

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

In the Matter of a Complaint by Maria Pereira, Bridgeport

File No. 2019-038

**AGREEMENT CONTAINING CONSENT ORDER**

This Agreement, by and between Christopher J. Taylor and the authorized representative of the State Elections Enforcement Commission is entered into in accordance with Section 9-7b-54 of the Regulations of Connecticut State Agencies and Section 4-177 (c) of the General Statutes of Connecticut. In accordance herewith, the parties agree that<sup>1</sup>:

**Law**

1. 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.)
2. "In addition to the statutory prongs of age, citizenship and geographic location identified above, an individual's bona fide residence must qualify as the place where that individual

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<sup>1</sup> The following are the Commission's findings and conclusions based on those portions of the Complainant's statement of complaint which the Commission could reasonably construe as alleging facts amounting to a specific violation of those laws within the Commission's jurisdiction. Any statements within the Complaint 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.

maintains a *true, fixed, and principal* home to which he or she, whenever transiently relocated, has a genuine intent to return.” See, e.g., *In the Matter of a Referral by Manchester Registrars of Voters, Manchester*, File No. 2013-077 (emphasis added); *In the Matter of a Complaint by Gary Amato, North Haven*, File No. 2009-158 (2010); *In the Matter of a Complaint by Cicero Booker, Waterbury*, File No. 2007-157.

3. In other words, “bona fide residence” is generally synonymous with domicile. *Id.*; cf. *Hackett v. The City of New Haven*, 103 Conn. 157 (1925); *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. 2007-054.
4. 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).” (Emphasis added.) *In the Matter of a Complaint by James Cropsey, Tilton, New Hampshire*, File No. 2008-047 (Emphasis added.). See also *Wit v. Berman*, 306 F.3d 1256, 1262 (2d Cir. 2002) (stating that under certain circumstances the domicile rule for voting residency can give rise to administrative difficulties which has led to a pragmatic application of that rule in New York); *Sims v. Vernon*, Superior Court, Fairfield County, No. 168024 (Dec. 22, 1977) (concluding that an absentee ballot of an individual should be counted as that individual was a bona fide resident of the town in which the ballot was cast.); *Farley v. Louzitis*, Superior Court, New London County, No. 41032 (Oct. 4, 1972) (considering issue of voter residency with respect to college students and stating that “a student, and a nonstudent as well, *who satisfies the . . . residence requirement*, may vote where he resides, without regard to the duration of his anticipated stay or the existence of another residence elsewhere. It is for him alone to say whether his voting interests at the residence he selects exceed his voting interests elsewhere.”) (Emphasis added.)
5. The Commission has previously concluded that “[a]n individual does not, therefore, have to intend to remain at a residence for an indefinite period for that residence to qualify as that individual’s bona fide residence.” *Referral by Manchester Registrars of Voters, Manchester*, File No. 2013-081; (quoting *In the Matter of a Complaint by James Cropsey, Tilton, New Hampshire*, File No. 2008-047). Rather, the individual only has to possess a present intention to remain at that residence. *Id.*; see also *Maksym v. Board of Election Com’rs of City of Chicago*, Illinois Supreme Court, Docket No. 111773 (January 27, 2011), 2011 WL 242421 at \*8 (“[O]nce residency is established, the test is no longer physical presence but rather abandonment. Indeed, once a person has established residence, he or she can be physically absent from that residence for months or even years without having abandoned it. . . .”)

6. However, in order for a multiple-dwelling examination to be made, the person still must have sufficiently established that such person meets the criteria for bona fide residency in the first instance. See *Farley*, above. Then, and only then, may the person choose between such multiple dwellings. *Id.*
7. In *Poricelli*, the Commission acknowledged that in determining whether a dwelling is a person's "true, fixed, and principal home to which he or she, whenever transiently relocated, has a genuine intent to return" the Commission acknowledged that Connecticut follows the common law "bedroom rule."
8. The Commission determined in *Poricelli* that:

In the absence of 'liner' statutes, which Connecticut does not have for voting purposes, the general rule under the common law had been *where the individual rests his or her head at night*, or the 'bedroom rule,' and not the square footage rule utilized by the Registrars. See *Abington v. North Bridgewater*, 40 Mass. 170, 179 (1830): '[I]f a man has a dwellinghouse, situated partly within one jurisdiction and partly in another . . . he shall be deemed an inhabitant within that jurisdiction, within the limits of which he usually sleeps.' See also *Whitehouse v. Commissioner of Internal Revenue*, 963 F.2d 1 (1st Cir. 1992), *Blaine v. Murphy*, 265 F. 324 (D. Mass 1920); 25 Am. Jur. 2d Domicil §29 (1996). (Emphasis added.)

*Poricelli* at ¶ 51

### **Allegation**

9. The Complainant here alleged, which the Respondent denies, that starting in July 2015 Respondent Christopher Taylor registered to vote in the City of Bridgeport and voted in elections and/or primaries in the City in which she alleged he was not a bona fide resident therein, in violation of General Statutes §§ 9-20, 9-7b (a) (2) (C), 9-171, and 9-172.

### **Factual Findings**

#### *Registration and Voting History*

10. Per the Connecticut Voter Registration System ("CVRS") maintained by the Connecticut Secretary of the State, the Respondent's relevant registration history is as follows (house numbers are redacted): Bronson Rd., Fourth St, Bridgeport from July 16, 2015 to May 24,

2016; Charles St, Bridgeport, from May 24, 2016 to July 18, 2017; Bronson Rd., Southport from July 18, 2017 to July 20, 2017; and Davenport St, Bridgeport, from July 20, 2017 to Present.

11. During that period, the Respondent voted on November 3, 2015, April 26, 2016, November 8, 2016, August 14, 2018, November 6, 2018, September 10, 2019, and November 5, 2019.

*Bridgeport Candidacies and/or Offices Held*

12. The Respondent ran for mayor in 2015 as a petitioning candidate and in 2017 the Respondent ran and won a seat on the Bridgeport Board of Education as a Republican, which he continues to hold.

*Residences at Which the Respondent Has Registered to Vote Since 2008*

*Fourth Street, Bridgeport*

13. --- Fourth Street in Bridgeport is a single family home that the Respondent purchased and owned for a short time between on or about August 12, 2015 through on or about March 24, 2016.

*Charles St, Bridgeport*

14. --- Charles Street is a three unit home at which the Respondent was a registered voter starting on or about May 24, 2016 through July 18, 2017.

*Davenport Street, Bridgeport*

15. --- Davenport Street is the location of a commercial “green” recycling center owned by an LLC controlled by the Respondent. The LLC purchased the property on or about August 29, 2011 and immediately started the process of building the facility. The property is located in a “Light Industrial” commercial zone which does not permit residential dwellings as of right. On site at the property is a 2 ½ story “scale house” which has plumbing, heating, electricity, and telephones. The building permit for the scale house was issued on or about March 30, 2015 and the certificate of occupancy was issued on or about June 12, 2017. The certificate occupancy did not include residential uses.

16. After the Zoning Commission and Fire Department found that the space was out of compliance for residential uses in about May 2019, the Respondent appealed to the Zoning Board of Appeals (“ZBA”) and Planning & Zoning Commission (“PZC”) and on or about

August 13, 2019 and October 28, 2019, respectively, received a limited residential exception for a “caretaker’s occupancy” use in the scale house which restricts the use to only owners and employees of the business, such as the Respondent.

*Bronson Road, Southport*

17. --- Bronson Road in Southport is a single family home at which the Respondent was registered prior to registering in Bridgeport in July 2015.

#### **Commission Analysis and Conclusions**

18. Turning to the questions of the Respondent’s eligibility as a bona fide resident at the three Bridgeport addresses, the Commission finds that the evidence gathered was insufficient to establish whether or not the Respondent actually lived at Fourth Street when he registered and voted there.
19. The Commission finds that the Respondent was not a bona fide resident in Bridgeport from at least November 8, 2016 until October 28, 2019, when the final residential exception was approved.
20. The Commission finds that by completing voter registration applications on November 8, 2016, July 18, 2017 and July 20, 2017 when such registrations were not at his bona fide residences, the Respondent violated General Statutes § 9-20.
21. The Commission finds that by voting in Bridgeport on November 8, 2016, August 14, 2018, November 6, 2018, and September 10, 2019, the Respondent violated General Statutes §§ 9-7b (a) (2) (C), 9-171, and 9-172.

#### **Agreement of the Parties**

22. The Respondent does not admit the allegations contained in the Complaint, but enters voluntarily into this settlement agreement, in part, to avoid the cost of litigation. The Commission acknowledges that the Respondent did not attempt to vote in more than one location.
23. The Respondent admits all jurisdictional facts and agrees that this Agreement and Order shall have the same force and effect as a final decision and Order entered after a full hearing and shall become final when adopted by the Commission. The Respondent shall receive a copy hereof as provided in Section 9-7b-56 of the Regulations of Connecticut State Agencies.

24. The Respondent waives:

- a. Any further procedural steps;
- b. The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law, separately stated; and
- c. All rights to seek judicial review or otherwise to challenge or contest the validity of the Order entered into pursuant to this Agreement.

25. It is understood and agreed that this Agreement will be submitted to the Commission for consideration at its next meeting and, if the Commission does not accept it, it is withdrawn and may not be used as an admission by the Respondent in any subsequent hearing, if the same becomes necessary.

26. Upon the Respondent's compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings pertaining to the question of the Respondent's bona fide residency in Bridgeport on the facts and evidence presented in this Complaint.

ORDER

IT IS HEREBY ORDERED THAT the Respondent shall remit a civil penalty in the amount of seven hundred fifty dollars (\$750.00) to the Commission and will henceforth strictly comply with General Statutes § 9-7b, 9-12, & 9-20; 9-171 and 9-172.

**The Respondent:**

\_\_\_\_\_  
Christopher J. Taylor

**For the State of Connecticut:**

BY: Michael J. Brandi,  
Michael J. Brandi, Esq.  
Executive Director and General Counsel and  
Authorized Representative of the  
State Elections Enforcement Commission  
20 Trinity St., Suite 101  
Hartford, CT

Dated: \_\_\_\_\_

Dated: 9/2/2020

Adopted this 2<sup>nd</sup> day of September of 20 20 at Hartford, Connecticut

Salvatore A. Brannito  
Anthony J. Castagno, Chair - Vice  
By Order of the Commission/  
Salvatore A. Brannito