

VILLAGE OF BLACK RIVER
ANNUAL MEETING AGENDA
DECEMBER 4, 2023

Administration of oath to elected officials.

David Leonard, Mayor, two-year term expiring November 30, 2025.

Randolph Lake, Trustee, two-year term expiring November 30, 2025.

David Daily, Trustee, two-year term expiring November 30, 2025.

Mayoral Appointments:
(Not Subject to Board Approval)
None.

Board Appointments:

Mayoral Appointments Subject to Board Approval

Kristin Williams, Clerk-Treasurer, two-year term expiring November 30, 2025.

Tarra Benson, Deputy Clerk-Treasurer, two-year term expiring November 30, 2025.

Kristin Williams, Registrar of Vital Statistics, two-year term expiring November 30, 2025.

Tarra Benson, Deputy Registrar of Vital Statistics, two-year term expiring November 30, 2025.

William Reichard, Historian, one-year term.

Paul Shepard, Planning Board Member, three-year term expiring December 31, 2026.

Shelby Morgia, Planning Board Member, three-year term expiring December 31, 2026.

Thomas Bauschke, Planning Board Member, three-year term expiring December 31, 2026.

Ronald Palmer, Zoning Board of Appeals, five-year term expiring December 31, 2028

Standing Committee Appointments:

Disaster Management Coordinator: David Leonard

Personnel Officer: David Leonard & Randy Lake

Planning/Zoning Board of Appeals Liaison: Bonnie Proven

Police Department Liaison: David Leonard

Recreation Committee: Dave Daily

Decorations: David Leonard

The Watertown Daily Times will be designated as the official newspaper of the Village.

Community Bank, N.A., Black River branch, will be designated as the official depository for Village funds.

Annual Agenda

Page -2-

Regular Village Board Meetings: Meetings will be held at 6:00 p.m. on the first Monday of each month, unless a holiday falls on the first Monday, in which case the meeting will be held on Tuesday.

Special meetings are scheduled as necessary and will be advertised in compliance with the New York Open Meetings Law and in compliance with requirements as set forth in the Americans with Disabilities Act.

The Annual Meeting will be the first regular meeting in December.

Meeting will be conducted according to the Village of Black River Board of Trustees Rules of Procedure with regard to matters involving points of order and other accepted procedures to conduct Board meetings.

The Treasurer is authorized to pay any utility bills which come due prior to the monthly meeting as well as any other bills may carry an allowable discount at his or her discretion.

Authorization for employees to attend schools, conferences, seminars, etc. conducted for the benefit of local government as provided for in General Municipal Law Section 77-b shall be obtained prior to registration.

Other business.

Regular agenda.

Adoption of the above listed appointments and directives.

Board of Trustees
Village of Black River, New York



Agenda

Regular Meeting
December 4, 2023

- Call to order.
- Pledge of Allegiance.
- Approval of minutes of the 11/6/23 regular meeting
- Public Comment.
- Police Department Report.
- Code Enforcement Report & review of related correspondence.
- Clerk-Treasurer's Report.
- Superintendent's Report.

Correspondence Received:

- A) Paul Shepard
- B) Case & Leader
- C) Mansfield Jordan

- Re: Water Penalty
- Re: Rate for Professional Services
- Re: Plowing of Hadley Drive

Correspondence Sent:

New Business:

- A) Discuss Code Enforcement Position
- B) Approve Adjusted Tax Relevy Amounts

Unfinished Business:

- A) NY Citizens Audit & Resolution
- Reports from Standing Committees.
- Reports from Special Meetings.
- Authorize payment of bills; adjournment.

Village of Black River
Board of Trustees
Regular Meeting
November 6, 2023

DRAFT

Mayor Dishaw called the meeting to order and led the Pledge of Allegiance at 6:00 p.m.

Present:

Mayor Francis Dishaw
Trustee Randy Lake
Trustee Bonnie Proven
Trustee Corey Decillis
Superintendent Les Williams
Clerk-Treasurer Kristin Williams
Police Chief Steve Wood

A motion was made by Trustee Decillis, seconded by Trustee Proven to approve the minutes of the 10/2/23 regular meeting. The motion was carried.

Public Comment: Tammy Castor from NY Citizens Audit attended to make a presentation regarding the accuracy of election results. The board agreed to review the handout before the next meeting.

Meghan and Luke Hernandez were present to discuss their concerns regarding clearing of the neighboring property at 119 N. Main St. The board suggested that they obtain a survey of their property. The Hernandez's were assured that there are no proposed projects for the cleared property and that code does not allow for a house to be built there as there is not enough road frontage.

Police Department Report: Police Chief Wood stated that he taught a class at the academy with the Watertown Police Department. He stated that Halloween night was quiet and that he had issued parking warnings.

Clerk-Treasurer's Report: Clerk-Treasurer Williams stated that the CHIPS reimbursement has been submitted and the Village will receive payment of \$113,201.05. She stated that she and Deputy Clerk-Treasurer Benson would like to collect non-perishable food items at the office to benefit the local blessing boxes. The board agreed.

Superintendent's Report: Superintendent Williams stated that the village supplied 1.5 million gallons of water which was pushed to a water tower on Fort Drum and from there pushed to the residents in the Towns of Champion and Pamela. This was due to the large water main break in the City of Watertown. He stated that rust proofing has been done on the large trucks, brush pickup has ended and leaf collection will end on the 15th. He stated that he got pricing on a Conex box and that a 40-foot box is \$106 a month. He stated that Eric Nier passed his water license course and that the Department of Health has to conduct an in-person interview before his license can be issued. Superintendent Williams stated that the Ford F550 is having some mechanical issues. Widrick Diesel quoted a price of \$6,500 for repairs. He stated that he took the truck to Lance Micek who stated that he can repair it for around \$2,500.

A motion was made by Corey Decillis, seconded by Mayor Dishaw to send the Ford F550 to Lance Micek for repairs. The motion was carried.

Superintendent Williams stated that NY state is requiring that all Village owned vehicles must be reported and that between 2025 – 2035 and a reduction in diesel vehicles must be shown. He stated that the Fire Department will be holding their Christmas parade on Saturday December 9th with a snow date of the 10th.

Correspondence Received: The board reviewed a letter from Planning Board Chairman Chuck Stafford regarding setbacks in the A-1 zone. The board reviewed a thank you letter from the Development Authority of the North Country regarding the water that was provided during the City of Watertown's water main break. Trustee Lake thanked Superintendent Williams for his assistance with the city's water emergency and stated that this is an example of shared services.

The board reviewed a letter from the Black River Fire Department regarding a membership.

A motion was made by Trustee Decillis, seconded by Mayor Dishaw to approve the membership of Bradley Smith to the Black River Fire Department. Trustee Lake abstained from the vote. The motion was carried.

A motion was made by Trustee Decillis, seconded by Trustee Lake to approve a water/sewer bill adjustment (see attached) in the amount of \$262.09. The motion was carried.

A motion was made by Trustee Decillis, seconded by Mayor Dishaw to adopt the following resolution:

Resolved, that the unpaid Village taxes in the Town of LeRay totaling \$10,993.49 and the Town of Rutland totaling \$5,305.90 be relieved to the Jefferson County Treasurer. The motion was put to a vote as follows:

Mayor Dishaw	Yes
Trustee Decillis	Yes
Trustee Proven	Yes
Trustee Lake	Yes

The motion was carried and the resolution duly adopted.

The board discussed the Code Enforcement Position. Mayor Dishaw stated that he and Trustee Proven had interviewed Terry McKeever for the position.

A motion was made by Trustee Proven, seconded by Mayor Dishaw to hire Terry McKeever for the Code Enforcement Officer position with the annual salary of \$12,500. The motion was carried.

A motion was made by Trustee Decillis, seconded by Trustee Proven to adopt the following resolution:

Resolved, that the following abstracts of audited vouchers be approved: interim abstract dated 10/6/23 in the amount of \$3,298.27 (General Fund: \$1821.79 Water Fund: \$1,476.48) interim abstract dated 10/19/23 in the amount of \$44,419.43 (General Fund: \$34,577.36 Water Fund: \$49.70 Sewer Fund: \$9,792.37) and regular monthly abstract dated 11/6/23 in the amount of \$17,045.94 (General Fund: \$12,541.63 Water Fund: \$4,504.31). The motion was put to a vote as follows:

Mayor Dishaw	Yes
Trustee Decillis	Yes
Trustee Proven	Yes
Trustee Lake	Yes

The motion was carried and the resolution duly adopted.

A motion was made by Trustee Decillis, seconded by Trustee Proven to adjourn the meeting at 7:28 p.m. The motion was carried.

Respectfully submitted,

Kristin Williams
Clerk-Treasurer

October 24, 2023

<u>Name</u>	<u>Acct.#</u>	<u>Water Credit</u>	<u>Sewer Credit</u>	<u>Total Credit</u>
Forte Management	02330	\$178.22	\$83.87	\$262.09

Total credit for Water Adjustments: \$178.22

Total credit for Sewer Adjustments: \$83.87

Total Water and Sewer Adjustments: \$262.09

Paul + Brenna Shepard
136 W. Remington St. Black River NY 13612

4 Dec 23

For the Village Board

Please consider removing the late fee
or refunding the late fee for our account.
We dropped off a check at the office Drop
box but it was not found.

We promptly paid the bill, and paid
again when told it was late. Prior bill have
also been paid on time.

Thank you for the consideration in this
request. I appreciate you time.

Respectfully Requested,

Paul Shepard

CASE & LEADER LLP

ATTORNEYS AT LAW
107 EAST MAIN STREET
POST OFFICE BOX 13
GOUVERNEUR, NEW YORK 13642-0013

11/21/23

EDWARD H. CASE (1908-1988)
ROBERT J. LEADER
HENRY J. LEADER

ALSO ADMITTED IN VERMONT
WE DO NOT ACCEPT
SERVICE BY EMAIL

TELEPHONE
(315) 287-2000
FAX (315) 287-2002
(NOT FOR PROCESS)

November 21, 2023

Hon. Francis Dishaw, Mayor
Village of Black River
107 Jefferson Place
Black River NY 13612

Re: Statement for Professional Services

Dear Mayor Dishaw:

We enclose herewith our Statement for Professional Services, with our thanks to the Board for the opportunity to represent the Village of Black River.

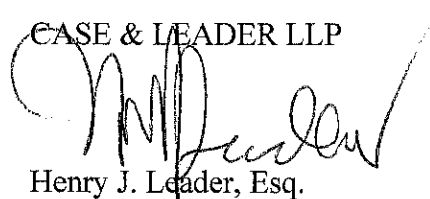
We enjoy working with the Village and would very much like to continue that relationship. However, it has become cost prohibitive for us to do so at the current billing rate of \$120.00 per hour. Many attorneys charge a municipal rate of \$185.00 per hour in our area. Therefore, we would like to discuss at least some increase in rates with the Village.

Would you please call us at your earliest convenience so we may discuss this.

Thank you.

Very truly yours,

CASE & LEADER LLP



Henry J. Leader, Esq.

HJL;jlm
Enc.

cc: ✓ Hon. Kristin Williams, Clerk-Treasurer

clerktreasurer blackriverny.org

From: manny <mannyjordan1@gmail.com>
Sent: 28 November, 2023 12:03 PM
To: clerktreasurer blackriverny.org
Subject: winter snow plowing 2023-2024

Hi. I live at 107 Hadley Drive. I'm trying to find out what the plan is for snow plowing on Hadley drive is for this winter. I know the garbage truck backs down to the end of Hadley drive without any problems for the past two years. Also the big snow plow with salt spreader backs down to the end of Hadley drive without any problems for the past two years.

However the smaller plow trucks are not doing this. They plow all the snow from both sides of Hadley drive to the end causing an unusually high accumulation of snow which creates problems for me at the end of my driveway.

I think it would be much better to plow Hadley Drive on my side of the street towards Howe Street like the large plow already does.

I would like this to be brought up at the next village board meeting. Please forward to all the Village Board members.

Thanks,

Mansfield Jordan

107 Hadley Drive

TAXES REMAINING UNPAID AND DUE:

VILLAGE OF BLACK RIVER
TOWN OF RUTLAND

AMOUNT OF: \$5,257.27

STATE OF NEW YORK
COUNTY OF JEFFERSON SS
VILLAGE OF BLACK RIVER

I, Kristin Williams, being duly sworn, state that I am the Clerk-Treasurer of the Village of Black River, that the foregoing is a true account of the taxes remaining unpaid and due upon the lands in said village, assessed upon the tax list, and warrant delivered to said Clerk-Treasurer on the 1st day of May 2023, and which said warrant is returnable on the 1st day of November, 2023. That the taxes mentioned in said account remain unpaid, and that after diligent efforts I have not been able to collect the same.

Kristin Williams, Clerk-Treasurer

Kristin Williams, Clerk-Treasurer, Village of Black River subscribed and sworn to before me this _____ day of _____, 2023.

The undersigned trustees of the Village of Black River, County of Jefferson, hereby certify that the preceding is an account of taxes assessed on the real estate in said Village, delivered to the trustees by Kristin Williams, Clerk-Treasurer, and that we have examined and compared the same with the original tax list, and found it to be correct.

Dated at Black River, NY, December 4, 2023.

David Leonard, Mayor

Bonnie Proven, Trustee

Randolph Lake, Trustee

David Daily, Trustee

TAXES REMAINING UNPAID AND DUE:

VILLAGE OF BLACK RIVER
TOWN OF LERAY

AMOUNT OF: \$10,892.76

STATE OF NEW YORK
COUNTY OF JEFFERSON SS
VILLAGE OF BLACK RIVER

I, Kristin Williams, being duly sworn, state that I am the Clerk-Treasurer of the Village of Black River, that the foregoing is a true account of the taxes remaining unpaid and due upon the lands in said village, assessed upon the tax list, and warrant delivered to said Clerk-Treasurer on the 1st day of May 2023, and which said warrant is returnable on the 1st day of November, 2023. That the taxes mentioned in said account remain unpaid, and that after diligent efforts I have not been able to collect the same.

Kristin Williams, Clerk-Treasurer

Kristin Williams, Clerk-Treasurer, Village of Black River subscribed and sworn to before me this _____ day of _____, 2023.

The undersigned trustees of the Village of Black River, County of Jefferson, hereby certify that the preceding is an account of taxes assessed on the real estate in said village, delivered to the trustees by Kristin Williams, Clerk-Treasurer, and that we have examined and compared the same with the original tax list, and found it to be correct.

Dated at Black River, NY, December 4, 2023.

David Leonard, Mayor

Bonnie Proven, Trustee

Randolph Lake, Trustee

David Daily, Trustee



New York's 2022 General Election & The Reign of Error: APATHY, INCOMPETENCE, OR MALFEASANCE?

A Report Produced by New York Citizens Audit

The findings in this report are based upon the three basic tenets of an election:

- 1 ► Voter rolls must be accurate,**
- 2 ► Votes counted must be from qualified electors,**
- 3 ► The number of votes must equal the number of voters who voted.**

As well as the following principles in federal law:

- 1 ► Every point of administration of a federal election must create an auditable record¹;**
- 2 ► These records can be used to validate the accuracy of election results²;**
- 3 ► The maximum allowable error rate in a valid, trusted election is 1/125,000 ballots in error³.**

1 ► VOTER ROLLS MUST BE ACCURATE

► IT'S THE LAW

Our US Congress recognized in 1993 that in order to secure government by consent, the principle of American liberty and justice upon which our constitutional republic was founded, the electoral process must be protected by maintaining accurate voter rolls:

52 USC 20501 (National Voter Registration Act of 1993.)

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS—The Congress finds that—

(1) the right of citizens of the United States to vote is a fundamental right;

(b) PURPOSES—The purposes of this Act are—

(3) to protect the integrity of the electoral process; and

(4) to ensure that accurate and current voter registration rolls are maintained.

Congress was right. A voter registration record is granted a ballot. Eligibility must be verified before any applicant can be registered. Maintenance of registration lists must be scrupulous. If a name appears on the list of registered voters, it is presumed to be legitimate, and allowed to cast a vote.

"Accurate" as defined in Merriam-Webster dictionary:

1: free from error especially as the result of care

2: conforming exactly to truth or to a standard

3: able to give an accurate result

► INVALID REGISTRATION IN NEW YORK'S VOTER DATABASE

Through inspection of the voter rolls⁴ in New York State, NY Citizens Audit has discovered they are so inaccurate, the circumstance is described under the law as a total "Loss of Control."⁵ Federal and state laws regarding registration are simply ignored. Millions of examples exist. Regardless of blanket excuses and denials from election officials, these are invalid or illegal registrations. Crimes against the elective franchise are being committed.

Here is a sampling of registration records from the New York State voter roll database (NYSVoter) as of December 19, 2022 that are invalid or illegal. Some of them could be given an affidavit ballot to vote at an in-person polling site under state law, if a proper cure is presented. Although their presence in the database violates the federal principle of accuracy due to ineligibility, current state law excuses that.

INVALID OR ILLEGAL REGISTRATION TYPE	NUMBER OF INSTANCES
Counterfeit registrations (see page 3)	1,467,399
Registered after 2022 GE cutoff date, yet voted	9,766
Purged with no purge date	1,545,711
Purged records that were never active (see page 5)	712,360
Registered after last voted date	143,226
Voter identity unverified	201,908
Age discrepant registrants (older than the 115yo, the oldest known person in the US)	20,023
Registered before age 16	4,910
Blank address registrants	48,784
January 1st registration date, 1900-2022	988,863

► COUNTERFEIT REGISTRATIONS

Counterfeit registrations are made using a pre-existing registration identity as the source, but assigning the new record a unique statewide voting serial number. This creates the opportunity for multiple votes to be cast by the same identity. In some cases the original registration is real and verifiable by direct canvass. In other cases the original is unverifiable by direct canvass or other means; the “voter” is fictitious.

FEDERAL LAW IS CLEAR ABOUT “DUPLICATE” REGISTRATIONS IN THE VOTER ROLL DATABASES:

52 USC 21083 (Help America Vote Act of 2002)

SEC. 303. Computerized statewide voter registration list requirements and requirements for voters who register by mail.

(a) computerized statewide voter registration list requirements

(1) Implementation

(A) In general—Except as provided in subparagraph (B), each State, acting through the chief State election official, shall implement, in a uniform and nondiscriminatory manner, a single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the State level that contains the name and registration information of every legally registered voter in the State and **assigns a unique identifier to each legally registered voter in the State.**

EARLIER LAW ALSO ADDRESSES DUPLICATE ENTRIES IN VOTER ROLL DATABASES:

52 USC 20504 (National Voter Registration Act of 1993.)

SEC. 5. Simultaneous application for voter registration and application for motor vehicle driver's license.

(c) forms and procedures.

(2) The voter registration application portion of an application for a State motor vehicle driver's license—

(B) may require only the minimum amount of information necessary to—

(i) **prevent duplicate voter registrations.**

NEW YORK ELECTION LAW AGREES THAT EACH VOTER GETS ONE REGISTRATION:

NYS Election Law §5-614.4

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.

NYCRR 6217.1

(b) NYSVoter shall maintain one record for each voter including the statewide unique identifier.

NYCRR 6217.5

(e) **NYSVoter shall assign a unique identifier to every voter that will remain with that voter for their voting life.**

► New York State board of elections excuses 1,467,399 counterfeit registrations

In an official document targeting the efforts of NY Citizens Audit, "False Claims Explained,"⁶ The New York State board of elections (NYSBOE) implies that these federal and state laws *are not actually law*. An excuse is given to dismiss concerns about the board's flagrant disregard of election law. The lack of audit records demonstrating the veracity of the excuse is notable, given it is part of an election official's sworn, affirmative duty to provide evidence proving their work meets the legal standard. The excuse does not address cases like A. Piantenta, an unverifiable "person" who has eleven simultaneously active registrations at a single address where he is unknown and has never lived. In short, the excuse is false. Below is the excuse as provided by the NYSBOE in "False Claims Explained":

Duplicated Voter IDs

Each voter in New York is assigned both a state voter ID and a county ID. Although the state database is designed to have a single state ID follow a voter as they move from county to county, it is possible for multiple reasons that a voter may have multiple records with different state IDs. For example, if a voter registered more than once using the DMV's online portal creating a duplicate record, their duplicate record may be purged, which would show the same voter and name with two voter IDs. One record would be active and the second would be purged.

When NY Citizens Audit researchers searched the NYSVoter database as provided on December 19, 2022, we found 1,467,399 counterfeit registrations assigned to identities already granted a voter registration and unique statewide identifier. To find out if they voted, please turn to page 7, "Votes counted must be from qualified electors."

In the official DOJ publication, "**Federal Prosecution of Election Offenses**, Eighth Edition, December 2017," the following federal crimes are identified:

- Submitting fictitious names to election officers for inclusion on voter registration rolls, thereby qualifying the ostensible voters to vote in federal elections (52 U.S.C. §§ 10307(c), 20511(2)).
- Providing false information concerning a person's name, address, or period of residence in a voting district to establish that person's eligibility to register or to vote in a federal election (52 U.S.C. §§ 10307(c), 20511(2)).
- Placing fictitious names on the voter rolls. This "deadwood" allows for fraudulent ballots, which can be used to stuff the ballot box.

The law identifies each of these 1,467,399 counterfeit registrations as both illegal and suspicious.

The New York State board of elections must provide a line-by-line verification detailing how each one of them was created, as well as the computer audit logs demonstrating every update to voter history. These records have been requested by NY Citizens Audit via Freedom of Information Law (FOIL), and access has unlawfully been denied.

► PURGED RECORDS THAT WERE NEVER ACTIVE

NY Citizens Audit discovered 712,360 voter registration records in NYSVoter that were never active.

At the time each record was created, it was given purged status. This is a conundrum, as a purged voter cannot get a ballot under any circumstance. Why, then, did these “people” register?

These 712,360 records appear to be fraudulent. How they may have been used, exactly, remains unknown.

Again, the New York State board of elections must provide a line-by-line verification detailing how each one of them was created, as well as the computer audit logs demonstrating every update to voter history.

► INEXPLICABLE CHANGES TO THE VOTER ROLLS

NY Citizens Audit used three uniquely dated copies of NYSVoter to run a comparison, line-by-line, of anomalous changes to the database. One copy is dated 10/21/2021, the second 10/24/2022, and the third was received on 12/19/2022. The results are inexplicable and possibly illegal:

Categories of Inexplicable Changes to the Voter Rolls	Number of Changes October 2021 – October 2022	Number of Changes October 2022 – December 2022	Total Changes over 14 months
Purged became inactive	6,586	3	6,589
Purged became active	45,260	274	45,534
Died became active	25	50	75
Purge date moved back in time	11	6	17
Purge date moved ahead in time	1,216	122	1,338
Purge date erased	7,171	229	7,400
Purged no purge date	56,772	36,627	93,399
Birth date moved back in time	3,226	835	4,061
Birth date moved ahead in time	3,672	927	4,599
First name altered	14,604	3,760	18,364
Last name altered*	12,502	3,267	15,769
New ID, same name	10,808	2,931	13,739
New Lname/Fname/DOB, same ID	65	20	85
New Lname/ID, same Fname/DOB	235	39	274
New Lname/DOB, same Fname/ID	256	72	328
TOTAL INEXPLICABLE VOTER ROLL CHANGES	157,820	48,103	211,771

*Married name changes not included

Each one of these changes would need to be manually done, based on a legitimate request by the voter, at the local board of elections where the voter resides. This would be an average of 680 illogical registration changes per business day, statewide. The boards of elections must produce every one of these record update requests, submitted by each unique registrant, in order for this finding to be believed lawful.

► TOTAL LOSS OF CONTROL

In the spring of 2022, NY Citizens Audit Director of Research, Andrew Paquette, PhD, observed and began reverse-engineering algorithmic patterns in the assignment of state and county voter ID numbers within NYSVoter.

On June 27, 2022, with the support of the team, this work was reported in person to the New York State Police Special Investigations Unit. The report was considered credible and disturbing, and the inquiry passed to the Foreign Intelligence Task Force of the FBI, which oversees investigation of national security risks to our voting systems.

On May 1, 2023, NY Citizens Audit presented the completed research on these algorithms to the New York State legislature election committees, at the Legislative Office Building in Albany, room 711A.⁷

On May 16, 2023, Paquette published a peer-reviewed scientific research paper, "The Caesar Cipher and Stacking the Deck in New York State Voter Rolls," describing the algorithms, in the *Journal of Information Warfare*. Three independent cyber-intelligence experts agreed that the research was sound, and the database is embedded with steganographically masked (hidden in plain sight) algorithms controlling the assignment of ID numbers.

This is blatantly illegal, and considered a total "Loss of Control" data breach by the Cybersecurity and Infrastructure Security Agency, the federal agency with the duty to protect critical national cyber infrastructure. Neither the FBI, nor the legislators, nor any other officials have responded, despite having been presented credible evidence of an existing national security breach within our voting system. It is misconduct to ignore the report; each of these people swore an oath to protect and uphold our US Constitution.

The breach may explain some of the massive data manipulation discovered by NY Citizens Audit. There is a possibility that the manipulation has been accomplished without knowledge of or participation by any New York election official. However, the state board of election's choice to defend millions of material violations of clear election law, and refusal to meet with honest citizen investigators, does not inspire trust. A full investigation must be launched immediately to determine the source of this active, confirmed, illegal attack compromising the validity of our elections.

"Free and honest elections are the very foundation of our republican form of government. Hence any attempt to defile the sanctity of the ballot cannot be viewed with equanimity." *United States v. Classic*, 313 U.S. 299 (1941)

2



VOTES COUNTED MUST BE FROM QUALIFIED ELECTORS

► Summary of votes cast in New York's 2022 general election by invalid or illegal registrations

These numbers were summed from a copy of NYSVoter dated 12/19/2022, after state level certification attested to the accuracy and legal compliance of the election. A blank address or unverified registrant could be allowed to vote in person after presenting ID, using an affidavit ballot. It is unknown at this time whether these 20,448 specific records were thus cured before voting. NY Citizens Audit can confirm that procedure was not universally followed in 2020; votes were cast by similarly invalid records for which there was no evidence provided, upon FOIL request, of curing.

INVALID OR ILLEGAL REGISTRATION TYPE THAT VOTED	VOTES CAST IN 2022 GE
Counterfeit registrations	449,856
Counterfeit registrations - DOUBLE+ VOTES	2,440
Registered after 2022 GE cutoff date, yet voted	9,766
Purged with no purge date	942
Purged before the election	2,524
Registered after last voted date	2,597
Voter identity never verified	3,825
Age discrepant registrants (older than the oldest known person in the US, 115yo)	599
Registered before age 16	2,032
Blank address registrants	16,623
January 1st registration, all years 1900-2022	254,090
TOTAL VOTING VIOLATIONS IN NY'S 2022 GE	745,294

2. VOTES COUNTED MUST BE FROM QUALIFIED ELECTORS

► January 1st Registration Votes

Two categories of invalid registration clearly dwarf the pool of suspicious votes: counterfeits and January 1st registration dates. Again in “False Claims Explained,” the state board of elections has provided an excuse for registrations created on federal holidays, 94% of which fall on New Years day:

Voters Registered on Federal Holidays

Voters that are pre-registered to vote will have their record activated on the day of their 18th birthday regardless of whether that date is a holiday. Additionally, if records did not have a registration date stamp when entering the voter into the electronic system, counties may have used January 1st as a placeholder day.

The “placeholder date” excuse attempts to cover provably false data in the voter rolls. Registration dates are material to determining eligibility to vote. When dates are false, the true date is unknown, and eligibility cannot be certain. Further, this does not explain why January 1st registration dates are assigned special ID numbers occupying key positions in the voter roll algorithms that Andrew Paquette, PhD reverse engineered, creating a highly complex and deliberate geometric pattern.

The following chart shows the first 24 rows of New York County data within NYSVoter, exactly as they originally appeared upon receipt of the data. Close inspection reveals that every tenth registration has:

1. an alphanumeric county ID number, unlike the other 9 in each set of 10;
2. a nearly consecutive state ID number, “short ID,” suggesting uniformity and nearly synchronous registration;
3. a registration date of 1/1/1984, twenty years earlier than the other 9 in each set of 10.

New York County (Manhattan) SBOEID sort

Row	Alpha	CID	Strand ID	Block ID	Short ID	RegDate
1		305710026	1		37,297,193	6/14/2004
2		305710029	1		37,297,194	6/14/2004
3		305710033	1		37,297,196	6/15/2004
4		305710038	1		37,297,197	6/15/2004
5		305710044	1		37,297,199	6/15/2004
6	N	N1317915	2	0.1	37,297,200	1/1/1984
7		305710045	1		37,297,201	6/15/2004
8		305710048	1		37,297,202	6/15/2004
9		305710064	1		37,297,205	6/14/2004
10		305710067	1		37,297,206	6/15/2004
11		305710068	1		37,297,207	6/15/2004
12		305710071	1		37,297,208	6/15/2004
13		305710073	1		37,297,209	6/14/2004
14		305710080	1		37,297,210	6/15/2004
15	N	N1317919	2	1.1	37,297,211	1/1/1984
16		305710086	1		37,297,212	6/15/2004
17		305710087	1		37,297,213	6/15/2004
18		305710091	1		37,297,214	6/15/2004
19		305710095	1		37,297,215	6/15/2004
20		305710096	1		37,297,216	6/15/2004
21		305710099	1		37,297,217	6/15/2004
22		305710101	1		37,297,218	6/15/2004
23		305710106	1		37,297,220	6/15/2004
24	N	N1317942	2	1.1	37,297,222	1/1/1984

Given this array of contradictory characteristics, and the loss of control data breach, the “placeholder” date excuse is not plausible. Each of the January 1st registrant votes is strongly linked to provable fraud.

2. VOTES COUNTED MUST BE FROM QUALIFIED ELECTORS

THE VOTES OF ELECTIONS PAST

NY Citizens Audit has discovered several types of inexplicable data manipulation including missing votes and blank votes. The motive for these illegal changes is unknown. Each category requires immediate investigation.

► Missing Votes:

According to NY election law, county and state voter rolls are real time replicas. The counties manage all registration records, and the state database is a compilation of each county's accurate rolls. The following data sets were extracted from official records received via FOIL request:

County	County voters who voted, 2020 GE	NYSVoter 2020 GE votes, same unique voters
Bronx	48,998	0
Kings	55,134	0
New York (Manhattan)	49,166	0
Queens	55,036	0
Richmond	46,379	0
TOTAL MISSING VOTES	254,713	

According to this data, there is a very real possibility that 254,713 voters were disenfranchised by the boards of elections. The NYSVoter database is considered the official record for administering federal elections, including voter history data. The state board of elections must provide a line-by-line audit regarding each of these unique voters, and prove what happened to their votes.

► Blank Votes:

Another category of data manipulated post-certification is the count of blank ballots by county.⁹ Two counties stand out as having likely violations in this category, due to the magnitude of injections and subtractions. Although Westchester technically adjusted their data on the date of state certification, apparently squeezing in under the deadline, counties are required to turn their certified data over to the state at least a week in advance of that deadline for state attestation of accuracy and compliance. Additionally, it is unknown how Westchester could have legitimately scanned over half a million blank ballots.

County	Blanks Changed 12/4/2020	Blanks Changed 12/8/2020	Blanks Changed 6/18/2021
Orange		-33,370	+36,584
Westchester	+544,992	0	

3



THE NUMBER OF VOTES MUST EQUAL THE NUMBER OF VOTERS WHO VOTED

► When \$35,312 goes missing from your bank account, is that a clerical error?

The New York State board of elections publishes an official results document on their website after every election. It includes the total number of votes by race, county, and party. The total number of votes reported for the 2022 GE was 5,965,684¹⁰.

This number, however, has to have a basis in the raw data reported in NYSVoter, the official federal record¹¹ of voter registration and participation. NY Citizens Audit received a copy of NYSVoter on 12/19/2022, four days after certification. When we tallied the voters who voted as recorded in NYSVoter, we were unable to reconcile the claim.

Official Source	Reported Total
NYSBOE Official Results of 2022 GE report	5,965,684 votes cast
NYSVoter raw data, official federal document	5,930,372 voters who voted
DIFFERENCE:	35,312 more votes than voters who voted

Certification of New York's 2022 general election appears to be a federal crime; a civil rights violation acting under color of law. Why?

► Government by consent and the meaning of Certification

The King of America, the Law, is tethered to the Sovereign, the people, through the elective process. The loyalty of those we temporarily assign the privilege of writing and enforcing law is checked only by the honesty of our elections. Otherwise the King goes rogue. We cannot simultaneously have representative government and compromised elections.

Who is responsible for guaranteeing trustworthy elections? Under current federal law, each state has a chief election official who swears to and attests that an election is both accurate and legally compliant. This is the point of certification. Each of these individuals are bound to a sacred duty of maintaining valid, lawfully conducted elections, an incredible honor upon which our liberty pivots.

52 USC 20501 (National Voter Registration Act of 1993.)

SEC. 10. DESIGNATION OF CHIEF STATE ELECTION OFFICIAL. Each State shall designate a State officer or employee as the chief State election official to be responsible for coordination of State responsibilities under this Act.

SEC. 12. CRIMINAL PENALTIES. 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, United States Code, or imprisoned not more than 5 years, or both.

If citizens reading clear election law and auditing the NYSVoter database found materially false, fictitious, and fraudulent registrations and votes, the chief election official certainly knew or reasonably should have known about these violations, yet willfully chose to ignore, excuse or deny them.

3. THE NUMBER OF VOTES MUST EQUAL THE NUMBER OF VOTERS WHO VOTED

► A simple question

When officials certified New York's federal elections in 2020 and 2022, did certification meet the federal standard of accuracy and compliance? To answer this, the law defining that standard must be reviewed.

There are two kinds of elections in America:

1. ► ACCURATE
2. ► INVALID

To be accurate, elections must meet extremely stringent standards. The allowable error rate in a federal election, in order for that election to be valid and therefore certifiable, is 1/10,000,000 ballot positions, or 1/125,000 ballots. According to the federal election assistance commission that set this legal standard, "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."¹² When it comes to federal elections, the law says there are no honest mistakes.

► Was the 2022 election valid?

With a claim of 5,965,684 votes cast, the maximum allowable number of ballots in error for New York's 2022 general election, in order to be a legally valid, compliant, certifiable election, is 48. NY Citizens Audit found 745,246 voting violations in excess of the legal standard.

Voting violations in the 2022 GE according to NYSBOE raw data	745,294
Allowable ballot errors for a valid federal election by law in 2022 GE	48
VOTING VIOLATIONS IN EXCESS OF LEGAL STANDARD:	745,246

► Unexamined history repeats itself

Disturbingly, the following related information regarding New York's 2020 general election was substantially reported to the New York State board of elections on May 9, 2022, six months prior to the 2022 general election. No attempt was made to address the finding; it was dismissed outright and derided in the media. The certification of the 2022 general election proceeded under the same fraudulent conditions.

Voting violations in the 2020 GE according to NYSBOE raw data	960,546
Allowable ballot errors for a valid federal election by law in 2020 GE	70
VOTING VIOLATIONS IN EXCESS OF LEGAL STANDARD:	960,476

New York's 2020 and 2022 elections were not provably valid under the law.

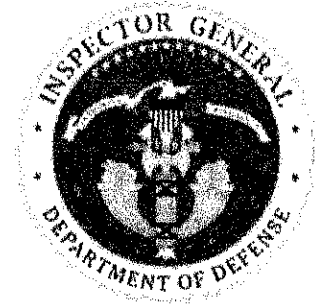
Certification appears to be a federal crime, a civil rights violation acting under color of law.

HAS NY CITIZENS AUDIT UNCOVERED ELECTION FRAUD?

Documents published by the NYS Comptroller as well as the Department of Defense Inspector General identify many of the issues presented in this report as probable cause for an investigation. The following guidance comes directly from the Inspector General¹³ and the NYS Comptroller¹⁴:

► COMPREHENSIVE LIST OF FRAUD INDICATORS

- Management override of key controls.
- Lost or destroyed electronic or hard copy records.
- Photocopied documents instead of originals.
- "Unofficial" electronic files or records instead of "archived" or "official" files or records.
- Revisions to electronic or hard copy documents with no explanation or support.
- Use of means of alteration to data files.
- Computer-generated dates for modifications to electronic files that do not fit the appropriate time line for when they were created.
- Computer report totals that are not supported by source documentation.
- Hostile relationship between management and internal and/or external auditors. This would include domineering behavior towards the auditor, failure to provide information, and limiting access to employees of the organization.
- Failure to establish procedures to ensure compliance with laws and regulations and prevention of illegal acts.
- Indications that key personnel are not competent in the performance of their assigned responsibilities.
- Inadequate resources to assist personnel in performing their duties, including personal computers, access to information, and temporary personnel.
- Failure to effectively follow-up on recommendations resulting from external reviews.
- A manager that claims disinterest or having no knowledge about a sensitive or high profile issue in which you would expect management involvement.
- Services paid for violated a Federal, state, or local statute or regulation.
- Original documentation consistently unavailable for the auditor's review.
- Changes to the original documentation that do not appear to be authentic, such as different print or incorrect spacing.



► RED FLAGS FOR FRAUD (parenthesis added)

- Management ignores irregularities.
- Staff lacks training.
- Reluctance to provide information to auditors.
- Management decisions are dominated by an individual or small group.
- Managers display significant disrespect for regulatory bodies.
- There is a weak internal control environment.
- Unexpected overdrafts or declines in cash balances (votes/voters).
- Photocopied or missing documents.
- Discrepancies between bank deposits and posting (deficits).
- Excessive number of voids.
- Increasing number of complaints about products or service.
- Lack of physical security over assets/inventory.
- No supporting documentation for adjusting entries.
- Forgery.
- Creating fictitious employees (voters) and collecting the paychecks (votes).
- Breach of Duty.
- Series of creative "explanations."



SUMMARY

► THE THREE BASIC TENETS OF A VALID ELECTION:

- 1 ► Voter rolls must be accurate,
- 2 ► Votes counted must be from qualified electors,
- 3 ► The number of votes must equal the number of voters who voted,

were all materially violated in New York's 2022 general election, as they had been in 2020.

On May 14, 1888, the United States supreme court issued an opinion, regarding an election matter in Indiana. Cited in "**Federal Prosecution of Election Offenses**, Eighth Edition, *December 2017*," it is still considered good law:

Congress seeks by this statute to guard the election of members of Congress against any possible unfairness by compelling, under its pains and penalties, everyone concerned in holding the election to a strict and scrupulous observance of every duty devolved upon him while so engaged... *The evil intent consists in disobedience to the law.* (In re Coy, 127 U.S. 731)

Is this why the chief election official of New York has described the honest, completely volunteer effort of over 2,000 New York citizens as "malicious," "false," and done by "bad actors"¹⁵? Charged with the public trust and paid by the citizens they are sworn to serve, our election officials statewide have largely ignored the simple solution to meet with NY Citizens Audit. Instead, using the false mantle of their confiscated authority, they have announced our claims are "baseless," and the provenance of our data is "fictional," despite having provided it to us. Finally, without integrity or supporting evidence, they want us to take their word regarding our election outcomes.

The truth is, either by apathy, incompetence or malfeasance, election officials in New York have destroyed the validity of our elections. This is proven to have occurred in 2020 and 2022, at least. No one knows who won, by the will of the people, and the boards of elections are unable and unwilling to prove it to us. Our constitutional guarantee, of choosing the representatives we temporarily grant the privilege of writing and enforcing laws, via accurate, compliant elections, has been egregiously violated, and probable cause for an investigation has been demonstrated.

CONCLUSION

WE THE PEOPLE DEMAND A COMPLETE END-TO-END AUDIT OF THE NEW YORK STATE 2022 GENERAL ELECTION,

for both paper and electronic records, including ballots, by a mutually agreed upon external, third-party bonded auditing firm, possessed of adequate insurance and indemnification for the handling and protection of the personal identifying information of millions of New York citizens, in order to determine the true error rate. This audit will provide a comprehensive report and analysis of all lapses and errors with explanation of cause where it can be determined.

We demand that this audit is completed well in advance of the upcoming 2024 primary and general elections, in order to successfully complete all needed repairs and ensure that the results of the 2024 elections are accurate, compliant, and trustworthy. Our domestic tranquility, as well as our responsibility to secure the blessing of liberty for the coming generations, requires it.

“The first grand right, is that of the people having a share in their own government by their representatives chosen by themselves, and, in consequence, of being ruled by laws, which they themselves approve, not by edicts of men over whom they have no control.”

From “A Letter to the Inhabitants of Quebec,” October 26, 1774, unanimously signed by the delegates to the First Continental Congress.



NEW YORK CITIZENS AUDIT

NY Citizens Audit Civic Fund, Inc is an all-volunteer, grassroots 501(c)3 organization that began auditing New York's publicly available voter data in August of 2021. With over 2,000 citizens contributing, including specialists in auditing, data analytics, law, and cyber security, NY Citizens Audit has produced several significant reports. Our reports are designed to educate citizens, representatives, officials, and judges with an accurate, non-partisan assessment of New York's voting system, based on election and civil rights law, both federal and state.

To obtain voter data, volunteers with NY Citizens Audit agree not to use the information for any non-election purpose. Therefore, NY Citizens Audit cannot provide specific voter data without an equal, binding agreement. Each of the voter records identified in this report as suspicious has been given to federal law enforcement and the New York State board of elections. If you require specific information beyond what is given in this report, and you are willing to sign a non-disclosure agreement, please contact NY Citizens Audit at info@AuditNY.com.

Notes:

1. Public Law 107-252, Help America Vote Act, 52 USC 21083, Sec. 303 (a)(2)(A)
2. Public Law 103-31, National Voter Registration Act, 52 USC 20501, Sec. 8 (l)(1)
3. Voting Systems Standards Volume 1: Performance Standards, Federal Election Commission United States of America, April 2002, Section 3.2.1; as referenced in 52 USC 21081(S).
4. NY Citizens Audit has received copies of the NYSVoter database and county voter roll databases, via Freedom of Information Law, from the boards of elections on multiple occasions. The first copy of NYSVoter was received on October 21, 2021.
5. US-CERT Federal Incident Notification Guidelines p. 4, "Impact Category Descriptions."
6. This official BOE document can be read, along with NYCA responses, at <https://auditny.com/wp-content/uploads/2023/04/Intro-to-NY-Citizens-Audit-BOE-Responses.pdf>
7. <https://rumble.com/v2mar94-ny-citizens-audit-presents-to-nys-legislature-election-committees-may-1-202.html>
8. <https://www.jinfowar.com/journal/volume-22-issue-2/caesar-cipher-stacking-deck-new-york-state-voter-rolls>
9. <https://www.elections.ny.gov/2020ElectionResults.html> Please see the sheet labeled "Revision History"
10. <https://www.elections.ny.gov/2022ElectionResults.html>
11. Public Law 107-252, Help America Vote Act, 52 USC 21083 Sec. 303 (a)(1)(A)(2)(ii & viii)
12. Voting Systems Standards Volume 1: Performance Standards, Federal Election Commission United States of America, April 2002, Section 3.2.1
13. US Department of Defense, Inspector General's Office, "Comprehensive List of Fraud Indicators," October 2017.
14. State of New York, Office of the State Comptroller, "Red Flags for Fraud."
15. This official BOE document can be read, along with NYCA responses, at <https://auditny.com/wp-content/uploads/2023/04/Intro-to-NY-Citizens-Audit-BOE-Responses.pdf>

New York's 2022 General Election & The Reign of Error | SUMMARY SHEET

APATHY, INCOMPETENCE, OR MALFEASANCE?

▶ THERE ARE TWO KINDS OF ELECTIONS IN AMERICA:

- ▶ ACCURATE
- ▶ INVALID

▶ WHAT MAKES AN ELECTION VALID?

The Legal Standard for a certifiable election is based on Four Tenets of Law:

1. ▶ Voter rolls must be accurate,
2. ▶ Votes counted must be from eligible voters,
3. ▶ The number of votes counted must equal the number of voters who voted,
4. ▶ The maximum allowable error rate in a valid election is 1/125,000 ballots in error.

1. Are the voter rolls accurate, as required by the National Voter Registration Act of 1993 (accurate is defined as "free from error" in Webster's dictionary) (P.1)?

- 5,142,950 apparent registration violations in NYSvoter, including:
 - o 1,545,711 purged registrations with no purge date (P.2)
 - o 1,467,399 counterfeit registrations (P.2)
 - o 712,000 purged records that were never active (P.2)

2. Are votes counted from eligible voters, as required by the Constitution?

- A total of 745,294 of the seemingly invalid or illegal registration violations have a vote cast (P.7)
- 449,856 counterfeit registrations voted, and 2,440 cast double or more votes (P.7)
- 245,090 votes cast by people registered on January 1st, an invalid registration date (P.7)
- 16,623 blank address registrants voted (P.7)

3. Do the number of votes equal the number of voters?

- 5,965,684 votes counted (NYSBOE Official Results of 2022 GE report)
 - 5,930,372 voters who voted (NYSVoter raw data, official federal document)
- 35,312 more votes counted than voters who voted (P.10)**

4. Was the 2022 (and 2020) Election Valid?

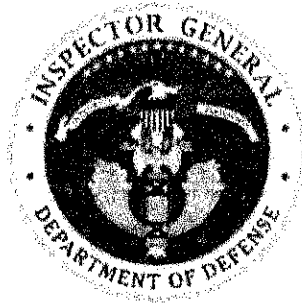
The maximum allowable error rate in a valid, certifiable election is stringent—**1/125,000 ballots in error according to the Help America Vote Act. (P.11)**

2022 allowable errors	48	2020 allowable errors	70
2022 apparent errors	745,246	2020 apparent errors	960,476

Page numbers referenced are those in the [full report](https://www.auditny.com) available at [AuditNY.com](https://www.auditny.com)

New York's 2022 General Election & The Reign of Error | SUMMARY SHEET

APATHY, INCOMPETENCE, OR MALFEASANCE?



► FRAUD ALERT

Many of the issues presented in this report are listed in the guidance posted by the Department of Defense Inspector General's "Comprehensive List of Fraud Indicators" and the NY State Comptroller's Office "Red Flags for Fraud." (P12)

► CONCLUSION

The 2022 (and 2020) General Elections in New York were not provably valid at the time of certification. The NYS board of elections provided all the data, and dismissed or excused these findings, while launching campaigns that are not factually honest to intimidate both researchers and citizens. Probable cause for an investigation has been demonstrated.

Please find a link to the the [full report at AuditNY.com](https://www.auditny.com)

Data Sources:

1. National Voter Registration Act, 1993
2. US Constitution
3. Help America Vote Act, 2002
4. NY State voter rolls obtained from NYSBOE on 12/19/2022

NY Citizens Audit is a 501(c)(3) non-profit organization dedicated to sovereignty through honest provable elections.

DONATE to support our efforts TODAY!



New York Citizens Audit is a citizen's group organized for the purpose of performing an open-source audit of the New York State Board of Elections, to ensure our elections are valid.

New York's 2020 General Election: A Study in Deficits

A report produced by New York Citizens Audit

SUMMARY SHEET

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

The three basic tenets of an election:

- ▶ **Voter Rolls must be accurate.**
- ▶ **Votes counted must be from qualified voters.**
- ▶ **The number of votes must equal the number of voters.**

Findings:

(as presented in the attached full report, "A Study in Deficits")

- ▶ **2,427,827** NYSVoter ID numbers attached to **1,170,790** registrants (p. 2)
- ▶ **987,490** voters registered on January 1st from 1900 to 2021 (p. 3)
- ▶ **1.9M** registrations in the state voter rolls missing from the county rolls (p. 4)
- ▶ **625,359** more registrations than voting-age citizens in just six counties (p. 4)
- ▶ **740,396** ineligible votes statewide (p. 8)
- ▶ **338,356** more votes cast than voters who voted in 2020 (p. 10)
- ▶ **195,271** votes cast in NYC that went missing in the NYSVoter database (p. 11)

Conclusions:

- ▶ **Over 1,000,000** felony violations of NYS Election Law.
- ▶ **95** State and Federal legislative races impacted by **740,396** ineligible votes.
- ▶ The NYSBOE, whether by dereliction of duty or deliberate malfeasance, is unquestionably responsible for affecting election outcomes in NY. A full end-to-end audit by professionals and possibly law enforcement is warranted.

Data Sources:

- New York State Board of Elections Voter Rolls provided October 21, 2021
- County Voter Rolls (not all counties have responded to FOIL requests)
- NYS Secretary of State official website



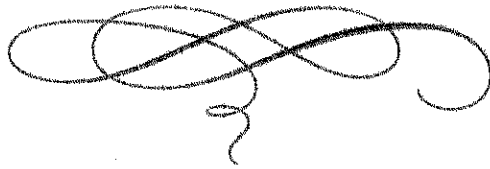
JEFFERSON COUNTY DATA GENERAL ELECTION 2020 FACTS

- 1) Jefferson County voter rolls maintained by the New York State Board of Elections demonstrates that a 162 voter discrepancy exists between the Jefferson County precinct vote tabulation count and the New York State Board of Elections, and a 274 voter discrepancy exists between the Jefferson County precinct vote tabulation count and the New York Secretary of State certified results. Additionally, a 112 vote discrepancy exists between the New York State Board of Elections and the Secretary of State regarding Jefferson County.
- 2) Jefferson County voter rolls maintained by the New York State Board of Elections demonstrate that there are 598 duplicate SBOEID numbers assigned, 21 of which voted.
- 3) Jefferson County voter rolls maintained by the New York State Board of Elections demonstrate that 81% of the voting age population of Jefferson County is registered to vote. The following age groups from 18-100 have an excess of 95% registration: 46, 47, 50, 55, 58-60, 62, 63, 66, 67, 69, 73, 79, 90, 92, 100. The following age groups from 18-100 have in excess of 100% registration: 51 (101%), 53 (102%), 64 (102%), 65 (103%), 68 (104%), 70 (101%), and 74 (106%).
- 4) Jefferson County voter rolls maintained by the New York State Board of Elections demonstrate that 590 People voted without a residence address in their voter roll.
- 5) Jefferson County voter rolls maintained by the New York State Board of Elections demonstrate that 216 people registered after the cutoff date, and voted on election day.
- 6) Jefferson County voter rolls maintained by the New York State Board of Elections demonstrate that at least 4 people voted who were purged before November 3, 2020.

- 7) Jefferson County voter rolls maintained by the New York State Board of Elections demonstrate that at least 4 people voted who were deceased.
- 8) Jefferson County voter rolls maintained by the New York State Board of Elections demonstrate that at least 252 people voted who were older than the oldest living resident of the United States.
- 9) Jefferson County voter rolls maintained by the New York State Board of Elections demonstrate that 93 people voted from 2 nursing homes, 20 people voted from a school, and 13 people voted from a residence too small to accommodate the number of voters.
- 10) That the total number of irregular votes in Jefferson County, as detailed above is 1,487 votes.



Resolution for an Audit of the New York State 2022 General Election




Whereas It is a recognized civil right in the United States for every citizen to have free and fair elections. "And the right of suffrage can be denied by a debasement or dilution of the weight of a citizen's vote just as effectively as by wholly prohibiting the free exercise of the franchise." (Reynolds v. Sims, 377 U.S. 533 (1964))

Whereas It is the affirmative duty of our election officials to comply with all Federal and State laws governing administration and procedure of our elections, thereby guaranteeing our elections are accurate and free of distortion or manipulation.

Whereas Our constitutional system of representative government only works when the worth of honest ballots is not diluted by invalid ballots procured by corruption, and assuring accuracy can only be achieved through the operational integrity of our elections, as defined by those laws governing the following five processes:

1. Rigorous Verification of Voter Identity.
2. Proven Ballot Security and Intact Chain of Custody.
3. Voting Systems Certified to be Secure from Operational, Physical and Cyber Threats.
4. Meets All FISMA and State Operational and Risk Assessment Requirements.
5. Meets Auditability and Traceability Requirements and Operational Policy.



Whereas An open-source audit of the New York State 2020 General Election conducted by New York Citizens Audit has uncovered evidence of massive inaccuracies that violate both Federal and State laws, including:


- ✦ **2,427,827** NYSVoter ID numbers attached to **1,170,790** registrants.
- ✦ **740,396** ineligible votes cast Statewide.
- ✦ **338,356** more votes cast than voters who voted.
- ✦ **987,490** voters who registered on January 1st from 1900 to 2021.
- ✦ **1.9MM** registrations in the state voter rolls missing from the county rolls.
- ✦ **625,359** more registrations than voting-age citizens in six counties alone.
- ✦ **195,271** votes cast in New York City that went missing in the NYSVoter database.
- ✦ **1,000,000+** felony violations of New York State Election Law.
- ✦ **95** State and Federal legislative races impacted by **740,396** ineligible votes.
- ✦ Abandoned ballots and ballot payment schemes.
- ✦ Certification as defined by law was provably fraudulent and illegal.

Whereas These findings trample accuracy requirements of voting systems for a Federal Election, wherein the system shall achieve a target error rate of no more than one in 10,000,000 ballot positions. 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.

Whereas It must be known factually, and provably, that the intent of the voters is accurately represented by election results before certification can be lawfully conducted. Certification of an election that varies from the law is an abridgement of the civil rights of the citizens, a Fraud ab Initio (United States v. Throckmorton, 98 U.S. 61 (1878)).

Whereas State and Federal Officials have met the efforts of New York Citizens Audit to seek redress for these egregious violations with indifference and inaction, including the Attorney General, Secretary of State, State Board of Elections, Inspector General, Federal Bureau of Investigations, State Leadership of Democrat and Republican parties, County Election Officials, Sheriffs, District Attorneys, and others.

Whereas None of these violations were addressed prior to the administration and certification of the 2022 General Election, and there prevails a spirit of extreme contention and zero trust between people of differing political ideologies across New York, which is destructive to our families, our way of life, and the fabric of these United States.



Therefore We call upon our Representatives including Town Board Members, County Legislators, State Legislators, Federal Legislators, Law Enforcement, Federal and State Prosecutors, and Judges to provide relief to the people, and the assurance of domestic tranquility, through the fulfillment of each of the following firm requests:

1. A complete end-to-end audit of the New York State 2022 General Election, for both paper and electronic records, including ballots, by a mutually agreed upon external, third-party bonded auditing firm, possessed of adequate insurance and indemnification for the handling and protection of the personal identifying information of millions of New York citizens, in order to determine the true error rate. This audit will provide a comprehensive report and analysis of all lapses and errors with explanation of cause where it can be determined.
2. The enactment of legislation defining a mutually agreed upon process by which an end-to-end audit would be triggered in any future elections.
3. The enactment of legislation defining a mutually agreed upon accuracy rate for the NYSVoter and County voter roll databases.
4. The enactment of legislation allowing for anonymous vote verification and tracking by the voter (open-source, royalty-free patent pending), including automatic mechanisms to report and remedy errors during the canvass period following an election, regardless of ballot entry source.
5. Criminalize election misconduct explicitly with regard to State election law, and increase penalties to reflect the societal and generational harms inflicted by these crimes.

— Resolution on following page —



Appendix to the Resolution

Research Sources for the Open-Source Audit by New York Citizens Audit:

- A copy of NYSVoter database obtained via FOIL request from the NYS Board of Elections on October 21, 2021.
- Copies of County voter rolls obtained via FOIL between September-December 2021.
- 2020 Certified Statewide General Election Results, downloaded from the official website of the NY Secretary of State.
- Firsthand witness reports and affidavits.

Relevant Laws applicable to an End-to-End Audit:

- US Constitution; Article 1, Section 4.
- H.R. 2 The National Voter Registration Act of 1993 (Pub. L. 103-31).
- H.R. 3295 The Help America Vote Act of 2002 (Pub.L. 107-252).
- Federal Election Assistance Commission Voting System Standards Volume I: Performance Standards, April, 2002.
- Federal Information Security Modernization Act of 2014 (Public Law 113-283). originally Federal Information Security Management Act of 2002 (Public Law 107-347 (Title III)).
- National Institute of Standards and Technology SP 800-53: Security and Privacy Controls for Information Systems and Organizations.
- FIPS 199 - Standards for Security Categorization of Federal Information and Information Systems.
- U.S. Code: Title 52; Subtitle I—Voting Rights (§§ 10101 – 10702), Subtitle II—Voting Assistance and Election Administration (§§ 20101 – 21145) including:
 - ◆ 52 USC §10101(b)—Intimidation, threats, or coercion.
 - ◆ 52 USC §10307(c)—False Information in, and Payments for, Registering and Voting.
 - ◆ 52 USC §20701—Retention and preservation of records and papers by officers of elections.
 - ◆ 52 USC §20702—Theft, destruction, concealment, mutilation, or alteration of records or papers.
 - ◆ 52 U.S. Code § 21081—Voting systems standards (HAVA).
 - ◆ 52 U.S. Code § 21083—Computerized statewide voter registration list requirements and requirements for voters who register by mail.
- 18 USC §241—Conspiracy Against Rights.
- 18 USC §242—Deprivation of Rights Under Color of Law.
- 18 USC §1519—False Records in the Administration of a Federal Matter.
- 18 USC §1028A—Aggravated Identity Theft.
- 18 USC § 514—Fictitious obligations.
- Consolidated Laws of New York; Chapter 17, Elections.
- New York Codes, Rules, and Regulations; Title IX Executive Department, Subtitle V—State Board of Elections.
- NY Penal Law, Part 3, Title K § 190.80 Identity theft in the first degree.
- NY Penal Law, Part 3, Title K §170.10 forgery in the second degree.



This work is licensed to NY Citizens Audit under the Creative Commons Attribution-NonCommercial-ShareAlike 4.0 International License. To view a copy of this license, visit <http://creativecommons.org/licenses/by-nc-sa/4.0/> or send a letter to Creative Commons, PO Box 1866, Mountain View, CA 94042, USA.