

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

In the Matter of a Referral by Plainville Registrar of Voters Susan Abram      File No. 2020-081

**FINDINGS AND CONCLUSIONS**

The Referring Official alleged in her Referral that Plainville elector Homawattie Ramlachan was recorded as having voted in person in the Town of West Hartford in the November 3, 2020 General Election and as having voted in person using the Election Day Registration process in the Town of Plainville.

**Allegation**

1. The allegations here concern the November 3, 2020 General Election.
2. Here, the Referring Official, the Plainville Democratic Registrars of Voters, alleged that she received notice from the West Hartford Registrars of Voters that newly-registered Plainville elector Homawattie Ramlachan, the Respondent here, was recorded as having voted in both towns in person at the November 3, 2020 General Election.
3. Specifically, the Referring Official alleged that the Respondent voted in West Hartford before then driving to Plainville to register and vote there using the election day registration (“EDR”) process.
4. The Referring Official submitted a copy of the Respondent’s November 3, 2020 Voter Registration Application (“VRA”) for Plainville, along with a copy of the Respondent’s EDR ballot envelope.

**Law**

5. General Statutes § 9-7b reads, in pertinent part:

(a) The State Elections Enforcement Commission shall have the following duties and powers:

...

(2) To levy a civil penalty not to exceed . . . (C) two thousand dollars per offense against any person the commission finds to have (i) improperly voted in any election, primary or referendum, and (ii) not been legally qualified to vote in such election, primary or referendum,

6. General Statutes § 9-360 provides, in pertinent part:

Any person not legally qualified who fraudulently votes in any town meeting, primary, election or referendum in which the person is not qualified to vote, and **any legally qualified person who, at such meeting, primary, election or referendum, fraudulently votes more than once at the same meeting, primary, election or referendum**, shall be fined not less than three hundred dollars or more than five hundred dollars and shall be imprisoned not less than one year or more than two years and shall be disfranchised. Any person who votes or attempts to vote at any election, primary, referendum or town meeting by assuming the name of another legally qualified person shall be guilty of a class D felony and shall be disfranchised. (Emphasis added.)

Voting more than once in the same election is also a federal offense.

52 USC § 10307 reads, in pertinent part: (e) Voting more than once

(1) Whoever votes more than once in an election referred to in paragraph (2) shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

(2) The prohibition of this subsection applies with respect to any general, special, or primary election held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, presidential elector, Member of the United States Senate, Member of the United States House of Representatives, Delegate from the District of Columbia, Guam, or

the Virgin Islands, or Resident Commissioner of the Commonwealth of Puerto Rico.

(3) As used in this subsection, the term "votes more than once" does not include the casting of an additional ballot if all prior ballots of that voter were invalidated, nor does it include the voting in two jurisdictions under section 10502 of this title, to the extent two ballots are not cast for an election to the same candidacy or office.

7. Voting more than once in the same election is also a federal offense. 52 USC § 10307 reads, in pertinent part:

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(3) As used in this subsection, the term "votes more than once" does not include the casting of an additional ballot if all prior ballots of that voter were invalidated, nor does it include the voting in two jurisdictions under section 10502 of this title, to the extent two ballots are not cast for an election to the same candidacy or office.

### **Investigation**

8. The investigation here confirmed through the records of the West Hartford and Plainville Registrars of Voters that Homawattie Ramlachan, who was born in 1942, was a registered elector at the same address in West Hartford since at least 2008.

9. During her time as a registered elector in West Hartford, the records reflect that the Respondent voted in the 2008, 2012, 2014, 2016 November General Elections prior to the facts of this matter.
10. The investigation here confirmed through the records of the Plainville Registrars of Voters that Homawattie Ramlachan submitted a VRA through EDR in Plainville on November 3, 2020 in which she identified her prior registration in West Hartford.
11. The investigation confirmed that the Respondent's EDR vote was cast and counted in Plainville.
12. The investigation here confirmed through the records of the West Hartford and Plainville Registrars of Voters that Homawattie Ramlachan's name was crossed off in West Hartford.
13. However, after review of the records in West Hartford, there was no documentation or other evidence to support the Referring Official's allegation that the Respondent's name was crossed off *before* her EDR VRA was submitted and *before* she voted in person in Plainville.
14. Moreover, there was no indication in the West Hartford records that West Hartford received the required notice from Plainville under General Statutes § 9-19j that the Respondent, an elector in West Hartford at the time, was attempting to register and vote in Plainville using EDR.<sup>1</sup>
15. The investigation discovered that on that day, the West Hartford Registrars had a dedicated line, and two employees who answer calls about EDR from other municipalities. The records of such calls from that day indicate that Plainville did call them for other electors, but that they did not reach West Hartford about this Respondent.

Respondent's Reply

16. The investigation interviewed the Respondent, through her granddaughter Lilawattie Ramlachan, as the Respondent asserted that she did not speak English.

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<sup>1</sup> Per 9-17j, Plainville was required to check the Connecticut Voter Registration System ("CVRS") to find any prior registration and make best efforts to notify the West Hartford registrars so that the West Hartford registrars could contact the polling place in order to either cross off the Respondent's name and indicated "off" next to it or inform Plainville not to allow the EDR to go forward if the Respondent was already crossed off in West Hartford.

17. The Respondent asserted that her granddaughter Lilawattie Ramlachan drove her to the Plainville EDR location and she only voted there on November 3, 2020.
18. Lilawattie Ramlachan corroborated the Respondent's denial by asserting that her grandmother does not drive and that she acts as her grandmother's transportation.
19. Lilawattie Ramlachan further asserted that she drove her grandmother and her grandfather Ramlall Ramlachan so that they could both register at their new address in Plainville using EDR.
20. Lilawattie Ramlachan further asserted that the Respondent could not have voted in West Hartford as she cannot drive on her own, does not live in West Hartford, and that the only place she drove her that day was the Plainville EDR location.
21. Lilawattie Ramlachan submitted a written statement to the above assertions in the above-mentioned interview.

### **Analysis and Conclusion**

22. Turning to the question before the Commission, both municipalities had the Respondent marked down as having voted on that day, in person.
23. The Respondent here denied that she voted in both municipalities and presented a corroborating witness to her having only voted in Plainville.
24. The documentary evidence supporting a conclusion that the Respondent voted in Plainville is strong. The EDR process creates a paper trail, including but not limited to a VRA signed under oath by the elector.
25. The documentary evidence supporting a conclusion that the Respondent voted in West Hartford is limited to the cross-out on the polling place registry list.
26. And, while the manual cross-office system is generally effective in keeping track of who has voted, the Commission's cases in the past have shown that elections officials are human and err from time to time, resulting in voters erroneously being crossed off and appearing to have voted twice in the same election when they only voted once.

27. As discussed in *In the Matter of a Complaint by Linda Szykowitz, et al, Middletown*, File No. 2021-047;

the lion's share of Commission matters in which an impermissible in-person vote was alleged have occurred have ended with findings that errors occurred by either the checker mistakenly checking off the wrong name or the registrars' office entering the wrong data in CVRS.

¶ 26<sup>2</sup>

28. Here, while it is possible that the cross-off in West Hartford correctly indicates that the Respondent did in fact vote in person there, it could also reflect other equally plausible possibilities, such as the wrong voter getting checked off<sup>3</sup> or that Plainville did reach West Hartford that day, that the West Hartford checker dutifully crossed off the Respondent's name, but then forgot to add "off" next to it, to indicate that it was not a vote, but a removal, leading her to be erroneously recorded as having voted instead of being "off."
29. Turning to the question here, while the available evidence does not definitively answer the question of how the cross-off in West Hartford came to be, it also does not support, against the weight of the other available evidence, including a corroborating witness, that the Respondent only voted once, in Plainville, that day.

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<sup>2</sup> Citing *In the Matter of a Referral by the Colchester Registrar of Voters* File No. 2017-025 (Elector who transferred his registration and voted via EDR in a new town mistakenly crossed off as having voted in his prior town; *In the Matter of a Complaint by Peter J. Gostin, New Britain*, File No. 2016-100 (Elector erroneously checked off as voting in-person); *In re: Referral of the Naugatuck Registrars of Voters* File No. 2016-094 and *In re: Referral of the Bristol Registrars of Voters* File No. 2016-098 (Multiple erroneous cross-offs found at single polling place); *In the Matter of a Complaint by Eleanor Michaud, Preston*, File No. 2010-090 (name similar to the elector crossed off by poll worker).

<sup>3</sup> The moderator's report for the Bristow Middle School polling place showed an equal number of checkoffs to ballots accepted, so this is the more likely alternative theory.

30. Considering the aforesaid, the Commission concludes that the available evidence does not support a finding that it was more likely than not that the Respondent improperly voted twice at the November 3, 2020 General Election.

31. Accordingly, this matter should be dismissed.

ORDER

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

*Dismissed.*

Adopted this 20<sup>th</sup> day of July, 2022 at Hartford, Connecticut.



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Stephen T. Penny, Chairperson  
By Order of the Commission