

Michael Malaguti

From: Michael Malaguti
Sent: Tuesday, October 24, 2023 3:38 PM
To: Sherman Packard
Cc: Michael Malaguti
Subject: Statements
Attachments: statements_0001.pdf

Speaker Packard,

Attached are the statements outlining the interaction with Rep. Perez.

Sincerely,

Michael J. Malaguti
Town Manager
Town of Londonderry
603-432-1100 x 151
mmalaguti@londonderrynh.org

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September 24, 2023

Wednesday, September 20, 2023 a Session of the Supervisors of the Checklist was scheduled and open to the public as of 6:00 p.m. (the "Session"). I arrived at Town Hall at 5:30 p.m. The Chairperson of the Supervisors of the Checklist, Kristen Grages ("Kristen"), was already there working. Kristen asked whether I had seen the email from the concerned citizen regarding the voter listing (the "alphalist"), and I said I had read it. She then indicated the situation had escalated and that Representative Kristine Perez would be in that evening to discuss the matter. Brian McCurley ("Brian"), the newest member of the Supervisors of the Checklist, arrived a short while later for his second working session. The three of us began our preparation work for the evening's Session.

At six minutes to 5:00 p.m. there was a loud knocking on the door, a brief pause and then a second loud knocking. Kristen got up from her desk and opened the door. Representative Perez was at the door. Kristen explained that the public session was not open until 6:00 p.m. but that Representative Perez was welcome to come in. The door remained open to the public. Kristen returned to her desk whereupon there were some brief words that I don't recall between Representative Perez and Kristen. Kristen then said to Representative Perez that even though Session had not yet officially started she would be happy to answer any questions Representative Perez had.

I had a question for Kristen and went over to her desk. Representative Perez initially questioned whether we were doing work prior to Session starting. Kristen explained that we can prepare work prior to the official start of a Session, but don't actually add or remove anyone from the checklist until Session has started. Representative Perez then asked how Brian McCurley was chosen as the new Supervisor of the Checklist after Kiersten Hildonen expressed her intent to hand in her resignation as she was taking on a new position with the Town of Londonderry. Kristen explained that she and I had a discussion, had agreed and voted to nominate Brian as the new Supervisor of the Checklist. At some point during this portion I returned to my work desk.

A man stopped by the door asking for assistance in finding a meeting. Kristen responded to his inquiry, made a phone call and gave him the location of the meeting.

Representative Perez began speaking again, her tone was louder and increasingly accusatory and intimidating. At this change in tone my heart leaped into my throat. Representative Perez then proceeded to question Kristen with regard to the citizen email with the name of 1083 voters still on the Londonderry alphalist. Kristen agreed that any voters who should not be on the list should be removed, that the State had sent us a listing of a number less than that stated in the citizen's email. Kristen had in fact been working at the town hall all that day to begin the process of removing names and had been able to queue up 330 names for removal. Nothing Kristen said was acceptable to Representative Perez, who repeatedly cut off Kristen in mid-sentence. As Representative Perez spoke the volume of her voice increased as did the speed of her questioning, and also the speed with which she cut off Kristen's attempts to respond. I felt

defensive, anxious and I was not even the person she was directly addressing. Representative Perez expressed that the reason she was upset was that this was important, she inferred this excused her behavior.

Representative Perez began speaking in a circular repeating pattern, stating she had been an ER nurse and that accuracy was expected; she was only paid \$100 a year as a State Representative; why hadn't we updated the alphas; she accused Kristen of not knowing the law, stating if a police officer pulls you over not knowing the law is no excuse. Kristen continued to address Representative Perez with politeness as she tried to answer her questions, still unable to finish a sentence. Representative Perez even said at one point something to the effect of "you say you're sorry an awful lot". Kristen had just been trying to be polite in her responses and then move on from "I sorry but" to the discuss the point she was trying to make. Representative Perez did not allow her to finish.

Representative Perez finally finished speaking and left. I believe the encounter was approximately fifteen minutes, but I'm not sure as I was in shock. Kristen got up from her desk, walked to the copy room and closed the door. We then heard her sobbing. There were no other citizens in the room. Brian went to the door and told Kristen it wasn't her fault. Kristen came out of the copy room a couple minutes later and returned to her desk. She even made a small joke about her mascara which cut the tension in the air as we all laughed for a second. Then Representative Perez came back in the room with a paper, minutes from the prior meeting I believe, where Kristen, Brian and I had signed, but Kiersten Hildonen's name was printed below my signature. Again Representative Perez questioning was in a loud and accusatory manner, bringing up the alphas issue again. Kristen was still polite and tried to address Representative Perez's statements, but was cut off again. I'm not sure why she stopped but after a short while Representative Perez stopped speaking, looked around the room and then left.

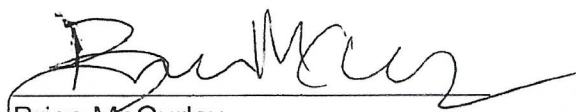
Brian and I had a few words with Kristen, an attempt to reassure her after the verbal abuse that had just occurred. Kristen said we were still in Session and we all got back to work. We completed the public Session, then discussed scheduling the next work sessions to address the removal of names from the alphas.

I rarely see the kind of verbal abuse that was perpetrated on Kristen Grages by Representative Perez. It was shocking to say the least. Representative Perez did not come to discuss an issue and find resolution, she came to berate, humiliate and intimidate a public servant and did so to each of us there. Kristen Grages is a polite, helpful, hardworking, conscientious, and professional public servant who as Chairperson has led the Supervisors of the Checklist in an exemplary fashion for many years. The treatment Kristen endured, the verbal abuse, questioning of her competency and integrity, was totally uncalled for. It disturbs me that a Representative of the people of Londonderry would behave in such a fashion.



On September 20th at approx. 5:50pm, Representative Kristine Perez knocked at the door of the Town Clerk's office, which was locked prior to the start of the 6pm Public Session. Supervisors Kristin Grages, Barbara McDonald and myself were working at separate desks in the Clerk's office. Kristin Grages opened the door and explained that the door was locked because the public session starts at 6pm but welcomed Mrs. Perez into the Clerk's office. I believe Mrs. Perez took photos of the Public Checklist binder located on the counter when she first walked in. After Kristin G. returned to her desk, Mrs. Perez began speaking directly to Kristin G. about various issues she has regarding the duties of the Supervisors. I was doing my best to focus on reviewing and inputting Pending voter registration applications into HAVA but was distracted due to the manner Mrs. Perez was addressing Kristin G. I recall Mrs. Perez said she was angry and questioned Kristin regarding various duties of the Supervisors including the removal of voters related to Changes of Address. Mrs. Perez mentioned multiple times having spoken with the Secretary of State's office about her concerns. Kristin Grages attempted to either answer, discuss or apologize about how Mrs. Perez felt about these issues. I believe before leaving for the first time, Mrs. Perez said "this isn't over". After Mrs. Perez left, I noticed Kristin G. was visibly upset and she attempted to open the vault, I believe to find a private space. She was unable to enter the code and proceeded to walk to the Clerk's copy/break room and closed the door. I checked on Kristin and after a few moments she returned to her desk to continue working. Shortly thereafter, Mrs. Perez returned to the Clerk's office. I do not recall the specific issue but she continued another complaint directly with Kristin. She did not appear to notice Kristin was visibly upset.

I recall among Mrs. Perez comments were "Londonderry isn't Lily White". I believe Mrs. Perez mentioned having written a letter to the paper regarding her concerns. She mentioned multiple times that she worked as an ER nurse. She mentioned that the Supervisors of the Checklist is an hourly paid position and made a comparison to her compensation of \$100 as a NH State Representative. Before Mrs. Perez left she told Kristin "I'm glad you're not a nurse".



Brian McCurley

Notes on my interaction with Representative Kristine Perez on September 20, 2023

The Supervisors of the Checklist held a public session scheduled for 6-7pm in the Town Clerk's office. As is customary, the door to the Clerk's office is locked at 5:00pm when the Clerk and Assistant Clerks close. That door remains closed until we open for public session. The time for our session was posted in the hall of the atrium of Town Hall as well as on the town website, social media profiles, Londonderry Times and Derry News.

I arrived at Town Hall on September 20th around 9:00 am so that I could work on a backlog of work to be done ahead of our session. Supervisor Barbara MacDonald arrived at about 5:30 pm and Supervisor Brian McCurley within minutes thereafter. I sat at the desk closest to the Vault, Supervisor McCurley at the desk immediately next to that and Supervisor MacDonald at the first desk in the perpendicular row. We began (or in my case continued) our preparatory work.

At 5:54, there were repeated sets of aggressive knocks at the door to the Clerk's office. I noted the time and immediately walked over to the door. I greeted Rep. Perez by her first name and informed her that our public session did not begin for another six minutes. In an attempt to avoid antagonizing her when she was clearly already agitated, I welcomed her into the office early anyway and returned to my desk to continue my clerical work. I asked Supervisor McCurley to please open the doors to the public at 6:00 because I anticipated it was likely I'd be engaged in conversation with Rep. Perez and I wanted to ensure we were open to the public promptly.

I returned to my clerical work for approximately 1 minute before Rep. Perez asked in an accusatory tone what exactly we were doing if we weren't yet in public session. I explained to her that, while we can only make changes to the official checklist during public session, there is a substantial amount of clerical and filing work we need to do in order to prepare for a public session so that we can review and approve changes at that time. Rep. Perez appeared unimpressed by this response.

Within another minute, Rep. Perez then asked when she would be allowed to start speaking with her public comment and questions. The Supervisors of the Checklist meetings do not traditionally include a scheduled section for public comment. Transparently, Supervisors of the Checklist meetings rarely include more than one or two members of the public at all - who come to register to vote or change their party. Because there is no formal structure for such public comment, I told Rep. Perez she was welcome to share her concerns and questions immediately, even before we were officially open at 6:00pm. She took me up on that and began addressing her concerns.

Rep. Perez spoke for the next 30 minutes, perhaps longer. I'll detail as best I can that conversation below. Outside of her speaking, there was little else going on. At 6:00pm, per my request, Supervisor McCurley opened the door for the public. At about 6:13, a man walked in. I asked him if he was there to register to vote but he indicated that he had a problem getting upstairs to a meeting. Knowing that Kirsten Hildonen had recently updated the security protocols for the elevator and stairwells, I called her at 6:15 and asked her how I could assist

this person. While she provided me with the appropriate access codes, Rep. Perez said, "Well you know why I'm here of course!" I provided the man with the appropriate access code after confirming with Kirsten that he should have them and then he left. No other members of the public appeared while Rep. Perez was there, nor after. I was not able to call the meeting into official session until 6:45 (as noted in our official minutes) because Rep. Perez did not stop engaging me with pointed questions and accusations.

Rep. Perez was very focused on efficiency, relating its importance to her work as a nurse. She expressed outrage at what she perceived to be a lack of urgency regarding the timely addressing of the National Change of Address (NCOA) List from the Secretary of State. I walked her through the timing, explaining that we received the notice in July and began the work of acting upon it at our next session in August. Rep. Perez was angry to hear that we only met monthly when not leading up to an election and believed that this list should have been addressed immediately. When I explained to her that, since there was no election coming soon, the Board of Supervisors felt comfortable to process the list in chunks, sending 30-day letters to the first 54 people on the list. I then explained that I worked after the session to process an additional 900 people to prepare them to receive 30-day letters. This led to Rep. Perez accusing the Supervisors of potentially being too busy with our full time jobs to immediately address things she deemed urgent.

After that, Rep. Perez focused on the fact that we were paid to do the Supervisor work as well and suggested that we chose to do the 30-day letter process for the NCOA list in an attempt to make more money. She said that if we were being paid \$4500, we should find the time to get this work done. She equated our pay to her \$100 stipend as a State Representative, suggesting strongly that we were overpaid and somehow milking the town for money.

I sought to explain to Rep. Perez the reason the Board made the choice to send 30-day letters vs. direct removal, how it was in line with the options outlined by the Secretary of State's office and the logic we used in arriving at that decision. She again accused us of inefficiency and suggested we were wasting the Town's money on postage and our hourly rate by not removing people directly. I continued that, per the guidance I received from the Secretary of State's office this week, we were adjusting our process to directly remove these voters. I told Rep. Perez that, since I got that information yesterday, I came in at 9:00 am on a workday for my day job to work on this list so that we could process as many people as possible during our official session. I was able to get 302 people processed. I assured Rep. Perez that we were going to have several working sessions ahead of our next Session on October 6th and that I expected we would complete the processing of that list at that time.

Rep. Perez took time to explain her belief in the critical importance of voter integrity, to which I answered that we mirrored that commitment,, since we took on this role. Rep. Perez then said, "You know, Londonderry isn't as lily white as we think it is. Voter integrity matters here too." I understood this to be a racist suggestion that people of color are more likely to commit voter

fraud and because the ethnic diversity of Londonderry has slightly increased, she perceives the threat of our small community of color to increase the likelihood of voter fraud.

Rep. Perez spoke too about her indignation regarding our minutes. Her specific concern regarding the minutes was related to not including the names and addresses of voters removed at a particular session within our minutes. She asked me accusingly if I'd been trained. I informed her that not only did the State nor my predecessor ever train me to keep minutes one way or the other, the RSA did not support a requirement for those names to be included in the minutes. Rep. Perez told me I was wrong and that the Secretary of State told her they train on how to do the minutes. I told her that was not my recollection and had not been covered in my first nor subsequent trainings from the SOS office.

I continued that it was my understanding of the law that the names of voters were not required in the minutes but that, should I be mistaken, I'd more than happily adjust the way that I created my minutes.

Rep. Perez added that I was also out of compliance because the minutes were not posted on the town's website. I explained that the minutes are available for public review at any time, should anyone ask and pointed that they were literally in the drawer next to me. She argued that it was against the law and moved on when I repeated that that was not my understanding.

Rep. Perez then pivoted, complaining next that she'd received redacted minutes. When I informed her that she'd received the full minutes and then produced a year's worth of examples of similar minutes, she then argued that the minutes were insufficiently detailed. I again explained that I wrote the minutes as my predecessor had and that I'd be happy to make an adjustment if a citizen or literally anyone expressed any concern or even interest in our minutes. Rep. Perez shouted that it shouldn't take a concerned citizen for me to follow the law.

Rep. Perez repeatedly said that she didn't want me to think that I was being attacked but that she was very angry. In an attempt to de-escalate the situation, I offered empathy, explaining that I understood and appreciated her concerns and that I was more than happy to discuss them with her. This de-escalation strategy unfortunately did not succeed and she appeared more incensed instead.

Rep. Perez repeatedly accused me of knowing "some laws", specifically derisively referencing that I'd informed her that it cost \$33 to purchase a copy of the town's voter checklist, but didn't bother to learn others.


Repeatedly over the course of the conversation, I could feel myself on the edge of becoming overwhelmed as I tried to manage emotions of sadness, defensiveness, frustration, exasperation, and protectiveness for both my fellow Supervisors and the reputation and integrity of Londonderry's elections.

When Rep. Perez left, I was so close to losing my composure that I attempted to unlock the vault so that I could seek refuge to cry. The lock had low batteries and I was so flustered I gave up and walked across the office to the copy room where I shut the door and collapsed against it, sobbing. I sat, crying uncontrollably, for a few minutes, though I'm honestly not sure about that timing. Supervisor McCurley attempted to talk with me through the door but I was unable to pull myself together enough to speak with him. I was dismayed to discover, based on the volume of his voice, precisely how little sound was stopped by the door.

Once I was able to compose myself sufficiently, I walked back over to my desk. Supervisor McCurley attempted to offer sympathetic words regarding his opinions of the encounter but I reminded him that we were still in public session and sat back at my desk to attempt to return to our business. Within a minute of me returning to my desk Rep. Perez returned to again accuse me of malfeasance, this time in regards to the signature page on the then-current public voter list. She asked me if Kirsten Hildonen attended our last session, which I informed her she did not. She then asked why she signed the signature page, and I informed her that she did not. Rep. Perez then brought over the then-current public voter list to ask why her signature was on it then. I told her that it was not Kirsten's signature but was, in fact, Barbara MacDonald and Brian McCurley's signatures, which she was welcome to confirm with them as they were in the room and the signatures both clearly started with a "B." She ignored that invitation and then asked me why Kirsten's name was on the signature line. I explained that, for efficiency which she had spent so much time talking about, we use the same document and just replace the relevant information each session. I further explained that I'd failed to replace Kirsten's name with Brian's since it was his first session. She asked me why I did that. I said it was a mistake. She said, "Well it's a good thing you're not a nurse with all of these mistakes," and then walked out of the office a second time. Based on the timing of her return, it is my belief that she waited until I had sat back at my desk to maximize the effect of her returning to our session.

Upon Rep. Perez's second departure, I called the meeting to order and we continued our clerical work, eventually voted on the changes to the checklist and called the meeting to a close. We finalized our work for the evening, printed out a new public checklist, planned our upcoming work sessions and departed for the evening.

In addition to the stress of the actual encounter with Rep. Perez, I find that I now get a spike of anxiety any time I see I have a new email in my town email. The combination of requests, comments and accusations has had a significant impact on my mental health over the past week. Anxiety and depression have been quick to surface at any thought of my work with the town. Where once I sought to meet or even exceed my predecessor's laudable tenure of 38 years as Supervisor of the Checklist, I have, for the first time, considered resigning my position.



Michael Malaguti

From: Michael Malaguti
Sent: Sunday, October 15, 2023 8:55 PM
To: Sherman Packard
Cc: TownCouncil; Kellie Caron; Michael Malaguti
Subject: Representative Perez
Attachments: perez complaint tc_0001.pdf

Speaker Packard,

Please find attached correspondence on which the Town Council is copied.

Respectfully,

Michael J. Malaguti
Town Manager
Town of Londonderry
603-432-1100 x 151
mmalaguti@londonderrynh.org

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Michael Malaguti

From: Michael Malaguti
Sent: Thursday, November 2, 2023 9:16 PM
To: TownCouncil
Cc: Kellie Caron; Michael Malaguti
Subject: Fw: [SPAM]September 20, 2023, Meeting of the Supervisors of the Londonderry Checklist
Attachments: Document_2023-11-02_123331.pdf

Councilors,

As follow up to my letter of Oct. 15 directed to the Speaker of the House, please find Rep. Perez's response attached.

Mike

Michael J. Malaguti
Town Manager
Town of Londonderry
603-432-1100 x 151

From: Kristine Perez <[REDACTED]>
Sent: Thursday, November 2, 2023 12:47 PM
To: Kristin Grages; Michael Malaguti
Cc: Sherman Packard
Subject: [SPAM]September 20, 2023, Meeting of the Supervisors of the Londonderry Checklist

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November 2, 2023

Members of The Supervisors of the Londonderry Checklist,

In response to the letters sent by you as well as Mr. Malaguti, I would like to take this opportunity to acknowledge your concerns and the uncomfortable feelings caused by my elevated tone during the meeting on September 20, 2023. I regret that I was responsible for that outcome. My overwhelming frustrations unfortunately became evident. Please understand that my only goal, as I am sure is yours, is to guarantee that only legal Londonderry residents are allowed to vote in any election. I became very concerned when I learned that there were over 1000 names of those that had potentially left the town between 2018 and 2022 whose names remained on the legal voter registry. After multiple communications between the Secretary of States office and Kirsten Hildonen to understand the laws and exactly what was needed to be done, I felt the need to be present at the next available meeting. I was only there as a very concerned citizen of Londonderry. The references to my position as a State Representative were only used as a comparison of and not a statement of my representation at the meeting.

Going forward I would like to offer some suggestions:

I understand that you have guidelines that are put forward by the Secretary of State's office. They are guidelines and it appears that they offer no process by which to do your elected responsibilities in the most efficient and timely manner. I would like to suggest that you develop protocols and/or procedures that would work best for you as a group and perhaps be available in the future for any new person in that position.

I have been made aware by the Rockingham Registry of Deed office that all transactions of property are electronically sent to the Londonderry Assessor's office within 10 days of recording, making that information available for the asking. Perhaps obtaining that information for the previous weeks prior to your meetings would offer the opportunity to send 30-day letters and assist in keeping the voter list current thus avoiding long delays as found from 2018 to 2022. This has always been available, but I do not recall you mentioning this opportunity as something that has been utilized by you in the past.

I would also like to see that all family members are removed at the same time when that information is available, especially now that you have the USPS "change of address" available to you.

Please allow me to offer my assistance in implementing any of these suggestions.

In a town the size of Londonderry and with the fluctuation in voter turnout, outcomes can often be determined by a small number of votes. Therefore, the accuracy of the voter list is of the utmost importance and crucial to the integrity of the town.

Respectfully,



Kristine Perez

Londonderry, NH