

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

In the Matter of a Referral by Margaret S. Cawley and Karen O. Linehan, File No. 2017-010  
Stonington Registrars of Voters

**COMMISSION DECISION**

Complainants, the Stonington Registrars of Voters, filed this complaint alleging that Austin Chambers (hereinafter “Respondent”) voted twice at the November 8, 2016 election. Specifically, Complainants alleged that Respondent voted by absentee ballot in Connecticut and then voted in-person in Florida.

1. By way of background, according to Complainants, Respondent informed the Stonington Town Clerk, after completing his absentee ballot application and voting absentee ballot, that he was on his way to Florida and that maybe he should wait and vote there since his vote would “count” more.
2. Complainants indicated that Respondent was informed by the town officials at that time that he could only vote in one state and instructed him to withdraw his ballot in Stonington if he decided to vote in Florida.
3. Subsequently, Complainants asserted that they confirmed with the State of Florida after the November 8, 2016 election that Respondent voted in-person in Florida. Complainants provided election day records that show that Respondent never withdrew his absentee ballot in Stonington and that his name was marked with an “A” on the election day checkers’ lists as having voted by absentee ballot.

*Procedural Background*

4. The Commission at its September 20, 2017 regular monthly Commission meeting agreed by motion to refer this matter to the Chief State’s Attorney, pursuant to its authority in General Statutes § 9-7b (a) (8). Respondent in this matter was referred based on evidence that he voted twice at the November 8, 2016 Presidential election; once in Florida in-person and once in Connecticut by absentee ballot. The office of CSA informed the Commission at the end of May 2021 that the CSA would not be prosecuting Respondent.

5. The Commission at its September 7, 2022 meeting authorized a notice of public hearing and assigned a hearing officer to this matter.

*Facts and Legal Analysis*

6. 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.

7. Records from Connecticut and Florida indicate that Respondent voted twice in the same federal election on November 8, 2016 election. Further, the investigation revealed that Respondent was informed and was aware of the requirement in Connecticut to withdraw his absentee ballot in Stonington if he was able to vote in person at that election.
8. Respondent was warned by municipal election officials of that fact after completing his absentee ballot application for the November 8, 2016 election and executing his absentee ballot in Stonington. Further, in the course of this investigation, Respondent admitted that he knew that voting twice in the same election was not permitted.
9. The Stonington Official Voter List for State District 003 for the November 8, 2016 election includes an "A" next to Respondent's name, which indicates that Respondent voted in the November 8, 2016 presidential election in Stonington by absentee ballot. Further, records from the State of Florida indicate that Respondent voted in-person at the Pinellas County, Precinct 303.1 polling place at the November 8, 2016 election. The following is the confirmed relevant voting history for Respondent regarding this referral:

- (1) Connecticut, 317 Flanders Road, Stonington, “Active,” Last Voted: 11/08/2016; and,
- (2) Florida, 9089 46th Avenue N., St. Petersburg, “Active,” Last Voted: 11/08/2016.

10. After the Commission issued a notice of public hearing on September 7, 2022, Commission staff determined that Respondent is not registered to vote in Connecticut and that Respondent no longer resides in Connecticut. Further, Commission staff determined that Respondent resides in Florida.

11. The Commission finds that following elements, when considered cumulatively, support the conclusion that the Respondent exhibited an intent to double vote at the same election under these circumstances as follows;

- On his Florida Voter Registration Application, Respondent, left the data field “Address where you were last registered” blank.
- Respondent registered electronically in Florida on April 26, 2016.
- Respondent registered to vote in Florida (by paper voter registration application) on October 13, 2016 (the same day Respondent completed his absentee ballot application in Connecticut).

#### *Conclusion*

12. In this instance, because Respondent expressed his intent to double vote in the office of the Stonington Town Clerk, and then proceeded to do so, by also voting in Florida at the November 2016 election, the Commission determines that Respondent expressed the intent to double vote.

13. The Commission, based on the Respondent’s residing outside of the State of Connecticut, determines to postpone the hearing authorized on September 7, 2022.

14. Further, the Commission administratively closes this matter without prejudice; such that should the Respondent avail himself to the Commission’s jurisdiction, it reserves the right to reopen this matter.

15. The Commission will forward this disposition to appropriate county and state authorities in the State of Florida.

**ORDER**

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

This matter is administratively closed without prejudice; and, the Commission reserves the right to reopen this matter and conduct a hearing should Respondent avail himself to the Commission's jurisdiction.

Adopted this 10<sup>th</sup> day of February, 2023 at Hartford, Connecticut.



Stephen Penny, Chairman  
By Order of the Commission