

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

In the Matter of a Referral by Greenwich Registrars of Voters  
Fred DeCaro, III, and Mary Hegarty, Greenwich

File No. 2021-056

**AGREEMENT CONTAINING CONSENT ORDER**

This Agreement, by and between Joyce Fratello (hereinafter "Respondent"), of the Town of Greenwich, State of Connecticut and the authorized representative of the State Elections Enforcement Commission is entered into in accordance with Section 9-7b-54 of the Regulations of Connecticut State Agencies and Section 4-177(c) of the General Statutes of Connecticut. In accordance herewith, the parties agree that:

1. The Greenwich Registrars of Voters, referred this matter alleging that Amy Fratello-Stoever voted in both Connecticut and Florida at the November 3, 2020 election.
2. Specifically, Greenwich Registrar of Voters DeCaro, by referral, indicated that:  
*November 3, 2020 Amy Fratello voted by Absentee Balot in Greenwich, CT. ERIC Cross State report had Amy Fratello listed as active in Greenwich and voting by AB. ERIC Cross State Report also showed Amy Fratello-Stoever Active in the State of Florida, registering in Florida March 22, 2020. Report further showed she voted in Florida on November 3, 2020. We contacted Florida and confirmed that Amy Fratello voted in FL on November 3, 2020.*
3. It is alleged that Amy Fratello-Stoever voted by absentee ballot in Greenwich, Connecticut and by absentee ballot in Boynton Beach, Palm Beach County, Florida at the November 2, 2020 election. This referral was triggered by "hits" generated by an ERIC<sup>1</sup> system canvas report.
4. Both Amy Fratello-Stoever and her mother Joyce Fratello were named by the Commission as Respondents in this matter.
5. This disposition serves a settlement with Respondent Joyce Fratello. The matter, for reasons detailed herein, is dismissed as to Amy Fratello-Stoever.

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<sup>1</sup> The Electronic Registration Information Center, or "ERIC", is system which through its software allows participating states to cross-check voter registration, driver license registration, postal change of address information and other data, to among other things determine individuals voter eligibility. At all times relevant to this complaint Connecticut and Pennsylvania were participants in the ERIC system.

6. General Statutes § 9-140, provides in pertinent part:
  - (a)(1) Except as provided in subsection (b) of this section, application for an absentee ballot shall be made to the clerk of the municipality in which the applicant is eligible to vote or has applied for such eligibility. Any person who assists another person in the completion of an application shall, in the space provided, sign the application and print or type his name, residence address and telephone number. Such signature shall be made under the penalties of false statement in absentee balloting. The municipal clerk shall not invalidate the application solely because it does not contain the name of a person who assisted the applicant in the completion of the application. ... If the ballot is to be mailed to the applicant, the applicant shall list the bona fide personal mailing address of the applicant in the appropriate space on the application.
7. General Statutes § 9-359a, provides:
  - (a) A person is guilty of false statement in absentee balloting when he intentionally makes a false written statement in or on or signs the name of another person to the application for an absentee ballot or the inner envelope accompanying any such ballot, which he does not believe to be true and which statement or signature is intended to mislead a public servant in the performance of his official function.
8. 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.

9. General Statutes § 9-7b (a) (2), provides the following power and authority to the Commission:

...

(2) To levy a civil penalty not to exceed (A) two thousand dollars per offense against any person the commission finds to be in violation of any provision of chapter 145, ... (C) two thousand dollars per offense against any person the commission finds to have (i) improperly voted in any election, primary or referendum, and (ii) not been legally qualified to vote in such election, primary or referendum, or (D) two thousand dollars per offense or twice the amount of any improper payment or contribution, whichever is greater, against any person the commission finds to be in violation of any provision of chapter 155 or 157. ...

*Connecticut and Florida Records*

10. Connecticut: Records indicate that Amy Fratello was registered to vote as of August 2, 2016. An absentee ballot application for Amy Fratello that was received by the Greenwich Town Clerk's office on October 4, 2020. Records indicate the respective inner envelope for absentee ballot was signed in Amy Fratello's name on October 13, 2020. The November 3, 2020 checkers' list from Greenwich District 009-00 indicate that Amy Catherine Fratello is marked off with an "A," as having voted by absentee ballot.
11. Florida: Records from the Palm Beach County Supervisor of Elections indicate that Amy Fratello registered on March 22, 2020 in Palm Beach County. Records from that office further indicate that she "voted absentee" at the November 3, 2020 General Election.

*Facts After Investigation*

12. Respondent Joyce Fratello cooperated with Commission staff in this investigation and voluntarily participated in witness interviews and provided written responses to Commission inquiries.
13. Respondent Joyce Fratello, stated that she discussed the matter with her husband and wanted to "put it to bed and pay the fine." She admitted signing an absentee ballot application in the name of her daughter Amy Fratello-Stoeber that was dated October 4, 2020.
14. In a written response to the Commission Respondent Joyce Fratello admitted that she had signed an absentee ballot inner envelope on October 13, 2020 on behalf of her daughter Amy Fratello-Stoeber and did not sign Section IV of the absentee ballot application regarding that ballot as an assister. She claims that she did so "mistakenly."



15. Commission staff believes that Respondent Joyce Fratello responded truthfully to enquiries regarding the circumstances under investigation and exhibited contrition for her actions. Specifically, Respondent Joyce Fratello in a written response to the Commission asserted: *"Once again we apologize for the confusion that this matter has caused."*
16. Respondent Amy Fratello-Stoever cooperated fully with this investigation and was found to be credible regarding her explanation of the circumstances surrounding the ballot that was cast in her name at the November 3, 2020 election in Connecticut.
17. Specifically, Amy Fratello-Stover stated that she has been a resident of the state of Florida since 2019. She denied that the signature on the copy of the Connecticut absentee ballot provided to her was her own and stated that she did not recognize the signature. She stated that she never requested, nor had anyone request on her behalf, a copy of an absentee application or absentee ballot set for Connecticut.
18. Further, Amy Fratello-Stoever stated that she never received any notices from her parents regarding letters from the Commission regarding this matter. She stated that she has a "strained" relationship with her parents who live in Connecticut and currently does not speak directly to them. She stated that they communicated via text only. Finally, she asserted that she was not sure if her parents still resided at the 8 Windy Knoll Drive address in Greenwich, Connecticut.
19. The Commission determines, after thorough investigation, that Respondent Joyce Fratello signed an absentee ballot application in the name of her daughter Amy Fratello-Stoever for the November 3, 2020 election. She did not sign the aforementioned absentee ballot application as an assister, as required by General Statutes § 9-140.
20. The Commission further determines that Respondent Joyce Fratello executed and mailed the absentee ballot set in the name of her daughter back to the Greenwich Town Clerk's office in connection with the November 3, 2020 election .
21. Finally, the Commission determines that the absentee ballot was counted and Respondent Amy Fratello-Stoever was marked off on the November 3, 2020 checker's list in the Town of Greenwich as having voted by absentee ballot.

#### *Analysis and Conclusion*

22. Making false statements in absentee balloting is prohibited by General Statutes § 9-359a and fraudulently voting is prohibited by General Statutes § 9-360.

23. Respondent Amy Fratello-Stoever denied voting by absentee ballot in Connecticut at the November 3, 2020 election or completing an absentee ballot for that election. She stated that she lives in Florida and was unaware of the incidents that gave rise to this referral and investigation.
24. After investigation, it was determined that Respondent Amy Fratello-Stoever did not vote twice at the November 3, 2020 election as alleged by this referral.
25. The facts after investigation, indicate that Respondent Amy Fratello-Stoever's mother Joyce Fratello admits having signed her daughter's name to an absentee ballot application as well as the inner envelope for absentee ballot for the November 3, 2020 election in Greenwich. That ballot was returned and counted by the Town of Greenwich and her daughter was marked off as having voted by absentee ballot on the checkers' list. Therefore, the vote was counted.
26. The Commission determines that Respondent Joyce Fratello did not sign as an assister for her daughter's absentee ballot application connection with the November 3, 2020 election in the Town of Greenwich in violation of General Statutes § 9-140.
27. Further, the Commission determines that Respondent Joyce Fratello's signing of an absentee ballot inner envelope and casting of an absentee ballot in her daughter's name were prohibited by General Statutes § 9-359a and § 9-360, respectively.
28. The Commission finds in this instance that Respondent Joyce Fratello improperly voted at the November 3, 2020 election in Greenwich, Connecticut by executing and returning an absentee ballot in her daughter's name, which is prohibited by General Statutes § 9-359a and General Statutes § 9-360.
29. The Respondent admits all jurisdictional facts and agrees that this Agreement and Order shall have the same force and effect as a final decision and Order entered after a full hearing and shall become final when adopted by the Commission. The Respondent shall receive a copy hereof as provided in Section 9-7b-56 of the Regulations of Connecticut State Agencies.
30. It is understood and agreed that this Agreement will be submitted to the Commission at its next meeting and, if it is not accepted by the Commission, it is withdrawn by the Respondent and may not be used as an admission by either party in any subsequent hearing, if the same becomes necessary.

31. The Respondent waives:

- a. Any further procedural steps;
- b. The requirement that the Commission's decision contain a statement of findings of fact and conclusions of law, separately stated; and
- c. All rights to seek judicial review or otherwise to challenge or contest the validity of the Order entered into pursuant to this Agreement.

32. Upon the Respondent's compliance with the Order hereinafter stated, the Commission shall not initiate any further proceedings against Respondent pertaining to this matter.

### ORDER

IT IS HEREBY ORDERED THAT Respondent shall pay a civil penalty in the amount of four thousand dollars (\$4,000.00), in full settlement of this matter.

IT IS FURTHER ORDERED THAT Respondent shall henceforth strictly comply with the requirements of General Statutes § 9-140.

IT IS FURTHER ORDERED THAT Respondent shall refrain from improperly voting in an election, including but not limited to doing so by signing an absentee ballot application and absentee ballot in the name of another.

**The Respondent:**

By: 

Joyce Fratello  
8 Windy Knolls  
Greenwich, Connecticut

**For the State of Connecticut:**

BY: 

Michael J. Brandi, Esq.  
Executive Director and General Counsel  
And Authorized Representative of the  
State Elections Enforcement Commission  
55 Farmington Avenue, 8<sup>th</sup> Floor  
Hartford, Connecticut

Dated: 5/27/2023

Dated: 6/2/23

Adopted this 7<sup>th</sup> day of June of 2023 at Hartford, Connecticut

A handwritten signature in blue ink, appearing to read "Stephen T. Penny", written over a horizontal line.

Stephen T. Penny, Chairman  
By Order of the Commission