

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

In the Matter of a Complaint by Daniel Carter,  
Bethel

File No. 2018-102

**FINDINGS AND CONCLUSIONS**

Complainant filed this complaint, pursuant to General Statutes §9-7b, alleging that Mr. Raghیب Allie-Brennan violated elections law by registering to vote where he was not a “*bona fide*” resident and related violations regarding his registering a candidate committee and running for elective office from a “vacant home.” After the investigation of the complaint, the Commission makes the following findings and conclusions:

1. Complainant alleged that Raghیب Allie-Brennan violated General Statutes § 9-12, § 9-172 and § 9-360, by fraudulently: (1) voting and (2) registering a candidate committee for election for State Representative from the 2<sup>nd</sup> Assembly District at the November 6 2018 election. Mr. Allie-Brennan allegedly did so by claiming a residence address in Bethel where he did not live.
2. Complainant provided, as exhibits, a copy of a news article from [www.betheladvocate.com](http://www.betheladvocate.com) questioning Mr. Allie-Brennan’s claim to live at 9 Cross Hill Road, in Bethel, a home owned by his parents. Further, Complainant provided attachments related to the article, including a *Certification of Party Endorsement/Democratic Town Committee* and a *Registration by Candidate* (SEEC Form 1) with Mr. Allie-Brennan’s address identified at 9 Cross Hill Road.
3. Complainant’s allegations rely on the article and its attachments to question the legitimacy of his using the Cross Hill Road address based on reports of the home at that address being on the market for sale, reports by realtors that it was vacant, and the assertion that Mr. Allie-Brennan instead lived at a home owned by his parents in Southbury.
4. Finally, Complainant asserted that it is “...rumored that [Mr. Allie-Brennan] is maintaining his residence with his mother in Southbury, CT and staying with friends to give the appearance of living in his assembly district.” The article relied on in this complaint sourced an “anonymous” Bethel resident and three “anonymous” realtors to substantiate the questions arising from Mr. Allie-Brennan’s claim to live in Bethel.

5. General Statutes § 9-12, provides in pertinent part:

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, . . . For the purposes of this section... *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.*

[Emphasis added.]

6. General Statutes § 9-172, provides in pertinent part:

At any regular or special town election any person may vote who is registered as an elector on the last-completed registry list of the town in which he offers to vote, and he shall vote in the district in which he is so registered, . . . *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 . . .*”

[Emphasis added.]

7. General Statutes § 9-360 provides:

*Any person not legally qualified who fraudulently votes in any town meeting, primary, election or referendum in which the person is not qualified to vote*, and any legally qualified person who, at such meeting, primary, election or referendum, fraudulently votes more than once at the same meeting, primary, election or referendum, *shall be fined not less than three hundred dollars or more than five hundred dollars and shall be imprisoned not less than one year or more than two years and shall be disfranchised.* Any person who votes or attempts to vote at any election, primary, referendum or town meeting by assuming the name of another legally qualified person shall be guilty of a class D felony and shall be disfranchised.

[Emphasis added.]

8. The SEEC Form 1 contains the following certification for the candidate:  
*I hereby certify and state, under penalties of false statement, that all of the designations set forth in this candidate committee registration statement are true and accurate to the best of my knowledge and belief, and further, that this statement includes my certification to the fact that any individual designated herein to serve as my treasurer or deputy treasurer have indicated to me their acceptance of my appointment of them to those positions.*
9. By way of background, the Centralized Voter Registration System (“CVRS”) indicates that Mr. Allie-Brennan was registered to vote in Bethel from April 4, 2016 through November 21, 2018 at 9 Cross Hill Road. His registration at the address in question therefore coincides, at all relevant times, with his SEEC Form 1 candidate registration pertaining to the November 6, 2018 election.
10. The gravamen of Complainant’s allegations is that Mr. Allie-Brennan was not a *bona fide* resident at the voter registration address, which was also used to register a candidate committee for State Representative, and therefore he violated various elections laws. In response to Complainant’s allegation, Respondent denied a lack of *bona fide* residence and asserted that he properly registered to vote and registered his candidate committee at 9 Cross Hill Road, Bethel, Connecticut.
11. Upon investigation, the Commission finds that Mr. Allie-Brennan signed an SEEC Form 1 on December 27, 2017, and identified and certified his address as 9 Cross Hill Road, Bethel, Connecticut. Further, by affidavit Mr. Allie-Brennan identified that address as his residence as his address “... from April 2016 through November, 2018.”
12. Mr. Allie-Brennan concedes that his parents’ house during periods in question was on the market for sale, but denies that he was ever required to abandon the property during such times. Mr. Allie-Brennan asserts that at a minimum he maintained enough furnishing to sleep at this property and at no time intended his residency to be at any other location for purposes of registering and casting a vote in Connecticut.

13. Mr. Allie-Brennan also admits, and his family confirms, that at certain times he spent nights at a home owned by his parents in Southbury, Connecticut. Nevertheless, he denies that any such temporary arrangements were with the intent or purpose of changing his address to Southbury and that at all times he intended to remain a resident of Bethel; where he continued to pay taxes, was registered to vote, and received municipal, federal, personal and business correspondences through the mail.
14. Additionally, in response to this complaint and investigation, Mr. Allie-Brennan provided various statements and documents to support his claim to reside at 9 Cross Hill Road, at all times relevant to this complaint. The aforementioned included:
  - (1) Two Town of Bethel motor vehicle tax bills for 2018;
  - (2) Five Witness Statements Identifying knowledge of Mr. Allie-Brennan's residing at 9 Cross Hill Road, Bethel; including the listing agent for the property.
  - (3) An Internal Revenue Service W2 for tax year 2017 for Mr. Allie-Brennan addressed to 9 Cross Hill Road;
  - (4) Insurance billing statement for coverage from April 2018 to October 2018 billed to Mr. Allie-Brennan at 9 Cross Hill Road; and,
  - (5) Eleven checking account statements from the periods covering December 16, 2017 through November 18, 2018 addressed to Mr. Allie-Brennan at 9 Cross Hill Road.
15. An elector is eligible to register and vote in a particular town only if such voter is a bona fide resident of such town. *See* General Statutes § 9-12. Further, General Statutes § 9-172 provides that only individuals who are *bona fide* residents of the town in which they are offering to vote will be permitted to vote in the election held in such town.
16. The Commission has previously determined that an individual's *bona fide* residence is the place where that individual maintains a true, fixed, and principal home to which he or she, whenever transiently located, has a genuine intent to return. *See, e.g., Complaint of Cicero Booker*, Waterbury, File No. 2007-157. In other words, "bona fide residence" is generally synonymous with domicile. *Id.*; cf. *Hackett v. City of New Haven*, 103 Conn. 157 (1925). The Commission has concluded, however, that "[t]he traditional rigid notion of 'domicile' has . . . given way somewhat but only to the extent that it has become an impractical standard for the purposes of determining voting residence (i.e., with respect to college students, the homeless, and individuals with multiple dwellings)." *Complaint of James Cropsey*, Tilton, New Hampshire, File No. 2008-047.

17. Moreover, the Commission has concluded that if an individual has established residency at a location, “only the Respondent’s abandonment of the residence . . . will extinguish [his or] her right as an elector in that town.” *Complaint of Carole Dmytryshak*, Salisbury, File No. 2012-197.
18. The Commission in *Complaint by Linda Szykowitz*, File Nos. 2014-158 and 2015-007, considered the following elements relevant in determining whether a Respondent maintained a bona fide residence, or not: (1) location of a rented home; (2) state and address identified on a driver’s license; (3) state listed as address for income taxation purposes; (4) state where Respondent and/or Respondent’s spouse or children lived; (5) state where Respondent had regular continuing employment over the consecutive years; and, whether Respondent had registered in a state other than the state in which a “bona fide” residence is claimed or in dispute.
19. More recently, the Commission confirmed its reasoning in *Szykowitz* and “...stressed that the aforementioned criteria are illustrative of relevant factors and not wholly or on their own dispositive determinants of “bona fide” residence when weighing them for purposes of applying Connecticut’s election laws.” See *Complaint by Alyssa Peterson*, Hartford, File No. 2016-106.
20. In light of the Commission’s *bona fide* residence standard, and consistent with many of the factual elements it has weighed in the past for determining the same, the Commission finds that Mr. Allie-Brennan has manifested, for all times relevant to this complaint, an intent to reside at 9 Cross Hill Road, Bethel, Connecticut for purposes of establishing a *bona fide* residence for satisfying the requirements for being an elector pursuant to General Statutes § 9-12.
21. Further, Mr. Allie-Brennan, consistent with his intentions to remain and vote in Bethel, credibly completed his SEEC Form 1, certifying his address to be 9 Cross Hill Road, Bethel, with the intention of accurately identifying his residence for purposes of registering his campaign.
22. The Commission finds, under these narrow and specific circumstances, that Mr. Allie-Brennan provided sufficient evidence and testimony of his contacts with 9 Cross Hill Road in Bethel, for purposes of the eligibility requirements of maintaining a *bona fide* residence in the municipality and qualifying as an elector pursuant to General Statutes § 9-12.


23. Further, the Commission finds that the facts did not substantiate allegations of alleged election laws violations pursuant to General Statutes § 9-12, § 9-172 or § 9-360 by Mr. Allie-Brennan, based on his voting and registering a candidate committee at 9 Cross Hill Road in Bethel, pertaining to the November 6, 2018 election.
24. The Commission therefore dismisses the allegations that served as the basis for this complaint and investigation against Mr. Allie-Brennan because they were not substantiated by the application of the law to the facts in this instance.

### ORDER

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

That the matter is dismissed.

Adopted this 20<sup>th</sup> day of February 2019, Hartford, Connecticut.



~~Anthony J. Castagno~~

~~Chairman~~

By Order of the Commission

Salvatore Bramante - Vice Chair