

Chris Collins maintains win over Nate McMurray with Erie County's absentees counted

By [Robert J. McCarthy](#) | Published November 20, 2018 | Updated 23 minutes ago

Elections officials declared indicted U.S. Rep. Chris Collins the apparent winner of the 27th Congressional District election Tuesday — but not by a lot.

Barring court action, Collins, a Republican, triumphed over Democrat Nate McMurray by 1,384 votes across the district when all outstanding absentee ballots were counted during a long day at the Erie County Board of Elections.

Republican Commissioner Ralph M. Mohr made the official announcement: “At this point it looks like it’s mathematically impossible — mathematically improbable — for Nate McMurray to overtake the lead Congressman Collins had on Election Night,” he said, “and Congressman Collins will be re-elected.”

"Congressman Collins has already returned to work and looks forward to continuing to do the work of the people of the 27th Congressional District," said Collins spokeswoman Natalie Baldassarre.

The incumbent tallied 2,422 absentee and emergency votes in Erie County compared to McMurray’s 3,279 after election workers spent the day poring over 5,588 absentee ballots, 1,454 affidavit ballots and 433 emergency ballots. Reform Party candidate Larry Piegza got 81 votes. Though McMurray won the Erie votes tabulated on Tuesday — providing his camp some optimism as votes were counted throughout the day — they were not enough to overcome Collins' lead of 2,241 votes at the start of Tuesday.

Observers noted McMurray fell short of claiming about two-thirds of the Erie County vote counted on Tuesday, which he needed to win.

"First and foremost, we want to thank the election teams from all eight counties — Democrat and Republican — for continuing to demonstrate how a fair and proper election should be conducted. Congressman Collins led and won on election night and maintained that lead during the entire recanvassing process," Baldassarre said.

The final tally means that barring any further action, Collins succeeded in preserving the 27th District for the GOP even after his Aug. 8 indictment on federal charges of insider trading. It also means that the 27th District, the most Republican of any district in New York State, remained in the Republican column by the slimmest of margins.

But Collins now starts a fourth term, which he has pledged to serve despite his trial in Manhattan federal court slated for February of 2020.

McMurray, the Grand Island supervisor, appeared to concede on election night before reversing himself and announcing he would hold off until all outstanding ballots were counted. That involved tabulations in each of the eight boards of elections throughout the district, culminating Tuesday with the largest amount collected from Erie County.

Elections officials said not every outstanding vote was counted. But the number of uncounted military ballots and other votes would not change the outcome, they said.

The Tuesday process began around 10 a.m. in a stark room at the Board of Elections on West Eagle Street. Officials first ran through a scanner the emergency ballots that somehow were jammed or encountered other problems in the machines on Election Day.

Then Mohr explained the process by which a bipartisan team from the board would open the ballots and prepare them for machine scanning. Officials lined up approximately 16 workers at carefully staged positions on both sides of a long table, with Democrats observing Republicans and vice versa.

“We have here a bipartisan team,” Mohr explained to a crowd of campaign observers and reporters, asking Democrats and Republicans assigned to the counting table to raise their hands.

“The longest part of the process is opening the ballots,” he said, explaining some absentees were submitted weeks before Election Day on Nov. 6. “We will stay no matter how long it takes.”

Assistant County Attorney Jeremy C. Toth, who was observing the process in his official capacity, noted the reliability of the process despite its tedium.

“Look at Georgia. Imagine an elected Democrat or Republican presiding over their own election tally,” Toth said, referring to the recent Georgia gubernatorial election in which the GOP candidate also supervised elections. “This is literally bipartisan, and has to be under New York State law. No step in this process is done without Democrats or Republicans watching.”
