

THE SENATE  
STATE OF NEW YORK



GEORGE M. BORRELLO  
SENATOR  
57TH DISTRICT

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June 3, 2020

The Honorable Andrew M. Cuomo  
Governor of New York State  
New York State Capitol Building  
Albany, NY 12248

Dear Governor Cuomo,

The right to vote is the most fundamental right in our democracy. Many have fought and died to protect that right. Their sacrifice underscores the vital importance of this privilege and the need to assure the integrity of each and every vote. That is why we are urging you to veto Senate Bill 8130D.

While we support the goal of encouraging voter participation, we are concerned that this legislation leaves the door open for voter fraud.

This bill would allow voters to request absentee ballots electronically, either by email or by a Board of Elections web portal. Of great concern is the fact that the requirement of a signature by the applicant is eliminated under this measure. A signature has always been required of those requesting absentee ballots to verify the person requesting and returning the ballot are one in the same. Without that important verification step, we have no assurance of the validity of that ballot. Also, unlike other states that have broadened absentee ballot voting, New York does not require that absentee ballots be mailed. There is virtually no way for boards of election to ensure that the ballot was legitimately filled out by the named voter and not fraudulent and/or part of a ballot harvesting scheme.

While many argue that voter fraud is rare or simply an urban myth, the Heritage Foundation tracked and catalogued more than 1,200 cases of confirmed voter fraud. This figure doesn't include all cases of fraud or the countless instances that were never investigated or prosecuted. Their examination highlighted that absentee ballots are the easiest to manipulate, even when the process has all the usual 'controls' such as a signed application by the intended voter.

The absentee ballot process here in New York has already been identified as lacking proper oversight. The New York State Comptroller's office found in its last audit of absentee voting that in six of the seven counties studied, there were absentee ballots that should have been rejected because they had incomplete or inaccurate information. The current legislation would only further increase the probability of mistakes and undetected fraud.

Regrettably, there was no attempt made in this legislation to compensate for the elimination of the signature requirement by adding another more digital-friendly verification tool in the online application process. Whether oversight or intentional, the lack of any attempt to provide even a measure of fraud protection merits rejection of this legislation.

As we all attempt to navigate the many challenges presented by the coronavirus, ensuring that eligible voters exercise their right to vote is a challenge we must tackle. But it must be done without compromising the integrity of our election process. This legislation fails that test and should be vetoed.

We appreciate your consideration of our perspective and request.

Sincerely,



George M. Borrello  
57<sup>th</sup> Senate District



Patrick Gallivan  
59<sup>th</sup> Senate District



Pamela S. Helming  
54<sup>th</sup> Senate District



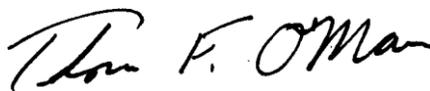
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