



DENISE W. MERRILL
SECRETARY OF THE STATE
CONNECTICUT

April 25, 2014

Michael J. Brandi, Esq.
Executive Director and General Counsel
State Elections Enforcement Commission
20 Trinity Street
Hartford, CT 06106

Dear Attorney Brandi:

Pursuant to Connecticut General Statutes §9-7b(a)(1)¹, we are filing this statement with your agency regarding actions apparently taken by Paolo A. DeFelice in the City of New Britain on or about November 5, 2013 in connection with the municipal election that may constitute violations of Connecticut General Statutes §9-357² and §9-358³.

A referral concerning Mr. DeFelice's actions on November 5, 2013 was made to your office on or about November 22, 2013 regarding his attempt to vote twice on Election Day by attempting to vote in Berlin in addition to New Britain, where he actually voted. Though your office declined to investigate the matter further, citing a lack of specific statutory authority governing an attempt, a letter from Attorney William B. Smith states that the commission will keep the referral on file "...should there be future potential violations by this individual." Accordingly,

¹ General Statutes Sec. 9-7b(a)(1) in pertinent part provides: "(a) The State Elections Enforcement Commission shall have the following duties and powers: (1) To make investigations on its own initiative or with respect to statements filed with the commission by the Secretary of the State . . . with respect to alleged violations of any provision of the general statutes relating to any election"

² General Statutes §9-357 in pertinent part 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.

³ General Statutes §9-358 in pertinent part provides:

Any person who, upon oath or affirmation, legally administered, wilfully and corruptly testifies or affirms, before any registrar of voters, any moderator of any election, primary or referendum, any board for admission of electors or the State Elections Enforcement Commission, falsely, to any material fact concerning the identity, age, residence or other qualifications of any person whose right to be registered or admitted as an elector or to vote at any election, primary or referendum is being passed upon and decided, shall be guilty of a class D felony and shall be disfranchised.

this letter provides further information that recently came to light in a news report on NBC 30 suggesting that Mr. DeFelice may not have resided at the address he used to register to vote in New Britain on November 5, 2013. On that date, Paolo A. DeFelice changed his voter registration name and address from Paolo A. DeFelice of 668 Norton Road, Berlin, CT 06037-2930 to Paul A. DeFelice of 222 Rocky Hill Avenue, New Britain, CT 06051-3718. Enclosed you will find a print out from the voter information system showing these changes and the dates. Additionally, you will note that Mr. DeFelice had been voting as Paolo A. DeFelice since 2008 in Berlin, CT until November 5, 2013.

To supplement the foregoing facts, we enclose the following documents:

- (1) Election Day Registration SEEC referral/form dated November 22, 2013 detailing actions of Paolo DeFelice from Berlin, CT, on November 5, 2013.
- (2) Letter from State Elections Enforcement Commission regarding Paolo DeFelice dated December 10, 2013.
- (3) Connecticut Voter Registration System report of Paolo DeFelice.
- (4) Property listing of 222 Rocky Hill Avenue, New Britain, CT.
- (5) Land record of sale of 222 Rocky Hill Avenue, New Britain, CT dated November 22, 2013.
- (6) Copy of DeFelice, LLC filing information.
- (7) Town of Berlin Property Listing Report for 668 Norton Road, Berlin, CT.
- (8) Town of Berlin property tax payments of DeFelice in 2013.
- (9) Posted Facebook message dated November 11, 2013 from Mr. DeFelice to Facebook page of New Britain Mayor, Erin Stewart.

As Commissioner of Elections, I feel compelled to bring this additional information to your attention so that you may take any appropriate action that you feel is required pursuant to your statutory authority. Should you have any questions, please contact our office at (860) 509-6100.

Sincerely,



Denise Merrill
Secretary of the State

Enclosures