



Intro 410: FAQ's about Implementation and Voter Fraud

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How will we know that non-citizens are voting *ONLY* in municipal elections? What stops them from filling out a ballot for state or federal elections?

Due to the fact that municipal elections are typically held on odd number years and state and federal elections on even numbered years, the likelihood of them both being on the same ballot is minimal. In the event that this does happen, it is assumed that the Board of Elections would be able to provide a separate ballot for non-citizen voters, and ensure that the right ballots go to the right people.

How will poll workers know who is a citizen and who is a non-citizen?

The legislation indicates that a "municipal voter registration form" will be created specifically for non-citizen residents and their status as municipal voters will be clearly indicated on the poll lists used by poll workers. All other aspects of voter registration and poll administration will be identical to those of citizen voters. The issues of absentee ballots, party affiliations, and voter notification are addressed in Articles 1057-c through 1057-k of the legislation.

What happens if someone does fill out the wrong ballot and ends up voting for something that they are not legally allowed to vote for?

Voter fraud, whether intentional or unintentional, is extremely rare. A report by the Brennan Center for Justice at NYU School of Law indicates that "Proven voter fraud, statistically, happens about as often as death by lightning strike." If a non-citizen voter is found to be knowingly and willfully using the wrong ballot, however, or otherwise voting for something they should not be, they will be charged with a misdemeanor. If someone is found guilty, penalties will follow the guidelines outlined in Article 1057-r of the legislation.

What about potential costs and complications of implementing the new law?

Democracy has evolved over time and election practices have changed as a result. During the past decades, the NYC Board of Elections has been asked to implement such changes and has faced the challenges such change entails. From the inauguration of the Community School Board Elections in 1969 to the Americans with Disabilities Act (1990); the expansion of the New York City Council from 35 to 51 members (1992); the National Voter Registration Act (1993); and the inclusion of additional languages for translation of voting materials (registration forms, ballots, etc.) — all these required extensive changes to election practices. The Board responded to the challenges each change required, and there is no reason to think Intro 410 would be any different.