

**Resolution in Support of Amending New York's Election Laws  
to Enable Machine Counting of Absentee Ballots and to  
Affirmatively Presume an Absentee Ballot's Legitimacy Unless Proven Otherwise  
August 25, 2020 Meeting**

Whereas, most New Yorkers think that voting by absentee ballot is a variant of Vote by Mail and guarantees that their absentee ballot will be automatically counted as part of the final election tally; and

Whereas, when a voter votes in person, they fill in their ballot and have it scanned by a machine; and

Whereas, this same procedure should apply when a voter votes by absentee ballot, but it does not; and

Whereas, as Democrats we believe that every person's vote should count equally; and

Whereas, unfortunately many votes by absentee ballot are not counted at all; and

Whereas, absentee ballots must be in compliance with many obscure and arcane rules to be counted; and

Whereas, even absentee ballots that are in compliance with all these arcane rules, are then subject to initial review by the Commissioners of Elections, the candidates, and their respective attorneys in a highly partisan process; and

Whereas, absentee ballots can be challenged for reasons as minor as an extraneous mark, or a circle not 100% filled; and

Whereas, if a challenge is made, the challenged absentee ballot will then be set aside and that vote will not be counted; and

Whereas, depending on the closeness of the elections, candidates can then head to the Courts seeking to keep the contested (set aside) absentee ballots from ever being counted, ultimately tipping the race for one candidate, with the final results of those judicial decisions often related to which party the judges themselves are enrolled in; and

Whereas, we as Democrats believe that every person has a right to have their vote counted and not have the absentee ballot that the voter completed in good faith annulled because of a stray mark; and

Whereas, it has been repeatedly proven that voter fraud via absentee ballot is extremely rare; and

Whereas, in the most recent primary election, votes cast by absentee ballots determined many of the final election results; and

Whereas, this November is a Presidential election, which is always a high turnout election; and

Whereas, given the expected resurgence of COVID this fall, the proportion of absentee ballots will be dramatically higher than normal and may well be dispositive in many down-ballot races; and

Whereas, New York requires that in-person ballots are counted by machine, which is an efficient, expeditious, and objective method of counting every vote;

Whereas the New York State Democratic Party believes in the right of all citizens to vote and the right of all voters to have their votes count equally; and

Whereas, the principle of one-person-one-vote should be applied to every vote, regardless of the format of that vote; and

Therefore be it Resolved that because as Democrats we believe in the right of every person to vote, we must guarantee that each vote, whether cast in-person or via absentee ballot, be counted equally; and

Be it Further Resolved that because as Democrats we believe in the right of every person to have their vote counted, Election Law should be amended to require that all absentee ballots – not simply the ones that a Committee has deemed are valid, must be counted by machine; and

Be it Further Resolved that because as Democrats we believe in the right of every person to have their vote counted, Election Law should be amended so that the presumption is shifted in favor of an absentee ballot's prima facie validity and that such arcane rules that needlessly disqualify an absentee ballot, such as stray markings when the voter's intent is apparent, should be abolished; and

Be it Further Resolved that because as Democrats we believe in the right of every person to have their vote counted, including those for whom English may not be their first language, or the elderly, that the area on the outside envelope of an absentee ballot, where the voter's signature is required to be affixed should be more obviously marked, including marking the signature line with a big X, highlighting the signature requirement in red lettering, and increasing the font size of the explanatory language; and

Be it Further Resolved that a because as Democrats we believe in the right of every person to have their vote counted, absentee ballots should be mailed to qualified voters at least 45 days before the election date in which they are to be cast; and

Be it Further Resolved that because as Democrats we believe in the right of every person to have their vote counted, secure drop boxes should be established in public places so that absentee ballots may be deposited prior to the in-person voting day; and

Be it Further Resolved that because as Democrats we believe in the right of every person to have their vote counted, the New York Democratic Party will do everything in its power to urge our elected officials to make the necessary legal and policy changes as quickly as possible to ensure that our voting system guarantees that all votes, however they are cast, are counted.