

PUBLIC INTEREST

— LEGAL FOUNDATION —

VIA USPS and FAX

March 22, 2019

ATTN: Jeremy J. Zellner, Comm.
Ralph Mohr, Comm.
Erie County Board of Elections
134 West Eagle St.
Buffalo, NY 14202
Fax: 716-858-8282

RE: Evidence of potential double voting

Dear Commissioners Zellner and Mohr:

We write today offering information regarding an individual who may have voted in Erie County and in another county in the same federal election. The Public Interest Legal Foundation is a nonprofit law firm dedicated to election integrity that also promotes common-sense reforms that preserve the Constitutional framework of American elections.

The nonprofit organization Project Veritas released a video on March 20, 2019, detailing its investigation of an individual who may be registered in both your county and Pinellas County, Florida. The video shows that organization's efforts to verify publicly available information, including voter history. The video also includes conversations with a man purporting to be the individual himself. The man in the video appears to state that he voted both in *your county's* 2018 federal general election and in *Pinellas County, Florida's* 2018 federal general election. Project Veritas, "NY Republican Votes Twice in 2018 Elections, Casts Mail Ballot in Florida", <https://www.projectveritas.com/2019/03/20/ny-republican-votes-twice-in-2018-elections-casts-mail-ballot-in-florida/>.

Under federal law,

- (1) Whoever votes more than once in an election referred to in paragraph (2) shall be fined not more than \$10,000 or imprisoned not more than five years, or both.
- (2) The prohibition of this subsection applies with respect to any general, special, or primary election held solely or in part for the purpose of selecting or electing any candidate for the office of President, Vice President, presidential elector, Member of the United States Senate, Member of the United States House of Representatives, Delegate from the District of Columbia, Guam, or the Virgin Islands, or Resident Commissioner of the Commonwealth of Puerto Rico.

52 U.S.C.S. § 10307.

Under New York law, "No person shall be qualified to register for and vote at any election unless he is a citizen of the United States and is or will be, on the day of such election, eighteen

years of age or over, and a resident of this state and of the county, city or village for a minimum of thirty days next preceding such election.” N.Y. Elec. Law § 5-102. Further, New York law states that “Any person who:…1. Knowingly votes or offers or attempts to vote at any election, when not qualified; or…3. Votes or offers or attempts to vote at an election, more than once…or votes or offers or attempts to vote at an election, in an election district or from a place where he does not reside…is guilty of a felony.” N.Y. Elec. Law § 17-132.

Thank you very much for your attention to these matters. Could someone please contact us regarding what steps were taken in regards to this referral? The Public Interest Legal Foundation looks forward to providing your offices with any additional help and information it can.

Sincerely,

A handwritten signature in black ink, appearing to read "Logan Churchwell". The signature is fluid and cursive, with a prominent initial "L" and "C".

Logan Churchwell
Research Director
Public Interest Legal Foundation

Cc:
New York State Board of Elections