

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

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MICHAEL A. DELANEY
ATTORNEY GENERAL



July 15, 2011

RECEIVED

JUL 19 2011

NEW HAMPSHIRE
DEPARTMENT OF STATE

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

Re: 2010 General Election Voter Fraud Report/Investigation
Pursuant to RSA 654:12, V.

Dear Secretary Gardner:

I. Introduction

On November 2, 2010, during the New Hampshire General Election, 23,512 persons registered to vote. Of those 23,512 persons, according to the local election officials who entered voter registration information into the Statewide Voter Registration System ("SVRS"), forty-nine persons registered to vote by proving their qualifications without using photo identification as defined by RSA 654:12, II. As a result, pursuant to RSA 654:12, V (b), your office sent out identification verification letters to those 49 persons who allegedly registered to vote for the first time at the 2010 General Election without photo identification.

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 forty-nine letters that were sent, four letters were returned by the United States Post Office as not deliverable. Your office requested that this office investigate the persons to whom these four letters were sent. As a result, this office conducted an investigation to determine whether fraudulent voter registration or voting occurred relative to those four individuals. Our investigation was initiated pursuant to RSA 654:12, V (a), (b) and (c). That statute provides:

(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.

The four letters returned as undeliverable by the United States Post Office (“USPO”) were sent to: (A) Monica Lynn Demalas¹, (B) Gregory R. Deperey, (C) Samuel D. Meyerhofer, and (D) Sianne Rea.

II. Investigation Results

A. Monica Lynn Damalas

On November 2, 2010, Monica Lynn Damalas, registered and voted at the Ward 1 polling place in Manchester, New Hampshire. Ms. Demalas listed 59 West River Road, Manchester, New Hampshire as her home address on her registration form. During the investigation, it was discovered

¹ As explained below, the last name on the envelope sent to Ms. Demalas contained an “i” instead of an “l.”

that Ms. Damalas lives on West River Drive, not West River Road. Ms. Damalas provided no form of photo identification when she registered.

The letter sent to Ms. Demalas spelled her last name with an "i" (Demaiias) instead of an "l" (Demalas). The letter was sent to 59 River Road instead of 59 West River Drive. The name and address used by your office came verbatim from information entered into the statewide voter registration database by local officials.

On June 21, 2011, Investigator Mark Myrdek interviewed Ms. Damalas. Ms. Damalas confirmed to Investigator Myrdek that she registered without photo identification and voted on November 2, 2010 at the Ward 1 polling place on North Elm Street in Manchester. She also confirmed that her address is 59 West River Drive in Manchester, New Hampshire.

B. Gregory R. Deperey

On November 2, 2010, Gregory R. Deperey registered and voted at the polling place in Durham, New Hampshire. Mr. Deperey listed 66 Main Street as his home address and 6127 Granite Square Station, Durham, New Hampshire as his mailing address on his registration form. He provided no form of photo identification when he registered.

On July 7, 2011, Investigator Myrdek interviewed Mr. Deperey. Mr. Deperey informed Investigator Myrdek that he is a student at UNH and that he has been living at 66 Main Street in Durham, New Hampshire while he attends school. The mailing address he listed on the form corresponds to his personal mailbox at the UNH Memorial Student Union Building. The Durham Town Clerk entered Mr. Deperey's mailing address into statewide voter registration database as 6177 instead of 6127 because the Clerk misread the "2" as a "7." As a result, your office mailed the statutory letter to Box 6177. The address used by your office came verbatim from information entered into the statewide voter registration database by the Durham Town Clerk.

Mr. Deperey confirmed to Investigator Myrdek that he registered without photo identification and voted on November 2, 2010 at the polling place in Durham.

C. Samuel D. Meyerhofer

On November 2, 2010, Samuel D. Meyerhofer registered and voted at the polling place in Berlin, New Hampshire. Mr. Meyerhofer listed 615 Burgess Street, Berlin, New Hampshire as his home address on his registration form. He provided no form of photo identification when he registered.

On July 7, 2011, Investigator Myrdek spoke with Mr. Meyerhofer, who has been incarcerated at the Grafton County House of Corrections since April 2011. Mr. Meyerhofer explained that he moved from 615 Burgess Street, Berlin, New Hampshire to his parents' residence at 148 Main Street, Gorham, New Hampshire shortly after November 2, 2010.

Mr. Meyerhofer confirmed to Investigator Myrdek that he registered without photo identification and voted on November 2, 2010 at the polling place in Berlin.

D. Siannee Rea

On November 2, 2010, Siannee Rea registered and voted at the polling place in Alstead, New Hampshire. Ms. Rea listed 553 Old County Road, Alstead, New Hampshire as her home address on her registration form. She provided no form of photo identification when she registered.

On June 8, 2011, Investigator Myrdek interviewed Ms. Rea. She explained that she moved from 553 Old County Road in Alstead, New Hampshire to 151 Viking Drive, Rexburg, Idaho 83440 after November 2, 2010. She is currently attending college in Idaho.

Ms. Rea confirmed to Investigator Myrdek that she registered without photo identification and voted on November 2, 2010 at the polling place in Alstead.

III. Conclusion

Based on the investigation conducted by our office, we conclude that the above four individuals registered and voted in New Hampshire's 2010 General Election in conformance with New Hampshire law. None of the four voters engaged in fraudulent registration or voting, nor were their identities misused by others. This investigation is now closed. If you have any questions, please do not hesitate to contact me.

Sincerely,



Matthew G. Mavrogeorge
Assistant Attorney General
Civil Bureau
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