



The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224

Senate Majority Leader Stewart-Cousins
NYS State Capitol Building
Albany, NY 12247

Assembly Speaker Heastie
NYS State Capitol Building
Albany, NY 12248

Senator Zellnor Myrie., Chair
NYS Senate Elections Committee
Room 903, LOB
Albany, NY 12248

Assembly Member Latrice Walker, Chair
Assembly Election Law Committee
Room 746, LOB
Albany, NY 12248

Dear Governor Cuomo and Legislative Leaders:

We write with urgency about the egregious election administration failures and deficiencies revealed by the lawsuit involving the congressional election in NY CD-22. That litigation has shown that election officials in numerous counties were content to let more than 4,000 voters be disenfranchised during the general election. We, the more than 100 organizations which make up the Let NY Vote coalition, find the lack of accountability and absence of uniform procedures for canvassing absentee and affidavit ballots completely unacceptable. Our coalition is all too aware that the widespread disenfranchisement of voters casting affidavit and absentee ballots is not confined to the 7 counties found in CD 22. We applaud the Senate and the Governor for announcing packages that are further designed to reform absentee ballot processing. However, in this time of grave threat to our democracy and attacks on our elections, restoring faith in our state's ability to accurately count ballots demands further action.

We call on you, our elected leaders, to address the appalling situation revealed in the CD 22 litigation as follows:

1. **Remove the Oneida County Election Commissioners.** The Governor should immediately remove the Oneida County election commissioners. While we recognize that the 2020 election provided unusually difficult challenges to election administrators, the fact that these commissioners simply gave up and did not seek a solution to an administrative situation resulting in potentially disenfranchising over 2400 voters indicates that they are not up to the responsibility placed on them. The fact that over 1500 affidavit ballots in Oneida County were

not properly canvassed, as admitted in the CD 22 lawsuit, simply reenforces the need to replace the Oneida County election commissioners.

2. **Require county boards of elections to report progress processing voter registrations.** The State Legislature must pass, and the Governor must sign, legislation requiring accurate and timely monthly reporting by every county board of elections regarding the number of registration applications it receives and the time to process those registrations. Such reporting will reveal whether there is an administrative problem which can result in unfairly disenfranchising citizens who have done everything required of them to register to vote in time for the problems to be addressed.
3. **Establish a statewide program to provide additional staffing and resources to assist in processing delayed voter registrations.** To ensure that the reporting is meaningful, we call on the Governor and the State Board of Elections to establish an assistance program, where state employees can be deployed to assist Boards of Elections should they fall unacceptably behind in timely processing registrations in advance of the next statewide election. The advent of true online voter registration as well as automatic voter registration is expected to help moderate the spikes in registration applications that currently occur before each major election. However, the anticipated increased volume will place even more pressure on county boards, increasing the number of registration applications which they must process. Modernizing the voter's ability to register to vote and then simply dropping the increased number of registration applications on unassisted county boards of elections without an integrated plan to assure timely processing is an invitation for a repeat of this year's Oneida County registration travesty.
4. **Provide state funding to help counties pay for elections.** It is obvious that the failures of the county boards of elections in CD 22 are due, in part, to a lack of resources. We are, sadly, sure the failures of these county boards are far from unique. New York is one of the few states that until last year's limited 1-year early voting funding, provides no funding for elections. This results in repeated and increasingly expensive unfunded election mandates for the counties. We applaud the continued reform of New York's elections. However, the adoption of much needed reforms underscores, yet again, the need for our state to join the vast majority of other states and provide ongoing funding for the accurate and secure conduct of our elections. While we fully acknowledge the fiscal realities of the current pandemic, we also recognize the extraordinary lack of confidence in our election administration arising from the current attack on our democracy. The administrative mess that the CD 22 lawsuit has uncovered should never be countenanced, much less allowed to be repeated due to lack of county-level resources for elections. The amounts needed to provide assistance to the counties are relatively modest in a \$160 billion+ state budget.

Sincerely,

Susan Lerner
Executive Director
Common Cause, NY

Robin Chapelle Golston
Executive Director
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Vote Early NY