

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

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

File No. 2022-018

FINDINGS AND CONCLUSIONS

The referring official in this matter alleged that her records showed that Theresa Molligi of Newtown had voted in two municipalities during the November 2020 election. After its investigation, the Commission makes the following findings and conclusions:

1. The referring official alleges that her records show that Respondent, Theresa Molligi, cast two ballots in the November 2020 election: one in Brookfield and a second ballot in Naugatuck, where she was previously registered.
2. 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.
3. General Statutes § 9-7b (a)(1) authorizes the Commission to investigate “alleged violations of any provision of the general statutes relating to any election or referendum.”
4. The referring official here provided documentation from the Connecticut Voter Registration System regarding Respondent Molligi voter registration history. On March 8, 2022, the Newtown registrar of voters’ office updated Respondent Molligi’s voter registration to register her to vote in Sandy Hook.
5. According to voting records, Respondent Molligi had previously been registered to vote in Brookfield. According to a voter registration card completed by Respondent Molligi, she was registered in Brookfield under the name “Theresa Tempestilli.”

6. When updating Respondent Molligi's voter registration, the Newtown registrars noticed that Respondent had also been registered to vote previously as "Theresa Tempestilli" in Naugatuck. Under that name, according to voting records provided to the Commission by the Newtown Registrar of Voters that were found in the Connecticut Voter Registration System, Respondent was shown as having voted in Naugatuck on November 3, 2020.
7. According to documents also provided by the referring official, Respondent was also shown as having voted in Brookfield in the November 3, 2020 election.
8. The Newtown Registrar of Voters referred this matter to the Commission on the belief that Respondent Molligi had voted in Brookfield and may have also voted in Naugatuck under her prior name, based on information contained in the Connecticut Voter Registration System.
9. The Connecticut Voter Registration System (CVRS), according to users' manuals drafted for registrars and town clerks, is an online voter registration system, which attempts to standardize and centralize the registration of voters throughout Connecticut thereby decreasing voter fraud by identifying and eliminating duplicate entries in the voter registries.
10. When receiving voter registration cards from potential electors, officials enter the registration information into the CVRS database via a web-based interface. Officials also enter voting history documentation into the system after an election event.
11. Commission investigators obtained information from the Naugatuck Registrar of Voters showing that although "Theresa Tempestilli" erroneously remained on Naugatuck's active voter list in November 2020, she was not marked as having voted in that election.
12. According to the Naugatuck registrar's office, an error occurred when entering individuals who had voted in the November 3, 2020 election into the Connecticut Voter Registration System and Respondent Molligi was entered as having voted in Naugatuck.
13. The official checker list from the November 3, 2020 election in Naugatuck shows that "Theresa Tempestilli" was not marked as having voted in that election.
14. The Naugatuck registrar of voters has removed "Theresa Tempestilli" from the active voter list.

15. The Commission concludes that Respondent did not vote twice during the November 3, 2020 election and that her prior name was inadvertently marked as having voted in Naugatuck when data was entered into the Connecticut Voter Registration System.
16. The Commission considers double voting an egregious offense and acknowledges that use of online data to catch potential violators is extremely useful. The Commission, however, urges voting officials also to check paper records so that simple clerical errors such as the one exemplified in this case can be rectified without the need for a Commission investigation.

ORDER

The following Order is recommended based on the findings stated above:

That the Complaint be dismissed.

Adopted this 26th day of April 2022, at Hartford, Connecticut.



Stephen Penny, Chairman
By Order of the Commission