

**STATE OF CONNECTICUT  
STATE ELECTIONS ENFORCEMENT COMMISSION**

In the Matter of a Complaint by Linda Szykowitz, Middletown

File No. 2021-087

**AGREEMENT CONTAINING CONSENT ORDER**

This Agreement by and between, Courtney Green, City of Stamford, State of Connecticut, hereinafter referred to as “Respondent”, and the undersigned authorized representative of the State Elections Enforcement Commission, is entered into in accordance with Connecticut General Statutes § 4-177 (c) and Regulations of Connecticut State Agencies § 9-7b-54. In accordance herewith, the parties agree that:

1. Complainant, Linda Szykowitz, filed the instant complaint with the Commission pursuant to Connecticut General Statutes § 9-7b. Complainant alleged that Respondent was permitted to vote in the November 3, 2020 state election despite his status as an incarcerated felon in violation of Connecticut Elections Law.
2. Under Connecticut law, an individual that is being held in custody or is on parole due to a conviction for a felony is not permitted to vote for or stand as a candidate for public office.
3. Specifically, General Statutes § 9-46 provides:
  - (a) *A person shall forfeit such person's right to become an elector and such person's privileges as an elector upon conviction of a felony and committal to the custody* of the Commissioner of Correction for confinement in a correctional institution or facility or a community residence, committal to confinement in a federal correctional institution or facility, or committal to the custody of the chief correctional official of any other state or a county of any other state for confinement in a correctional institution or facility or a community residence in such state or county.
  - (b) No person who has forfeited and not regained such person's privileges as an elector, as provided in section 9-46a, may be a candidate for or hold public office.  
[Emphasis added.]
4. It is important to note that the forfeiture of one’s rights as an elector after conviction is limited and such rights can be restored in Connecticut.

5. Regarding voter registration applications, General Statutes § 9-20 (a) provides:  
Each person who applies for admission as an elector in person to an admitting official shall, upon a form prescribed by the Secretary of the State and signed by the applicant, state under penalties of perjury, his name, bona fide residence by street and number, date of birth, whether he is a United States citizen, whether his privileges as an elector are forfeited by reason of conviction of crime, and whether he has previously been admitted as an elector in any town in this or any other state. Each such applicant shall present his birth certificate, drivers' license or Social Security card to the admitting official for inspection at the time of application. Notwithstanding the provisions of any special act or charter to the contrary, the application form shall also, in a manner prescribed by the Secretary of the State, provide for application for enrollment in any political party, including, on any such form printed on or after January 1, 2006, a list of the names of the major parties, as defined in section 9-372, as options for the applicant. The form shall indicate that such enrollment is not mandatory.
6. As detailed in the Agreement Containing a Consent Order for *In the Matter of a Complaint by Jeffrey Hall, Somers*, File No. 2015-003, individuals being held in custody for misdemeanors and those being held pretrial for felonies retain their rights as electors.
7. Similarly, once an individual has been released from confinement and parole and has paid all fines in conjunction with the conviction, such individual's rights to act as an elector and candidate for public office are restored. General Statutes § 9-46a.<sup>1</sup>

#### Facts After Investigation

8. On or about July 20, 2009 Respondent was convicted and sentenced to a term of incarceration after conviction for a felony.
9. On or about July 2009, Respondent's name was included on the list of names of newly disenfranchised individuals transmitted from the Department of Corrections to the Secretary of the State.

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<sup>1</sup> The Connecticut legislature amended this provision in Public Acts 2001, No. 01-11 to eliminate the requirement that those that had lost their rights as an elector due to confinement for a felony conviction be discharged from probation before their electoral privileges could be restored.

10. On or about September 21, 2020, Respondent signed and submitted a voter registration application and an absentee ballot application regarding the November 3, 2020 election to the Stamford Town Clerk.
11. On or about October 6, 2020, the Stamford Town Clerk issued an absentee ballot set to Respondent.
12. Respondent did not vote the absentee ballot set for the November 3, 2020, general election.

#### Legal Analysis

13. The Commission finds that Respondent was incarcerated for a felony at the time of the November 3, 2020 general election and consequently was not eligible to vote.
14. The Commission further finds that Respondent did not vote in an election in which he was not eligible to vote pursuant to General Statutes § 9-46 (a).
15. The Commission concludes that Respondent did not violate General Statutes § 9-46 (a) and this allegation is dismissed.
16. The Commission finds that on or about September 21, 2020, Respondent signed and submitted a voter registration application and an absentee ballot application regarding the November 3, 2020 election to the Stamford Town Clerk.
17. The Commission further finds that Respondent failed to disclose on the aforementioned voter registration application that his privileges as an elector were forfeited by reason of conviction, as required by General Statutes § 9-20 (a).
18. The Commission concludes therefore that Respondent, by making an application to register to vote while his privileges were forfeited by reasons of conviction of a felony, violated General Statutes § 9-20 (a).
19. The Respondent admits all jurisdictional facts and concurs that this Agreement and Order shall have the same force and effect as a final decision and Order entered after a full hearing and shall become final when adopted by the Commission. The Respondent shall receive a copy hereof as provided in Section 9-7b-56 of the Regulations of Connecticut State Agencies.
20. The Respondent waives:
  - a. Any further procedural steps;

- b. The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law, separately stated; and
- c. All rights to seek judicial review or otherwise to challenge or contest the validity of the Order entered into pursuant to this Agreement.

25. It is understood and agreed that this Agreement will be submitted to the Commission for consideration at its next meeting and, if the Commission does not accept it, it is withdrawn and may not be used as an admission by either of the parties in any subsequent hearing, if the same becomes necessary.

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ORDER

IT IS HEREBY ORDERED that the Respondent shall henceforth strictly comply with General Statutes § 9-20 (a).

IT IS FURTHER ORDERED that the Respondent shall pay a civil penalty of \$500.00; and that such penalty is remitted due to the incarceration of the Respondent.

The Respondent

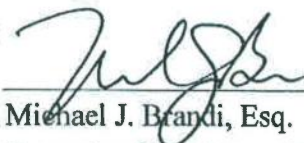
For the State of Connecticut

By:



Courtney Green  
10 Amelia Place  
Stamford, Connecticut

By:



Michael J. Brandi, Esq.  
Executive Director and General Counsel  
And Authorized Representative of the  
State Elections Enforcement Commission  
20 Trinity Street, Suite 101  
Hartford, Connecticut

Dated:

February 17, 2022

Dated:

2/24/2022

Adopted this 24 day of March, 2022 at Hartford, Connecticut by vote of the Commission.



Stephen T. Penny, Chairman  
By Order of the Commission