

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Referral by Susan Devokaitis
and Martha Emilio, ROVs, Pomfret

File No. 2020-051

FINDINGS AND CONCLUSIONS

The subject of this referral was brought to the attention of the Pomfret Registrars of Voters by Brian Trifari, whose spouse Sheila A. Trifari received from that office what they believed was an incorrect, and unrequested, Department of Motor Vehicles (“DMV”) change to her voter registration information. After its investigation, the Commission makes the following findings and conclusions:

1. Pomfret Registrars of Voters Susan Devokaitis and Martha Emilio referred this matter to the Commission pursuant to § 9-7b (a), based on an inquiry by Brian Trifari pertaining to a DMV notice of a change in voter registration received by his spouse Sheila A. Trifari; which, according to Mr. Trifari, was purportedly false and unrequested.
2. Mr. Trifari indicated that his spouse did not “fill out a change of name/address card.” Further, he indicated that his spouse changed her name for purposes of voter registration in 2008; not August 2020. Finally, he indicated that they had moved to Pomfret in 2013 and registered to vote at that time.
3. Mr. Trifari raised concerns and confusion that he and his spouse shared about the change of voter registration provided by the Pomfret Registrar of Voters in August 2020; which precipitated this referral to the Commission.
4. In the course of this investigation the Pomfret ROVs indicated that there were no voter registration drives held by their office and that they did not otherwise receive additional changes in voter registration status from individuals other than Mr. Trifari.
5. There is no issue of Sheila Trifari being denied the right to register to vote, or being denied the right to vote, pertaining to this matter.
6. 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.

7. General Statutes § 9-19i, provides:

Any change of address form submitted by a person in accordance with law for purposes of a motor vehicle operator's license shall serve as notification of change of address for voter registration for the person unless the person states on the form that the change of address is not for voter registration purposes. The Commissioner of Motor Vehicles shall forthwith transmit such change of address information to the registrars of voters of the town of the former address of the person. If the name of the person appears on the registry list of the town, and if the new address is also within such town, the registrars shall enter the name of such elector on the registry list at the place where he then resides. If the name of the person appears on the registry list of the town and if the new address is outside such town, the registrars shall remove the name of such elector from the registry list and send the elector the notice, information and application required by section 9-35.
8. General Statutes § 9-357, provides:

Any person who fraudulently procures himself or another to be registered as an elector shall be fined not more than five hundred dollars or imprisoned not more than one year or be both fined and imprisoned.
9. By way of background Brian Trifari and Sheila Trifari moved to Massachusetts from Pomfret in October 2019. Further, Sheila Trifari changed her driver's license and registered to vote at the Massachusetts Registry of Motor Vehicles in July 2020.
10. Upon investigation, the Commission finds that on May 5, 2020 the Pomfret ROVs marked Sheila Trifari "inactive," as a result of the 2020 canvass. The Commission further finds that the Pomfret ROVs received a "DMV Change of Address" on August 18, 2020 from the Connecticut DMV.

11. After investigation, the Commission finds that Mrs. Trifari's July 2020 application for a Massachusetts driver's license and registering to vote at the Massachusetts Registry of Motor Vehicles, and related electronic transactions, were the likely triggering events that led to the incidents detailed herein.
12. The Commission appreciates the concern for the integrity of the voter registration process and system shown by Mr. and Mrs. Trifari in raising these issues with the Pomfret ROVs and the subsequent due diligence of that office in making this referral.
13. The Commission, after investigation of this referral, determines that no further action is necessary based on the underlying facts as detailed herein. Therefore, this matter is dismissed.

ORDER

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

The matter is Dismissed.

Adopted this 2nd day of June, 2021 at Hartford, Connecticut.



Stephen T. Penny, Chairman
By Order of the Commission