

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

In the Matter of a Complaint by Linda Szykowicz, et al, Middletown  
In the Matter of a Complaint by Linda Szykowicz, et al, Middletown

File No. 2021-047  
File No. 2021-050

**FINDINGS AND CONCLUSIONS**

The Complainants submitted what they asserted was data showing 210 voter records showing that 105 individuals had registered twice and voted twice in the November 3, 2020 General Election. The following are the Commission's findings and conclusions in these allegations.<sup>1</sup>

**Allegation**

1. The allegations here concern the November 3, 2020 General Election.
2. The Complainants here are Linda Szykowicz, Dominic Rapini, and a Connecticut corporation by the name of "Fight Voter Fraud, Inc."
3. In File No. 2021-047, the Complainants asserted as follows:

According to Fight Voter Fraud Inc.'s analysis of the Secretary of the State's Voter Database from January 2021, there were 103 voters that voted twice using two different voter ID numbers. They have the same or similar name, same addresses, same town/city and same Date of Birth.

4. Shortly after File No. 2021-047 was docketed, the Complainants submitted a supplemental complaint making the same claim concerning 4 additional records, in addition to the 206 records submitted in 2021-047, which complaint was separately docketed as File No. 2021-050.

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<sup>1</sup> 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.)

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.

## **Background**

7. The events of these matters concern the November 3, 2020 General Election, which occurred during a state of emergency declared by the General Assembly due to the Covid-19 pandemic. The General Assembly voted to extend extraordinary authority to Governor Lamont to issue executive orders to protect the health and safety of the people of Connecticut. One such executive order, EO 7QQ, extended the reasons for which an individual could cast a ballot in the August 11, 2020 as follows:

a person shall be permitted to lawfully state he or she is unable to appear at a polling place because of COVID-19 if, at the time he or she applies for or casts an absentee ballot for the August 11, 2020 primary election, there is no federally approved and widely available vaccine for prevention of COVID-19

8. The General Assembly adopted a sunset provision in General Statutes § 9-135 that effectively codified the above for the November 3, 2020 General Election, as follows:

(a) Any elector eligible to vote at a primary or an election and any person eligible to vote at a referendum may vote by absentee ballot if such elector or person is unable to appear at such elector's or person's polling place during the hours of voting for any of the following reasons: (1) Such elector's or person's active service with the armed forces of the United States; (2) such elector's or person's

absence from the town of such elector's or person's voting residence during all of the hours of voting; (3) such elector's or person's illness; (4) such elector's or person's physical disability; (5) the tenets of such elector's or person's religion forbid secular activity on the day of the primary, election or referendum; (6) the required performance of such elector's or person's duties as a primary, election or referendum official, including as a town clerk or registrar of voters or as staff of the clerk or registrar, at a polling place other than such elector's or person's own during all of the hours of voting at such primary, election or referendum; or (7) **for the state election in 2020, the sickness of COVID-19. As used in this section, "COVID-19" means the respiratory disease designated by the World Health Organization on February 11, 2020, as coronavirus 2019, and any related mutation thereof recognized by said organization as a communicable respiratory disease.**

9. According to the Secretary of the State, 1,861,086 electors of the 2,334,979 eligible cast a ballot in the November 3, 2020 General Election, representing a turnout of approximately 80%. Of the 1,861,086 electors voting, the Secretary reported that 659,370, approximately 35%, voted successfully using an absentee ballot.
10. By comparison, the 2016 report from the Secretary of the State showed a turnout of 1,675,934 of the 2,178,169 eligible electors (77%), 126,948 of which (8%) were absentee ballots.

## **Investigation**

### *Complainants' Data*

11. The Complainants submitted a spreadsheet of what appeared to be elector data with the fields matching those found in the Connecticut Voter Registration System ("CVRS"). The data contained 206 separate records in File No. 2021-047 and 4 separate records in File No. 2021-050. These records contained data spanning 50 different Connecticut municipalities. The Complainants did not submit any other corroborating evidence of dual registrations and/or double votes other than this data.

Phase One Investigation: SEEC Verification of the Complainant's Data

12. The initial phase of the SEEC Investigation involved a data review of all 210 records submitted by the Complainants against the available records available at the time of the filing of the instant complainants.

*Unverified Records*

13. Of the 210 records submitted, 26 records were unverifiable against existing registration and voting records; accordingly, that data was excluded from any further investigation, along with the other 26 verifiable records alleged to be associated with them (for a total exclusion of 52 records).

Phase Two Investigation: SEEC Records Review and Voter Contact

*Verified Records*

14. The remaining 158 verified records concerned instances in which potential duplicate registrations existed for the same individual in which a vote in the November 3, 2020 General Election was recorded for both registrations.

Registration Review

15. Commission investigators conducted a review of each of these 158 records and found a pattern of what appeared to be duplicate registrations created as a result of minor differences in elector data (e.g., married vs. maiden names, birth dates off, apartment numbers represented slightly differently).
16. The bulk of the duplicates involved Department of Motor Vehicles registrations of existing electors in which the system created a new, duplicate registration instead of updating an existing registration due to the aforementioned differences between the two.
17. Importantly, no patterns emerged of intentional and/or fraudulent creation of duplicate registrations by these electors.

Voting Review

18. After an interlocutory review of the investigation, the Commission made the determination to narrow the "Phase 2" inquiry of the remaining 158 verified records in the interest of

Commission resources and of seeking the best evidence as to whether there were provable instances of voting twice by the same person.

19. Of the remaining 158 verified records, 38 records involved votes in the November 3, 2020 General Election in which at least one of the two allegedly associated records indicated that an absentee ballot was utilized.
20. 120 of the verified records involved votes in the November 3, 2020 General Election in which both of the two allegedly associated records indicated that only in-person votes occurred.
21. Past and recent Commission matters have shown that a verifiable attempt to vote twice in the same election is far less likely to occur when no absentee ballot is involved.
22. While absentee ballot voting is potentially less secure than in-person voting, it produces a more verifiable paper trail (including two instances in which the elector must write their signature under criminal penalties) as to whether the person cast the ballot, compared to in-person votes, which are more subject to recording errors by elections officials.
23. Past Commission matters have shown that the likelihood of an elector voting in-person twice in the same polling place is extremely low. The Commission's past matters are devoid of a single instance in which an elector was found to have voted twice in the same election at the same polling place under two different registrations.
24. One analogous matter involved an elector who was mistakenly handed two ballots in a referendum and voted them both.<sup>2</sup>
25. The sole instance of an elector voting in-person twice at the same election involved an elector who, due to an error by an election official and a misunderstanding of the rules concerning voting by non-electors, voted twice in two different municipalities in which he owned homes.<sup>3</sup>

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<sup>2</sup> See *In the Matter of a Referral by the Colchester Registrars of Voters*, File No. 2014-070 (\$500 civil penalty to elector who voted two ballots that had been given to her in error due to being stuck together; commission found that elector knew that she had voted twice and knew or should have known that this was impermissible)

<sup>3</sup> See *In the Matter of a Referral by the Greenwich Registrars of Voters*, File No. 2013-007 (Elector voted twice in the municipal elections of two different towns in which he owned and occupied residential homes; election official error led to registrations in both towns and the elector's incorrect understanding of the breadth of the property owner provisions in General Statutes § 9-369d; agreement to henceforth comply and no civil penalty)

26. The above two matters aside, 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.<sup>4</sup>
27. In at least one matter, the Commission found that the allegation of a double vote by the same individual using two registrations was in fact two entirely separate individuals with similar names.<sup>5</sup>
28. Additionally, the Commission notes that it has in the past limited investigations of this type where broad-spectrum impermissible voting has been alleged through a review of CVRS data.
29. *In the Matter of a Referral by the Secretary of the State*, File No. 2008-049 concerned the results of a review by the University of Connecticut (hereinafter the "UCONN study") regarding the accuracy of voter lists and possible election law violations by local officials. The article alleged that individuals who were UConn's research reported as deceased had also been listed as having voted after their apparent date of death. The UConn Study found 8,558 electors on the voting rolls who were allegedly deceased. 329 of these electors were reported to have cast a ballot after death at least once between November 1994 and August 2007 for a total of 533 votes cast during that time period. The Secretary conducted her own review of the UConn data and found it to be unreliable, but in an abundance of caution referred the matter for an investigation by the Commission of the 329 "dead" electors that the study asserted voted 555 times in 80 different municipalities.
30. Given the reliability of the data and out of a concern for a drain on investigatory resources, the Commission in File No. 2008-049 narrowed the investigation to a review of 10% of the municipalities. The Commission's review did not find a single instance of a verifiable fraudulent in-person vote in its review. Instead, the Commission found a pattern of either incorrect designation of electors as deceased, improper cross-offs by official checkers, and/or erroneous data entry into CVRS after the election.

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<sup>4</sup> See, e.g., *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>5</sup> See *In the Matter of a Referral by East Hartford Registrar of Voters Stephen Watkins*, File No. 2017-035.