

ACLU REPORT

Documents From Secretary of State's Office Show No Evidence of Out-of-State Drive-By Voter Fraud

June 11, 2015

I. What The Documents Demonstrate

- In April 2015, the ACLU requested from the Office of the Secretary of State, among other things, all documents—including emails and communications—concerning incidents of actual or potential voting fraud consisting of an individual voting in a NH municipality where he or she is not domiciled from January 1, 2000 to the present.
- In response, the Secretary of State's Office produced only 26 pages of documents from the last 15 years. And, in these documents, there was no tangible evidence presented of "drive-by" voting actually occurring in New Hampshire.
- Indeed, the Secretary of State's documents consisted of only four cases where people were alleged to have voted in a place where they did not live, none of which consisted of an out-of-state voter voting in New Hampshire. Two of these cases were deemed not fraudulent or inconclusive by the Attorney General's Office. Two other cases were deemed unlawful by the Attorney General's Office, consisting of (i) a New Hampshire person voting in Dover when his domicile was in Rochester during the 2004 general election, and (ii) a New Hampshire person voting in both Litchfield and Hudson during the March 2010 town elections.
- What this analysis demonstrates is that—though over **4,454,752¹** votes have been cast in New Hampshire since 2000—the Secretary of State's Office has failed to document a single case of an out-of-state voter illegally voting in a New Hampshire election. And, even if there were a handful of fraudulent incidents—which there are not—it would pale in comparison to the well over 4 million votes cast in New Hampshire during the last 15 years.

¹ Below are the vote totals for general and midterm elections since 2000:

- 2000 (for president): 569,081
- 2002 (for governor): 442,976
- 2004 (for president): 677,662
- 2006 (for governor): 403,679
- 2008 (for president): 707,611
- 2010 (for governor): 456,588
- 2012 (for president): 710,972
- 2014 (for governor): 486,183

II. The Secretary of State's Public Statements on "Drive-By" Voter Fraud Are Without Foundation

- In public hearings, the only evidence of alleged "drive-by" voter fraud proffered by the Secretary of State's Office has been the fact that the Secretary of State's Office has, following the 2012 and 2014 general elections, received "undeliverable" notices from the post office following that Office's submission of letters to those who filled out (i) the domicile affidavit on the registration form or (ii) a qualified voter affidavit because they declined to present identification while voting. The Secretary of State's Office has also complained that some voters who filled out qualified voter affidavits have declined to send postcards to the Secretary of State's Office confirming their identities.²
- But the Secretary of State's Office has not shown that any of these instances consist of "drive-by" voter fraud. As is obvious, individuals may have moved after the election—thereby, making the letter undeliverable—and qualified voters may decline to send the postcard for multiple reasons, including because of inadvertence or because they object to New Hampshire's voter identification law.³
- As further evidence of the complete lack of foundation in the Secretary of State's reliance on these figures from the 2012 and 2014 general elections to "show" voter fraud, one need look no further than the 2009 report prepared by the Attorney General's Office concerning the 10 individuals who registered to vote without proper identification during the day of the 2008 New Hampshire general election, but whose identities could not be confirmed through verification letters because the letters came back as "undeliverable."⁴ In the Office of the Attorney General's investigation of these ten cases, not one constituted voter fraud. As the Attorney General's Office stated in its conclusion: "The evidence shows that the above ten New Hampshire persons registered and voted in New Hampshire's 2008 general Election in conformance with New Hampshire law."

For more information, feel free to contact Gilles Bissonnette, Legal Director, gilles@aclu-nh.org, 603-224-5591.

² During the 2012 general election cycle, the Secretary of State claims that it sent 13,939 letters to those who filled out domicile affidavits in the registration form, with 1,193 coming back as undeliverable. During that election, that Office claims that it also sent letters to 5,609 individuals who filled out challenged voter affidavits to vote in the general election, with (i) 374 coming back as undeliverable and (ii) 1,698 declining to return a postcard in response to the letters. That Office claims that it also sent letters to 2,629 individuals who filled out qualified voter affidavits during the 2012 primary and general election itself, with (i) 210 coming back as undeliverable and (ii) 1,270 declining to return a postcard in response to the letters. See Shawne Wickham, "Checking voter residence affidavits a slog for New Hampshire investigators," *Union Leader*, Oct. 25, 2014, available at <http://www.unionleader.com/article/20141026/NEWS06/141029247/0/SEARCH>. During the 2014 general election, the Secretary of State claims that it sent 2,983 letters to those who filled out domicile affidavits in the registration form, with 154 coming back as undeliverable.

³ See Shawne Wickham, "Checking voter residence affidavits a slog for New Hampshire investigators," *Union Leader*, Oct. 25, 2014 (Attorney General's Office noting that "[s]ome of those who did not return postcards have told investigators they were protesting the state's new Voter ID laws" as "many of those folks intentionally did not bring their IDs to vote."), available at <http://www.unionleader.com/article/20141026/NEWS06/141029247/0/SEARCH>.

⁴ 191 individuals who registered and voted "same day" without proper identification returned the identification letters sent by the Secretary of State's Office.



AMERICAN CIVIL LIBERTIES UNION OF NEW HAMPSHIRE

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DEVON CHAFFEE
EXECUTIVE DIRECTOR

April 15, 2015

VIA REGULAR MAIL AND EMAIL (david.scanlan@sos.nh.gov)

David M. Scanlan
Deputy Secretary of State
Secretary of State's Office
State House, Room 204
107 North Main Street
Concord, NH 03301

Re: Right-to-Know Request Regarding Voting By Non-Domiciled Individuals

Dear Mr. Scanlan:

This is a Right-to-Know request to the New Hampshire Secretary of State's Office pursuant to RSA 91-A by the American Civil Liberties Union of New Hampshire ("ACLU-NH"). The ACLU-NH defends and promotes the fundamental principles embodied in the Bill of Rights and the U.S. and New Hampshire Constitutions.

Below, we are seeking records for inspection or production in accordance with RSA 91-A that concern purported voter fraud where non-domiciled individuals have allegedly voted in New Hampshire. The specific requests are the following:

1. All documents, including emails and communications, concerning incidents of actual or potential voting fraud consisting of an individual voting in a New Hampshire municipality where he or she is not domiciled under RSA 654:1 from January 1, 2000 to the present.
2. All documents, including emails and communications, concerning incidents of actual or potential voting fraud consisting of an individual falsely swearing in the affidavit language of the voter registration form that he or she is domiciled in a New Hampshire municipality from January 1, 2000 to the present.
3. All documents, including emails and communications, concerning actual or potential voting fraud consisting of an individual listing a false address in a voter registration form from January 1, 2000 to the present.

Given that the ACLU-NH is a non-profit public-interest organization, we ask that your Office waive all fees associated with responding to this request. Please contact me to discuss the fee waiver in advance of preparing any copies.

In responding to this request, please consider the time limits mandated by the Right-to-Know law. In discussing those limits in *ATV Watch v. N.H. Dep't of Res. & Econ. Dev.*, 155

N.H. 434 (2007), the New Hampshire Supreme Court has stated that RSA 91-A:4, IV requires that a public body or agency, "within 5 business days of the request, make such records available, deny the request in writing with reasons, or to furnish written acknowledgement of the receipt of the request and a statement of the time reasonably necessary to determine whether the request shall be granted or denied." *Id.* at 440. As that Court has recently explained, "[t]he time period for responding to a Right-to-Know request is absolute; delayed disclosure violates the statute." See *Law Warehouses, Inc. v. New Hampshire State Liquor Commission*, Case No. 2013-0205, at *3 (N.H. Apr. 10, 2014).

If produced, these records must be produced irrespective of their storage format; that is, they must be produced whether they are kept in tangible (hard copy) form or in an electronically-stored format, including but not limited to e-mail communications. If any records are withheld or any portion redacted, please identify them and specify the reasons.

Thank you for your anticipated cooperation. We look forward to hearing from you as soon as possible. Of course, if you have any questions or concerns, do not hesitate to contact me.

Very truly yours,



Gilles Bissonnette
Legal Director
Gilles@aclu-nh.org

Paula Penney

From: Anthony Stevens
Sent: Friday, August 19, 2011 11:29 AM
To: Paula Penney
Subject: FW: List of voters for investigation
Attachments: List for NH.xls

From: Anthony Stevens
Sent: Friday, August 05, 2011 12:57 PM
To: 'Mavrogeorge, Matthew'
Cc: Daniel J Cloutier; David Scanlan; Karen Ladd
Subject: FW: List of voters for investigation

Matt:

[REDACTED]

[REDACTED]

Thank you.

Anthony
Telephone: 271-8238
Cell: (603)219-9057

From: Packard, Melissa [mailto:Melissa.Packard@maine.gov]
Sent: Friday, August 05, 2011 12:42 PM
To: Anthony Stevens
Subject: List of voters for investigation

Anthony,

Thanks for your assistance with this matter. Please let me know if you have any questions regarding anything I am providing or requesting.

I have attached a list of 39 Maine voters who are potentially registered in New Hampshire, and may have voted there in one or more elections. We need to verify dates on which they registered (if applicable), whether they are still active registrants, and whether they voted in any elections in NH since registering. We will then match this information up with the Maine registration information and determine whether we have any dual registration or voting violations. We also will consult with you when we are done to determine whether these voters should remain on the voting list in New Hampshire or in Maine.

We have provided a column on the right for your notations. It would be helpful if you could make the following notations:

- o If the voter is not currently registered in NH, please so indicate (e.g. NR in NH)
- o If the voter was previously registered (between 2006 to present) but is not registered now, please indicate previously registered and dates of registration (e.g. PR in NH, 2/06 through 2/09)

o If the voter is currently registered, please indicate currently registered and date of original registration and any subsequent changes (e.g. CR in NH, 2/06, chg address 7/08)

o If the voter has voted in elections between 2006 to present, please indicate date and type of election (e.g. 9/08 state primary, 11/08 general, 2/08 pres. Primary, 1/09 local)

For those with elections and voting history, could you let me know what type of backup is available, and whether we would get that from the state or the local clerk? For example, either registration summaries with voter signature printed from your central system, voter history screen prints, or voter registration applications, etc.

You can reach me at 207-624-7649. Thank you in advance for anything you can help us with. If we need to contact the municipal clerk for anything, it would be great if you could provide contact information. Can you please provide a name and contact information for the person I should reach out to next week if I have any questions?

<<List for NH.xls>>
Melissa K. Packard
Director of Elections and APA
(207) 624-7650

- The Daily Caller - <http://dailycaller.com> -

NH poll workers shown handing out ballots in dead peoples' names [VIDEO]

Posted By [Alex Pappas](#) On 1:15 PM 01/11/2012 In | [66 Comments](#)

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MANCHESTER, N.H. — Video footage provided exclusively to The Daily Caller shows election workers in New Hampshire giving out ballots in the names of dead voters at multiple voting precincts during the state's primary election on Tuesday.

The bombshell video is the work of conservative filmmaker James O'Keefe and [his organization](#), Project Veritas.

Voters in the Granite State are not required to present identification to vote. O'Keefe's investigators were able to obtain ballots under the names of dead voters at polling locations Tuesday by simply asking for them, he said.

"Live free or die," an election worker told one of the investigators in the video. "This is New Hampshire. No ID needed."

Watch:

In an interview with TheDC on Wednesday, O'Keefe said the exposé shows how voter fraud can be easier to perpetrate when identification isn't required.

"There is fraud going on and our goal is to visualize it for people," he said. [\(RELATED: Complete election coverage on The Daily Caller\)](#)

O'Keefe said he eventually plans to post full, unedited videos of the encounters. "It shows the integrity of the elections process is severely comprised," the filmmaker said.

He said no laws were broken during the investigation and that his team members never claimed to be the dead people whose ballots they were trying to obtain. Instead, they carefully worded the way they asked for ballots, phrasing it like: "Do you have Earnest Chavanelle?" and "Do you have Paul Soucy?"

"We decided to go in there without using any false pretenses," he said. "There's no misrepresentation in these videos if you watch them — we didn't lie about who we were."

The investigators never actually voted when they were given ballots. Sting artists who received ballots would leave the voting precincts after saying they left their identification in the car.

"We were very careful about that," he said. [\(EXCLUSIVE NEWT GINGRICH OP-ED: Photo ID provisions important to securing elections\)](#)

The investigation worked this way: O'Keefe and his team obtained names of recently deceased New Hampshire residents through published obituaries, and used publicly available voter roll information to find dead people still on the voting rolls.

With that information, O'Keefe's investigators went to the polls on Tuesday and requested ballots in the names of the deceased.

"Some of them died a few months ago, some of them died a few weeks ago," he said.

In many cases, ballots were handed over by the poll workers without any skepticism. In only one case did a poll worker realize that the investigator wasn't the person the ballot was meant for — because the woman giving out the ballots knew the dead person in question.

That incident [made it into the Boston Herald](#).

In one instance, the sting artist told a poll worker that he voluntarily wants to show his ID. But the female poll worker responds that "the state says we're not allowed to ask for identification."

O'Keefe said the investigation stemmed from discovering that "there are people who have voted who are dead."

"We found many, many people who are both dead and registered to vote. ... How is it that dead people are voting? Someone's committing fraud."

[Follow Alex on Twitter](#)

Article printed from The Daily Caller: <http://dailycaller.com>

URL to article: <http://dailycaller.com/2012/01/11/video-nh-poll-workers-shown-handing-out-ballots-in-dead-peoples-names/>

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David Scanlan

From: Mavrogeorge, Matthew <Matthew.Mavrogeorge@doj.nh.gov>
Sent: Tuesday, July 10, 2012 4:13 PM
To: Karen Ladd
Cc: David Scanlan
Subject: RE: [REDACTED]

[REDACTED]

From: Karen Ladd [mailto:Karen.Ladd@SOS.NH.GOV]
Sent: Tuesday, July 10, 2012 4:08 PM
To: Mavrogeorge, Matthew
Subject: FW: Appeal to Disqualification Ruling for Stuart E. Cooper

[REDACTED]

From: stuart cooper [mailto:[REDACTED]@gmail.com]
Sent: Tuesday, July 10, 2012 4:00 PM
To: Karen Ladd
Subject: Appeal to Disqualification Ruling for Stuart E. Cooper

Karen Ladd
Assistant Secretary of State

Dear Karen,

I wish to appeal the ruling made by the NH Secretary of State's office regarding my qualifications to have my name printed on the primary election ballot for September of 2012.

According to your email communication and our phone conversation on Friday, July 6---and subsequent phone conversations with you and the Deputy Secretary of State, Mr. David Scanlon--I understand that you have taken my name off of the primary ballot because it is your understanding that I am not a "qualified voter" in Sutton, NH, as I affirmed in the Declaration of Candidacy. According to your communications, you interpret "qualified voter" in RSA 655:17 to mean that "in order to be a candidate you must be a registered voter in the town where you are domiciled." Because I was not a registered voter in Sutton, NH, the location where I want to run for office, at the time I signed the Declaration of Candidacy, you have deemed me unqualified to have my name on the ballot.

You have not alerted me to any other disqualifying factors, including but not limited to:

- Being a U.S. citizen,
- Holding an incompatible office,
- Being over 18 years of age,
- Having exclusive domicile in the ward, town, and state that I plan on representing,
- Having lived exclusively in NH for the 2 years prior to the election, or
- Being a registered Republican within the State of NH at the time I signed the Declaration of Candidacy (which I was in Grantham, NH).

Because the sole reason for disqualification is the interpretation of the phrase "qualified voter herein", it is on this matter that I will focus my attention and appeal.

I believe that I meet all of the qualifications to run for State Representative in NH, as well as the qualifications to have my name printed on the primary election ballot. Because my qualifications to be a Representative are not in question, I will focus on whether or not I meet the qualifications to have my name printed on the primary ballot. Although, it is worth noting that both the NH Constitution (Art. 14) and NH Statutes (655:1, 2, 8, 10) that explicitly define the "Qualifications of State Representatives" do not include any mention or requirement of having to be a registered voter within the district you plan on representing.

According to NH Statute, the requirements to file for candidacy and to have your name printed on the ballot are as follows:

655:14 Filing: General Provisions. – The name of any person shall not be printed upon the ballot of any party for a primary unless he or she is a registered member of that party, he or she shall have met the age and domicile qualifications for the office he or she seeks at the time of the general election, he or she meets all the other qualifications at the time of filing, and he or she shall file with the appropriate official between the first Wednesday in June and the Friday of the following week a declaration of candidacy as provided in RSA 655:17.

655:28 Affidavit of Qualifications. – A candidate for nomination for the office of governor, councilor, state senator or state representative shall swear an affidavit covering his qualifications as to age, that the candidate is a registered voter, that his domicile is in the district he desires to represent, that he is not a candidate for incompatible offices as defined in RSA 655:10, and that he is not a federal employee which he understands would make him ineligible to file his candidacy. The secretary of state shall not print upon the primary ballot of any party the name of any person unless there is filed with him such an affidavit at the time his candidacy is filed.

Source. 1979, 436:1. 1991, 218:4, eff. Aug. 9, 1991.

If we summarized these qualifications laid out by statute for the "Affidavit of Qualifications", and for filing for candidacy, they would be:

- registered member of the party for which they plan to run,
- met the age requirement,
- have domicile in the district he desires to represent,
- does not hold an incompatible office, and
- is not a federal employee

I meet all of these qualifications, and have not been alerted otherwise by the Secretary of State's office. I also have a notarized document from the Grantham City Clerk showing that I was in-fact registered to vote in Grantham as a Republican on June 18th, at the time I signed the "Declaration of Candidacy". It's important to note that nowhere in any of the NH Statutes that lay out the qualifications for running for state rep, filing to be a candidate, or having your name printed on the ballot, is there a requirement to be a registered voter IN THE DISTRICT for which you plan to represent. The statues repeatedly make this detailed distinction when discussing domicile, repeatedly mentioning the terms "domicile is in the district he desires to represent," but not once, is this distinction made in regard to registration. It simply says you must be registered in the state, with no further distinctions made.

So having clearly met the qualifications laid out by the Constitution, and by the statutes that outline the qualifications for being a Representative and for having your name printed on the ballot, lets now look directly at the statute that is being interpreted in such a way as to disqualify me from being on the ballot:

655:17 Declaration of Candidacy. -

Declarations of candidacy shall be in the following form and signed by the candidate:

I, stuart cooper, declare that I am domiciled in Ward 4, in the city (or town or unincorporated place) of sutton, county of merrimack, state of New Hampshire, and am a qualified voter herein; that I am a registered member of the republican party; that I am a candidate for nomination for the office of _____ (or for delegate to the state convention) to be made at the primary election to be held on the _____ day of _____; and I hereby request that my name be printed on the official primary ballot of the party in which I am registered as a candidate for such nomination or election. I declare that I am not a candidate for incompatible offices as defined in RSA 655:10, and that I am not a federal employee which makes me ineligible to file as a candidate for this office. I further declare that, if nominated as a candidate for said office or if elected as such delegate, I will not withdraw; and that, if elected, I will be qualified for and will assume the duties of said office.

1979, 436:1. 1991, 218:1. 2007, 15:1, eff. July 1, 2007.

Source.

As pointed out earlier, RSA 655:28 directs the SoS to require an "Affidavit of Qualifications". 655:28 clearly states what those qualifications are that need to be attested to by the candidate. Nowhere in 655:28 does it state that the candidate must attest to being a registered voter **within the district** they plan to represent. Because this requirement is not stated in law, or in the constitution, it cannot legally be in the text of the "Declaration of Candidacy", nor should it be interpreted to be included in it either. In fact, I believe that the requirement to be registered within your district is not included in the "Declaration of Candidacy", and cannot be interpreted as such, as it has mistakenly been by the Secretary of State's office in my situation. The only mention of being registered in RSA 655:17 is this sentence "that I am a registered member of the _____ party." This sentence conveniently

coincides and agrees with the qualifications set by RSA 655:28, that you must simply be registered, not registered within your district.

Now the question remains, what is meant by "qualified voter"? Since RSA 655:17 deals specifically with being registered to vote in a separate sentence from being qualified to vote, it's clear that the legislative intent was to separate "qualified to vote" and "registered member of the party". Moreover, there isn't a single RSA or Constitutional Article that defines "qualified to vote" as being registered within your district. Conversely, the qualifications for being a voter are defined by both the Constitution and by Statute:

[Art.] 11. [Elections and Elective Franchises.]

All elections are to be free, and every inhabitant of the state of 18 years of age and upwards shall have an equal right to vote in any election. Every person shall be considered an inhabitant for the purposes of voting in the town, ward, or unincorporated place where he has his domicile.

654:1 Voter; Office Holder. –

I. Every inhabitant of the state, having a single established domicile for voting purposes, being a citizen of the United States, of the age provided for in Article 11 of Part First of the Constitution of New Hampshire, shall have a right at any meeting or election, to vote in the town, ward, or unincorporated place in which he or she is domiciled. An inhabitant's domicile for voting purposes is that one place where a person, more than any other place, has established a physical presence and manifests an intent to maintain a single continuous presence for domestic, social, and civil purposes relevant to participating in democratic self-government.

Clearly, the qualifications to vote are 18 years of age, U.S. citizenship, and domicile within the ward you plan on voting. No requirement to be registered is part of the definition for "qualified voter". In fact, there are numerous cases in the RSAs (654 & 655) that distinguish between being a "qualified voter" and being "registered". You cannot register to vote unless you first prove you are qualified to vote. Even in the "NH Election Procedure Manual" published by the NH Secretary of State, you state in part I. Voter Registration: "The purpose of voter registration in New Hampshire is to allow qualified citizens the right to vote." Registration is not a qualification for voting, its process to stop voter fraud amongst those who are already qualified to vote. You also state in this handbook that "The New Hampshire and United States Constitutions establish that every person who is not disqualified from voting has a right to vote somewhere. A person can be disqualified due to being under age, being a convicted felon who is currently incarcerated for that conviction, being a person who has been convicted of a willful election law violation, or not being a citizen of the United States. Otherwise, a person has a right to vote somewhere."

Lastly, the Ballot Law Commission made a ruling on the case of "Roger Francoeur v. Secretary of State" in 1996 that the NH SOS has deemed "similar" to my case. The difference between my case and Mr. Francoeur's is clear. At the time of signing the Declaration of Candidacy Mr. Francoeur was

not a registered voter anywhere in the state of NH, and therefore did not meet the registration requirement. I was a registered voter in Grantham when I signed my Declaration, therefore I did meet that requirement. My case is unique, and therefore deserves it's own judgement separate from Mr. Francoer's.

Thank you

Stuart Cooper
Sutton, NH

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

MICHAEL A. DELANEY
ATTORNEY GENERAL



ANN M. RICE
DEPUTY ATTORNEY GENERAL

January 28, 2013

Rep. Warren Groen
17 Alice Lane
Rochester, NH 03867-8502

Re: Election Law Complaint (Domicile of Rep. Anne Grassie)

Dear Rep. Groen:

On October 29, 2012, the Attorney General's Office received your complaint regarding the domicile of Rep. Anne Grassie in Rochester Ward 4 (Strafford District 11). Your complaint makes the following allegations:

1. In 2012, Rep. Anne Grassie registered to vote in the City of Rochester ward where she was not domiciled and falsely stated her domicile address when she did register, in violation of RSA 659:34.
2. On June 7, 2012, Rep. Anne Grassie falsely declared under RSA 655:17 that she was domiciled in Rochester Ward 4 (Strafford County District 11) when in fact on that date she was a domiciliary of Rochester Ward 6 and could only declare her candidacy in Rochester Ward 6.
3. On September 11, 2012, in violation of RSA 659:34, Rep. Anne Grassie voted in Ward 4, Rochester claiming herself then to be a domiciliary of Rochester Ward 4 even though she was in fact and under RSA 659:34 domiciled in Rochester Ward 6.

As a result of your claim, the Attorney General's Office conducted an investigation, in which the following facts were revealed:

- Rep. Grassie, along with her husband Charles Grassie, owns a mobile home located at 146 Brock Street, Rochester, New Hampshire.
- The property on Brock Street was conveyed to Rep. Grassie and her husband by her mother-in-law in 1994.
- On May 31, 2012, Rep. Grassie registered to vote in Rochester Ward 4 using the 146 Brock Street address.

- On June 7, 2012, Rep. Grassie filed a "Declaration of Candidacy" for State Representative declaring her domicile in Ward 4, using the 146 Brock Street address.
- During an interview with Investigator Mark Myrdek from the Attorney General's Office, Rep. Grassie indicated that, at the time she registered to vote and when she declared her candidacy, she was staying at her other residence located at 9 Central Ave, Rochester, NH but intended to move to the 146 Brock Street address once renovations to the mobile home were complete.
- Renovations continued throughout the summer and into the fall, during which time the family would hold cookouts at the 146 Brock Street residence.
- Rep. Grassie moved into the 146 Brock Street residence the first week of November 2012.
- Rep. Grassie voted in Ward 4 during the State Primary on September 11, 2012 and General Election on November 6, 2012.

The question of whether Rep. Grassie violated New Hampshire law as alleged above pivots on when her domicile was established in Ward 4 (146 Brock Street), thereby terminating her domicile in Ward 6 (9 Central Ave). RSA 654:1, I, states, in pertinent part, that "[a]n inhabitant's domicile for voting purposes is that one place where a person, more than any other place, has established a physical presence and manifests an intent to maintain a single continuous presence for domestic, social, and civil purposes relevant to participating in democratic self-government. A person has the right to change domicile at any time, however a mere intention to change domicile in the future does not, of itself, terminate an established domicile before the person actually moves."

"Whether or not a new domicile has been acquired is primarily a question of fact under all the circumstances of the particular case. *Mcgee v. Bragg*, 94 N.H. 349, 351(1947). The determination of a domicile of choice involves the determination of questions of fact and particularly the fact of intention, always a difficult fact to determine." *Id.* An assertion by a party that he regards a certain town as his home is entitled to great weight on the issue of his intention but it must be weighed against his actions." *Id.* at 352.

In the current case, Rep. Grassie owned the residence in Ward 4 since 1994, which establishes her physical presence in the ward. Although Rep. Grassie was staying at her residence in Ward 6 at the time she registered to vote and declared her candidacy, she and her husband had undertaken the task of renovating the Ward 4 residence with the intent of moving in once the renovations were complete. When Rep. Grassie registered to vote and declared her candidacy in Ward 4, she made the assertion that her domicile was at 146 Brock Street. Weighing this assertion against her actions of renovating the residence on Brock Street clearly manifested her intent to maintain a single continuous presence for domestic, social, and civil purposes relevant to participating in democratic self-government within Ward 4. It is therefore our belief that Rep. Grassie established her domicile in Ward 4 in a timely manner and did not violate New Hampshire law as alleged above.

Essentially the same issue regarding Rep. Grassie's domicile was heard by the Ballot Law Commission on September 20, 2012. In an order dated September 21, 2012, the Commission determined that based on Rep. Grassie's "intent as to her domicile, when considered with the

facts presented, [was] determinative and [established] her residence" for the 2012 State Primary and General Election was in fact Ward 4.

Our investigation on this matter is now closed without further action. Thank you for your cooperation. Should you have any questions please do not hesitate to contact Assistant Attorney General Stephen LaBonte at 603-271-3650.

Sincerely,



Anne M. Edwards
Associate Attorney General
Civil Bureau

Cc: Rep. Anne C. Grassie
146 Brock Street
Rochester, NH 03867

Diane Wood
10 Country Ridge
Rochester, NH 03867

Mona Perreault
Richard Perreault
159 Chelsey Hill Road
Rochester, NH 03839

Randall Bowen
Shona Bowen
70 Church Street
Rochester, NH 03839

Thomas O' Connor
47 Walnut Street
Rochester, NH 03867

Steven Beaudoin
24 Hemlock Street
Rochester, NH 03867

Fred Leonard
10 Sandina Drive
Rochester, NH 03868

Julien Savoie
18 Birchwood Ave
Rochester, NH 03867

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

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MICHAEL A. DELANEY
ATTORNEY GENERAL



January 13, 2011

Diane Demers
Town Hall
16 School Street
Allentown, NH 03275

Linda Williams
Pembroke Town Clerk
Town Hall
311 Pembroke Street
Pembroke, NH 03275

Re: Double Voting Complaint

Dear Ms. Demers and Ms. Williams:

On August 26, 2010, the New Hampshire Attorney General's Office received a complaint that Megan Jo Searles allegedly voted both in Pembroke and Allentown in the Presidential Primary held on January 8, 2008. As a result of this complaint, this Office conducted an investigation. We have determined that there is inconclusive evidence as to whether Ms. Searles voted in Pembroke before voting in her domicile, Allentown, on January 8, 2008 in violation of RSA 659:34, I.

RSA 659:34 provides in pertinent part:

I. A person is subject to a civil penalty not to exceed \$5,000 if such person:

(a) When registering to vote; when obtaining an official ballot; or when casting a vote by official ballot, makes a false material statement regarding his or her qualifications as a voter to an election officer or submits a voter registration form, an election day registration affidavit, a citizenship affidavit, a domicile affidavit, or an absentee registration affidavit containing false material information regarding his or her qualifications as a voter;

Diane Demers & Linda Williams
Re: Double Voting Complaint
January 13, 2011
Page 2

(b) Votes more than once for any office or measure;

(d) Applies for a ballot in his or her own name after he or she has voted once;

(e) Votes for any office or measure at an election if such person is not qualified to vote as provided in RSA 654;

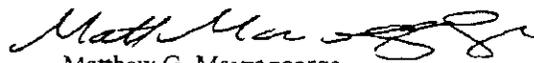
II. A person is guilty of a class B felony if, at any election, such person purposefully or knowingly commits an act specified in subparagraph I (b). A person is guilty of a class A misdemeanor if, at any election, such person purposefully or knowingly commits any of the other acts listed in paragraph I.

We are in possession of a copy of a portion of the Pembroke voter checklist showing that Ms. Searles name was checked off. We are also in possession of copies of the following documents, dated January 8, 2008, from Allenstown: Ms. Searles' domicile affidavit and voter registration form, and the checklist for same day register voters showing that her name was checked off.

On September 7, 2010, Richard Valenti, an investigator with our office, spoke with Ms. Searles regarding this matter. She informed him that while she did vote in Allenstown on January 8, 2010, she was not sure whether she voted in Pembroke and that she "probably didn't" mark a ballot there. In an interview with Investigator Valenti on September 7, 2010, Ms. Searles' mother, Lynn Gallop, stated that her daughter did not receive a ballot in Pembroke and that as far as she knows Megan was "stopped" at the polling place. Moreover, the election officials in both Pembroke and Allenstown did not remember Ms. Searles voting.

As a result of the investigation, this Office has determined that there is inconclusive evidence as to whether or not Ms. Searles voted in Pembroke before voting in Allenstown on January 8, 2008. This investigation is now closed. Should you have any questions, please do not hesitate to contact me.

Sincerely,



Matthew G. Mavrogeorge
Attorney
Civil Bureau
(603) 271-3650

cc: William M. Gardner, Secretary of State
David M. Scanlan, Deputy Secretary of State ✓

573504

ATTORNEY GENERAL
DEPARTMENT OF JUSTICE

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

KELLY A. AYOTTE
ATTORNEY GENERAL



ORVILLE B. "BUD" FITCH II
DEPUTY ATTORNEY GENERAL

January 3, 2007

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Ms. Devon Jean Clark
[REDACTED]
[REDACTED]

335-5319

Re: Wrongful Voting, November 2004

Dear Ms. Clark:

The Attorney General's Office has completed its investigation into allegations that you wrongfully voted in Dover at the November 2004 general election. We conclude that you were legally domiciled in Rochester at the time of the election and should have voted in Rochester. We also conclude that you only voted once in the election and accept for the purposes of determining the outcome of this matter your assertion that you only voted in one race that appeared on both the Dover and Rochester ballots. In effect, while you voted at the wrong polling place, your vote did not improperly affect the outcome of any race. While this does not alter the illegality of your voting in Dover when your domicile was in Rochester it shows that the harm the wrongful voting statute is meant to prevent did not occur in this case. Therefore, pursuant to RSA 659:34 we impose a civil penalty of \$500, which is waved on the condition that you perform community service for the Secretary of State in some manner that relates to voting and elections. Please contact Secretary of State William M. Gardner or Deputy Secretary of State David M. Scanlan at (603) 271-3242 by January 26, 2007, to make arrangements to complete your community service. The duration and character of the community service may be negotiated with the Secretary of State. The Secretary of State will inform us when the obligation is satisfied, at which time we will close our file on this matter. Please feel free to contact me if you have any questions or concerns.

Very truly yours,

A handwritten signature in black ink, appearing to read "Orville B. Fitch II".

Orville B. Fitch II
Deputy Attorney General
hud.fitch@doj.nh.gov
(603) 271-1238

OBF/psm

cc: Honorable William M. Gardner, Secretary of State

167176.doc

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

MICHAEL A. DELANEY
ATTORNEY GENERAL



January 12, 2011

Jon R. Deacon
[REDACTED]

Re: Violation of RSA 659:34, I

Dear Mr. Deacon:

On March 25, 2010, the New Hampshire Attorney General's Office received a complaint that you voted twice in the town elections held on March 9, 2010. As a result of this complaint, this Office conducted an investigation.

During the investigation, this Office confirmed, from information received from the Checklist Supervisors in Litchfield and Hudson, New Hampshire, that you voted in elections held in both of these towns on March 9, 2010.

On April 6, 2010, Richard Valenti, an investigator with our office, spoke with you regarding this matter. You informed him that you did in fact vote in both Litchfield and Hudson on March 9, 2010.

During the course of the April 6, 2010 conversation, you explained that on the Election Day in question you went to vote in the town of your current domicile, Hudson. You stated that you were told by an election official in Hudson that you were not registered to vote and that you had to go to your previous domicile, Litchfield, in order to vote. Upon arriving in Litchfield, you claim to have told an election official that you are a resident of Hudson, but that you were told to go to Litchfield to vote. According to your account, you were given a ballot and you voted. After depositing your ballot in the box and telling another election official that you live in Hudson, you allege that this election official instructed you to go to Hudson to register. Upon arriving back in Hudson, you state that you told the same election official from earlier that you had voted in Litchfield, but that you were instructed to return to Hudson. The election official sent you to another table, where you informed yet another official that you needed to register to vote. You stated that you gave your completed registration form to another election

Jon R. Deacon
Re: Violation of RSA 659:34, I
January 12, 2011
Page 2

official who gave you some ballots. You acknowledged that you took the ballots and voted.

In May of 2010, you provided Investigator Valenti with a signed type statement, which substantially comports with the statement you provided to him over the phone.

Be advised that RSA 659:34, I, provides in pertinent part that "[a] person is subject to a civil penalty not to exceed \$5,000 if such person:

- (a) When registering to vote; when obtaining an official ballot; or when casting a vote by official ballot, makes a false material statement regarding his or her qualifications as a voter to an election officer or submits a voter registration form, an election day registration affidavit, a citizenship affidavit, a domicile affidavit, or an absentee registration affidavit containing false material information regarding his or her qualifications as a voter;
- (b) ;
- (c) ;
- (d) Applies for a ballot in his or her own name after he or she has voted once;
- (e) Votes for any office or measure at an election if such person is not qualified to vote as provided in RSA 654;
- (f)

RSA 659:34, I, (a), (d) and (e).

You have admitted in your communications to Investigator Valenti that you voted twice in the town elections held on March 9, 2010. As such, this Office has determined that you violated RSA 659:34, I.

We find that by registering to vote in the town of Hudson on March 9, 2010, after you had already voted in the town of Litchfield, you made a false material statement on the Hudson voter registration form in violation of RSA 659:34, I (a). Specifically, in completing the voter registration form in the town of Hudson, you executed the following oath (emphasis added), which states in pertinent part:

I acknowledge that I have read and understand the above qualifications for voting and do hereby swear, under the penalties for voting fraud set forth below, that I am qualified to vote in the above stated city or town on this date, and if registering on election day, **that I have not voted and will not vote at any other place in this election.**

Jon R. Deacon
Re: Violation of RSA 659:34, I
January 12, 2011
Page 3

We also find that you violated RSA 659:34, I (d) when you applied for a ballot in Hudson after voting in Litchfield. Additionally, we conclude that you violated RSA 659:34, I (e) because you knowingly voted at the Litchfield polling place when you were not qualified to vote there as provided in RSA 654, in that your domicile at the time was Hudson.

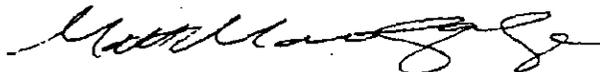
RSA 659:34, III, authorizes the Attorney General to impose civil penalties for violations of RSA 659:34, I. However, the statute also states that the Attorney General "shall have the exclusive power to compromise, mitigate, or remit such civil penalties." RSA 659:34, V.

This letter serves as official written notice that this Office is hereby imposing a civil penalty of \$2,000.00 against you pursuant to RSA 659:34, III, because you violated RSA 659:34, I (a), (d) and (e) on March 9, 2010. However, due to the circumstances surrounding your double voting, including possible confusion, all \$2,000.00 of the civil penalty shall be suspended for a period of two (2) years from the date of this letter. This suspended penalty shall become immediately due and payable to the New Hampshire Secretary of State within thirty (30) days of you being notified in the future by this Office that you are once again in violation of RSA 659:34, I.

Be advised that any future violation of RSA 659:34, I, may also result in a prosecution in New Hampshire superior court pursuant to RSA 659:34, II, which states "A person is guilty of a class A misdemeanor if, at any election, such person purposefully or knowingly commits any of the other acts listed in paragraph I." RSA 659:34, II.

Thank you for your cooperation in this matter. Should you have any additional questions, please do not hesitate to contact me.

Sincerely,



Matthew G. Mavrogeorge
Attorney
Civil Bureau
(603) 271-3650

cc: William M. Gardner, Secretary of State
David M. Scanlan, Deputy Secretary of State
530251

David Scanlan

From: Kennedy, James <James.Kennedy@doj.nh.gov>
Sent: Wednesday, February 06, 2008 8:50 AM
To: David Scanlan
Subject: RE: Potential Voting Fraud

[REDACTED]

James W. Kennedy
Assistant Attorney General
N.H. Attorney General's Office
33 Capitol Street
Concord, NH 03301
603) 271-3658

STATEMENT OF CONFIDENTIALITY

Any information contained in this electronic message or in any attachment to this message may contain confidential or privileged information and is intended for the exclusive use of the addressee(s). Please notify the Attorney General's Office immediately at (603) 271-3658 or reply to justice@doj.nh.gov if you are not the intended recipient and destroy all copies of this electronic message and any attachments.

-----Original Message-----

From: David Scanlan [<mailto:DScanlan@SOS.STATE.NH.US>]
Sent: Wednesday, February 06, 2008 8:44 AM
To: Patty Little; Kennedy, James
Cc: Terri Hood
Subject: RE: Potential Voting Fraud

Jim:

[REDACTED]

Thanks,
Dave

-----Original Message-----

From: Patty Little [<mailto:plittle@ci.keene.nh.us>]
Sent: Wednesday, February 06, 2008 6:16 AM
To: james.kennedy@doj.nh.gov; David Scanlan
Cc: Terri Hood
Subject: Potential Voting Fraud

Good morning Jim and Dave,

We are in the final stages of entering the voting marks from the Presidential Primary and have come across a situation which appears to be a voter intentionally voting twice.

Craig Bradford Davis (DOB 4/26/78) registered to vote in Ward 2 on November 5, 2002. His name was on the checklist with an undeclared affiliation. He checked in and then took a Democratic ballot.

Craig Bradford Davis (DOB 4/26/78) registered with an undeclared affiliation on January 8, 2008 and did not indicate a previous place of registration. He requested and voted a Republican ballot.

I can not determine which activity he did first, but it is clear that after casting his first ballot he circled back and voted again.

His address is 112 Beaver Street and does not appear to be listed in the telephone book. Would you please initiate an investigation of this issue and advise us as to which ballot choice should be indicated on the checklist. Thank you.

I have attached scanned images of the various documents.

CONFIDENTIALITY NOTICE

The information contained in this electronic message and any attachments to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. If you are not the intended recipient, please reply to the City of Keene sender or notify the City of Keene immediately at (603) 357-9802 and destroy all copies of this message and any attachments. Any unauthorized use, disclosure, or distribution of this message and any attachments is strictly prohibited.

ATTORNEY GENERAL
DEPARTMENT OF JUSTICE

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

MICHAEL A. DELANEY

ATTORNEY GENERAL



ORVILLE B. "BUD" FITCH II
DEPUTY ATTORNEY GENERAL

September 24, 2009

RECEIVED

SEP 28 2009

NEW HAMPSHIRE
DEPARTMENT OF STATE

Honorable William M. Gardner
Secretary of State
107 N. Main Street
State House Room 204
Concord, NH 03301

Re: 2008 General Election Voter Fraud Report/Investigation
Pursuant to RSA 654:12, V.

Dear Secretary Gardner:

I. Introduction

In New Hampshire, 76,755 persons registered to vote for the first time on November 4, 2008, General Election day. Of those 76,755 persons, according to the local election officials who entered voter registration information into the Statewide Voter Registration System ("SVRS"), 201 persons registered to vote by proving their qualifications without using photo identification ("ID") as defined by RSA 654:12, II. As a result, pursuant to RSA 654:12, V (b), the Secretary of State's Office sent out identification verification letters to those 201 persons who allegedly registered to vote for the first time at the 2008 General Election without proper ID.

The purpose of the identification verification letter was to determine whether any election fraud had been committed, i.e., whether the person whose name was used to register and vote, actually registered and voted. Of the 201 identification verification letters that were sent, ten letters were returned by the United States Post Office as not deliverable. The Secretary of State's Office requested that the Attorney General's Office investigate these ten persons.

This report regards the Attorney General's investigation of the ten New Hampshire persons who, for the first time, registered and voted on Election Day, during the 2008 General Election at a New Hampshire polling place using means other than a qualified photo ID to prove their qualifications as voters. These investigations were initiated pursuant to RSA 654:12, V (a), (b) and (c). That statute provides:

Honorable William M. Gardner, Secretary of State
Re: 2008 General Election Voter Fraud Report/Investigation
Pursuant to RSA 654:12, V
September 24, 2009
Page 2

(a) The election official approving the application for registration as voter of a person who does not present an approved form of photo identification as proof of identity when registering, shall mark the voter registration form to indicate that no photo identification was presented. The person entering the voter information into the centralized voter registration database shall determine if the person is listed in the system as having been previously registered in the town or ward reported by the applicant on the voter registration form. If the person is a new registrant who has not been previously registered anywhere in New Hampshire or if the centralized voter registration database does not confirm a previous registration claimed on the voter registration form, the election official shall cause the record created in the centralized voter registration database to indicate that the person is a new applicant in New Hampshire and that no photo identification was presented. When municipalities enter information on people who register on election day into the centralized voter registration database, to the extent practical applicants who are registering for the first time in New Hampshire and who also register without presenting an approved photo identification shall be entered first.

(b) The secretary of state shall cause a letter of identity verification to be mailed by first class mail to each voter identified at a state general election as a first-time election day registrant in New Hampshire who also did not verify his or her identity with an approved photo identification. The letter shall be mailed within 90 days after the general election. The secretary of state shall mark the envelope with instructions to the United States Post Office not to forward the letter and to provide address correction information. The letter shall notify the person that a person who was unable to present photo identification registered or registered and voted using his or her name and address and instruct the person to contact the attorney general immediately if he or she did not register and vote.

(c) The secretary of state shall cause any letters mailed pursuant to subparagraph (b) that are returned as undeliverable by the United States Post Office to be referred to the attorney general. Upon receipt of notice from a person who receives a letter of identity verification that the person did not register and vote, or upon receipt of a referral from the secretary of state, the attorney general shall cause an investigation to be made to determine whether fraudulent registration or voting occurred.

Your Office notified this Office that the United States Post Office ("USPO") returned as undeliverable identity verification letters sent to: (A) Melissa Sue Breton, (B)

Aaron Joseph Burns, (C) Amanda Diana Hawkins, (D) Corrisa Ann Charles, (E) Tianna Martin, (F) Taylor Lanier Peters, (G) Stephan Bryant Ordway II, (H) Angela Brooke Corson, (I) Josh Adam Hunt, and (J) Stephanie Marie Murphy-Mejia. As a result, this Office conducted an investigation to determine whether fraudulent voter registration or voting occurred. Specifically, in March through May 2009, New Hampshire Attorney General Investigator Richard Valenti conducted interviews of the ten individuals in question.

II. Investigation

A. Melissa Sue Breton

On November 4, 2008, Melissa Ann Breton registered to vote at the Belmont, New Hampshire polling place and voted in the General Election on that day. Ms. Breton listed 17 Judkins Drive #8, Belmont, NH as her home address. She provided no form of photo identification when she registered.

In March 2009, Investigator Valenti interviewed Ms. Breton. Ms. Breton stated to Investigator Valenti that she did vote on Election Day. Furthermore, she provided Mr. Valenti with her New Hampshire driver's license to verify her information.

B. Aaron Joseph Burns

On November 4, 2008, Aaron Joseph Burns registered to vote at the Gilford, New Hampshire polling place and voted in the General Election on that day. Mr. Burns listed 35 Beacon Hill Rd, Gilford NH as his home address. He provided no form of photo identification when he registered.

In March 2009, Investigator Valenti was unable to locate Aaron Burns at his listed address. However, the property owner advised Mr. Valenti that State Representative Tom Rice might know his address. Mr. Valenti called Mr. Rice, who confirmed that Aaron was living with him. Aaron then verified he was the person who voted on Election Day.

C. Amanda Diana Hawkins

On November 4, 2008, Amanda Diana Hawkins registered to vote at the Belmont, New Hampshire polling place and voted in the General Election on that day. Ms. Hawkins listed P.O. Box 590, Belmont, NH as her home address. She provided no form of photo identification when she registered.

Honorable William M. Gardner, Secretary of State
Re: 2008 General Election Voter Fraud Report/Investigation
Pursuant to RSA 654:12, V
September 24, 2009
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In March 2009, Investigator Valenti visited Ms. Hawkins's home at 310 DW Highway #8, Belmont NH to verify she was the person who voted on Election Day. Ms. Hawkins was not home, so Mr. Valenti left his business card. Ms. Hawkins called later that day to verify she had registered and voted on Election Day.

D. Corrisa Ann Charles

On November 4, 2008, Corrisa Ann Charles registered to vote at the Laconia, New Hampshire polling place and voted in the General Election on that day. Ms. Charles listed 136 Baldwin St, Laconia NH as her home address. She provided no form of photo identification when she registered.

In March 2009, Manchester Police Officer Richard Valenti Jr. interviewed Ms. Charles. Ms. Charles stated to Investigator Valenti that she did vote on Election Day, and previously lived at Baldwin St. in Laconia, but had since moved to Manchester.

E. Tianna Martin

On November 4, 2008, Tianna Martin registered to vote at the Keene, New Hampshire polling place and voted in the General Election on that day. Ms. Breton listed 141 Marlboro St Apt 1, Keene, NH as her home address. She provided no form of photo identification when she registered.

In March 2009, Investigator Valenti spoke with Ms. Martin's grandmother, Corrine Hitchcock, who verified Ms. Martin had been living off and on with her. A week later, Ms. Hitchcock stated she had spoken to Ms. Martin, who had stated she had voted on Election Day. Mr. Valenti was able to confirm this information with Ms. Martin later in April.

F. Taylor Lanier Peters

On November 4, 2008, Taylor Lanier Peters registered to vote at the Dorchester, New Hampshire polling place and voted in the General Election on that day. Mr. Peters listed 25 Cheever Rd., Dorchester NH as his home address. He provided no form of photo identification when he registered.

In April, 2009, Investigator Valenti reached Taylor Peters on the phone, who was now living in Massachusetts. He verified he had voted in Dorchester, New Hampshire on Election day, and stated at the time he had been living at the listed address with his girlfriend's family.

Honorable William M. Gardner, Secretary of State
Re: 2008 General Election Voter Fraud Report/Investigation
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G. Stephan Bryant Ordway II

On November 4, 2008, Stephen Bryant Ordway II registered to vote at the Newmarket, New Hampshire polling place and voted in the General Election on that day. Mr. Peters listed 3 Central St., Apt 2R, Newmarket NH as his home address. He provided no form of photo identification when he registered.

In April, 2009, Investigator Valenti spoke with Stephen Ordway II's father, Stephen Ordway, who verified that his son voted in Newmarket on Election Day. He also stated his son is a student at the University of New Hampshire. Investigator Valenti later confirmed this information with Stephen Ordway II.

H. Angela Brooke Corson

On November 4, 2008, Angela Brooke Corson registered to vote at the Belmont, New Hampshire polling place and voted in the General Election on that day. Ms. Corson listed 48 Orchard Hill Rd. #3, Belmont NH as her home address. She provided no form of photo identification when she registered.

In April, 2009, Investigator Valenti spoke with Ms. Corson on the phone. Ms. Corson verified she had voted on Election Day. Shortly thereafter, she moved back to Florida to live with her parents.

I. Josh Adam Hunt

On November 4, 2008, Josh Adam Hunt registered to vote at the Rochester, New Hampshire polling place and voted in the General Election on that day. Mr. Hunt listed 21 1/2 Knight St., Rochester NH as his home address. He provided no form of photo identification when he registered.

In May 2009, Investigator Valenti spoke with Mr. Hunt over the phone. Mr. Hunt verified that he had voted on Election Day, and also provided his date of birth for verification.

J. Stephanie Marie Murphy-Mejia

On November 4, 2008, Stephanie Marie Murphy-Mejia registered to vote at the Rochester, New Hampshire polling place and voted in the General Election on that day. Ms. Murphy-Mejia listed 14 Chasse St. Rochester NH as her home address. She provided no form of photo identification when she registered.

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In May, 2009, Trooper Chris Kelby spoke with Ms. Murphy-Mejia. Ms. Murphy-Mejia confirmed she had voted on Election Day, and that at the time she was living with her parents at the address listed, but has since moved.

III. Analysis

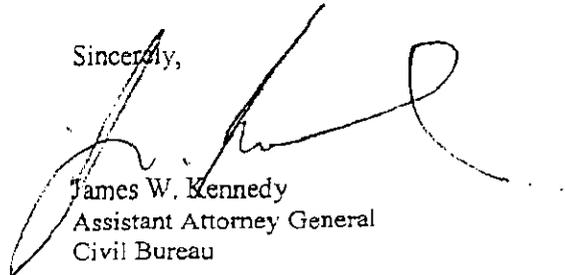
To determine whether fraudulent registration or voting occurred, this Office conducted an investigation to determine whether the above persons actually registered and voted at the specified polling places during the 2008 General Election. Further, this Office conducted an inquiry to determine whether the identified voters were domiciled at the address reported on their voter registration form in the New Hampshire town in they voted.

IV. Conclusion

The evidence shows that the above ten New Hampshire persons registered and voted in New Hampshire's 2008 General Election in conformance with New Hampshire law. Accordingly, based on this investigation, this Office concludes that no fraudulent registration or voting occurred regarding the subject-registered voters.

These investigations are now closed. If you have any additional questions, please do not hesitate to contact me.

Sincerely,



James W. Kennedy
Assistant Attorney General
Civil Bureau

402132