



March 3, 2016

The Honorable Carl E. Heastie
Speaker of the New York State Assembly
LOB 932
Albany, NY 12248
via e-mail

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*President and
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Dear Speaker Heastie:

We are writing to you to encourage you to support the automatic voter registration and early voting proposals the Governor outlined in his 2016 “Built to Lead” agenda, and to make them priorities this legislative session. On behalf of the Lawyers’ Committee for Civil Rights Under Law—a nonpartisan, nonprofit organization that seeks to secure equal justice for all through the rule of law, with a particular focus on the inequities confronting African Americans and other racial and ethnic minorities—we strongly support improving and modernizing New York’s elections systems. We believe that early voting and automatic voter registration policies are important building blocks that will help to make our state a leader in voter participation and election administration.

First, we want to emphasize how crucial these reforms are to voters in our state. Many New Yorkers who unsuccessfully attempted to participate in past elections would have been able to vote if these reforms had been in place. Many of us have worked on the Lawyers’ Committee’s nonpartisan Election Protection efforts and spoken directly to voters who were unable to vote due to our state’s current voting laws. Below are experiences shared by New York voters through Election Protection during the most recent election cycles that demonstrate the need for these reforms.

In 2014, 125 New York voters called Election Protection inquiring about early or absentee voting options less than a week before the general election. The deadline to request an absentee ballot by mail, however, is one week prior to Election Day. All 125 voters were unable to obtain an absentee ballot by mail, and many were likely unable to vote as a result. A home health aide in New York City called Election

Protection to share a story that is all too common. She wanted to vote but would have to spend all of Election Day working in a different borough. It was impossible for her to get to her polling place, and it was too late to obtain an absentee ballot by mail. If in-person, no-excuse early voting had been available, she would have had a convenient option to vote. Early voting would have allowed many others to vote as well, despite the challenges posed by work, family obligations, or other emergencies.

Many New Yorkers faced such an emergency in 2012 when Superstorm Sandy hit one week before Election Day. As you are well aware, in addition to the immense destruction Superstorm Sandy caused in our state, it also disrupted the ability for millions to vote. While officials around the state took heroic steps to ensure that voters could cast their ballots, early voting could have provided voters with the opportunity to vote before the storm hit and reduced the number of voters whose ability to vote was impacted. New York City even implemented early voting the weekend before the election as a way to help manage the issues created by the storm. Furthermore, over 8,000 first responders, including military personnel and power company crews from other states, were forced to choose between returning home to vote and remaining in storm-affected areas to continue relief efforts. Providing early voting would help ensure that New Yorkers do not face that choice if they are called upon to help those in another state recover from a disaster.

Election Protection volunteers also hear from people who would benefit from automatic voter registration because they are not registered to vote or their registration information is outdated. In the 2014 general election, Election Protection received over 400 calls or reports from New Yorkers with questions or problems surrounding their registration status. Some individuals were not registered at all, while others had moved and not updated their address with their Board of Elections. Many of these voters could have benefited from the ease and efficiency provided by automatic voter registration.

We would also like to take this opportunity to recommend an adjustment to the Governor's automatic voter registration proposal. In particular, we believe that including public assistance agencies and disability offices as source agencies for automatic registration will enhance the ability of all New Yorkers to participate in the democratic process. For a variety of reasons, many customers of those offices do not

interact regularly with the Department of Motor Vehicles (DMV). Moreover, analyses of data from states like Texas, Pennsylvania, South Carolina, and North Carolina indicate that minority voters are less likely to possess DMV-issued IDs than white voters, and therefore would be less likely to be registered by the DMV. Additionally, New York has a large immigrant community, and we hope the automatic voter registration system will protect non-citizens from unknowingly being added to voter registration rolls and be at risk for criminal charges and deportation.

As the Governor noted in his State of the State address, “the key to reforming our government is engaging people in the democratic process.” New York’s terrible voter turnout rates (53.1% in 2012 and 28.2% in 2014), which rank us among the worst in the nation for voter participation, underscore the need for these improvements to the voting process. To provide the opportunity for more New Yorkers to engage in the process and have their voices heard, we strongly encourage you to support and fight for these reforms—both by funding them in the fiscal year 2017 budget and by leading the effort to pass authorizing legislation.

If you would like to discuss these reforms further or if the Lawyers’ Committee can be of any assistance as you consider and implement these reforms, please do not hesitate to contact President & Executive Director Kristen Clarke at kclarke@lawyerscommittee.org or 202-662-8300.

Sincerely,

Kristen Clarke
President & Executive Director
Lawyers’ Committee for Civil Rights
Under Law

John Nonna
Co-Chair, Board of Directors
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