NEW YORK

CITIZENS AUDIT

NY CITIZENS AUDIT CASE SYNOPSIS:

Identity Theft at the New York State Board of Elections

Report Produced by New York Citizens Audit

New York Citizens Audit (NYCA) is a citizen's group organized for the purpose of performing an open-source audit of the New York State Board of Elections.

The following report presents evidence of over a million instances of apparent criminal identity theft within the NYSVoter database.

Criminal identity theft is defined by the NYS Attorney General, and under NY Penal Law, as follows:

1. Identity theft is the unlawful use of an individual's personal identification information.*

2. § 190.80 Identity theft in the first degree:

   A person is guilty of identity theft in the first degree when he or she knowingly and with intent to defraud assumes the identity of another person by presenting himself or herself as that other person, or by acting as that other person or by using personal identifying information of that other person, and thereby:

   3. Commits or attempts to commit a class D felony or higher level crime or acts as an accessory in the commission of a class D or higher level felony.

3. Identity theft in the first degree is a class D felony.

* https://ag.ny.gov/consumer-frauds-bureau/identity-theft

IDENTITY THEFT IS THE UNLAWFUL USE OF AN INDIVIDUAL'S PERSONAL IDENTIFICATION INFORMATION.

▶ ONE VOTER, ONE STATEWIDE UNIQUE IDENTIFIER BY LAW

Election law in New York State is clear. Every eligible voter shall be granted one statewide unique identifier within the NYSVoter registration database:

> **NY Codes, Rules, and Regulations, Title 9, Subtitle V—State Board of Elections, Part 6217—New York State Database Regulations:**
>
> 1. (b) NYSVoter shall serve as the single, interactive, statewide voter registration list for storing and managing the official list of registered voters throughout the state. It shall be maintained and administered by the State Board of Elections. **NYSVoter shall maintain one record for each registered voter including the statewide unique identifier,** current voting eligibility status of the voter and voter history, including but not limited to, voting history, previous name(s) and addresses.
>
> 5. (e) Following entry into the county voter registration system, all information in the application for voter registration must be transferred electronically to NYSVoter which will then electronically notify the county voter registration system with a response that includes confirmation of the transaction, an assigned unique identifier and registration status in NYSVoter. **NYSVoter shall assign a unique identifier to every voter that will remain with the voter for their voting life.**

According to New York state law, officials shall deny registration when the voter is already listed at their current address:

> **Consolidated Laws of New York, CHAPTER 17, ARTICLE 5**
> **§5-204. Local registration; General Provisions for the Conduct of.**
>
> 3. c. If the person's name appears on the list of registered voters and he is residing at the same address as set forth therein, his registration shall be refused as unnecessary.

If the voter has a new address, a new registration is still not made:

> **N.Y. Comp. Codes R. & Regs. Tit. 9 § 6217.10—Voter registration list changes and list maintenance**
>
> (c) Address, name and enrollment changes within a county.
>
> > (1) When a review and query of a voter registration application indicates that the voter is already registered to vote within the county, and is initiating a change to their record, such change shall be processed, and the record updated and the appropriate notice shall be sent to the voter:
> >
> > > (i) For an address change—a transfer notice as provided for in Election Law, section 5-208(1)(5).
> > >
> > > (ii) For a name change, or the addition or deletion of a post office box—an approval notice as provided for in Election Law, section 5-210(9).

If the voter's new address is out of county, the National Change of Address USPS process includes contacting the relevant county, and no additional statewide unique identifier is granted:

> **N.Y. Comp. Codes R. & Regs. Tit. 9 § 6217.10—Voter registration list changes and list maintenance**
>
> (e) National change of address. National change of address processing shall be conducted with a United States Postal Service approved vendor at least annually. The processing shall at a minimum identify voter address change information, whether permanent or temporary; provide data which can be used to standardize addresses and provide enhanced ZIP code extensions, to assist in more accurate delivery of voter mail; and notification of deceased status. Notifications shall be sent to the appropriate county for follow-up and determination.

▶ VOTER IDENTITY VERIFICATION

Not only is the law clear regarding the assignment of only one statewide unique identifier per voter, the process for verifying the identity of a prospective registrant is extensive:

N.Y. Comp. Codes R. & Regs. Tit. 9 § 6217.6—Voter identification verification

(a) The county board shall promptly, and in any event, not later than 21 days after receipt by it of the voter registration application, verify the identity of the applicant who has not previously had his or her identification verified. The voter's registration and enrollment shall be complete upon receipt of the application by the appropriate county board. The failure of a county board to verify an applicant's identity shall not be the basis for the rejection of a voter's application; provided, however, that such verification failure shall be the basis for requiring county board to take the additional verification steps provided by the Election Law, section 5-210 and this Part.

(b) In order to do so, the county board shall utilize the information provided on the application and shall attempt to verify such information through NYSVoter with the information provided by the New York State Department of Motor Vehicles, or the United States Social Security Administration and any other lawfully available information source. The county board shall do so by transmitting such information to NYSVoter. The county board shall deem as verified for the purposes of this section an application received from the Department of Motor Vehicles processed simultaneously and integrated with an application for a motor vehicle driver's license, a driver's license renewal or an identification card if such card is issued by the Department of Motor Vehicles in its normal course of business, pursuant to section 5-212 of the Election Law.

(c) NYSVoter shall compare the New York State Department of Motor Vehicles driver license or non-driver number, name, and date of birth of the voter with the New York State Department of Motor Vehicles records for verification of the voter's identification as required by statute. The New York State Department of Motor Vehicles shall report back to NYSVoter. Based upon this report, the County Board shall determine if they have sufficient information to verify the voter's identity, or whether additional information is required to verify the voter's identity.

(d) If necessary to verify a voter's identity, NYSVoter shall compare the last four digits of the voter's social security number, name and date of birth, through the New York State Department of Motor Vehicles with the United States Social Security Administration records for verification of the voter's identification as required by statute. The United States Social Security Administration through the New York State Department of Motor Vehicles shall report back to NYSVoter. Based upon this report, the county board shall determine if they have sufficient information to verify the voter's identity, or whether additional information is required to verify the voter's identity.

(e) If the county board is unable to verify the identity of the applicant within 21 days of the receipt of the application, it shall immediately take steps to confirm that the **information provided by the applicant was accurately utilized by such county board, was accurately verified with other information sources and that no data entry error, or other similar type of error, occurred.**

Despite clarity and redundancy in the law regarding the assignment of one statewide unique identifier per verified voter, for life, when NYCA researchers examined a copy of the NYSVoter database, obtained via Freedom of Information Law (FOIL) request on October 21, 2021, they found 2,427,827 statewide unique identifiers (SBOEID) attached to 1,170,790 unique individuals. This leaves a minimum of 1,257,037 unexplained voter registrations.

▶ CLONED RECORDS VS. DUPLICATE RECORDS

A "duplicate" voter registration record is a near-exact copy of an existing record. Possible differences between duplicate records are limited to modified name and address information. Duplicate records are generated when a person moves to a different county within New York or changes their name. Duplicate records connected to the same voter bear the same unique State Board of Elections Identification (SBOEID) number; the number to which votes are attached in NYSVoter. **No matter how many duplicate records, a registrant cannot cast more than one vote.**

Each "cloned" record has a unique SBOEID number from the other records connected to the same individual. Each cloned registration can "vote."

Type	Name	DOB	Address	County BOEID	State BOEID	# of Votes
Duplicates	Can be modified	Exact match	Can be modified	Can be >1	Same	1
CLONES	Can be modified	Exact match	Can be modified	Can be >1	**UNIQUE**	**>1**

THIS IS NOT "VOTER" FRAUD

It is inconceivable that 1,170,790 NY residents all intended and succeeded at cloning their NYSVoter registration. It represents an impossible path to individual voter fraud, since voters are verified and given ballots based on name and address, not SBOEID number. Someone setting out to cast multiple votes would be unable to make use of any additional SBOEID numbers attached to their same identity, unless that person had administrative privileges inside the database.

A number of things must occur before an individual voter can have multiple NYSVoter identification numbers, and votes, assigned to their personal identifying information:

1. **An "original record" must be made, sometimes legitimate and connected to a real voter.**

2. **The original record must be cloned by someone with official access**
   - §170.10 forgery in the second degree [a class D felony]
   - §190.80 identity theft in the first degree [a class D felony]
   - 18 U.S. Code §1028A Aggravated Identity Theft [a class D felony]
   - §17-160 Procuring fraudulent documents in order to vote [a felony]

3. **The cloned record(s) must be entered into the voter roll by someone with official access, and assigned a unique SBOEID**
   - §17-104 False registration [a felony]
   - §17-106 Misconduct of election officers [a felony]

4. **A vote must be assigned to the cloned record(s) by someone with official access**
   - §17-132 Illegal voting [a felony]
   - Multiple voting in a federal election
   - or impersonating voters [52 U.S.C. §§ 10307, 20511]

▶ ARE ALL CLONES BASED ON A VERIFIED ORIGINAL REGISTRANT?

One of the first questions NYCA addressed after uncovering this category of false registration was the issue of clone origination. Are any of the 1,170,790 unique voters that have been "cloned" fictitious? Answering this question is critical to understanding the scale and scope of fraud. If some of the clones are fictitious, cleaning the voter rolls is not an adequate solution. Instead, a thorough investigation is required to learn who was responsible, how it was accomplished, when it happened, and what motivated the fraud.

Fictitious Voters

The following three "voters," in possession of 21, 21, and 11 SBOEID numbers respectively, were canvassed by NYCA. Their registration records (all PII has been altered for this public document) and investigation results are as follows:

1. Mr. M

"Mr. M" has 21 registrations with the exact same name, one in each of 21 different counties of NY. 20 of these registrations share the same day and month of birth, in the same 3 consecutive years (1979, 1980, and 1981). All 21 registrations were made within a month of each other; 18 within 72 hours. Mr. M has 16 unique SBOEID numbers. Many of these are now purged, but each one was active in the rolls for a minimum of 4.43 years. Two records have no address, contrary to election law; one is an art gallery, and one is an office building.

Three of Mr. M's addresses have been canvassed by NYCA. The first was the Little Valley address, the second was Nanuet, and finally Goshen. In the first two cases, the homes were owner occupied by someone other than Mr. M for decades. Neither homeowner had ever heard of Mr. M. In Goshen canvassers discovered a housing complex. NYCA volunteers spent nearly an hour with the property manager, examining records regarding the 20 some residences, combing over 80+ previous tenants. They found no trace of Mr. M.

Perhaps most significantly, an online canvass revealed that there are only 3 people in the entire United States with Mr. M's exact name, and none of them live in NY. The chance of random occurrence of Mr. M having 21 voter registrations in 21 different counties without any overlap is 0.0215.

TABLE 1: *"Mr. M"—21 registrations in 21 counties in the same month*

Name	DOB	Address	Town/City	County	SBOEID	Status	Type	Reg. Date
Mr. M	1/10/1948	Church St	Nanuet	44	**723	PURGED	?	9/12/2000
Mr. M	7/7/1979	Crossett Rd	Geneseo	26	**300	PURGED	Clone	10/10/2000
Mr. M	7/7/1979	Toolhouse Rd	Warsaw	61	**300	PURGED	Duplicate	10/10/2000
M.r M	7/7/1979	Putnam Ave	Brewster	40	**909	PURGED	Clone	10/10/2000
Mr. M	7/7/1979	Lexington Ave	White Plains	60	**395	PURGED	Clone	10/10/2000
Mr. M	7/7/1979	Ballantyne Rd	Syracuse	34	**966	PURGED	Clone	10/10/2000
Mr. M	7/7/1979	Gerritt St	Oswego	38	**758	PURGED	Clone	10/11/2000
Mr. M	7/7/1979	G Fullagar Rd	Penn Yan	62	**909	PURGED	Duplicate	10/11/2000
Mr. M	7/7/1979	Raff Ave	Mineola	30	**904	PURGED	Clone	10/11/2000
Mr. M	7/7/1979	Rowland St	Ballston Spa	45	**395	PURGED	Duplicate	10/12/2000
Mr. M	7/7/1979	Melody Lake Dr	Monticello	53	**166	ACTIVE	Clone	10/17/2000
Mr. M	7/7/1980		Elizabethtown	16	**897	PURGED	Clone	10/10/2000
Mr. M	7/7/1980		Lake Pleasant	21	**316	PURGED	Clone	10/10/2000
Mr. M	7/7/1980	Warren St	Hudson	11	**424	PURGED	Clone	10/10/2000
Mr. M	7/7/1980	State St	Binghamton	4	**316	PURGED	Duplicate	10/10/2000
Mr. M	7/7/1980	Route 242	Little Valley	5	**396	PURGED	Clone	10/10/2000
Mr. M	7/7/1980	E Evans St	Mayville	7	**804	PURGED	Clone	10/10/2000
Mr. M	7/7/1980	State Route 23a	Catskill	20	**969	PURGED	Clone	10/11/2000
Mr. M	7/7/1980	Craigville Rd	Goshen	36	**969	PURGED	Duplicate	10/14/2000
Mr. M	7/7/1981	Perry St	Herkimer	22	**356	PURGED	Clone	10/10/2000
Mr. M	7/7/1981	Plank Rd	Lockport	32	**942	PURGED	Clone	10/12/2000

In summary, Mr. M's identity was used in the NYSVoter database, overseen by the NYS Board of Elections, to apparently commit thirty-six voter registration felonies on 10/11/2000, twelve on 10/11/2000, six on 10/12/2000, and finally three felonies each on 10/14/2000 and 10/17/2000. Somehow his identity achieved this nearly impossible feat from out of state.

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2. Mr. B

"Mr. B" has 21 voter registrations, all for the exact same name, DOB, and address. 20 of the registrations were made on the exact same day. Each record was active in the NYSVoter database for 0.15 - 10.99 years. NYCA was unable to locate a person with Mr. B's name at the address listed in the NYSBOE voter rolls. They did find evidence of 2 other people living at that address. The first had a last name the same as Mr. B's first name, and the second had a last name similar to Mr. B's last name.

An online search for Mr. B's name yielded a different address in the same county, for a person with the same month and year of birth. According to the online search, Mr. B. lived at the newly discovered address at the time he supposedly registered to vote at the other address. NYCA's canvassers visited the new address and discovered that it is an office over a Western Union shop front. Inquiries at the location yielded the information that the office is currently rented to a church.

TABLE 2: "Mr. B"—_20 registrations for the same person on the same day plus original record_

Name	DOB	Address	County	SBOEID	Status	Reg. Date
Mr B	4/8/1966	East 213 Street	Bronx	52,125,895	ACTIVE	10/29/2010
Mr B	4/8/1966	East 213 Street	Bronx	52,314,938	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,011	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,013	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,014	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,015	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,016	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,017	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,019	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,020	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,021	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,023	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,024	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,025	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,026	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,027	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,028	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,029	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,030	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,031	PURGED	06/10/2011
Mr B	4/8/1966	East 213 Street	Bronx	52,315,032	PURGED	06/10/2011

All but 1 of Mr. B's registrations are listed as "purged". This may seem to correct the problems presented by Mr. B's registrations but it does not. NYCA has discovered that over 31,000 votes were cast in the NYS 2020 general election by purged voters, contrary to the law. The creation of at least 20 of these records, possibly all 21, violates the law. NYCA has identified over 1.5M registrations that were "born purged"; they do not correspond with any previously active-status registration. The implication is that for some records, "purged" doesn't mean "ineligible." For a database that falls within the boundaries of our national security infrastructure, that is inexplicable and unacceptable.

3. Mr. P

"Mr. P" has 11 registrations assigned to the exact same name, DOB, and address, all active in NYSVoter. Nine of his SBOEID numbers were assigned on the same day. The first eight are consecutive. Suspiciously, the ninth registration was assigned a day prior, but the SBOEID number is greater by 8,513. When NYCA attempted to verify these registrations by visiting Mr. P at home, we discovered that he may not exist at all. The resident of the house at Mr. P's registered address has owned the property for 20 years (inclusive of 2020, the year all of these registrations were made), and has no knowledge of anyone by Mr. P's name. Actually, NYCA could only find one person in the world with Mr. P's name, but this person could not have been born after 1956.

TABLE 3. "Mr. P"—*11 near simultaneous registrations at the same address with mostly consecutive SBOEID numbers*

Name	DOB	Address	County	SBOEID	SBOEID Delta	Reg. Date	Status
Mr. P	12/28/1997	East 13 Street	Brooklyn	58,445,171	0	02/20/2020	ACTIVE
Mr. P	12/28/1997	East 13 Street	Brooklyn	58,445,172	+ 1	02/20/2020	ACTIVE
Mr. P	12/28/1997	East 13 Street	Brooklyn	58,445,173	+ 1	02/20/2020	ACTIVE
Mr. P	12/28/1997	East 13 Street	Brooklyn	58,445,174	+ 1	02/20/2020	ACTIVE
Mr. P	12/28/1997	East 13 Street	Brooklyn	58,445,175	+ 1	02/20/2020	ACTIVE
Mr. P	12/28/1997	East 13 Street	Brooklyn	58,445,176	+ 1	02/20/2020	ACTIVE
Mr. P	12/28/1997	East 13 Street	Brooklyn	58,445,177	+ 1	02/20/2020	ACTIVE
Mr. P	12/28/1997	East 13 Street	Brooklyn	58,445,178	+ 1	02/20/2020	ACTIVE
Mr. P	12/28/1997	East 13 Street	Brooklyn	58,453,691	+ 8513	02/19/2020	ACTIVE
Mr. P	12/28/1997	East 13 Street	Brooklyn	58,453,695	+ 4	02/19/2020	ACTIVE
Mr. P	12/28/1997	East 13 Street	Brooklyn	58,453,783	+ 88	02/20/2020	ACTIVE

Summary of Fictitious Voters

With Mr. M, Mr. B and Mr. P, the original question of whether the 1,170,790 unique individuals associated with 2,427,827 SBOEID numbers are all verifiable voters has been answered: Unequivocally NO. Some have been proven false by NYCA end-to end.

These three registrants exemplify inaccuracies and impossibilities NYCA researchers have found in record upon record within the NYSVoter database; they are not isolated examples. Considering NYSVoter is the source of "accurate" voter data from which ballots are granted, 1,257,037 unexplained voter registrations is of grave concern.

▶ ACCURACY IN VOTER RECORDS

Accuracy in a voting system is taken seriously by the US Election Assistance Commission (EAC), whose Testing and Certification program is the critical first step in the process of maintaining the reliability and security of the voting systems used in our nation's elections:

Voting System Standards Volume I: Performance Standards, p. 3-51–3-52
Federal Election Commission United States Of America

For a voting system, accuracy is defined as the ability of the system to capture, record, store, consolidate and report the specific selections and absence of selections, made by the voter for each ballot position without error. Required accuracy is defined in terms of an error rate that for testing purposes represents the maximum number of errors allowed while processing a specified volume of data. This rate is set at a sufficiently stringent level such that the likelihood of voting system errors affecting the outcome of an election is exceptionally remote even in the closest of elections.

...the system shall achieve a target error rate of no more than one in 10,000,000 ballot positions, with a maximum acceptable error rate in the test process of one in 500,000 ballot positions.

The goal of this testing standard is to ensure the voting system accurately records voter intent. Taxpayers in NY purchase precision engineered equipment with an error rate no greater than "one in 10,000,000 ballot positions." But if the ballots are granted to fake voters, the intent recorded is a fraud, and the investment is wasted. The accuracy of the system is destroyed.

▶ DO CLONED IDENTITIES CAST PROVABLY ILLEGAL VOTES?

When a legitimate voter and their clone(s) appear to take turns voting, it can be difficult to clarify without direct canvass whether there are simply egregious errors taking place, or actual identity theft. But when NYSVoter is examined for double votes, over 80,000 such examples are easily found, cast by clones with the exact same name and DOB, and often the same address. 80,000 double votes cannot be error; it is fraud.

Following are two clones who each cast more than one vote in a single election (all PII has been altered for this public document):

1. Jonah Ester

Jonah Ester has nine registrations in NYSVoter with the identical name and DOB, and seven unique SBOEID numbers. His voter history reveals that he double voted in 3 separate elections. NYSVoter SBOEID number 51627369 voted in the 2009 and 2010 general elections, as did NYSVoter SBOEID number 53000894. In the 2012 general election, Jonah appears to have been granted two votes from SBOEID number 53000894, cast from addresses in Nassau and Albany counties respectively, despite the fact that this is not only illegal, it is supposed to be impossible.

TABLE 4. *Example of double voting in 2 separate elections*

Name	Surname	DOB	SBOEID	Reg. Date	Voter History
Jonah	Ester	19791012	54172044	10/10/1997	
Jonah	Ester	19791012	54189990	09/07/2001	
Jonah	Ester	19791012	50170111	11/26/2007	20081104 GE; 20080909 PR
Jonah	Ester	19791012	51627369	08/13/2009	**2010 General Election; 2009 General Election**
Jonah	Ester	19791012	52549796	01/10/2012	20200623 PP; 20191105 GE; 20190226 SP; 20181106 GE; 20180913 PR; 20171107 GE; 20170912 PR; GE 20161108; 20160628 PR; 20160419 PP
Jonah	Ester	19791012	53000894	09/10/2012	**2012 General Election (Nassau County Address)**
Jonah	Ester	19791012	53000894	06/28/2013	General Election 2014; Primary Election 2014; General Election 2013; Primary Election 2013; **2012 General Election (Albany County Address)**
Jonah	Ester	19791012	53000894	09/09/2015	2015 General Election; General Election 2014; Primary Election 2014; General Election 2013; Primary Election 2013; 2012 General Election; **2010 General Election; 2009 General Election**
Jonah	Ester	19791012	59486739	09/22/2020	General Election, 2020

2. Mrs. Z

Mrs. Z triple voted in four separate elections, from three unique NYSVoter SBOEID numbers, a brazen abuse of personal identifying information by the NYS Board of Elections. Recall that it is contrary to NYS election law for a voter to be granted more than one SBOEID in their voting lifetime. A change in address is a simple record update, not a valid reason for purging or re-registering a voter.

In addition to the minimum of eight illegal votes cast by Mrs. Z, there is another glaring issue with her registrations. Only one of her purged registrations has a purge date. Purging a record with no purge date creates a conundrum; an accurate purge date is material to determining a voter's eligibility to vote in any given election. A false date makes it impossible to determine if the voter was eligible to vote during any election for which a vote was recorded. When the eligibility of a registration is in question, whatever the excuse, it has to be disallowed until provably accurate.

Finally, Mrs. Z cast eight votes, over a period of four years, from two NYSVoter ID numbers that **did not exist at the time of the elections she purportedly voted in.** SBOEID number 60,258,632 was registered on 11/30/2020, twenty-seven days after the last (illegal) vote date. SBOEID number 60,367,687 was registered on 11/12/2020, nine days after the last (illegal) vote date. How were these identities verified before assigning votes? How were these elections certified as compliant with the law?

TABLE 5. *Double votes in multiple election*

Name	DOB	Address	Reg Date	SBOEID	Status	Purge Date	Reason	Voter History
Mrs. Z	10/28/1960	55 Ralston Ave	10/13/1995	22,823,675	PURGED		Moved	**20 General Election; 20 Presidential Primary; 20 Primary Election; 16 Presidential Primary**
Mrs. Z	10/28/1960	38680 State Route 12E	11/30/2020	60,258,632	PURGED	12/24/2020	Other	**20 General Election; 20 Presidential Primary; 20 Primary Election; 16 Presidential Primary**
Mrs. Z	10/28/1960	55 Ralston Ave	11/04/2020	60,258,632	PURGED		Moved	
Mrs. Z	10/28/1960	55 Ralston Ave	11/12/2020	60,367,687	ACTIVE			**20 General Election; 20 Presidential Primary; 20 Primary Election; 16 Presidential Primary;** 96 General Election; Rep Presidential Primary; 95 General Election; 95 Primary Election

▶ MAIDEN/MARRIED CLONE IDENTITY THEFT

Another common type of clone is a married-maiden combination. There are a minimum of 30,000 such clones in the NYSVoter database. Remember, if a woman registers to vote before marriage, and subsequently changes her name and/or address, a simple remedy is provided to update her registration:

N.Y. Comp. Codes R. & Regs. Tit. 9 § 6217.10—Voter registration list changes and list maintenance

(c) Address, name and enrollment changes within a county.

(1) When a review and query of a voter registration application indicates that the voter is already registered to vote within the county, and is initiating a change to their record, such change shall be processed, and the record updated and the appropriate notice shall be sent to the voter:

(i) For an address change—a transfer notice as provided for in Election Law, section 5-208(1)(5).

(ii) For a name change, or the addition or deletion of a post office box—an approval notice as provided for in Election Law, section 5-210(9).

Sarah Smith

Something different happened in the case of "Sarah Smith" from Dutchess County, whose maiden name was **retained** as an active registrant in the NYSVoter database when she married and changed her surname. Contrary to the law, instead of updating the original record, her married name was assigned a second unique SBOEID:

TABLE 6. *A voter with separate SBOEID numbers for maiden and married name*

Name	Surname	DOB	Address	SBOEID	Status	Voter History
Sarah	Smith	10/27/70	88 Cambridge Rd	xx504	Active	2002GE, 2003GE, 2004GE, 2005GE, 2006GE, 2007GE, 2008PR
Sarah	Short	10/27/70	88 Cambridge Rd	xx829	Active	2015GE

One would be forgiven for concluding that "Smith" was Sarah's maiden name, since her voter history appears logical and consecutive were that the case. Sarah Smith voted from 2002-2008, and Sarah Short voted in 2015. Disturbingly, upon speaking with her directly, NYCA discovered that Sarah's maiden name is "Short." She was married in 2005. She votes in every single general election. A minimum of 13 votes she lawfully cast are missing (2009-2021GEs), and her maiden name is still active and inexplicably voted in 2015, despite Sarah having updated her registration. Her married name cast 3 votes (2002GE, 2003GE, 2004GE) before she was married.

In summary, Sarah's identity was cloned when she got married, and her maiden registration was retained in NYSVoter. Sarah's maiden identity was unlawfully used to cast a vote in 2015. Her married identity was used to steal votes in 13 general elections. Sarah's married identity cast three illegal votes. That is a minimum of 22 felonies for which Sarah has been framed, through unlawful use of her personal identifying information, by the NYS Board of Elections. Adding to the injury, Sarah was disenfranchised 13 times by the agency tasked with ensuring her civil right to an accurate, lawful election.

Sarah's example is not isolated in the voter rolls, nor is the problem limited to Maiden/Married name clones. NYCA has compared records provided by individual counties with records for the same counties provided by the NYSBOE. NYCA did not have a full set of county-provided records because many counties refused to provide voter rolls. For those that did provide rolls, the comparison showed that votes recorded in county-provided rolls are sometimes absent from the NYSBOE rolls for the same SBOEID number. The number of affected votes is significant.

In the 5 counties that comprise New York City, Bronx, Kings, New York, Queens, and Richmond, there are 61,173 votes found in county records that are absent from the NYSBOE records. These "missing votes" indicate the erasure of legitimately cast votes.

▶ FORGED REGISTRATION RECORDS

In addition to direct canvass of cloned voters, NYCA researchers utilized Freedom of Information Law (FOIL) requests to verify unlawful use of personal identification information. Every registrant in NYSVoter must complete a signed affidavit statement as part of their registration application.

Election (ELN) CHAPTER 17, ARTICLE 5, TITLE 2

5. Statewide application forms shall be designed by the state board of elections, which shall conform to the requirements for the national voter registration form in the rules and regulations promulgated by the federal election commission and the federal Help America Vote Act, and shall elicit the information required for the registration poll record. The form shall include the following information:

(xii) A place for the applicant to execute the form on a line which is clearly labeled "signature of applicant" preceded by the following specific form of affirmation:

AFFIDAVIT: I swear or affirm that:
* I am a citizen of the United States.
* I will have lived in the county, city, or village for at least 30 days before the election.
* I meet all the requirements to register to vote in New York State.
* This is my signature or mark on the line below.
* All the information contained on this application is true. I understand that if it is not true I can be convicted and fined up to $5,000 and/or jailed for up to four years.

N.Y. Comp. Codes R. & Regs. Tit. 9 § 6217.4—Voter registration information entry

(21) NYSVoter shall receive and store an image of the signature captured and provided by the county voter registration system:

(i) ease of signature comparison. The signatures shall be stored in a way to enhance speed of display;

(ii) restrictions of image editing. NYSVoter shall not allow the authorized user to modify the basic characteristics, structures, and recognizable format of the registrant's signature.

The local boards of elections are required to keep the affidavit signature of every registrant on file. NYCA researchers considered the implications. For a voter with multiple SBOEID numbers, could there be a valid signature for each clone? Would the counties deny possession of such documents, in defiance of the law? Or would the signatures be forged?

NYCA found 487 cloned registrations in Herkimer county. Each record was assigned a unique SBOEID number. The registration applications for 70 of these records, all made on the same day, representing 33 individuals, were requested via FOIL. The results were startling:

For every set of clones sharing exact name, address, and date of birth, each bearing a unique SBOEID number, NYCA found that one signature, so exact as to be a pixel for pixel match, served as the affidavit signature attesting that the information in as many as three official registration documents was accurate, under penalty of perjury. This outcome describes 59 out of 71 records returned. However, some of the signatures had been subtly scaled to appear unique, contrary to the law; removal of this distortion revealed the exact same image. In another clone set the two signatures differed so greatly it would be unlikely that the same person signed both.

In one example, a voter, "Mrs. Thomas" had 3 SBOEID numbers. All 3 registration records had photographically identical signatures, including stray specks of dust. All were generated on the same 2 days: February 7th and 8th, 2020. Based on these registration dates, as far as Herkimer County is concerned, all 3 records were eligible to vote in the 2020 General Election. However, when NYCA canvassed Mrs. Thomas, she told them she registered once, not 3 times, and she did it in 2021, not 2020. All 3 registrations had been backdated by a year, making it possible to record votes in 2 elections (2020 primary and general) that she was not eligible to vote in.

A set of signed affidavit clone registration records, similarly requested via FOIL from Greene County, illustrates another category of fraud. Elizabeth O'Mara is a "fuzzy match" clone. A single character has been altered in her name from one registration to the other; the apostrophe in O'Mara was removed so her surname reads "Omara". If changing a single character in a registrant's name was not a factor in the creation of tens of thousands of clones statewide, this could be dismissed as a clerical error.

In this instance, the cloned record is suspicious for more reasons. Elizabeth O'Mara registered to vote on 6/26/2018. She did not move or get married with a subsequent name change, and she had only registered four months prior to supposedly taking the time out of her life to register again under the surname Omara, on 10/16/2018, when she was unlawfully granted a second NYSVoter ID number. Her signatures are noticeably different from one application to the other, especially given a four month delta.

Casting a shadow over both registrations is the fact that the one ballot "Elizabeth Omara" cast was illegal. She supposedly voted in the 2018GE. The registration cutoff date for eligibility in that election was Friday, October 12, 2018. Her registration dated four days later is the one that cast a vote.

A blatant forgery from the same Greene County FOIL request was for "Bethany Carroll." The signature on "Bethany's" original registration from 8/11/2011 does not match her name. It doesn't even match her initials. Although both of her registrations are "purged" for reason "NVRA," that does not mean she will never cast a vote. As previously noted, despite there being no remedy to cure a purged status during an election, more than 31,000 purged registrants voted in the 2020GE. This obviously fraudulent registration, like many others, was active in the NYSVoter database from 8/11/2011 – 1/22/2021, over nine years.

▶ WHO IS RESPONSIBLE FOR VOTER ROLL RECORD ACCURACY?

NYCRR Title IX, Section V §6217.11 Voter registration list security and user administration

(a) **Statewide.** NYSVoter relies on shared security with both the county board and State Board having responsibilities over specific system resources and administration. The State Board will be responsible for providing tools necessary for county boards to authorize local users to NYSVoter functions, verify that local users identified in transaction headers are authorized for that purpose, and for insuring that a message was not altered in transmission.

(b) **County board.** Security over county voter registration systems and networks, administration of local users, authentication and authorization of county board personnel will be the responsibility of each county board. Each county board will configure the local county user to have access pursuant to NYSVoter. Since access to NYSVoter will be through the county voter registration system, administration and authorization to the county voter registration system must include the assignment of a user ID and password for the county voter registration system that has a role or user-based security management. County boards will have the rights to create and modify county users as well as delete users when appropriate in their own county.

New York State Election Law §5-614 Statewide voter registration list

1. There shall be one official record of the registration of each voter. Such record shall be maintained in an interactive, statewide, computerized, voter registration list. Such statewide voter registration list shall constitute the official list of voters for the state of New York. Such list shall be in the custody of the state board of elections and administered and maintained by the state board of elections, subject to rules and regulations promulgated by the state board of elections in accordance with subdivision four of section 3–100 of this chapter. Local boards of elections shall comply with all the rules and regulations promulgated by the state board of elections pursuant to this section.

2. The official statewide voter registration list shall be created by combining the existing voter registration list maintained by each local board of elections into a single integrated list...The state board of elections shall on an ongoing basis compile such records from the local boards of elections into a statewide voter registration list.

3. The statewide voter registration list shall:
    a. serve as the single system for storing and managing the official list of registered voters throughout the state which local boards of elections shall use for creating the computer generated registration list prepared for each election for each election district as provided by this chapter;
    b. contain the name and registration information of every legally registered voter in the state;
    c. contain a unique identifier for each legally registered voter in the state;
    d. be coordinated and referenced with other state and federal identification records;

4. Adding, changing, canceling or removing voter registration records shall be conducted only by local boards of elections as provided by this chapter.

52 US Code §20511

"A person, including an election official. who in any election for federal office—

(2) Knowingly and willfully deprives, defrauds, or attempts to deprive or defraud the residents of a State of a fair and impartially conducted election process, by—

(A) the procurement or submission of voter registration applications that are known by the person to be materially false, fictitious, or fraudulent under the laws of the State in which the election is held; or

(B) the procurement, casting, or tabulation of ballots that are known by the person to be materially false, fictitious, or fraudulent under the laws of the State in which the election is held,

shall be fined in accordance with title 18 (which fines shall be paid into the general fund of the Treasury, miscellaneous receipts (pursuant to section 3302 of title 31), notwithstanding any other law), or imprisoned not more than 5 years, or both.

New York State Election Law §17-104 False Registration

"Any person who:

1. Registers or attempts to register as an elector in more than one election district for the same election, or more than once in the same election district; or,

2. Registers or attempts to register as an elector, knowing that he will not be a qualified voter in the district at the election for which such registration is made; or

3. Registers or attempts to register as an elector under any name but his own; or 4. Knowingly gives a false residence within the election district when registering as an elector; or

5. Knowingly permits, aids, assists, abets, procures, commands or advises another to commit any such act, is guilty of a felony.

(L.1976, c. 233, § 1.)

Accurate Process, Unlawful Result: Ms. X

The law requires clerks at county board of election offices to follow specific procedures to ensure the accuracy and currency of their voter roll databases. NYCA has found many examples where those procedures either were not followed, or the procedures failed to produce the lawful outcome. In one such example, that of "Ms. X", the procedures were followed correctly but the result was a cloned registration.

Table 7: *A cloned registration and modified name after move*

Name	DOB	Address	Town/City	SBOEID	Status	Reg. Date	Voter History
Ms. X	7/03/1982	Central Park South	New York	**836	ACTIVE	1/07/2004	20141104 GE; 20121106 GE; 20101102 GE; 20081104 GE; 20080205 PP
Ms. X	7/03/1982	Renaissance Square	White Plains	**111	ACTIVE	9/19/2020	2020 GE

Ms. X first registered to vote when she lived in New York County. A few years later, she moved out of state. A few years after that, she returned to New York in Westchester county.

Ms. X visited the Westchester DMV to register to vote. She was unaware that she couldn't register as if for the first time because she was already in the voter roll database at her old address. She filled out the voter registration option on her new driver's license application. The clerk compared the information to the state database and found her prior registration in New York County. Ms. X was then asked if the New York County registration was hers. It matched Ms. X's full name, previous address, and date of birth. Ms. X confirmed that the existing registration was hers. She was then informed that she could update her existing registration with a new address, but she could not register again.

So far, the clerk followed the law exactly. Ms. X filled out a change of address form and submitted it, assuming it would be handled correctly. If it had been, she would not have been issued a new SBOEID number.

However, the voter rolls provided to NYCA by the NYSBOE had 2 records for Ms. X, both active. The registration dates corresponded to both Ms. X's original registration, and the date she updated the original record in Westchester. The first registration no longer had her correct middle initial. Ms. X told NYCA researchers that she was certain her middle initial was correct when she was originally asked to confirm the first record as hers, because her family has a tradition regarding middle names. The changed initial, from the correct "S" to the incorrect "A" ensured that a search for her full name would only find the second record, not the first.

The second record showed Ms. X's new address in Westchester. It did not list her previous address in New York County, though this was known to the clerk in Westchester. Without a previous address, the record is unlikely to be flagged as a duplicate or a clone (though the NYSBOE does not distinguish between duplicates and clones). In combination with a changed middle initial, the record is even less likely to be flagged.

The questions raised by Ms. X's example are, how did she acquire a second SBOEID number? And, why were both records modified (changed middle initial and no reference to previous address) in a way that concealed the existence of a previous record with a different SBOEID?

Based on Ms. X's account of her interaction with the Westchester clerk, it appears that all applicable election laws were followed. Those laws were designed to prevent the outcome that occurred: the creation of a new record with a different SBOEID number. This suggests that the new and illegally-generated record was not created by the clerk but by some person or process downstream from the intake clerk, which appears to violate §5-614, "Adding, changing, canceling or removing voter registration records shall be conducted only by local boards of elections as provided by this chapter."

A PERSON IS GUILTY OF IDENTITY THEFT IN THE FIRST DEGREE WHEN HE OR SHE *KNOWINGLY AND WITH INTENT TO DEFRAUD* ASSUMES THE IDENTITY OF ANOTHER PERSON.

Given the cavalier attitude regarding unlawful use of PII at the NYS Board of Elections, abundantly demonstrated in this report, the question of intent is worth exploring.

In the 2020 general election, 696,122 cloned registrants cast votes. It is possible that some of these votes were cast by legitimate voters with a clone, like Sarah Smith in Dutchess County. Perhaps one of Mrs. Z's three votes was lawful. Without a statistically significant canvass sample, however, it is impossible to know the ratio of legal to fraudulent votes. On this basis, none of these votes can be considered legitimate until proven so. It is known that they involve cloned records, each of which blatantly disregards the law.

The commissioners of the NYS Board of Elections have an affirmative duty, under the Help America Vote Act of 2002, to maintain the NYSVoter database with "reasonable accuracy." According to state election law, the following maintenance standard shall be met:

N.Y. Comp. Codes R. & Regs. Tit. 9 § 6217.10—Voter registration list changes and list maintenance

(a) List maintenance activities and schedules.

    (2) The list maintenance performed shall be conducted in a manner consistent with the Election Law and these regulations to ensure that:

        (i) the name of each registered voter appears in the statewide voter registration list;

        (ii) only names of persons who are not registered or who are not eligible to vote are removed from such list; and

        (iii) the prior registrations of duplicate names are removed from such list.

Every part of our election management system, including state voter roll databases, is considered critical national security infrastructure. Inaccuracy or a security breach could be devastating to continuity of governance and protecting the American way of life. Allowing fraudulent votes by ignoring millions of NYSVoter inaccuracies certainly meets the threshold for dereliction of duty. Does it constitute identity theft?

Of those clones who voted in 2020, there are 693,501 distinct individuals. This means there are a minimum of 2,621 votes for the 2020GE, associated with cloned records that are both irregular *and* excess; more than one vote per clone set, like Mrs. Z. **How could 2,621 double (or more) votes get *accidentally* assigned to registrations that violate election law, in a manner only feasible for someone with administrative credentials?**

This is truly the smoking gun. If some of these votes are only possible *with* intent, then all of these votes, and every one of these registrations, have to be considered and investigated as malicious, completing the requirement to demonstrate criminal identity theft. **As shocking as it may seem, the NYS Board of Elections appears to be the responsible party for a minimum of 1,257,037 individual instances of a class D felony: Identity Theft in the First Degree.**

3 ▶ IN CONCLUSION

Our constitutional system of representative government only works when the worth of honest ballots is not diluted by invalid ballots procured by corruption. As the Supreme Court stated in a case upholding federal convictions for ballot box stuffing, "Every voter in a federal … election, … whether he votes for a candidate with little chance of winning or for one with little chance of losing, has a right under the Constitution to have his vote fairly counted, without its being distorted by fraudulently cast votes." Anderson *v.* United States, 417 U.S. 211, 227 (1974).

It is the sworn duty of every New York official to investigate this fraud. Our national security hangs in the balance, as well as our individual civil right to a free and fair election. The responsible parties must be held accountable, and the entirety of their fraud uncovered and rectified. Our children and future generations are relying on us to protect and defend their freedom with unflinching honesty.

Identity theft in a voting system affects far more than the individual whose personal identifying information is unlawfully used to cheat. It is not like credit card fraud, where only one victim's wealth is robbed. Stealing an election is akin to stealing the identity of the populace. It is the people, cheated out of their right to choose the representative that best reflects their values and priorities, who suffer the greatest injury. Forced to comply with edicts and laws not reflective of their own beliefs, the identity of their true culture is incrementally stolen.