

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

In the Matter of a Complaint by Linda Szykowitz,  
Middletown

File No. 2020-042

**FINDINGS & CONCLUSIONS**

Complainant Linda Szykowitz of Middletown brought this complaint per Connecticut General Statutes § 9-7b, alleging City of New Haven, Office of Registrars of Voters, violated election laws by sending out a post card that was headed with the words “*Your Voice Matters.*” After investigating the allegations raised in the complaint the Commission makes the following findings and conclusions:

1. Shannel Evans and Marlene Napolitano (hereinafter “Respondents”), at all times relevant to this complaint, were the Registrars of Voters for the City of New Haven.
2. According to the complaint, two individuals received post cards, that included both English and Spanish, from the City of New Haven Registrars of Voters that provided information about voting safely in light of the COVID 19 pandemic.
3. More specifically the post card read as follows:

***YOUR VOICE MATTERS***

*Information For Voting Safely*

- *Please bring this postcard and/or a form of identification.*
- *Please respect the 6<sup>th</sup> ft distancing markings outside and inside the polling place.*
- *Please bring a mask.*
- *Hand sanitizer will be made available prior to check-in.*
- *Hands MUST be dry before handling ballot.*
- *A personal pen/marker will be provided to you with your ballot.*

*Our office respects your safety and the integrity of your vote. Due to the outbreak of COVID 19 , if you prefer to vote by Absentee Ballot you can contact the Town Clerks office for an application at 203-9468349.*

***YOUR VOTE MATTERS***

4. The postcards that are subject of this complaint were disseminated by use of public funds by Respondents through the City of New Haven, Office of Registrars of Voters. The postcards were addressed to specific named individuals and contained the street name and

number for each location. The return address was: *Registrar of Voters 200 Orange Street New Haven, CT 06510.*

5. The Complainant raises the takes issue with the statement “[p]lease bring this postcard and/or a form of identification,” which appears among other “bullet” points under the subtitle Information for Voting Safely.
6. The other bullet points on the postcard concern protocols and instructions with respect to voting during the COVID-19 pandemic, including “[p]lease bring a mask,” “[h]and sanitizer will be made available prior to check-in,” and “[a] personal pen/marker will be provided to you with your ballot.” The postcard also provides a phone number for the Town Clerk’s office for information on ordering an absentee ballot.

Allegations that Postcards are Deceptive/False and Could be Misused

7. Complainant alleges that the mailers “give false and misleading information to the voters,” that “[i]t can also be used for nefarious purposes,” that “[a]nyone can pick up the postcard and claim to be that person,” and that “[t]he voter’s ID is NOT verified according to the mailer.”
8. Beyond mere speculation about the potential misuse of these postcards, Complainant provides no specific basis for an alleged violation upon which the Commission can exercise its jurisdiction pursuant to General Statutes § 9-7b (a). Therefore, the Commission declines to consider the aforementioned claims regarding the potential “nefarious” use of these postcards.
9. Similarly, upon review of these postcards, the Commission finds that they do not contain either false or misleading information, as alleged. The Commission therefore dismisses allegations as they pertain to the postcards deceiving electors.

Allegation that the Postcards are “NOT a form of identification.”

10. Complainant’s primary allegation is that the postcard does not satisfy identification requirements for individuals to use at polling places.
11. General Statutes § 9-261, provides in pertinent part:
  - (a) In each primary, election or referendum, when an elector has entered the polling place, the elector shall announce the elector's street address, if any, and the elector's name to the official checker

or checkers in a tone sufficiently loud and clear as to enable all the election officials present to hear the same. Each elector who registered to vote by mail for the first time on or after January 1, 2003, and has a “mark” next to the elector's name on the official registry list, as required by section 9-23r, shall present to the official checker or checkers, before the elector votes, either a current and valid photo identification that shows the elector's name and address or a copy of a current utility bill, bank statement, government check, paycheck or other government document that shows the name and address of the elector. Each other elector shall (1) present to the official checker or checkers the elector's Social Security card or *any other preprinted form of identification which shows the elector's name and either the elector's address, signature or photograph*, or (2) on a form prescribed by the Secretary of the State, write the elector's residential address and date of birth, print the elector's name and sign a statement under penalty of false statement that the elector is the elector whose name appears on the official checklist. Such form shall clearly state the penalty of false statement. A separate form shall be used for each elector. If the elector presents a preprinted form of identification under subdivision (1) of this subsection, the official checker or checkers shall check the name of such elector on the official checklist, manually on paper or electronically. If the elector completes the form under subdivision (2) of this subsection, the registrar of voters or the assistant registrar of voters, as the case may be, shall examine the information on such form and either instruct the official checker or checkers to check the name of such elector on the official checklist, manually on paper or electronically, or notify the elector that the form is incomplete or inaccurate.

12. Respondents, through City of New Haven Corporation Counsel, cooperated fully with the Commission pertaining to this complaint and investigation and provided a detailed response denying any wrongdoing or violations on part of Respondents and the New Haven Registrars of Voters Office.
13. More specifically, Respondents answered in part:  
*Respondents deny the alleged violations in the complaint, and in particular deny that the postcard attached to the complaint contains any false or misleading statements. To the extent that any poll worker checkers accepted the postcard as a form of*

*identification at the polls, such acceptance is consistent with statutory requirements. The postcard attached to the complaint and sent to registered voters constitutes a "government document that shows the name and address of the voter" under Conn. Gen. Stat. Sec. 9-23r and also "any other preprinted form of identification which shows the elector's name [and] address" under Conn. Gen. Stat. Sec. 9-261 (emph. added). It is entirely consistent with the expressed intent of the statutes referred to herein that this postcard may be used to show the identity of those to whom it is issued.*

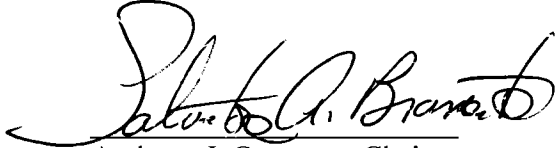
14. The Commission finds that the postcards that are subject of this complaint, and as detailed herein, contain individual names and include addressee street names and numbers. The Commission further finds that should an individual present such a postcard as identification at a polling place after receiving it, there would be sufficient information for an election official to consider this a "preprinted" form and otherwise exercise their authority pursuant to General Statutes § 9-261 as it pertains to the process of voting.
15. After preliminary investigation, the Commission determines that the complaint does not allege violations regarding preprinted identification and General Statutes § 9-261 or otherwise allege an elections law violation pursuant to Title 9, General Statutes.
16. 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 16<sup>th</sup> day of September, 2020 at Hartford, Connecticut.

  
~~Anthony J. Castagno, Chair~~  
By Order of the Commission  
Salvatore Bramante, Vice Chair