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New York Voters File Federal HAVA Complaint Demanding Formal Review of Election Law Compliance

New filing follows successful citizen enforcement actions in Missouri and Colorado, where complainants secured the right to hearings under federal election law

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ALBANY, NY — New York voters, working as volunteers with Unite4Freedom (U4F), have filed a formal administrative complaint under the Help America Vote Act of 2002 (HAVA), demanding a hearing on the record and a written determination regarding whether New York is complying with mandatory federal election law requirements.

The complaint, led by our New York volunteers and voters and joined by additional complainants, was filed with the New York State Board of Elections under Section 402 of HAVA.

Additional complainants include leadership from Project Civica, reflecting our growing collaboration among citizen-led organizations working to ensure lawful, transparent election administration ahead of the 2026 federal election cycle.

The filing presents a single legal question:

Is New York maintaining and using a single, uniform, official, centralized and accurate statewide voter registration list as required by federal law for the administration of federal elections?

The complaint alleges that New York's own official statewide records reflect materially inconsistent figures across multiple federal election cycles, raising serious questions about whether the state can identify one authoritative statewide record as required by law.

Specifically, the filing points to discrepancies among statewide turnout figures, certified election totals, and statewide voter participation records for both the 2022 and 2024 federal election cycles.

The complaint asks basic questions New Yorkers deserve to have answered:

- **What exactly did state officials certify?**
- **Can they prove those certified totals from the single official statewide voter registration record required by federal law?**
- **Did they save the auditable items required under law?**

For 2024 alone, New York's own official records reflect **130,165 more votes counted than voters credited with voting. In 2022, the discrepancy was 35,312.**

The complaint also identifies official records reflecting millions of apparent duplicate, unverifiable, incomplete, or otherwise anomalous registration conditions requiring explanation.



The complainants are not asking election officials to relitigate election outcomes or speculate about causes. They are asking for something far more basic:

A lawful administrative review, a formal evidentiary hearing, identification of the official statewide record required by federal law, and reconciliation of the state’s own reported figures.

This filing follows successful HAVA enforcement actions in other states.

- In Missouri, a citizen complainant secured judicial recognition of her right to proceed under the HAVA administrative complaint process after state officials attempted to block review. Missouri was ordered to provide the process federal law requires, including a formal hearing on the record.
- In Colorado, a similar HAVA complaint advanced to public administrative review, reflecting growing citizen use of HAVA's federally mandated enforcement process.

There is a growing trend of citizens using HAVA's federally mandated enforcement mechanism to demand accountability and statutory compliance.

“Federal election law is not optional,” said Unite4Freedom Chairman Harry Haury. “Congress required states to maintain specific systems, records, and procedures to secure safe, accurate and honest federal elections. Citizens have every right to demand compliance when official records raise serious unresolved questions.”

The complaint requests:

- acceptance of the complaint under New York’s HAVA process;
- a formal hearing on the record;
- a written determination regarding compliance with federal law;
- identification of the authoritative statewide voter registration record;
- identification of the related voter histories;
- reconciliation of conflicting statewide official figures;
- preservation of relevant statewide records, audit logs, and change-history records; and
- corrective action if violations are found.

Under HAVA, states that accept federal election funding must maintain an administrative complaint process allowing citizens to raise allegations of violations of Title III requirements.

This New York filing represents another use of this powerful federal accountability framework.

As similar efforts in Missouri and Colorado have already demonstrated, citizens do not need permission to insist that election officials comply with the law. Unite4Freedom is also rolling out direct federal litigation across the country challenging what appears to be extensive malfeasance in office of various state and local officials and bureaucrats.

Visit unite4freedom.com/litigation to view the New York Complaint as well as others.

Unite For Freedom

Valid elections are guaranteed in the Constitution and are the foundation of our Republic. Join us to Unite For Freedom (Unite4Freedom.com) and help us ensure elections are legal, transparent, accurate, and auditable.



Unite4Freedom is a non-partisan, volunteer, civic organization committed to restoring the fundamental right of every American citizen to legitimate representative government, through legal, valid, and accurate elections. Active in more than 30 states, U4F conducts forensic audits, educational initiatives, and policy advocacy to ensure Real Voters, Real Votes, Real Counts, Real Proof, and Real Security. For more information, visit Unite4Freedom.com.



New York 2024 General Election Validity Scorecard

★ 1. Were the voter rolls accurate, as required by the National Voter Registration Act of 1993?

Registrations with material errors and omissions as per the Civil Rights Acts of 1964	Number of Instances*	22.7% REGISTRATION ERROR RATE
Illegal duplicates	1,558,302	
Registered after GE cutoff date and voted	11,392	
Purged with no purge date	1,617,236	
Purged records that were never active	716,522	
Registered after last voted date	146,131	
Voter identity unverified	185,230	
Age discrepant (younger than 16, older than 115)	30,571	
Blank address	44,379	
New Year's registrations	989,431	
Active status for over 8 years with no voting activity	579,576	
TOTAL REGISTRATION VIOLATIONS PROHIBITED BY LAW:	5,878,770	
UNIQUE REGISTRATIONS PROHIBITED BY LAW:	5,163,178	

★ 2. Were the votes counted from eligible voters, as required by the US Constitution?

Registrations with material errors and omissions whose votes were counted	Number of Instances*	10.7% VOTE ERROR RATE
Illegal duplicates	602,948	
Illegal duplicates with double votes	4,290	
Registered after GE cutoff date	11,392	
Purged with no purge date	390	
Purged before election	1,753	
Registered after last voted date	5,387	
Voter identity unverified	6,278	
Age discrepant (younger than 16, older than 115)	2,705	
Blank address	21,492	
New Year's registrations	258,003	
TOTAL VOTING VIOLATIONS PROHIBITED BY LAW:	914,638	
UNIQUE VOTES PROHIBITED BY LAW:	895,595	

★ 3. Was the number of votes counted equal to the number of voters who voted?

Official Source	Reported Total by Official Source
NYSBOE Official Tabulated & Certified Results	8,380,458
NYSVoter database total voters who voted	8,251,264
DIFFERENCE (MORE votes counted than voters who voted):	129,194

★ 4. Was the number of ballots in error valid according to the Help America Vote Act of 2002?

Total ballots counted in error in the 2024 GE	895,595
Allowable machine error rate is 1/10,000,000 ballot positions or 1/125,000 ballots	67
Total excess ballots counted in error: Provable accuracy fails to meet any protective legal standard	895,528

★ TOTAL ELECTION ERRORS (Sections 2+3)	1,024,789	12.2% TOTAL ELECTION ERROR RATE
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*Extracted from an official copy of the NYSVoter database provided by NYSBOE via FOIL request on December 10, 2024.