

To Ryan Burns  
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**STATE OF CONNECTICUT  
STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Referral by the Southbury Registrars of Voters

File No. 2017-023

**AGREEMENT CONTAINING A CONSENT ORDER**

The parties, Ivan J. Blum (the "Respondent") and the undersigned authorized representative of the State Elections Enforcement Commission (the "Commission"), enter into this agreement as authorized by Connecticut General Statutes § 4-177 (c) and Regulations of Connecticut State Agencies § 9-7b-54. In accordance with those provisions, the parties agree that:

1. The Referring Official alleged that the Respondent registered to vote and voted in the town of Southbury when he was not a *bona fide* resident of that town.
2. Specifically, the Referring Official alleged that, while the Respondent's mailing address is a Southbury address, the Respondent's dwelling unit is completely located within the town of Oxford.
3. An elector is eligible to register and vote in a particular town only if such voter is a *bona fide* resident of such town. General Statutes § 9-12, provides in pertinent part:

(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.

Emphasis added.

4. General Statutes § 9-20 (a) further provides:

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.

5. General Statutes § 9-172 further details the eligibility requirements for voting in a state election.

At any regular or special state election any person may vote who was registered on the last-completed revised registry list of the town in which he offers to vote, and he shall vote in the district in which he was so registered; provided those persons may vote whose names are restored to the list under the provisions of section 9-42 or whose names are added on the last weekday before a regular election under the provisions of section 9-17. Each person so registered shall be permitted to vote if he is a bona fide resident of the town and political subdivision holding the election and has not lost his right by conviction of a disfranchising crime. Any person offering so to vote and being challenged as to his identity or residence shall, before he votes, prove his identity with the person on whose name he offers to vote or his bona fide residence in the town and political subdivision holding the election, as the case may be, by the testimony, under oath, of at least one other elector or by such other evidence as is acceptable to the moderator.

6. General Statutes § 9-170 provides the same requirements for voting in a town election.
7. The Commission is empowered "To levy a civil penalty not to exceed. . . (C) two thousand dollars per offense against any person the commission finds to have (i) improperly voted in any election, primary or referendum, and (ii) not been legally qualified to vote in such election, primary or referendum[.]" General Statutes § 9-7b (a) (2).
8. On June 15, 2004, the Respondent registered to vote claiming 9 Georges Hill Road, Southbury, Connecticut as his residential address.
9. Between 2004 and 2016, the Respondent voted in 15 elections, primaries, and referenda. During that time, the Respondent voted in both town and state elections.

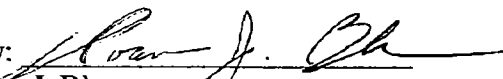
10. The investigation reveals that the Respondent has voted exclusively in Southbury since 2004.
11. Public records show that the dwelling unit associated with the mailing address of 9 Georges Hill Road, Southbury, Connecticut, is completely located within the town of Oxford. However, the mailbox for the property is located in the town of Southbury.
12. The Referring Officials became aware of this issue when the Respondent applied for a position on Southbury's Strategic Planning Committee. The committee did not believe the Respondent's address was within the town and passed their concerns along to the Referring Official.
13. The statutes are clear that a person may only be deemed a *bona fide* resident of a town "if such person's dwelling unit is located within the geographic boundaries of such town." General Statutes § 9-12 (a). See also, *In the Matter of a Referral by the Westport Registrars of Voters*, File No. 2013-102; *In the Matter of a Referral by the Westport Registrars of Voters*, File No. 2013-100; *In the Matter of an Appeal of Gerald J. Porricelli and Marianne Porricelli Against the Board for Admission of Electors and Registrars of the Town of Greenwich*, File No. 2007-155.
14. In this case, while the Respondent's mailing address is a Southbury address, the Respondent's dwelling unit is completely within the Town of Oxford.
15. Accordingly, the Commission concludes that the Respondent violated General Statutes §§ 9-7b, 9-12, 9-20, 9-170, and 9-172.
16. However, as the evidence in this case indicates that such action was the result of a mistake, there is no evidence that the Respondent voted in any other location during that period, and the Respondent has voluntarily withdrawn his voter registration in the town of Southbury, the Commission elects not to pursue a civil penalty in this matter.

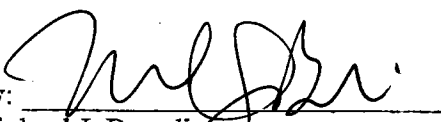
**ORDER**

It is hereby ordered that the Respondents shall henceforth strictly adhere to the requirements of General Statutes §§ 9-7b, 9-12, 9-20, 9-170, and 9-172.

**For the Respondent**

**For the State of Connecticut:**

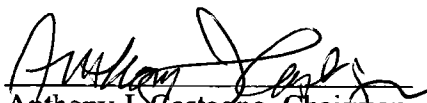
By:   
Ivan J. Blum  
9 Georges Hill Road  
Southbury, CT 06478

By:   
Michael J. Brandi  
Executive Director and General Counsel and  
Authorized Representative of the  
State Elections Enforcement Commission  
20 Trinity St.  
Hartford, CT 06106

Dated: January 8, 2018

Dated: 1/9/18

Adopted this 14<sup>th</sup> day of February, 2018 at Hartford, Connecticut by vote of the Commission.

  
Anthony J. Castagno, Chairman  
By Order of the Commission