

STATE OF CONNECTICUT
STATE ELECTIONS ENFORCEMENT COMMISSION

In the Matter of a Complaint by Linda Dalessio, Wolcott

File No. 2023-003

FINDINGS AND CONCLUSIONS

In essence, the Complainant alleges that the Office of the Secretary of State has failed to maintain the voter registration rolls in the State of Connecticut because inaccurate voter registration information is present in the voter registration rolls across the State of Connecticut. After an investigation of the complaint, the Commission makes the following findings and conclusions:¹

1. The complaint states:

“A citizen’s group in Connecticut, set out to Audit [sic] the Federal [sic] election of November of 2020 due to the widespread use of absentee ballots. We obtained the voters Roll [sic] list from the Secretary of the State’s Office. Through publicly Available [sic] data, we canvassed the voter Rolls [sic] using in person canvassing and computer data involving social media, property tax records of sale of real estate property and registration of motor vehicles...Our group Asks [sic] that the SEEC, look at the data that we have gathered and investigate if these errors occurred.”

2. The Commission takes all complaints filed with the agency seriously and a thorough investigation was undertaken to evaluate the validity of the claims involved in the complaint that gave rise to this matter.
3. The Complainant identified former Director of Elections Theodore Bromley, Chief of Staff and Chief Legal Counsel Gabe Rosenberg of the Office of the Secretary of State, and Secretary of State Stephanie Thomas as Respondents in this matter. The Commission named these individuals as potential Respondents in the docketing of this matter.

¹ The following are the Commission's findings and conclusions based on those portions of the Complainant's statement of complaint which the Commission could reasonably construe as alleging facts to raise the Commission's jurisdiction pursuant to General Statutes § 9-7b.

Applicable Law

4. General Statutes § 9-7b (a) (3) (E) provides the Commission with the following power:
To issue an order following the commission's determination of the right of an individual to be or remain an elector when such determination is made (i) pursuant to an appeal taken to the commission from a decision of the registrars of voters or board of admission of electors under section 9-311, or (ii) following the commission's investigation pursuant to subdivision (1) of this subsection.

5. General Statutes § 9-12, provides in pertinent part:
 - (a) Each citizen of the United States who has attained the age of eighteen years, and who is a bona fide resident of the town to which the citizen applies for admission as an elector shall, on approval by the registrars of voters or town clerk of the town of residence of such citizen, as prescribed by law, be an elector, except as provided in subsection (b) of this section...

6. General Statutes § 9-38, provides in pertinent part:

The registrars of voters in all towns shall produce a final registry list in accordance with the provisions of section 9-37 and certified by such registrars of voters to be correct. Such final registry list and an updated list that contains the names and addresses of electors to be transferred, restored or added to such list, shall be available in the municipal clerk's office not later than the day following the last day that an elector may make changes to the elector's registration and shall be available in the registrars of voters' office for public inspection...

7. General Statutes § 9-40a, provides in pertinent part:
 - (a) No person shall be deemed to have lost his residence in any municipality for purposes of qualification as an elector by reason of his absence therefrom in the service of this state or of the United States, including service in the armed forces or their auxiliaries, nor shall the spouse or dependent of any such person be deemed to have lost his residence in any municipality for such purpose by reason of such absence therefrom; provided such person, except one in the service of the armed forces of the United States or any auxiliary thereof, or his spouse or dependent, shall make written application for continuance on the registry list before each state election. No person shall be deemed to have lost such residence in any municipality by

reason of his absence therefrom because of imprisonment on conviction of crime.

- (b) Not later than May first in each year in which a canvass of electors is conducted, the registrars of voters shall send the notice of removal and return card required by the National Voter Registration Act of 1993, P.L. 103-31, as amended from time to time, to each member of the armed forces of the United States or their auxiliaries, or a spouse or dependent of such member, whose name has not been checked as having voted in at least one election, primary, referendum or town meeting during the four preceding calendar years. If such elector does not return the card within thirty days, the registrars of voters shall place the name of such elector on the inactive registry list compiled under section 9-35 for four years, and if such name remains on the inactive list for four years, such name shall thereupon be removed from the registry list. Such removal shall not affect the right of such member, spouse or dependent to apply for admission as an elector in such town.

8. General Statutes § 9-50a provides:

The registrars of voters of each town shall compile a list of (1) all persons whose names were added, restored, removed or erased from the active and inactive registry lists, (2) all electors who changed either their names or addresses, and (3) all persons sent notices required under the National Voter Registration Act of 1993, P.L. 103-31, as amended from time to time, and all persons who have replied to such notices. Such list shall include, but not be limited to, each such person's or elector's (A) name, (B) former name, (C) address, (D) former address, (E) voting district, and (F) party affiliation, if any. The registrars shall make each such list available to the public in accordance with the provisions of section 1-210.

9. General Statutes § 9-50b provides:

- (a) As used in this section, "state-wide centralized voter registration system" means a computerized system designed and maintained by the Secretary of the State which includes: (1) Voter registration information prescribed by the Secretary, (2) information contained in applications for admission as electors described in section 9-20, (3) information needed to compile registry lists and enrollment lists under sections 9-35 and 9-54, (4) information required by section 9-50a, and

- (5) other information for use in complying with the provisions of this title.
- (b) Not later than July 1, 2003, each registrar of voters shall transmit to the office of the Secretary of the State all elector information required by the office to complete the state-wide centralized voter registration system. Each registrar shall transmit such information in a format prescribed by the Secretary. Not later than September 1, 2003, each registrar of voters shall participate in the state-wide centralized voter registration system in the manner prescribed by the Secretary.
- (c) Not later than sixty days after each election or primary, the registrars of voters shall update the state-wide centralized voter registration system and indicate whether the eligible voters on the official registry list for such election or primary voted and, if so, if they voted in person on the day of such election or primary, in person during the period of early voting at such election or primary or by absentee ballot.

10. 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...

Facts Found After an Investigation

- 11. The complaint included eight volumes of evidence. Each volume contained several affidavits, contact sheets, and supporting documentation. The data was comprised of tax records, property records, and information from free search engine databases. Each affidavit had the boilerplate language to the effect of “the individual did not live at the registered address during the 11-3-2020 election.” In determining the validity of the data provided with the complaint, the investigation revealed that the information that was derived from free search engines was at times unvetted, outdated, and inaccurate.
- 12. The attached information to the complaint identified over 500 individuals. The investigation compared the land record information contained in the geographic information system databases of the corresponding town for which the individuals resided to the voter

registration information contained in the Connecticut Voter Registration System to determine whether an elector should remain on the voter registration rolls.

13. The investigation revealed that 212 electors need to be removed from the voter registration rolls because the evidence suggests that the electors may not reside at the address where they are registered to vote. Further, the investigation revealed that most of the outdated voter registrations have since been placed on “Inactive” status, “Off” status, or updated to “Active.” Pursuant to General Statutes § 9-40a (b), as part of the normal yearly canvas done by Registrars of Voters, most of the “Inactive” and “Off” voter registrations were the result of the National Change of Address forms mailed to voters not being returned.
14. During the investigation, it was determined that Vanessa Rossello had a duplicate registration and therefore may have voted twice in Connecticut during the November 3, 2020, election. In response to the Commission’s inquiry into the situation, Registrar of Voters Janice Thurlow for the Town of Killingly stated:

“Vanessa Rossello was a registered voter in the Town of Killingly, through researching this matter it appears she subsequently moved to Norwich in which by reviewing her CVRS History she was registered to vote in Norwich, however Norwich for what ever [*sic*] reason did not ‘pull’ her voter information from Killingly, or did not see that she was already registered to vote in another town, thus creating a duplicate voter. Which we only discovered in doing this investigation. In reviewing the Election history it appears that she voted or was having marked as voted in Norwich and absentee in Killingly on the November 3, 2020 election. We reviewed our official checker list and found that she did not vote in that election because her name was not crossed off or marked as having voted absentee in that election in Killingly. We did however review the official voter list for that election and found that the person directly below her name on the official voter list, [S.] Bedard, voted absentee and when we looked into [S.] Bedard’s voter history that election was not noted. I am the Registrar that entered the [information on] who voted that year and I can only make the assumption that when I was entering the [information on] who voted I unintentionally [*sic*] checked off the wrong person as the person directly below [Vanessa] Rossello voted absentee but does not show a voter history as having voted in that election. The CVRS list is very long and a Presidential is very tedious to enter. We do not have poll books in Killingly so the who voted task is done manually.”

15. The appropriate corrections to the voting histories of the individuals involved in the incident were made by Registrar of Voters Thurlow.
16. On March 28, 2023, in response to the Commission's inquiry, Respondent Rosenberg stated:

“Dr. Dalessio obtained a copy of the Connecticut Voter Registration System (“CVRS”) disc. The CVRS database is a live database that is constantly updated by Registrars in 169 municipalities based on new voter registrations and changes of address notifications that they receive... The Office of the Secretary of the State is not a proper party to this complaint as the Secretary does not make any updates to the voter roll data in CVRS.”

Analysis and Conclusion

I. The investigation revealed that there were not any incidents of double voting.

17. The Commission finds the appearance of a potential double vote in the voting records was caused by data entry error from the Registrar of Voters for the Town of Killingly and that Vanessa Rossello did not vote twice during the November 3, 2020, election in the State of Connecticut.
18. The Commission concludes that Vanessa Rossello did not violate General Statutes § 9-360; and therefore, dismisses the allegation.

II. Voting registration information is systematically updated.

19. The Commission finds the investigation revealed, through searches of individual names in the Connecticut Voter Registration System, that most of the outdated voter registrations have since been placed on “Inactive” status, “Off” status, or updated to “Active,” and voters updated their voter registration information by (1) going to the Office of the Registrars of Voters, (2) utilizing online registration, or (3) interacting with the Department of Motor Vehicle interface, which can ask a customer if they want to register to vote.
20. The Commission concludes, during this investigation and since this complaint has been filed, certain individuals have updated their voter registration information. The Commission shall take no further action against these individuals identified by the investigation as having taken such corrective action.

21. Because the investigation has identified individuals who do not reside at the address where they are registered to vote, pursuant to General Statutes § 9-7b (a) (3) (E), the Commission shall issue letters to the respective Registrar of Voters ordering removal of individuals who are registered at addresses where they no longer reside and requesting the respective Registrar of Voters issue instructions to the individuals removed from the voter registration rolls on how to register to vote.
22. Moreover, despite the mistaken belief held by some electors that one must vote from one's old address or from the address that appears on one's license, this disposition will serve as a reminder to electors to update their voter registration information when their "dwelling unit" changes, and to vote at the polling location associated with the elector's new "dwelling unit."²

III. There is no liability for the identified potential Respondents.

23. The Commission determines that, pursuant to General Statutes § 9-38, Registrars of Voters are required to "produce a final registry list...and certified by such registrars of voters to be correct;" pursuant to General Statute § 9-50a, Registrars of Voters are responsible for "compil[ing] a list of (1) all persons whose names were added, restored, removed or erased from the active and inactive registry lists, (2) all electors who changed either their names or addresses, and (3) all persons sent notices required under the National Voter Registration Act of 1993...and all persons who have replied to such notices."
24. The Commission determines that, pursuant to General Statutes § 9-40a (b), if electors did not comply with the provisions of the statutes, the Registrars of Voters shall place the names of the electors on "the inactive registry list compiled under section 9-35."
25. The Commission determines that, pursuant to General Statutes §9-50b, and as described in subsection (b), the Office of the Secretary of the State established the Connecticut Voter Registration System, and the Registrars of Voters are required to give their voter registration rolls to the Office of the Secretary of the State.

² *In the Matter of a Complaint by Patricia Imperatore, Branford, File No. 2023-004* (explaining, within the meaning of General Statutes § 9-12, "a 'dwelling unit' is a person's 'true, fixed, and principal home to which he or she, whenever transiently relocated, has a genuine intent to return,' or, in other words, 'where the individual rests his or her head at night' with a genuine intent to return").

26. The Commission concludes that the statutory scheme of the General Statutes, including, but not limited to, § 9-38, § 9-40a, § 9-50a, and § 9-50b, places the duty to maintain the voter rolls on the Registrars of Voters for a given municipality, and that the Office of the Secretary of the State is not required to modify voter registration information as reflected on the voter rolls in the Connecticut Voter Registration System.
27. The Commission concludes, for the reasons detailed herein, that a dismissal of the complaint against all identified potential Respondents is appropriate, as the allegations against them are not supported by the facts or the law.

ORDER

The following Order is issued based on the aforementioned findings and conclusions:

IT IS HEREBY ORDERED that this matter is dismissed as against former Director of Elections Theodore Bromley, Chief of Staff and Chief Legal Counsel Gabe Rosenburg of the Office of the Secretary of State, Secretary of State Stephanie Thomas and Vanessa Rossello;

IT IS FURTHER HEREBY ORDERED that the Commission shall take no further action against the individuals who are registered where they no longer reside, apart from their removal from the respective voter registration rolls; and,

IT IS FURTHER HEREBY ORDERED that letters shall issue to the respective Registrar of Voters ordering removal of individuals who are registered where they no longer reside pursuant to General Statutes § 9-7b (a) (3) (E) and requesting the respective Registrar of Voters issue instructions to the individuals removed from the voter registration rolls on how to register to vote.

Adopted this 20th day of December, 2023 at Hartford, Connecticut.



Stephen T. Penny, Chairman
By Order of the Commission