



## NEW YORK STATE LEGISLATURE

September 5, 2025

Henry T. Berger  
Peter Kosinski  
Co-Chairs  
State Board of Elections  
40 North Pearl Street, Suite 5  
Albany, NY 12207

Dear Commissioner Berger and Commissioner Kosinski:

We are writing to request that the State Board of Elections issue an advisory opinion on the use of campaign funds and public matching dollars for security expenses related to both campaign activities and legislative duties.

Specifically, we request that the State Board of Elections address the following questions: Are security expenses, including non-structural security devices, structural security devices, professional security personnel and services, and cybersecurity software, devices, and services, incurred as a direct result of campaign activity or position in public office a permissible use of campaign funds in New York? Are such security expenses by candidates a permissible use of public matching funds? If so, what limits or restrictions exist on such expenditures?

Unfortunately, these questions are becoming increasingly relevant to public servants, candidates, and prospective candidates grappling with the heightened risk of political violence. The tragic murder of Minnesota House Speaker Emerita Melissa Hortman and her husband, Mark, along with the attempted murder of Senator John Hoffman and his wife, Yvette, have prompted state and local officials, and candidates around the country to review their own security measures. But even prior, state and local officials around the country reported experiencing harassment, threats of violence, and even attacks. In a 2023 survey conducted by the Brennan Center, more than 40% of responding state lawmakers reported receiving threats within the last three years; women and people of color were even more likely to be the targets of abuse.<sup>1</sup>

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<sup>1</sup> Gowri Ramachandran et al. "Intimidation of State and Local Officeholders: The Threat to Democracy." Brennan Center for Justice. January 25, 2024. Last accessed August 28, 2025.  
<https://www.brennancenter.org/media/12120/download/Intimidation%20of%20Officeholders%20Report%20Jan%202024.pdf?inline=1>

Prospective candidates now weigh security risks to themselves and their families when deciding whether to run for office. The Brennan Center found that 40% of local lawmakers reported that concerns about abuse made them less likely to run for reelection or another office. Being able to use campaign funds or public matching dollars for security expenses may alleviate some of these concerns for candidates, especially those who may otherwise be unable to afford needed security.

New York law provides that campaign funds may not be used for any purposes “unrelated to a political campaign or the holding of a public office or party position,” but does not explicitly prohibit the use of funds for security purposes (§14-130(1) of election law). Similarly, current law limits the use of public matching funds to purposes that “further the participating candidate’s nomination for election or election,” although it prohibits the use of public matching funds for purposes that relate to the “execution or performance of duties of public office” (§14-206 of election law). We believe that, where there are legitimate concerns about candidate or staff safety, security expenses should be a permitted use of campaign funds for candidates and elected officials, as well as a permitted use of campaign matching funds for candidates. However, we request clarification from the Board of Elections.

Thank you for your time and consideration.

Sincerely,



Shelley Mayer  
New York State Senator, District 37



Alex Bores  
New York State Assembly Member, District  
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cc: Office of Special Counsel