

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Referral by Town Clerk Sara-Ann Chaine,
Mansfield

File No. 2021-127

FINDINGS AND CONCLUSIONS

This referral was made by Mansfield Town Clerk Sara-Ann Chaine regarding potential inconsistencies in signatures on voter registration applications of Maxine J. Smith made regarding a change of address from Mansfield to the Town of Lebanon in the weeks prior to the November 3, 2020 election. After an investigation of the complaint, the Commission makes the following findings and conclusions:

1. Town Clerk Chaine alleges that there were inconsistencies in signatures on an absentee ballot application, an absentee ballot outer envelope and voter registration applications in Mansfield and Lebanon in the name of Maxine J. Smith in the weeks prior to the November 3, 2020 election.
2. At all relevant times Maxine Smith was a resident at Mansfield Center for Nursing (MCNR). In the course of the investigation, it was determined that Ms. Smith died on February 24, 2021.
3. General Statutes § 9-357 provides:
Any person who fraudulently procures himself or another to be registered as an elector shall be fined not more than five hundred dollars or imprisoned not more than one year or be both fined and imprisoned.
4. General Statutes § 9-360, provides:
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.

5. After investigation, the Commission determines that the signatures on the Mansfield voter registration application dated October 9, 2020 and the October 20, 2020 voter registration application submitted to Lebanon, and used for a change of address, each made in the name of Maxine J. Smith, appear to be different. Neither signature field indicates that the applicant was assisted by another individual in its completion.
6. The Commission, after investigation, finds that the staff and employees of the MCNR indicated that they provided assistance to Ms. Smith regarding an absentee ballot and voter registration applications prior to the November 3, 2020. Statements and MCNR records confirmed the assistance requested by, and provided to, Ms. Smith regarding voting and registering.
7. A connection between MCNR and/or its employees and the voter registration applications that gave rise to this referral was not established by the facts after investigation.
8. Additionally, the Commission interviewed Ms. Smith's daughter Natalie Roy regarding the circumstances in this matter, based on this referral. Ms. Roy was not named as a potential Respondent in this matter and the referral did not specifically allege her involvement with the underlying matters.
9. The Commission finds, after investigation, that Ms. Roy did not provide facts or information that resulted in establishing the identity of the individual that may have assisted Ms. Smith regarding the voter registration applications submitted to Mansfield and Lebanon in the weeks prior to the November 3, 2020 election.
10. Finally, the Commission finds that because Ms. Smith is now deceased, the lack of a primary witness to the events that gave rise to this referral forecloses the likelihood of determining if elections laws were violated in this instance.
11. The Commission, for the reasons detailed herein, and based on these narrow and specific circumstances, determines that no further action is warranted in this matter.

ORDER

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

That Commission takes no further action.

Adopted this 15th day of March, 2023 at Hartford, Connecticut.



Stephen T. Penny, Chairman
By Order of the Commission