

The Columbia Paper

Plea deal ends double voting case

July 2, 2018 by PARRY TEASDALE

GHENT—Bert S. Goldfinger, a Columbia County resident with a home in New York City, pleaded guilty to disorderly conduct Monday, June 25 in Town Court. He was sentenced to a fine and surcharge of \$225 plus 20 days community service.

The disorderly conduct plea is a violation, akin to a traffic ticket, but Dr. Goldfinger, a dentist, had turned himself in to State Police earlier Monday to be arraigned on two class E felony complaints, one for submitting a false document and the other for voting twice in the same election.

The felony complaints, filed by the State Police, say that in the 2013 general election Dr. Goldfinger sent an absentee ballot to the Columbia County Board of Elections on November 1 and then voted November 3 in person in New York City.

Knowingly submitting a false absentee ballot and voting multiple times in the same election are both felonies under state law.

Many of the details lowering the charges to a single violation had been worked out in advance of Monday's arraignment and Dr. Goldfinger said very little at the proceeding in Town Court before Justice Mark Portin. But the judge did ask him whether everything in the agreement was true; Dr. Goldfinger agreed that it was.

Columbia County District Attorney Paul Czajka, who was present in the Ghent courtroom for the hearing along with Assistant DA Krista Kline, said after the hearing that he does not know how often multiple voting happens in the county. He added that he hopes this case might help deter others from attempting it in the future.

Dr. Goldfinger's lawyer, Michael P. McDermott, said Tuesday, June 26, that the double voting by his client happened at a time when Dr. Goldfinger was changing his legal residence and his voter registration from Manhattan to Ghent. The voting happened in an off-year election, Mr. McDermott said, and the two ballots cast had no candidates in common. He called the case a "technical violation" with "no malicious or criminal intent."

Mr. McDermott said he did not know of any similar cases and characterized this one as unusual.

DA Czajka said his office had received a tip about voting incidents and that the State Police had followed up with their own investigation. He said his office and state investigators are considering a few other possible cases.

This case goes back nearly five years and timing was one factor in the plea deal arrived at during more than a month of pre-arraignment negotiations. The five-year statute of limitations was about to expire. Mr. Czajka did not say how Dr. Goldfinger was identified as having voted twice and he did not know whether 2013—the year it happened—was significant.

One thing that did happen that year was reported last year in the Times Union newspaper in a story on voter fraud: "In 2013, New York City's Department of Investigation sent 63 operatives to cast ballots under the names of 'ineligible or deceased individuals.' Sixty-one succeeded...."

That investigation was not cited in this week's proceeding in the case of Dr. Goldfinger.

Dr. Goldfinger is associate professor of dental medicine and director of clinics at the Tuoro College of Dental Medicine in Westchester County, according to the college website. He also has had a private general dentistry

practice since 1977, has provided dental care to underserved populations in this region and taught literacy classes locally.

The Department of Probation will determine what type of community service Dr. Goldfinger will perform. As part of the agreement he has waived his right to appeal.

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