

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

In the Matter of a Complaint by Linda Szyrkowicz, Middletown

File No. 2021-054

**FINDINGS AND CONCLUSIONS**

Complainant, Linda Szyrkowicz, filed the instant complaint with the Commission pursuant to Connecticut General Statutes § 9-7b. The Complainant alleged that individuals that had not yet registered to vote were permitted cast ballots in the November 3, 2020 state election in violation of Connecticut Elections Law. The following are the Commission's findings of fact and conclusions of law:

1. Under Connecticut law, only registered voters may cast a ballot in a state election.
2. Specifically, General Statutes § 9-172 provides:<sup>1</sup>

At any regular or special state election any person may vote who was registered on the last-completed revised registry list of the town in which he offers to vote, and he shall vote in the district in which he was so registered; provided those persons may vote whose names are restored to the list under the provisions of section 9-42 or whose names are added on the last weekday before a regular election under the provisions of section 9-17. Each person so registered shall be permitted to vote if he is a bona fide resident of the town and political subdivision holding the election and has not lost his right by conviction of a disfranchising crime. Any person offering so to vote and being challenged as to his identity or residence shall, before he votes, prove his identity with the person on whose name he offers to vote or his bona fide residence in the town and political subdivision holding the election, as the case may be, by the testimony, under oath, of at least one other elector or by such other evidence as is acceptable to the moderator.

3. On or about March 30, 2021, Complainant filed a complaint with the Commission alleging that 5,742 individuals had been permitted to vote in the November 3, 2020 state election when they had not yet registered as voters until "days, weeks, or even months later."
4. In support of these allegations, Complainant attached to her complaint a 128-page spreadsheet containing the name and voter registration information of individuals Complainant claims were improperly permitted to vote in the November 3, 2020 state election.

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<sup>1</sup> In addition to the standard registration process Connecticut allows for individuals to register as voters and vote on election day under the election day registration procedures detailed in General Statutes § 9-19j.

5. Specifically, such spreadsheet contained the name, date of birth, voter registration number, and “privilege date” of each individual alleged to have voted in the November 3, 2020 election while not registered.
6. The fact that the “privilege date” for each of the listed voters was after the November 3, 2020 statewide election was the sole evidence provided by Complainant in support of her allegation voters cast a ballot when not registered.
7. Complainant claimed that this spreadsheet was a statewide voter file provided to her by the Secretary of the State’s office.
8. When Commission staff contacted the Secretary of the State’s office, a representative confirmed that Complainant had been provided with a voter file, but indicated that the document the Complainant provided to the Commission was in a different format than the document the Secretary of the State’s office had provided to the Complainant.
9. Nevertheless, a comparison of a sample of the records listed in the Complaint to Connecticut Voter Registration System (“CVRS”) records confirmed that the data contained in Complainant’s spreadsheet accurately reflected the data in CVRS.
10. However, as noted by the representative of the Secretary of the State, the CVRS data field entitled “privilege date” only represents the most recent date data concerning an individual’s registration has been updated. Importantly, it does not represent the date upon which an individual had become eligible to vote.
11. Despite this fact, Commission staff did independently investigate the allegations of the Complainant. This investigation involved a review of the complete CVRS voter file of individuals listed in the complaint; consultation with the Secretary of the State’s Office, a review of original voter registration materials provided by registrars of voters and interviews of relevant registrars.
12. The Commission investigation revealed no voters that cast a ballot in the November 3, 2020 state election without having first been registered.
13. Rather, the investigation revealed the voters listed in the complaint had registration histories predating the November 3, 2020 state election, and some had voter and registration histories dating back more than a decade.
14. Further examination of the voting history of most of these individuals revealed the “privilege date” that followed the November 3, 2020 state election related to the date that already registered voters had updated their registration information or to individuals who

had voted via election day registration, but whose data had not yet been fully updated in CVRS.

15. Again, in no instance, did Commission staff discover an individual who had cast a ballot in the November 3, 2020 state that had not first registered as a voter as required by law.
16. The Commission notes that, while significant Commission resources were required to definitively disprove the allegations contained in the complaint, Complainant could have avoided the waste of these resources if she had ascertained the meaning of the data she produced as evidence before filing the instant complaint.<sup>2 3</sup>
17. Accordingly, this matter should be dismissed.

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<sup>2</sup> The Commission further notes that its law enforcement functions are dependent upon citizens filing complaints with the Commission when they believe a violation of Connecticut's Elections Law has taken place. The Commission also appreciates that the average citizen is not expected to be an expert on election law or the mechanisms of election administration. However, the Commission would strongly encourage those who hold themselves out as authorities on election law investigations to inform themselves on both the facts and law of the complaints they file with the Commission to avoid the waste of the limited investigatory resources of the Commission.

<sup>3</sup> Both the Commission and the Secretary of the State have professionals tasked with answering the public's questions about election law, election administration, and campaign finance.

ORDER

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

That this matter be dismissed.

Adopted this 5<sup>th</sup> day of May, 2021 at Hartford, Connecticut.



Stephen T. Penny, Chairperson  
By Order of the Commission