

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Cayenne L. Spremullo,
Newtown

File No. 2017-061

FINDINGS AND CONCLUSIONS

Complainant filed this complaint with the Commission, pursuant to General Statutes §9-7b, alleging that Town of Newtown Registrars of Voters LeReine Frampton and Carey Schierloh violated elections law by advocating for a candidate at the September 12, 2017 primary, while they were in their office on the morning of that primary. After the investigation of the referral, the Commission makes the following findings and conclusions:

1. Complainant alleged that when she called the Newtown Registrars of Voters to confirm her voter registration status and confirm her party designation on the morning of September 12, 2017, Ms. Schierloh answered the phone and while assisting Complainant said “Oh, Cayenne you need to vote for Ann [LoBosco].” Further, Complainant alleged that while she was on the phone with the Registrars of Voters Ms. Frampton also told her to “vote for Ann [LoBosco].”
2. Ms. LeReine Frampton and Carey Schierloh were the Town of Newtown Registrars of Voters, at all times relevant to this complaint and investigation.
3. On September 12, 2017 incumbent Town Clerk Debbie Aurelia and challenger Ann LoBosco were on the Republican primary ballot as candidates for Town Clerk in Newtown.
4. General Statutes § 9-234, provides in pertinent part:

(a) Each registrar of voters shall be present during the taking of the vote at any regular or special state or municipal election in the registrar's of voters town or district. The assistants in their respective districts shall, when requested by either registrar of voters, be present at the taking of any such vote and discharge the duties of registrars of voters. ... [Emphasis added.]

5. General Statutes § 9-355, with regard to official fraud or neglect, provides:

Any person who, without reasonable cause, neglects to perform any of the duties required of him by the laws relating to elections or primaries and for which neglect no other punishment is provided, and any person who is guilty of fraud in the performance of any such duty, and any person who makes any unlawful

alteration in any list required by law, shall be fined not more than three hundred dollars or be imprisoned not more than one year or be both fined and imprisoned. ...

6. In response to this complaint and investigation, Ms. Frampton asserted that she has “considered [Complainant] a friend for about 10-12 year.” Further, she explained that she believed that she was “...teasing with a friend [and] I was not telling her how to vote.”
7. Additionally, in response to this complaint and investigation, Ms. Schierloh asserted that when she spoke to Complainant by phone on September 12, 2017 “it was meant as a friendly comment” and that she was “kidding with her,” because Complainant’s mother is “very good friends” with candidate Ann LoBosco. Further, Ms. Schierloh insisted that she has “...been careful to remain non-partisan in the office and at the polls” and that it was not her intent to “instruct [Complainant] in any way.”
8. The Commission finds the assertions and explanations of Ms. Frampton and Ms. Schierloh consistent with Complainant’ s allegations and her description of events on the morning of the September 12, 2017 primary in the Town of Newtown that lead to the filing of this complaint.
9. Furthermore, the Commission finds after investigation that Respondents corroborated the accounts by Complainant of the phone conversation that lead to the filing of this complainant.
10. After investigation, the Commission finds no specific statutory bar to proscribe the conduct of Ms. Frampton and Ms. Schierloh, as detailed herein, pertaining to the September 12, 2017 Republican primary for the office of Town Clerk in Newtown. Nevertheless, while the facts may not have reached the threshold to determine that actual electioneering occurred in this instance, the Commission discourages the Newtown Registrars of Voters from engaging in such behavior while conducting their official functions in the future, as it can plainly be perceived as inappropriate and partisan by the public.

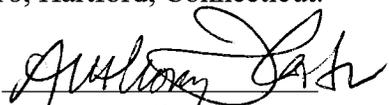
11. Furthermore, the Commission stresses, regardless of the lack of specific statutory prescriptions regarding partisanship or perceived electioneering while in office, that Registrars of Voters Association of Connecticut (“ROVAC”) itself, by their own published standards, strives for and is devoted to the nonpartisan administration of their duties as elections officials and professionals. *See generally Manual for Registrars of Voters – Elections Administrators*, ROVAC, April 18, (2017 Edition), as well as General Statutes § 9-32 and § 9-35 and Regulations of Connecticut State Agencies § 9-32-1 through 4 and 9-32-9 (illustrating the nonpartisan nature of Registrars of Voters and their duties and functions).
12. More specifically, the ROVAC manual indicates that: *Although most registrars of voters are elected officials, politics does not have any place in a Registrars of Voter’s office. It is the responsibility of both parties to ensure fair and equitable implementation of all laws. See ROVAC Manual (2017).* To this end, the Commission strongly urges Ms. Frampton and Ms. Schierloh to avoid even the perception that they support a candidate on the ballot when they are serving as Registrars of Voters in their office during an election, primary or referendum.
13. The Commission finds a lack of evidence to support the conclusion that election laws were violated under these specific facts and circumstances and therefore dismisses Complainant’s allegation.

ORDER

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

That the matter is dismissed.

Adopted this 23 day of MARCH 2018, Hartford, Connecticut.


Anthony J. Castagno, Chairman
By Order of the Commission