

## *After Scandal, Questions Over Voter Laws*

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WHEN Michael Singh, a town councilman in Stratford, resigned on April 19 after the state determined he was probably not a United States citizen, it sparked new questions about state and federal voter-registration laws that may make it too easy for noncitizens to fraudulently vote.

Mr. Singh, 35, was born in Jamaica and said he came to this country with his family when he was a year old. He has stated through his lawyers that he doesn't even know if he is a United States citizen and has not presented documentation to clear up his status.

But that lack of proof didn't stop Mr. Singh from registering to vote for the first time in his life at age 33, gaining the Democratic nomination and running unsuccessfully for the State Senate in 2000, finally gaining a seat on the Town Council in Stratford last November. He quickly became majority leader.

But under pressure from council colleagues, local and state elections officials and the public after a preliminary determination by the State Elections Enforcement Commission that he was not a citizen when he registered to vote and was elected, Mr. Singh resigned without addressing his citizenship status. His status is still being investigated by several state and federal agencies.

The controversy has raised questions about the strength of voter-registration laws that allow noncitizens to register, vote and run for elected office without ever providing documentation of their citizenship.

Richard Miron, Stratford's Democratic registrar of voters and chairman of the Democratic Town Committee, said registering to vote requires only filling out a registration form listing name, address and citizen status.

"We can only assume the information listed is the truth, but it's not our job to confirm it or check on the validity of it," he said. Mr. Miron said, however, if a person lied about being a citizen on the registration card it would be a felony and would be subject to criminal and civil penalties.

Susan Bysiewicz, the secretary of the state for Connecticut, said the National Voter Registration Act of 1993 that went into effect in 1995 did make it easier for people to register -- citizens or not -- in several ways. Ms. Bysiewicz said the act eliminated the requirement for people to document their residency when they register to vote in person and allowed people to register by mail. She said before the "motor voter" law people were required to at least provide documentation of residency.

"When Congress approved the voter-registration act, it was trying to answer the public outcry that something needed to be done to encourage voter participation by making it easier and more simple to register," Ms. Bysiewicz said. "While there are severe penalties for fraudulently stating you are a citizen and voting if you are not, if you are intent on committing fraud, I guess you can do it." She said penalties could include criminal fines up to \$5,000, five years in prison and even possible deportation as well as civil fines up to \$2,000.

Ms. Bysiewicz added that "our democracy is based on the honesty of our citizens, and people who run for office are subjected to heightened scrutiny of their lives, making it highly unlikely that someone would run for office knowing they were not a citizen. If that did occur in this instance we are talking about a very unusual situation."

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The secretary of state said while she wouldn't oppose establishing stricter requirements to insure voters are citizens, "Congress is going to have to ultimately decide what to do about that, but we will be watching this case very closely."

Meanwhile, legislators in Connecticut and a national political expert on state voter-registration laws said that Mr. Singh, by registering to vote and gaining election to political office without proving he was a citizen, has accidentally exposed a flaw in the system that may have to be corrected.

James O'Rourke, the Democratic state representative from Cromwell and co-chairman of the Legislature's Government Administration and Elections Committee, said Mr. Singh's apparent ability to register to vote and run for office without being a citizen is probably more of "an aberration that does not prove a wide-spread problem."

Still, he said his committee and the full legislature is going to "at least have to take a look at this to determine if there's anything we can change or do to prevent it from happening again.

"I tend to think most people would know whether they are a citizen or would answer the question honestly," Mr. O'Rourke added. "Generally speaking most people do not fraudulently or illegally vote. It's a fine line we walk because the vast majority of people are not trying to defraud the system and we have to weigh how to make it as easy as possible for American citizens to vote, versus how to prevent people from voting who are not citizens."

Mr. O'Rourke, however added that "I do think now that we are going to have to consider if there is any way to tighten this up because it is a matter of serious concern when you're talking about an elected official who may not be a citizen."

State and federal elections officials said that could be difficult to do at the state level because federal law, including the National Voter Registration Act, supersedes state law. For example, they said, there would no way a state legislature could eliminate the "motor voter" law that allows people to register by mail.

But some political experts said they believed it is an issue that is going to have to be reviewed.

"To my knowledge this is something that has never happened before, but Congress and state governments may want to revisit state and federal election laws to clarify exactly what constitutes an eligible voter, possibly requiring either a birth certificate, certificate of naturalization or a passport as documented proof of citizenship," said Keon Chi, senior fellow and editor of the Journal of State Governments at the Council of State Governments in Lexington, Ky., a national organization of 50 state governments.

"I think this case shows there is a serious crack in the system and that a person was able to take advantage of a loophole in the voter-registration requirements," said Mr. Chi. "For the integrity of the system this is something that needs to be revisited and changed."