

**STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by Paul A. Riemann,
Norwich

File No. 2020-039

COMMISSION DISMISSAL

1. This complaint was received June 12, 2020. Commission staff docketed this complaint on June 26, 2020. The Commission as detailed herein dismisses this matter by motion and order of the Commission pursuant to General Statutes § 9-7b, as detailed herein.
2. Complainant alleges that Margaret Flexer and her spouse Howard Flexer violated General Statutes § 9-172, by voting in Killingly, Connecticut, when their primary residence is in Dudley, Massachusetts, and therefore they were ineligible.
3. General Statutes § 9-172, provides:

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.
4. At all times relevant, Margaret Flexer and Howard Flexer owned homes in both Killingly, Connecticut and Dudley, Massachusetts.

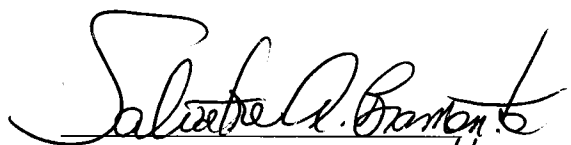
5. Complainant alleges that: Based on percentage of time residing at in Dudley, Massachusetts and the “value of the home and their involvement in local Dudley, Massachusetts politics,” they cannot satisfy the requirements of General Statutes § 9-172.
6. Further, Complainant urges that based on the assessed values of the Massachusetts, versus the Connecticut property; as well as newspaper reports of their participating in local politics in Dudley, Massachusetts, is determinative of where Margaret Flexer and Howard Flexer are eligible to register as electors.
7. Complainant basis his theory of eligibility to register in Connecticut as an elector on newspaper accounts of a public meeting in Dudley, Massachusetts dating from 2014 and more contemporary tax records from each state.
8. Complainant relies solely on his novel theory of elector eligibility and does not otherwise allege law violations or provide facts to establish that either Margaret Flexer or Howard Flexer are not eligible to register and vote in Killingly, Connecticut.
9. Upon investigation, it was determined that Margaret Flexer has been registered to vote in Killingly, Connecticut since November 4, 2002 and Howard Flexer has been registered in that town since November 10, 1986. Each has consistently voted in general elections, primaries and referenda since their registering to vote.
10. After investigation, there is a lack of evidence that Margaret Flexer and Howard Flexer have either lost their rights to vote or are not bona fide residents in Killingly and therefore do not satisfy the requirements of General Statutes § 9-172, or are otherwise not qualified to vote at state elections in Connecticut.
11. After preliminary investigation, the Commission determines that the complaint does not allege violations of election laws pursuant to Title 9, General Statutes.
12. Pursuant to Public Act 17-02, section 274 (currently codified as General Statutes 9-7a (g),(l)), the Commission dismisses this complaint, after preliminary investigation, for failure to allege any substantial violation of state election law supported by evidence.

ORDER

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

That this matter is dismissed.

Adopted this 15th day of July, 2020 at Hartford, Connecticut.


~~Anthony J. Castagno, Chair - Vice~~
By Order of the Commission
SALVATORE A. BRAMANTE