

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Referral by the Secretary of the State

File No. 2019-024

FINDINGS AND CONCLUSIONS

The Secretary of the State asserted in brief that the Hamden Registrars of Voters failed to properly process mail-in voter registration applications and as such some applications not appearing on the official registry list on Election Day, November 6, 2018.¹

Background and Allegation

1. On or about February 19, 2019, the Secretary of the State filed a referral to the Commission containing 18 separate allegations.
2. In each instance, such referral was made in a short statement and allegation by the Secretary, which in some instances contained limited information as to the specifics of the allegation.
3. The Commission determined that while the information initially delivered was limited, the allegations met the basics of § 9-7b-25 of the Regulations of Connecticut State Agencies and preliminarily docketed each of the 18 matters separately, in File Nos. 2019-007 through 2019-024.
4. In each instance the Commission sought further clarification from the Secretary as to the specifics of the allegations, and, in all but the above-captioned matter, the Commission received sufficient information to conduct its investigation.

¹ The following are the Commission's findings and conclusions based on those portions of the allegations which the Commission could reasonably construe as alleging facts amounting to a specific violation of those laws within the Commission's jurisdiction. Any statements not addressed herein either did not specifically allege a violation or alleged facts which if proven true would not have amounted to a violation within the Commission's jurisdiction.

5. In this instance, the Secretary's allegation read as follows:

Failure to properly process applications for voter registrations pursuant to CGS §9-23g with the Town of Hamden. This resulted in several applicants not appearing on the official registry list on Election Day.

6. As with the other 17 matters, Commission investigators made inquiries to the Secretary's office for more specifics as to the allegations here, including but not limited to the source of such allegations, the identities of those individuals whom the Secretary alleged may have been disenfranchised, as well as any other evidence supporting the allegation.
7. While the Secretary's Office was able to provide the necessary corroborating information requested in the other matters, the Commission received no additional information pursuant to its requests at the outset of the filing of this matter and was unable to conduct a timely investigation.
8. On or about September 17, 2020—approximately 19 months after the filing of the referral and almost 2 years after the election itself—the Secretary's Director of Communications, Gabe Rosenberg² stated to Commission investigators that he spoke to a Quinnipiac University Senior a few weeks after the November 6, 2018 General Election.
9. According to Attorney Rosenberg, the Quinnipiac Senior asserted that he conducted a voter registration drive on campus ahead of the 2018 General Election and turned a number of new executed voter registration applications to the Office of the Hamden Registrars of Voters.
10. According to Attorney Rosenberg's account, this canvasser asserted to him that a "substantial" number of people that he remembered registering to vote through his drive showed up to the polling place on Election Day, November 6, 2018, and did not appear on the official registry list and as such were allegedly forced to utilize the Election Day Registration process to vote that day.
11. However, as the information was received third hand by the Secretary of the State's Office, they were unable to provide more specific information as to any individual whose VRA may have been impermissibly disposed of by the Hamden Registrars, nor were they able to provide any documentary evidence in support.

² Later also Chief of Staff and General Counsel

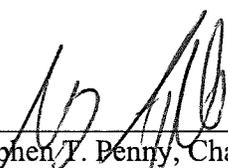
12. Without the identity of specific witnesses or victims and in the absence of any relevant documentary evidence, Commission investigators have been unable to conduct a substantive investigation.
13. Accordingly, the Commission concludes that while the Commission was able to conduct effective investigations of the other 17 matters lodged in the February 19, 2019 referral from the Secretary, due to the substantial delay in receiving the substance of the allegations for this particular matter, as well as the limited information provided to the Commission after such delay, the Commission does not have sufficient information upon which to issue a finding here as to whether it was more likely or not that these third-party allegations could be substantiated.
14. Considering the aforesaid, this matter should be dismissed.

ORDER

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

Dismissed.

Adopted this 7th day of September, 2020 at Hartford, Connecticut.



Stephen T. Penny, Chairperson
By Order of the Commission

Michael Ajello
Vice Chair