

**STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Referral by the Clinton Registrar of Voters

File No. 2020-083B

FINDINGS AND CONCLUSIONS

The Referring Official asserted in her referral that Clinton elector, Brianna Navarra cast an absentee ballot twice in the November 3, 2020 General Election, once in Clinton and again in Storrs.¹

Background

1. The events here concern the November 3, 2020 General Election.

Allegation

2. At all times relevant to the instant Referral, the Referring Official here was the Clinton Democratic Registrars of Voters
3. The Referring Official asserted that Clinton elector Brianna Navarra obtained an absentee ballot in Clinton for the November 3, 2020 General Election, which was received in Clinton on or about November 2, 2020.
4. The Referring Official asserted that Clinton elector Brianna Navarra then moved her registration to the Storrs (Town of Mansfield) and voted by absentee ballot for the November 3, 2020 General Election in that town as well.

¹ The following are the Commission's findings and conclusions based on those portions of the allegations which the Commission could reasonably construe as alleging facts amounting to a specific violation of those laws within the Commission's jurisdiction. Any statements 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.

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.)

7. 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.

Investigation

8. The investigation here revealed that the records of the Mansfield Registrar of Voters confirmed the Referring Officials assertion that Ms. Navarra submitted a voter registration application ("VRA").
9. The records reflect that she filed a VRA in Mansfield on or about October 28, 2020, six days prior to the November 3, 2020 General Election.
10. However, the investigation also revealed that the records of both the Mansfield Registrar of Voters and Town Clerk are void of any records that Ms. Navarra cast a ballot in Mansfield on that day.
11. Moreover, the records of the Clinton Town Clerk show that no ballot was counted in Clinton for Ms. Navarra there either, as Ms. Navarra's absentee ballot was voided due to her pre-election registration in Mansfield.
12. This voiding was appropriate, as any absentee ballot cast prior to a move that occurs before a primary or election cannot be counted.

Conclusion

13. Considering the aforesaid, the Commission concludes that the records of the Town of Mansfield and the Clinton Town Clerk do not support the allegation in this Referral that Ms. Navarra voted twice in the same election.
14. Accordingly, this matter should be dismissed.

ORDER

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

Dismissed.

Adopted this 3rd day of August, 2022 at Hartford, Connecticut.



Stephen T. Penny, Chairperson
By Order of the Commission