

STATE OF NEW HAMPSHIRE

DEPARTMENT OF JUSTICE

SENATE COMMITTEE ON ELECTION LAW AND MUNICIPAL AFFAIRS

HOUSE COMMITTEE ON ELECTION LAW

Election Law Complaint Status Report

Submitted Pursuant to RSA 7:6-c

Reporting Period July 1, 2021, to December 31, 2021

Issued September 1, 2022

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INTRODUCTION

Part I, Article 11 of the New Hampshire Constitution provides, in part, that “[a]ll 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.” To safeguard this constitutional provision, and pursuant to RSA 7:6-c, the Legislature has designated the Attorney General to enforce all election laws in New Hampshire. In 2017, the Attorney General established a free-standing Election Law Unit. The Unit is now staffed by two full-time attorneys, Deputy General Counsel Myles Matteson and Attorney Matt Conley, one full-time elections investigator, Chief Investigator Richard Tracy, and one full-time investigative paralegal, Jill Tekin.

Pursuant to RSA 7:6-c, II, (a), the Attorney General hereby submits to the New Hampshire House of Representatives and the Senate this report on the status of all complaints of alleged violations of election laws received from July 1, 2021, to December 31, 2021.¹ This report is divided into three parts. Section I, pursuant to RSA 7:6-c, II (b), includes a summary of complaints received from July 1, 2021, to December 31, 2021, and a categorization of complaints received by type of complaint and month received as required by RSA 7:6-c, II (b). Section II lists all complaints received prior to this reporting period which remain open. Finally, Section III contains an index of matters that have been closed during the reporting period or subsequently, and pursuant to RSA 7:6-c, II (c), attached hereto are the closure letters, settlement agreements, cease-and-desist orders, and other official communications that describe the results of each complaint that has been investigated or an explanation of why the complaint was closed without an investigation.

¹ The Attorney General is submitting three status reports within one week, covering the period from July 2020 to December 2021. All three reports are written to reflect the status of cases as of August 22, 2022. This means, for example, that a matter opened 2021 and closed in 2022 will be listed as “Closed” in the report covering the applicable period in 2021.

I.

SUMMARY OF COMPLAINTS RECEIVED FROM July 1, 2021, to December 31, 2021

Complaint Against	Complainant	Date of complaint	Allegations	Status	Bates No.
Dover Teachers' Union	Jeffrey Clay	5/30/2021	RSA 659:44-a – Alleged Illegal Campaign Activity	Closed on 1/28/2022	000142-000146
New Boston Tax Payers	Kaleb Jacob	6/9/2021	RSA 664:14 – Alleged Illegal Campaign Activity	Closed on 7/23/2021	000013-000015
John McLaughlin	Denys Draper	6/19/2021	RSA 669:6, RSA 669:19 – Alleged Election Official Misconduct	Closed on 7/1/2021	000001-000003
Government Integrity Project	Sheila Johannesen and Eric Walsh	6/25/2021	RSA 664:3, RSA 664:6 – Alleged Illegal Campaign Activity	Open	
Town of Ashland	Sherrie Downing	7/8/2021	RSA 659:27 – Alleged Election Official Misconduct	Closed 8/19/2022	000177-000184
Unidentified Individual, Town of Danville	Susan Overstreet	7/13/2021	RSA 659:43 – Alleged Illegal Campaign Activity	Open	
Nashua Mayor's Office	James Tollner	7/29/2021	RSA 659:44 – Alleged Illegal Campaign Activity	Open	

Debra Altschiller/Stratham Town Democratic Committee	Amy Jeffrey	9/1/2021	RSA 664:7, RSA 664:9, RSA 664:14 – Alleged Campaign Finance Violation	Open	
Unknown	Chris Vigneault	9/8/2021	RSA 664:17 – Alleged Illegal Campaign Activity	Closed 8/26/2022	000204
Alleged Wrongful Voting	Jennifer Paveglio	9/16/2021	RSA 654:1, RSA 659:12, RSA 659:34 – Alleged Wrongful Voting	Open	
Mark Brighton	Doug Roberts	9/27/2021	RSA 664:17 – Alleged Illegal Campaign Activity	Closed on 11/19/2021	000108-000109
Sonia Prince	Alex Comeau & Laura Colquhoun	9/28/2021	RSA 664:14 – Alleged Illegal Campaign Activity	Open	
Carolyn Carr	Michelle Cedrone, Jill Asjman King	9/29/2021	RSA 659:40 – Alleged Illegal Campaign Activity	Closed 7/29/2022	000176
Neil Wetherbee, Derry Conservative Taxpayers	Peter Torosian	10/7/2021	RSA 664:5, RSA 664:21 – Alleged Campaign Finance Violation	Closed on 11/19/2021	000106-000107
Nashua Police Department	Sonia Prince	10/27/2021	RSA 659:44 – Alleged Illegal Campaign Activity	Open	

Joe Hart	Avery Turner, Emma Mintz	11/2/2021	RSA 659:21, RSA 659:37, RSA 642:1 – Alleged Illegal Campaign Activity	Closed 7/25/2022	000173- 000175
Kelly Walters	Richard and Katina Parsons	12/6/2021	RSA 654:8 – Alleged Election Official Misconduct	Closed on 2/7/2022	000147- 000148
Tony Felch – Ward 6 Laconia	Greg Page	12/6/2021	RSA 659:98 – Election Review and Follow Up	Open	
Douglas Wilson	Greenland Residents	12/15/2021	RSA 664:16 – Alleged Illegal Campaign Activity	Closed on 2/7/2022	000149- 000151
Portsmouth City Council	Peter Whelan	12/21/2021	RSA 664:14 – Alleged Illegal Campaign Activity	Open	

A. Number of Complaints Received Per Month

Month/ year	Number of Complaints
May 2021 (not opened in prior report)	1
June 2021 (not opened in prior report)	3
July 2021	3
August 2021	0
September 2021	5
October 2021	3
November 2021	1
December 2021	4
TOTAL:	20

B. Complaints Received by Type of Complaint

Type of Complaint	RSA Violations	Number of Complaints
Alleged Wrongful Voting	RSA 654:1 (Temporary Absence); RSA 654:12 (domicile); RSA 659:34 (Wrongful Voting)	1
Alleged Illegal Campaign Activity	RSA 659:21 (guardrail); RSA 659:40 (voter intimidation); RSA 659:43 (distributing campaign materials at polling place); RSA 659:44-a (electioneering by public employee); RSA 664:14 (political advertising disclosure requirements); RSA 664:16 (political advertising identification); RSA 664:17 (placement and removal of political advertising)	14
Alleged Election Official Misconduct	RSA 654:8 (voter ward placement); RSA 659:27 (challenge voter affidavit); RSA 669:6 (qualification of officer).	3
Alleged Campaign Finance Violation	RSA 664 (limitations on expenditures)	1
Election Review & Follow-Up	RSA 659:98 (delivery of ballots)	1
TOTAL:		20

II.

**INVESTIGATIONS OPEN PRIOR TO THE
REPORTING PERIOD**

Alleged Violation	Date Opened	Date Closed	Bates No.
Wrongful Voting RSA 659:34 – Dismissed without prejudice by the court due to competency order pursuant to RSA 135:17-a	11/15/16	8/12/22	000170-000172
Wrongful Voting RSA 659:34 – Guilty Plea	7/18/18	4/22/22	000159-000164
Wrongful Voting RSA 659:34 – Guilty Plea	1/7/19	5/4/22	000165-000169
Wrongful Voting RSA 659:34 – Active Investigation	10/30/19		
Wrongful Voting RSA 659:34 RSA 654:7 – Charges Filed	12/3/19		
Wrongful Voting RSA 659:34 – Guilty Plea	12/22/20	4/6/22	000152-000158

III.

INDEX OF CLOSURE LETTERS/COMMUNICATIONS

Alleged Violation	Date Closed	Bates Page Number
RSA 669:6 Qualification of Officer	July 1, 2021	000001 – 000003
RSA 664:13 Campaign Finance	July 2, 2021	000004-000007
RSA 659:22 Absentee Ballot	July 21, 2021	000008-000012
RSA 664:14 Identification on Signs	July 23, 2021	000013 – 000015
RSA 659:43 Electioneering	August 5, 2021	000016-000017
RSA 659:53 Absentee Ballot	August 5, 2021	000018-000020
RSA 664:17 Destruction of Sign	August 5, 2021	000021-000022
RSA 659:43 Electioneering	August 18, 2021	000023-000024
RSA 659:43 Electioneering	August 18, 2021	000025-000026
RSA 664:17 Removal of Signs	August 23, 2021	000027-000028
RSA 659:34 Wrongful Voting	August 24, 2021	000029-000032
RSA 659:34 Wrongful Voting	August 24, 2021	000033-000036
RSA 658:9 Polling Location	August 24, 2021	000037-000038
RSA 659:34 Wrongful Voting	August 24, 2021	000039-000042
RSA 664:17 Destruction of Sign	September 2, 2021	000043-000044
RSA 657:23 Delivery to Moderator	September 21, 2021	000045 – 000052
RSA 657:23 Delivery to Moderator	September 21, 2021	000053 – 000058
RSA 657:23 Delivery to Moderator	October 21, 2021	000059 – 000072
RSA 659:40 Voter Suppression	October 28, 2021	000073 – 000074
RSA 659:44-a Electioneering C&D letter	November 4, 2021	000075 – 000089
RSA 659:44 Electioneering	November 4, 2021	000090-000096
RSA 659:34 Wrongful Voting	November 8, 2021	000097-000098
RSA 659:34 Wrongful Voting	November 8, 2021	000099-000100
RSA 659:34 Wrongful Voting	November 12, 2021	000101-000105
RSA 664:2 Campaign Finance	November 19, 2021	000106 – 000107
RSA 664:14 Placement of Signs	November 19, 2021	000108 – 000109
RSA 664:17 Removal of Signs	December 10, 2021	000110
RSA 659:41 Assault on Election Official	December 10, 2021	000111-000114
RSA 657:12 Provisions for General Election	December 10, 2021	000115-000134
RSA 657:26 Absentee Ballot Supervision	December 10, 2021	000135-000137
RSA 657:26 Absentee Voter Website	December 10, 2021	000138-000141
RSA 659:44-a Electioneering	January 28, 2022	000142 – 000146
RSA 657:18 Absentee Ballot	February 7, 2022	000147 – 000148
RSA 664:14 Political Mailing	February 7, 2022	000149 – 000151
RSA 659:34-a Wrongful Voting	April 6, 2022	000152-000158
RSA 659:34-a Wrongful Voting	April 22, 2022	000159-000164

RSA 659:34-a Wrongful Voting	May 4, 2022	000165-000169
RSA 659:34-a Wrongful Voting	August 12, 2022	000170-000172
RSA 659:21 Guardrail	July 25, 2022	000173-000175
RSA 659:40 Intimidation	July 29, 2022	000176
RSA 666:2 Official Misconduct	August 19, 2022	000177-000184
RSA 659:44 Electioneering	August 19, 2022	000185-000203
RSA 664:17 Theft of Sign	August 26, 2022	000204

**Closure Letters, Settlement Agreements,
Cease and Desist Orders, Complaints Filed With A Court,
Or Other Official Communications**