confirmed Complainant's status as an elector, who was enrolled with the Democratic party, and instructed her to go to the District #16 polling place at the E. B. Kennelly School where she cast her ballot in the primary.
14. The Commission finds that Complainant's allegation does not rise to the level of an elections law violation and therefore dismisses the allegation.

### ORDER

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

The matter is dismissed.

Adopted this 14<sup>th</sup> day of December, 2016 at Hartford, Connecticut.



Anthony J. Castagno, Chair

By Order of the Commission

