



**New Hampshire
Department of Justice**
Office of the Attorney General



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Press Release

For Immediate Release

Date: December 02, 2020

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Douglas Carl Smith, Jr. Pled Guilty to Three Counts of Wrongful Voting during the March 2018 Town Election

Concord, NH – Attorney General Gordon J. MacDonald announces that Douglas Carl Smith Jr., age 31, of Warner, New Hampshire, pled guilty to three counts of Wrongful Voting for voting in two places during the March 13, 2018 Town Election. Mr. Smith pled guilty to these charges as part of a global plea agreement between the Department of Justice, and the Sullivan and Merrimack County Attorneys' Offices.

A global plea agreement is a routine negotiated resolution that occurs when a defendant faces multiple, unrelated charges brought by different prosecuting offices.

Mr. Smith was charged with a class B felony for violating RSA 659:34, I (e) for knowingly voting in an election that he was not qualified to vote in when he voted in both the Towns of Grafton and Danbury during the March 13, 2018 Town Election.

He was also charged with two class A misdemeanors for knowingly applying for a ballot after already voting once during the March 13, 2018 Town Election, and for knowingly providing false information on an Election Day voter registration form.

For the two misdemeanors, Mr. Smith was sentenced to 12 months at the House of Corrections, with all but 6 months suspended for 3 years. Mr. Smith will serve 6 months of incarceration concurrent to his prison sentence for Aggravated Felonious Sexual Assault (AFSA), a case prosecuted by the Sullivan County Attorney's Office. The Court also ordered Mr. Smith pay a \$2,000 fine with a penalty assessment of \$480, all of which was suspended for 3 years.

For the felony, Mr. Smith was sentenced to 2-4 years at the New Hampshire State Prison, all suspended for a period of 3 years from his release from the State prison sentence.

A consequence of Mr. Smith's election law conviction and pursuant to Part I, Article 11 of the New Hampshire Constitution, his right to vote in New Hampshire is terminated.

For the charges brought by the Sullivan County Attorney's Office, Mr. Smith pled guilty to:

- One charge of AFSA (class A felony) and was sentenced to 5-10 years at the New Hampshire State Prison, stand committed, in addition to other conditions; and
- One charge of Duty to Inform-Subsequent (class B felony) and was sentenced to 3.5-7 years at the New Hampshire State Prison all suspended 10 years from today, in addition to other conditions.

For the charges brought by the Merrimack County Attorney's Office, Mr. Smith pled guilty to:

- One charge of Reckless Conduct with a Deadly Weapon (class B felony) and was sentenced to 2-4 years at the New Hampshire State Prison, stand committed, to run concurrent to the Sullivan County AFSA charge, in addition to other conditions; and
- One charge of Felon in Possession of a Firearm (class B felony) and was sentenced to 2-4 years at the New Hampshire State Prison all suspended 3 years from release from his State Prison Sentence, in addition to other conditions.

Assistant Attorney General Nicholas Chong Yen, of the Election Law Unit, and Associate Attorney General James Boffetti prosecuted this case along with Chief Investigator Richard Tracy.

County Attorney Marc Hathaway prosecuted the case for the Sullivan County Attorney's Office and Assistant County Attorney Melinda Siranian prosecuted the case for the Merrimack County Attorney's Office.



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