

HAVA FORMAL COMPLAINT FORM

For any allegation of a violation of Title III of the
Help America Vote Act of 2002 (52 U.S.C. §§ 21081 --21085)

OFFICIAL USE ONLY☐SBOE / ☐CBOE (circle one)

CBOE Name:

Processed By:

Date:

SBOE ONLY: HAVA CMP #

Assigned To:

A.) NAME(S) OF ENTITY OR PERSON BRINGING COMPLAINT

Name of Entity/Person

Public Interest Legal Foundation

If filing on behalf of Entity include:

Representative's Name:

Logan Churchwell

Title:

Research Director

Street Address (If filing on behalf of Entity use Entity's address)

107 S. West Street, Suite 700

City, State, County, Zip

Alexandria, VA 22314

Primary Number (Incl. Area Code)

(703) 745-5870

Secondary Number (Incl. Area Code)

Email Address (Optional)

lchurchwell@publicinterestlegal.org

Check here if you have attached additional sheets: _____

Number of additional sheets: _____

B.) NAME(S) OF ENTITY OR PERSON AGAINST WHOM YOU ARE BRINGING THE COMPLAINT

Name of Entity and/or Person

State Board of Elections

Street Address

40 North Pearl Street, Suite 5

City, State, County, Zip

Albany, NY 12207

Telephone Number (Incl. Area Code)

(518) 474-6220

Check here if you have attached additional sheets: _____

Number of additional sheets: _____

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C.) NAME OF YOUR ATTORNEY (If you have one)

Last Name

Lightfoot

First Name

Jewel

Middle Initial

M

Street Address

107 S. West Street, Suite 700

City, State, County, Zip

Alexandria, VA 22314

Telephone Number (Incl. Area Code)

(703) 745-5870

Name of Firm

Public Interest Legal Foundation

D.) DESCRIPTION OF COMPLAINT

Describe the complaint in the box below. To the best of your ability, please include:

- 1) The facts of the alleged violation(s).
- 2) Relevant dates and times specific to the violation(s).
- 3) Location of the violation(s).
- 4) Who you believe is responsible for the violation(s).
- 5) Any witnesses to the violation(s) (Please include contact information if you have it).
- 6) **Any documents that are relevant to the complaint.** (If you believe anything should be kept confidential, you may request that the Board deem it confidential. Please identify it and explain the basis for your request).

Description of complaint:

See attached complaint

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OFFICIAL USE ONLY**SBOE ONLY: HAVA CMP #****D.) DESCRIPTION OF COMPLAINT** (continued)

Check here if you have attached additional sheets: ☒

Number of additional sheets: 304

E.) RELIEF SOUGHT (Describe in the box below)***Note: Remedies can not include***

- award of damages or payment of costs
- penalties or attorneys fees
- the invalidation of any election or a determination of the validity of any ballot or vote

Description of relief being sought: (What would you like to see happen?)

See attached complaint

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OFFICIAL USE ONLY**SBOE ONLY: HAVA CMP #****F.) HEARING REQUEST**

Check here if you wish to request a hearing: ✓

If you are requesting a hearing, please check if you want the hearing to be in person at Albany, New York, or if you want the hearing to be by telephone, or where available, interactive video.

☐ Telephone/Interactive Video Hearing

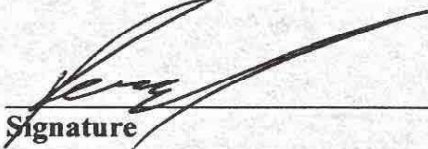
☒ Hearing at Albany, New York

Please note, reasonable accommodations will be made for persons at the hearing for individuals with a disability upon request. Please call 1-800-458-3453 for assistance.

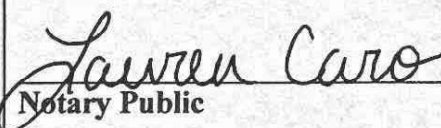
NOTICE: Pursuant to Election Law § 3-105 (9), no provision of Election Law § 3-105, or the Rules and Regulations promulgated thereunder, shall be construed to impair or supersede the right of an aggrieved party to seek a judicial remedy, including a judicial remedy concerning any final determination made pursuant to Election Law § 3-105 (8).

G.) THIS COMPLAINT MUST BE NOTARIZED

I, Logan Churchwell, under penalty of perjury, do hereby swear or affirm that the information contained in this complaint is true and correct to the best of my knowledge.


Signature

Sworn to and subscribed before me on this 27 day of October, 2026.


Notary Public

08/24/2030
My Commission Expires



Please return the completed form to:
The New York State Board of Elections
Office of Counsel
40 North Pearl Street, Suite 5
Albany, NY 12207

COMPLAINT PURSUANT TO THE HELP AMERICA VOTE ACT

The Public Interest Legal Foundation (“Foundation”) files this complaint with the New York State Board of Elections (“SBOE”), alleging that a violation of Title III of the Help America Vote Act of 2002 (“HAVA”) has occurred, is occurring, and will continue to occur absent relief. Specifically, the SBOE has not complied with the requirement to eliminate duplicate names from the official list of eligible voters. *See* 52 U.S.C. § 21083(a)(2)(B).

HAVA Requires Elimination of Duplicated Registration Records

1. HAVA requires states receiving HAVA grant money to implement “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.” 52 U.S.C. § 21083(a)(1)(A). This serves as “the single system for storing and managing the official list of registered voters throughout the State.” 52 U.S.C. § 21083(a)(1)(A)(i). It also serves as the “official voter registration list for the conduct of all elections for Federal office in the State.” 52 U.S.C. § 21083(a)(1)(A)(viii).

2. Under HAVA, states must ensure that: “(i) the name of each registered voter appears in the computerized list; (ii) only voters who are not registered or who are not eligible to vote are removed from the computerized list; and (iii) duplicate names are *eliminated* from the computerized list.” 52 U.S.C. § 21083(a)(2)(B) (emphasis added).

3. HAVA requires the State to create a state-based administrative complaint procedure to ensure compliance. 52 U.S.C. § 21112(a)(1).

4. As a grant recipient, the SBOE must ensure “voter registration records in the State are accurate and are updated regularly,” 52 U.S.C. § 21083(a)(4), and “make[] a reasonable effort

to remove registrants who are ineligible to vote from the official list of eligible voters,” 52 U.S.C. §§ 21083(a)(4)(A); 21084 (emphasizing that the requirements are a minimum, states may establish stricter election technology and administration requirements).

5. The 2009 New York State Amended Implementation Plan (“New York Plan”) requires the SBOE to “[e]stablish a statewide complaint system” and “[c]reate a new uniform statewide voter registration list.” *See* New York Plan, § 8, p. 26; *see also* N.Y. Comp. Codes R. & Regs. Tit. 9 § 6216.2(a) (directing the SBOE to administer the administrative complaint procedure). To comply HAVA, “the State Board implemented, in a uniform and non-discriminatory manner, a single, uniform, official, centralized, interactive computerized statewide voter registration list.” New York Plan, §1, p. 9; 52 U.S.C. § 21083(a)(1)(A).

6. Under the New York Plan, the statewide voter registration list (“NYSVoter”) was fully implemented in the summer of 2007. New York Plan, §1, p. 10; N.Y. Comp. Codes R. & Regs. Tit. 9 § 6217.1(a), (f). All county-based voter registration systems communicate with the NYSVoter. New York Plan, §1, p. 10; N.Y. Comp. Codes R. & Regs. Tit. 9 § 6217.1(c).

7. NYSVoter performs a statewide matching of potential duplicate voters and matches voter information against felon and death records using a secure web site where officials can update voter records. New York Plan § 1, p. 10; N.Y. Comp. Codes R. & Regs. Tit. 9 § 6217.10(a), (d).

8. The New York State Election Law requires formal complaints to be in writing, signed and sworn by the complainant; that the evidentiary standard shall be a preponderance of the evidence; and that the final determination shall be published and appropriate action shall be taken by the SBOE. N.Y. Comp. Codes R. & Regs. Tit. 9 § 6216.2.

Duplicated Records Have Not Been Eliminated in All 62 New York Counties

9. Despite HAVA's requirements, New York has failed to eliminate duplicate voter registration records.

10. By analyzing the Full Voter Export received from the New York Department of State on September 8, 2026, the Foundation identified 6,485 apparent duplicated voter registration record set on New York's official voter registration list. *See* Exhibit 1 attached.

11. The Foundation's Research Director identified these duplicated records by implementing the following six different queries: (1) identification of all records that share the exact same address information, and also have the exact same last name, first name, and date of birth; (2) identification of all records that share the exact same address information and also have the exact same first name and date of birth and have the last name of one record fully incorporated into the last name of the other record; (3) identification of all records that share the exact same address information and also have the exact same first name and date of birth and have the last name of one record be 2 characters or fewer different than the last name of the other record; (4) all records that share the exact same address information and also have the exact same last name and date of birth and have the first name of one record be 2 characters or fewer different than the first name of the other record; (5) all records that share the exact same address information, date of birth, and last names but have common nickname, diminutive, phonetic, or punctuation conflicts in name fields (*e.g.*, William versus Bill, Jacqueline versus Jackie, Bedingfield versus Bedingfiled, O'Donnell versus Odonnell, respectively); and, (6) all records that share matching names and address fields, yet contain apparent typographical errors in birthdate fields demonstrating year-shift errors (*e.g.* 1991 versus 1992) or date transpositions (*e.g.* 1/12/2000 versus 1/21/2000).

12. New York has not eliminated duplicate voter registration records as HAVA requires. 52 U.S.C. § 21083(a)(2)(B)(iii).

Supplemental Findings During Duplicates Study

13. The Foundation's Research Director encountered instances of potential sets based on full name and address matches but could not be completed because at least one registration contained what appeared to be placeholder or fictitious dates of birth, often styled as "18500101", "19000101", and "19010101." Out of an abundance of caution, those potential duplicate sets are not provided in the HAVA complaint duplicate count. Instead, a listing of all 1,516 registrants bearing what appear to be placeholders or fictitious dates of birth in their record supplement the exhibit.

14. Another supplemental finding is provided apart from the HAVA complaint, regarding suspiciously old dates of birth. The Foundation's Research Director isolated 5,935 ACTIVE New York registrants who, if their dates of birth are accurate, are at least 110 years of age.

15. Absent relief, New York's November 3, 2026, General Election will be conducted using an inaccurate voter registration list.

16. This complaint is filed against the SBOE pursuant to HAVA and New York's HAVA complaint procedure.

17. The Foundation requests a hearing.

Prayer for Relief

18. The Foundation respectfully requests an order:

- A. Declaring that New York is violating Title III of HAVA by not merging duplicate names from the official list of eligible voters;

- B. Ordering the SBOE to review the data submitted with this Complaint and take all corrective action consistent with HAVA as is necessary to merge duplicate names from the official list of eligible voters;
- C. Ordering the SBOE to develop and implement a remedial plan to bring New York into compliance with HAVA now and in the future, including, but not limited to, a procedure for verifying correct registration data when a registrant with duplicated registration records appears to vote in person.
- D. Granting the Foundation all further relief deemed just and proper.

October 27, 2026

Respectfully Submitted,

/s/ Jewel Lightfoot

Jewel Lightfoot

PUBLIC INTEREST LEGAL FOUNDATION

107 S. West Street, Suite 700

Alexandria, VA 22314

Tel: (703) 745 5870

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