



New York State Board of Elections  
Annual Report  
2014



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Peter S. Kosinski  
Co-Chair

Gregory P. Peterson  
Commissioner

Todd D. Valentine  
Co-Executive Director



State of New York

**STATE BOARD OF ELECTIONS**

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Douglas A. Kellner  
Co-Chair

Andrew J. Spano  
Commissioner

Robert A. Brehm  
Co-Executive Director

To: - The Honorable Andrew M. Cuomo, Governor  
Members of the New York State Legislature

We are pleased to submit to you the New York State Board of Elections' 2014 Annual Report. This report provides a comprehensive review of Board programs and accomplishments during the calendar year 2014.

The Board's mission consists of the oversight of each county board of elections and the Board of Elections in the City of New York, as well as statewide compliance with the Help America Vote Act, the National Voter Registration Act, the Uniformed and Overseas Citizens Absentee Voting Act and the Military & Overseas Voter Empowerment Act. The Board, among other things, administers several critical programs, including the statewide voter registration list (NYSVoter), all agency-based registration, the voting system certification program and campaign finance disclosure filings for state-level and local candidates. In addition to ensuring fair and broad ballot access for hundreds of candidates from throughout the State, the Board is committed to the active oversight and compliance with campaign financial disclosure filing requirements.

2014 was a very busy election year for New York State with all statewide offices, the U.S. House of Representatives, the entire State Legislature, ten Judicial districts, three ballot proposals and many county and local offices on the ballot.

In addition, the State Legislature created a new division within the State Board called the Division of Election Law Enforcement with a staff of 12 and a new budget of \$1.45 million to investigate election law violations and enforce campaign finance disclosure filing requirements.

As a result, the existing Campaign Finance Unit was reorganized into a

Compliance Unit under the supervision of the Counsel's Office. The new Compliance Unit was enhanced with additional staff and resources, provides better scrutiny of campaign finance disclosure filings, and has resulted in more accurate and complete disclosure filings.

Lastly, the Board fully implemented its Election Night reporting system for the 2014 General Election. For the first time, voters were able to see unofficial results in a single location on election night. All state and federal-level offices were reported on our website beginning around 9:30 pm and continuing through the course of the evening.

The New York State Board of Elections has worked diligently to embrace each of the new programs it has implemented. We remain steadfast in our commitment to providing open, accessible and accurate elections.

Respectfully submitted,

Douglas A. Kellner  
Co-Chair, Commissioner

Andrew J. Spano  
Commissioner

Peter S. Kosinski  
Co-Chair, Commissioner

Gregory P. Peterson  
Commissioner



2013 Members of the State Board. Front Row: L to R, Commissioner Douglas A. Kellner, Commissioner Evelyn J. Aquila, Commissioner James A. Walsh, Commissioner Gregory P. Peterson. Back Row: L to R, Co-Executive Director Robert A. Brehm, Co-Executive Director Todd D. Valentine.

## Mission Statement



The New York State Board of Elections (NYSBOE) was established in the Executive Department, June 1, 1974 as a bipartisan agency vested with the responsibility for administration and enforcement of all laws relating to elections in New York State. The Board is also responsible for regulating campaign finance disclosures and limitations and a Fair Campaign Code intended to govern campaign practices. In conducting these wide-ranging responsibilities, the Board offers assistance to local election boards and investigates complaints of possible statutory violations. In addition to the regulatory and enforcement responsibilities, the Board is charged with the preservation of citizen confidence in the democratic process and enhancing voter participation in elections.

## PERSONNEL DIRECTORY

### Commissioners

Douglas A. Kellner  
*Co-Chair*

James A. Walsh  
*Co-Chair*

Andrew J. Spano  
*Commissioner*

Gregory P. Peterson  
*Commissioner*

\*\*\*\*\*

Robert A. Brehm  
*Co-Executive Director*

Donna Mullahey  
*Secretary*

Todd D. Valentine  
*Co-Executive Director*

Maryellen Reda  
*Secretary*

### Office of the Counsel

Kimberly A. Galvin, *Co-Counsel*

Kathleen O'Keefe, *Co-Counsel*

### Compliance

Cheryl Couser, *Compliance Specialist*

Robert Eckels, *Compliance Specialist*

### Public Information

John W. Conklin, *Dir. of Public Information*

Thomas E. Connolly, *Dep. Dir. of Pub Information*

### Agency-Based Voter Registration

Gregory Fiozzo, *Coordinator of NVRA Operations*

Patrick Campion, *Coordinator of Special Projects*

### Election Operations & Services

Anna E. Svizzero, *Director of Election Operations*

Joseph T. Burns, *Dep. Dir. of Election Operations*

### Information Technology

Vacant, *Dir. of Data Processing Services*

William Ryan, *Mgr. of Data Processing Services*

### Administrative Office

Thomas Jarose, *Administrative Officer*

Jennifer Blanch, *Administrative Assistant*

### Division of Election Law Enforcement

Risa S. Sugarman, *Chief Enforcement Counsel*

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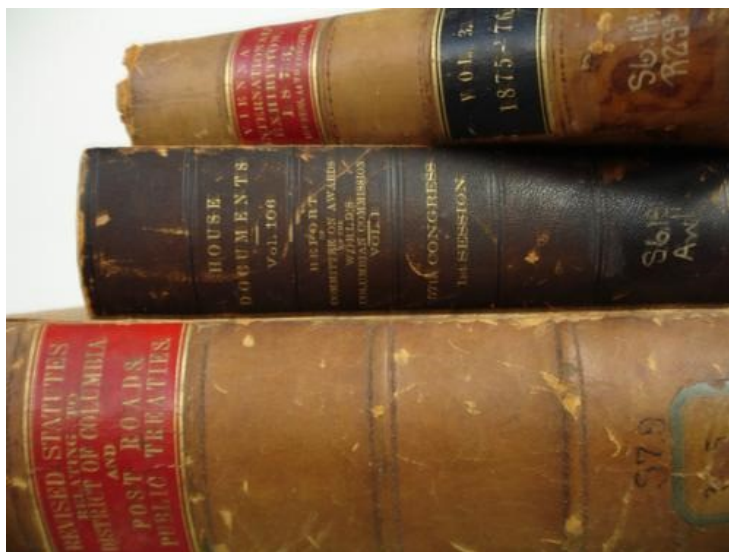
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## COUNSEL'S OFFICE

Chapter 55 of the Laws of 2014 was passed on March 31, 2014. It created the new Compliance Unit within the State Board effective June 29, 2014. The creation of this unit, and the creation of an independent enforcement unit, resulted in a large reorganization of the State Board.

Specifically, a new joint Counsels' Office resulted from the combination of the former Enforcement Counsel Office and the former Special Counsel Office. This office is comprised of two Co-Counsels, two Deputy Counsels, two Confidential Secretaries and one Confidential Clerk.

The two Co-Counsels are responsible for all legal matters impacting the State Board, including litigation in the state and federal courts by or against the State Board. They are also responsible for drafting regulations, formal and advisory opinions and an annual report on developments in election case law and statutes, and for preparing the State Board's legislative agenda and draft legislation for the commissioners to present to the legislature. The Counsels' Office provides oversight

of State Board contracts, responses to subpoenas and Freedom of Information Law requests and the preparation and presentation of continuing legal education courses on campaign finance laws throughout the state. The Counsels' Office also responds to a large volume of legal questions from county boards, candidates, committees and the State Board's Public Information Office regarding all aspects of the Election Law.

## **Litigation**

2014 was a very busy year for petition litigation in both state and federal courts. There were 13 lawsuits concerning the Congressional races and 39 cases involving the state wide candidates and/or legislative candidates. The Counsel's Office participated in many of these matters and also defended a challenge to the proposed constitutional amendment to create a redistricting commission. In addition, there were several lawsuits challenging state campaign finance laws that the Board was involved in during 2014. Specifically, the following is a brief summary of the non-ballot litigation involving the State Board in 2014:

<i>LITIGATION SUMMARY</i>
<i>United States v. New York State, 1:06-cv-263 (NDNY 2014)</i>
In 2006, the United States Department of Justice (USDOJ) brought suit against the State of New York and NYSBOE to enforce provisions of the Help America Vote Act (HAVA). NYSBOE and USDOJ established a consent decree with the Court setting forth a plan which would bring the State into compliance as soon as possible. The State Board filed periodic reports with the court related to compliance with the Orders of the court. As of December 3, 2014 the case was closed and all status reporting obligations ended. The court retained jurisdiction for any future remedial measures that may be required.



*Sloan v. NYSBOE, 1:14-cv-01071 (NDNY 2014)*

This case primarily represented an effort to litigate a ballot access matter in federal court. However the case also presented a theory that the State Board of Elections was unconstitutionally composed because its membership is not representative and violated the “one person, one vote” standard. The court denied the plaintiff’s order to show cause on various grounds including the *Rooker-Feldman* doctrine which prevents litigating anew in federal courts matters disposed of in state courts. Further, the court rejected the argument that the board was unconstitutionally constituted.

*The Hispanic Leadership Fund, Inc. v. NYSBOE (42 F Supp 3d 365 (NDNY 2014)*

Plaintiff Hispanic Leadership Fund, Inc, is a 501(c)(4) tax exempt social welfare organization and Plaintiff Freedom New York is registered with the New York State Board of Elections as an independent expenditure committee. The Court rejected the defendant’s request for discovery regarding the nature of the two plaintiff organizations and whether they are coordinating with each other or other candidates or groups. The Court relied on an affidavit by the president of HLF, Inc., which states that HLF, Inc.’s officers and directors do not have a relationship with any political committees registered in New York and determined that plaintiffs’ have standing to challenge Election Law §§ 14-114(8) and 14-116(2). The court held Election Law §§ 14-116(2), which imposes a \$5,000 limit on HLF, Inc.’s contribution to Freedom New York is unconstitutional because it violates the First Amendment. Election Law § 14-114 (8), which imposes an individual aggregate limit of \$150,000 on contributions made by individuals to plaintiff is similarly unconstitutional.

*New York Progress and Protection PAC v. NYSBOE, 17 F Supp3d 319 (SDNY 2014)*

This case involved a challenge to contribution limits flowing in to Independent Expenditure Committees. The individual aggregate contribution limit of \$150,000, as provided for in Election Law § 14-114(8), is unconstitutional as applied to contributions to independent expenditure committees because it violates the First Amendment. Based upon this ruling the Board determined that it will not enforce the 14-114(8) \$150,000 aggregate individual limit as it relates to independent expenditure only committees.

*UNITED STATES v. NYS and the NYSBOE, 1:10-cv-01214 (NDNY)*

The USDOJ brought suit against the State of New York and the New York State Board of Elections for its failure to comply with the ballot transmittal requirements set forth in the federal legislation known as the MOVE Act. The consent decree ultimately entered in to by the parties' required extensive and ongoing reporting requirements regarding all UOCAVA voters. In addition, the court has, for each federal election cycle since 2012, provided a remedial order establishing a federal-only primary calendar compliant with the MOVE Act. The supplemental order covering the 2014 election cycle was issued in December of 2013.

## **Regulations**

### Public Financing Pilot Program

The board promulgated emergency regulations pertaining to the public financing pilot project for the office of state comptroller included in the 2014 budget.

### Independent Expenditures

The board promulgated regulations to effectuate the reporting of independent expenditures required by Election Law § 14-107.

## **Board Opinions**

The Office of Counsel is responsible for preparing responses to requests for formal opinions from the New York State Board of Elections (NYSBOE). These formal opinions serve to further clarify certain sections of the Election Law. The Board issued one formal opinion for 2014, and also provided numerous informal opinions throughout the course of the year.

You may obtain copies of individual opinions or a complete set of opinions by visiting the Board's website ([www.elections.ny.gov](http://www.elections.ny.gov)).



## **Legislative Activities**

Counsel's Office, in consultation with the executive staff, regularly monitors all legislative action which could impact the Board and the election process in New York. Such activities include attending legislative committee meetings, responding to inquiries regarding legislation, and responding to requests for comments on legislation. In addition, Counsel's Office is responsible for drafting all legislative proposals of the Board. In addition to any New York State legislative initiatives, the office has worked extensively with other members of the staff in reviewing any federal legislative proposals that may have an effect on elections in New York.

The following is a brief summary of significant legislation that was enacted in 2014:

Chapter Number	Brief Summary
19	Enacts the interstate compact to elect the President by national popular vote; requires the State Board of Elections to monitor the number of state adopt the compact and notify the legislative bill drafting commission; provides that the compact will expire in New York State in 2018 if the states cumulatively possessing a majority of electoral votes have not adopted the compact; requires the State Board of Elections to notify the legislative bill drafting commission of such expiration.
249	Removes the requirement that notices for village caucuses be posted at the board of elections.
250	Provides that a lever machine used in a village election shall be locked for 30 days or until 15 days before the next election if needed for that election. Also provides that such lever machine can be unlocked if: 1) a discrepancy, as provided in the Election Law, is discovered upon the recanvass making it necessary to examine the machine to see if it malfunctioned or 2) upon the order of a court.
254	Prohibits candidates from being poll watchers in an election district in which they are on the ballot. Does not prohibit candidates from visiting a poll site on Election Day.
263	Reduces the time that county boards of election must retain poll books from 4 years to 2 years.
273	Extends the time that villages, towns and school boards can use lever machines until December 31, 2015; requires the State Board of Elections to issue a report on how localities can transition to voting machines that comply with section 7-202 of the Election Law.
289	Provides that the absentee ballot requirements and application for village elections shall conform to the requirements and application in Article 8 of the Election Law.
Budget Bills	As part of the State Budget, the Enforcement Unit and Compliance Unit was created (Election Law § 3-104; 2-104(a)). Also included were new reporting requirements for independent expenditures (Election Law § 14-107) and a public financing pilot project (Election Law §§ 14-201 et seq.)

## COMPLIANCE UNIT

The Compliance Unit is under the supervision of the new joint Counsels’ Office resulting from the combination of the former Enforcement Counsel Office and the former Special Counsel Office. This Unit is comprised of three sub-units: Intake and Processing, Education Outreach and Training, and Audit & Review. These units are managed by two Compliance Specialists.

The CFU/Intake and Processing sub unit consists of 4 staff in 2014: an Associate Accountant; a Senior Accountant; a Calculations Clerk II; and 2 Program Agency Aides. This staff is primarily responsible for registrations and terminations of committees, receiving and processing campaign financial disclosure reports, and for operating the call center, where inquiries about the Election Law and filing mandates are handled. In 2014, January and July Periodic financial disclosure reports were required of all registered committees. One special election were held in 2014. At the end of 2014, there were 15,952 active filers with the Board. A total of 33,096 financial disclosure statements were received by the Board in 2014, consisting of from 13,285 from state filers, and 19,811 from county filers who were mandated to register and file with the State Board. All filings are available for public viewing on the Board’s website.

The number of active filers with the Board continues to increase, as is indicated below:

	2009	2010	2011	2012	2013	2014
State Filers	2,014	2,549	2,212	2,695	2,244	2,365
County Filers	8,936	8,458	10,198	9,990	11,817	13,534
<b>TOTAL</b>	<b>10,950</b>	<b>11,007</b>	<b>12,319</b>	<b>12,595</b>	<b>14,061</b>	<b>15,899</b>

Filers include both committees, and candidates without a committee who are making their own filings. In 2014, 1898 new committees registered with the Board. With each new registration, the CFU sent a confirmation to the treasurer, providing

the committee identification number, a personal identification number that acts as an electronic signature when making filings, and other information relating to filing requirements and obligations. There were 1,500 committee/candidate terminations processed in 2014.

Other duties of this subunit which they accomplished in 2014 include:

- Creation and publication of the campaign financial disclosure filing calendar.
- Calculation of the contribution limits as set forth in Election Law Article 14.
- Providing the public, as well as all filers with the State Board or County Boards of Elections, with information regarding campaign finance. In 2014, the Call Center had to transition to a new phone system. The ability to track statistical data is not available thru the new vendor. The unit filled 194 requests for campaign finance forms and materials, sent 1,930 letters to filers informing them of some error in their attempt to submit a financial disclosure report, and sent another 942 follow up letters. Staff also assisted people who visited our public view area.

The Education Outreach and Training sub-unit is staffed by 3 people. The primary area of responsibility is the preparation and dissemination of information and



materials relative to the financial disclosure mandates of Article 14 of the New York State Election Law. In 2014, this sub-unit accomplished the annual revision of the Campaign Finance Handbook; revised campaign finance forms, and introduced campaign finance forms that can be filled out electronically at the Board's website before they are printed, executed, and

submitted to the Board; and created the annual Filer Update for distribution to all filers.

Overall, staff conducted 29 seminars and 7 webinars throughout the State to provide information as to the requirements of campaign financial disclosure and

applicable Election Law provisions. The Unit has expanded the topics of the seminars. 24 of the 29 seminars were traditional training campaign finance seminars focused on registration and compliance requirements. 5 of the seminars were offered as Continuing Legal Education (CLE) credits for attorneys. Four seminars were instructional on “Winding Down the Campaign” training for post-election filers requesting resignation or termination. Staff continues to offer a “train the trainer” program for county boards of elections so that the staffs at the boards can better assist filers. Webinars have been created to provide training tools on registration and filing requirements, new compliance requirements, and on independent expenditure requirements.

The Audit & Review sub unit was expanded by Chapter 55 of the Laws of 2014 to assist candidates and treasurers to comply with New York’s campaign finance laws. The Audit & Review subunit is staffed by thirteen people: two Supervising Auditors, seven Auditors and four Reviewers. The unit is charged with examining campaign financial disclosure statements to ensure filings are proper and complete. Candidates, Candidate Committees, Party and Constituted Committee, PACs, Independent Expenditure Committees and Ballot Proposition Committees are all required to file statements with the Board.

The State Board tracks the most common deficiencies in filed reports and revises and updates its training materials to address the most common errors treasurers make. The compliance review process, in and of itself, is educational for treasurers and their candidates. The Frequently Asked Questions section of the Board’s Campaign Finance Webpage is updated to include additional instructions for common questions and modifications have been made to our training seminars and webinars to reflect compliance issues. It is hoped that these ongoing efforts will enable a greater number of treasurers to file correctly in the first instance.

In 2014, 13,324 itemized reports were filed in conjunction with 2014 July periodic report and 2014 primary and general election reports. Of the 9,069 reviewed in 2014, 2,341 were deficient, 5,986 were compliant and 742 had training issues.

**Enforcement Transition -**

Prior to the creation of the Division of Election Law Enforcement, there was a Campaign Finance Enforcement Unit in the State Board. From January 1, 2014 – June 30, 2014, the Enforcement Unit collected \$55,749.38 in judgment settlements. In addition, it levied 409 judgments for the failure-to-file the 2014 January periodic report. These judgements were for \$1,000 per violation. The Enforcement Unit also levied a failure-to-file three or more times in an election cycle against 9 committees for the 2013 election cycle. This judgement was for \$10,000 per violation.

As the Compliance Unit was created on July 1, 2014, the Compliance Unit sent a reminder letter to all active candidates and committees prior to the due date of the July periodic report.

The Compliance Unit has referred lists of those candidates and committees that have failed to file the following reports in 2014:

2014 July Periodic	505 candidates/committees
2014 32 Day Pre-Primary	17 candidates/committees
2014 11 Day Pre-Primary	23 candidates/committees
2014 10 Day Post-Primary	28 candidates/committees
2014 32 Day Pre-General	6 candidates/ committees
2014 11 Day Pre-General	6 candidates/committees
2014 27 Day Post-General	9 candidates



# Voter Registration Unit

## Agency-Based Voter Registration

Since 1995, the New York State Board of Elections has been assisting and guiding participating state agencies in understanding and executing their voter registration responsibilities mandated by the National Voter Registration Act of 1993 (NVRA) and its corresponding state laws. The intent of the program is to offer individuals the opportunity to register to vote, when they apply for or renew a driver's license, or when they apply for services at any of the approximately 800 offices that participate in the program.



Agencies designated to provide voter registration include the Department of Motor Vehicles, as well as public assistance, disability, and other state-designated agencies. Designated as state agencies which provide public assistance are the Office of Temporary and Disability Assistance and the Department of Health. Designated as state agencies that provide programs primarily engaged in providing services to people with disabilities are the Department of Labor, Office for the Aging, Division of Veterans' Affairs, Office of Mental Health, Office of Vocational and Educational Services for Individuals with Disabilities, Commission on Quality of Care and Advocacy for Persons with Disabilities, Office for People With Developmental Disabilities, Commission for the Blind and Visually Handicapped, Office of Alcoholism and Substance Abuse Services, State University of New York Disability Offices, City University of New York Disability Offices, and certain offices which administer

programs established or funded by such agencies. Additional state agencies designated as voter registration sites are the Department of State and the Division of Workers' Compensation.

## Registration Statistics

During 2014, there were 263,101 voter registration applications or transactions received by county boards of elections which resulted from the efforts of state agencies. The Department of Motor Vehicles yielded the highest volume of registration applications among the various agencies mandated by the NVRA, accounting for 76% (200,571) of the total number of voter registration applications or transactions in the state. The remaining agencies/programs participating in the program accounted for 24% (62,515).

### Sources of Voter Registration

Motor Vehicles	200,571
Public Assistance Agencies	55,476
Disability Agencies	6,327
State Designated Agencies	712
By Mail	15
<b>Total</b>	<b>263,101</b>

### Agency-Based Voter Registration Statistics

<u>Year</u>	<u>New Registrations</u>	<u>Address Changes</u>	<u>Enrollment Changes</u>	<u>Name Changes</u>
2010	162,270	96,017	29,083	10,667
2011	170,447	84,282	33,898	11,769
2012	201,401	87,057	33,479	11,089
2013	135,773	56,912	19,312	8,618
2014	127,726	56,966	17,126	8,126

## Training

The State Board of Elections is responsible for the development of training materials and presentation of training programs on the requirements and implementation of the agency-based voter registration program. Regional agency-based voter registration training offerings were presented to the participating NVRA sites in New York State. State Board staff continues to provide updated training and reference materials as well as on-going telephone guidance and support to agency program liaisons, site personnel in all offices offering agency-based voter registration, as well as to county boards of election.

## Agency Oversight

The success of the agency-based registration program relies on cooperation among the participating state agencies, county boards of elections, and the New York State Board of Elections. Due to the numerous and unique differences in clientele and services provided by each of the agencies, the administrative policies at each agency's participating offices and programs are conducted at the discretion of each individual state agency, under the guidance, input, approval and support of the State Board of Elections. Also, staff responds to all inquiries, and acts to assist agency program coordinators, site personnel, and county board staff in resolving administrative and procedural issues in an effort to ensure effective and efficient operation of the agency-based registration program in New York State.

In addition, statistical reports containing data on voter registration activity for all agency-based sites are mailed to agency commissioners and program coordinators each month. Review of these reports enables program coordinators to monitor voter registration activity and program compliance, as well as identify inconsistencies at each participating office. This information also assists the State Board of Elections in evaluating the workload placed on county boards of elections offices by NVRA program requirements.

## Distribution of NVRA Program Supplies

Supplies for the agency-based registration program are shipped weekly by NVRA staff as requested by participating sites. Constant tracking of supply order and shipping dates is made possible by a supply order and inventory system specifically

developed for monitoring distribution of NVRA program materials. The system also provides staff with current inventory balances to ensure that supplies, including forms in multiple languages as required by the Voting Rights Act, are reordered as needed. The State Board also distributed voter registration forms to institutions of the State University of New York. The New York State Board of Elections processed 498 individual supply shipments to participating NVRA sites during 2014.

In addition, the State Board of Elections provides “read only” copies of the NYS voter registration form in both Braille and large print formats. Copies of both versions as well as a poster-sized version of the agency-based voter registration form are provided to agencies and programs participating in the NVRA program that serve people with disabilities upon request.

### Voter Registration Cancellations

When New York State residents relocate to another state or when out-of-state residents move into New York State and subsequently register to vote, a notice of registration cancellation is returned either to a county board of elections or the New York State Board of Elections so that voter registration rolls may be updated. In 2014, staff at the State Board of Elections processed 32,802 New York State and 15,568 out-of-state registration cancellations and forwarded them to the appropriate county board of elections or state election official.

### DMV Address Change Requests

The New York State Board of Elections assists the Department of Motor Vehicles with the distribution of customer address change requests resulting from licensing or driver I.D. transactions by counting, sorting and forwarding them monthly to county boards of elections. Also received from the Department of Motor Vehicles and processed by state board staff, are the DMV internet change of address request forms which have been downloaded by customers, completed, and forwarded to DMV. The state board distributed 20,500 address change requests received from the Department of Motor Vehicles to county boards during 2014.

### County HAVA Funds Program

The Help America Vote Act (HAVA) has provided funds to the State of New

York for poll worker training, voter education, and poll site accessibility. Since June 2006, the State Board has been overseeing the grant application process, as well as the disbursement of federal and state funds, to further the HAVA and State program objectives. The Poll Site Access Improvement Program provides funds to county boards of elections to assist them in ensuring that all New York polling places are accessible and provide the same opportunity for all voters to participate in the election process. The Voter Education and Poll Worker Training Program provides funds to county boards of elections to implement programs to educate poll workers and the general public on the proper use of new voting systems.

### Poll Site Access Program

The New York State Board of Elections has received funding from State appropriations and from the Department of Health and Human Services to establish, expand, and improve access to and participation by individuals with a full range of disabilities in the elections process. The polling place access improvement funds will assist county boards in undertaking minor temporary improvement or renovation projects, and the purchase of proper signage, materials, and low-tech devices to help assist persons with disabilities on election days and to assure voter privacy and independence. The funds may be used to make polling places, including parking, the path of travel, door hardware, entrances, exits, and voting areas of each polling facility, accessible to individuals with the full range of disabilities (e.g. impairments involving vision, hearing, mobility, dexterity, emotional, or intellectual) through the use of varied accessibility tools (e.g. ramps, handrails, and signage).

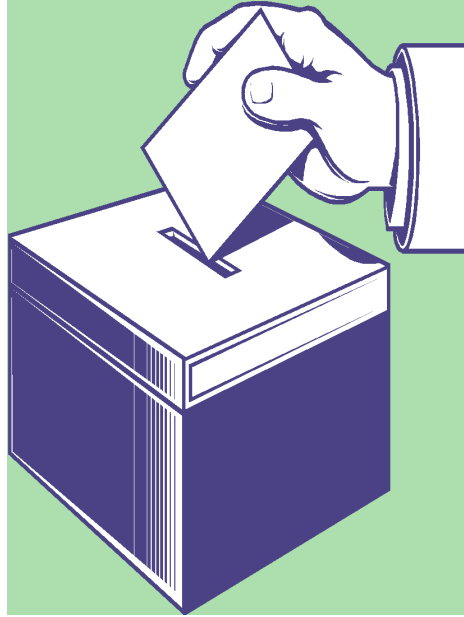
### Poll Worker Training and Voter Education Program

The New York State Board of Elections has received HAVA funds to be dispersed and used by county boards for the specific and limited purpose of advancing Voter Education and Poll Worker Training. County Boards have implemented programs to educate individuals on the proper use of new voting systems, including ballot marking devices. These efforts are intended to help bolster public confidence in the election process by providing information to election administrators on methods for keeping the process secure while ensuring that every eligible voter can cast a vote and have that vote counted. Training and education must extend to all voters, including those with a full range of disabilities, as well as those with language barriers.



## NYSVoter County Reviews

In 2007, the State Board of Elections implemented “NYSVoter”, the statewide voter registration database in order to comply with the Help America Vote Act (HAVA) and subsequent amendments to the New York State Election Law. NYSVoter was built by integrating a centralized database system with the county voter registration/election management systems (VR/EMS), giving the State Board administrative control over the centralized database and the responsibility for auditing the system to assure that the local election officials are conducting the business of voter registration in a compliant manner. State Board personnel visit the county boards to perform periodic reviews of their NYSVoter procedures, and in 2014, 35 counties were reviewed and found to be in substantial or better compliance with state regulations.



## ELECTION OPERATIONS UNIT

The Election Operations Unit of the New York State Board of Elections' major responsibilities, among many, include the oversight and support of the State's 62 County Boards of Elections and the facilitation of ballot access efforts by candidates for a variety of public offices and party positions.

The Unit engages in day-to-day communications with County Boards of Elections and the general public on a broad array of election-related topics.

### Candidate Ballot Access

By way of continued compliance with an order of the US District Court, a primary was held for Federal offices on June 24, 2014, to ensure compliance with the MOVE Act, which concerns itself with the timely delivery of absentee ballots to and from those serving in the military and U.S. citizens living abroad. The State primary was held on September 9, 2014. The general election was held on November 4, 2014.



In 2014 ballot access efforts were significantly heightened, due to increased activity relating to races for the offices of Governor, Lieutenant Governor, Comptroller, and Attorney General.

Races appearing in each even-numbered year include Member of Assembly, State Senator, and Member of the House of Representatives. The State Board is also the repository for the filing of petitions relating to the selection of delegates and alternate delegates to Judicial District Conventions. These delegates and alternate delegates nominate candidates for the office of Justice of the Supreme Court from each of the thirteen judicial districts in the State. Additionally, petitions for those seeking to become State Party Committee Members, representing certain Assembly and Congressional districts, are also filed with the State Board.

For the June Federal primary the following petitions and related documents were filed:

- 77 petitions for Representative in Congress
- 45 acceptances
- 34 authorizations
- 64 general objections
- 19 specifications



From May 13 through June 3, 2014, the New York State Committees held meetings to nominate candidates for statewide office. The nominations filed were as follows:

- Governor: 6 nominations -
- Lt. Governor: 6 nominations -
- Comptroller: 6 nominations -
- Attorney General: 6 nominations -

Ballot access activity relating to the public, party, and judicial offices described above, is extensive, and involves not only data entry of all petition and certificate information, but also the creation and dissemination of corresponding acknowledgements and other related documents. Staff also responds to information requests to view original documents or purchase copies of same. In 2014, Unit staff fully-implemented a document access program whereby all ballot access documents were scanned, and the response to requests for copies of documents on file can now be met by providing scanned 'copies' at no cost to the requestor.

In 2014, the State ballot access filing season consisted of the following:

419 Petitions for Public Offices, of which:

- 4 Petitions were filed for Statewide Office -
- 123 Petitions were filed for State Senate offices -
- 172 Petitions were filed for State Assembly offices, with -
- 26 Petitions filed for State Committee positions, in addition to -
- 94 Petitions for Judicial Delegate and Alternate Delegate positions. -

Addition filing related to petitions were received, posted, and acknowledged, consisting of:

- 12 Certificates of Declination
- 9 Certificates of Substitution
- 188 Acceptances (certificates required to be filed by candidates designated or nominated by parties other than their own)
- 162 Authorizations (certificates required to be filed by party officials, relating to the nomination or designation of candidates who are not members of the party).

Independent petitions may be filed for public office, and they also require acceptance by the candidate being nominated, as well as posting and acknowledgement. The 2014 Independent filing season saw the submission of:

- 7 Statewide Petitions -
- 9 Petitions for Representative in Congress -
- 20 Petitions for State Senate offices -
- 17 Petitions for State Assembly offices -
- 1 Petition for Justice of the Supreme Court -

Some State Senate, Assembly and Congressional districts are wholly contained by county boundaries. In these cases, candidate filings are made in those counties; however, the County Boards of Elections must notify the State Board of any such activity. This is the method used to prepare and certify a complete list of candidates for any primary elections as well as for all offices to be elected at the November General election.

Ballot access filings are not validated by the State Board of Elections. However, the validity of a filing may be challenged by persons choosing to do so. Challenges require the filing of an initial notice, indicating that a detailed list of specific objections to the filing will be submitted to the Board. Once received, staff then reviews each specific, itemized objection, notes their research findings on a reporting form, and submits it to a hearing officer for review. Determinations are then made by the Commissioners of the State Board, and notice of those determinations is made to all participants. Objections to party petitions and corresponding specifications received, posted, and researched, were as follows in 2014:

- 119 Objections filed -
- 57 Sets of specifications filed. -

Objections and specifications can also relate to independent petition filings. The process of determining the validity of these specific objections is identical to that used in the designating petition process described above. This year's independent challenges resulted in the receipt of:

80 Objections filed; -  
54 Sets of specifications filed. -

Vacancies existed in ten of the State's thirteen Judicial Districts. Delegates and Alternate Delegates were notified by their respective parties to attend conventions, which were convened on various dates beginning on September 16 and running through September 22. From each of the ten Judicial Districts that had vacancies, a total of 22 nominations were received, posted, and acknowledged, representing the designation of 61 candidates for the office of Justice of Supreme Court.

The General Election ballot in New York State also had three Ballot Proposals:

- |                      |   |
|----------------------|---|
| Ballot Proposal # 1- | Revising State's Redistricting Procedure                      |
| Ballot Proposal # 2- | Permitting Electronic Distribution of State Legislative Bills |
| Ballot Proposal # 3- | The Smart Schools Bond Act of 2014                            |

The Unit was responsible for addressing a considerable volume of post-election activity, which included the collection, recording, and validating of all election results corresponding to the offices noted above. Certificates were prepared for signature by the State Board's Commissioners in their capacity as the State Board of Canvassers. Once certified, appropriate certificates are prepared for candidates, and delivered to the appropriate legislative clerks and secretaries in Albany and Washington, D.C.



## Public Election Services

Additional services provided by Unit staff include responding to inquiries for data and/or information from the public, and the distribution of related documentation. A multitude of general information is also disseminated, including election results (current and previous years), political calendars, candidate lists, the State Board's "*Running for Office*" booklet, voter registration forms, Election Law books, and other information and data relating to elections and the election process. Further, the Unit also has responsibility for managing the NYSBOE'S toll-free voter registration application request number (1-800-FOR-VOTE), as well as fulfilling requests submitted via the agency website. In 2013, in response to these requests for voter registration applications, Unit staff transcribed 7,811 requests and 15,329 voter registration forms (English & Spanish combined) were sent out.

## Voting System Certification and Support Activities

The rapid pace and high volume of activity relative to supporting and guiding county boards of elections in the use of optical scanning devices continued into 2014. Due to the complexity and technical nature of these systems, the provision of ongoing support is essential throughout the year. Key initiatives and services included, but were not limited to, the following:

- - Help Desk technical support was provided before, during, and after the Federal Primary, State/Local Primary and General Elections, with staff assigned to specific regions, assisting those respective county boards of elections personnel in building ballots, running test decks, conducting post-election audits, defining ballot layout, and related tasks.
- - Election Operations staff continued refining the test deck process, while ensuring that it remains thorough and robust. Feedback from county boards of elections, as well as input received from security vendor NYSTEC, supported the goal of sculpting the overall test deck process.
- - In addition to refining the test deck procedure, staff worked on re-writing all procedures as processes have changed since the new voting systems have been rolled out.

- - Staff continues to collect and review ballots generated by county boards of elections in order to assess the potential for improved usability for voters. Areas of focus were font size, layout, placement of instructions, and overall ballot design.
- - Election Operations staff continues to visit county boards of elections to conduct voting machine audits and election monitoring activities. Election monitoring includes gathering and reviewing procedures and processes at the local level to ensure that county boards are creating and executing test desks as prescribed by State Board procedures; look for aberrations in the functioning of voting equipment; and, review operational procedures used by county boards, to ensure consistent delivery of all board of elections services.
- - Staff rolled out a statewide asset management system and have been busy working with the vendor (AssetWorks) to update the system with input from the county boards of election. At present, 31 counties are using this new system, and the Unit continues its efforts to bring more counties into this environment.
- - Unit staff attended and made presentations on topical issues at annual Election Commissioners' Association conferences.
- - The Unit conducted on-site and WebEx training sessions related to the use of certified central count voting systems now available from ES&S and Dominion Voting Systems.
- - In the last quarter of the year, Clear Ballot submitted their central count voting system for certification. Staff began the process of reviewing the materials submitted and writing test cases to be used during certification testing. The vendor submitted their source code to the State Board's testing lab, SLI, for review, as required by the State Board's regulations.
- - Staff continued working with the Information Technology Unit to build a statewide election night reporting data base, to provide results on the web. This effort included continued training of county boards of

elections, along with assisting boards before and on election night in the new reporting method.

### **Additional Unit Activities**

In addition to ongoing operational and technical support to county boards of elections, public election services, ballot access assistance, and voting system certification and technical support, Election Operations Unit personnel assist other Units in the agency through active participation in workgroups and projects, support of other Agency missions affected by staffing shortages, and contributing to the various priorities identified by the Board.



## INFORMATION TECHNOLOGY UNIT

All of the program units in the Agency rely heavily on technology to perform the Board's collective mission. This is especially true with the changes in election management within the State of New York and nationally. The Information Technology Unit (ITU) is tasked with providing the most efficient and cost effective technology solutions to assist program unit staff to perform their responsibilities.

Among the ITU responsibilities are the procurement, operations and maintenance of all computing systems for the State Board of Elections. ITU staff performs or manages development, implementation, maintenance and support of all election information systems for the Agency. Information Technology Unit staff is responsible for data storage, data processing, security of networks and data as well as accessibility to election-related data. ITU keeps the Board current with emerging technology and makes recommendations to the Co-Executive Directors regarding technology procurement.

Additionally, the Agency's Chief Information Officer represents the Board of Elections at the Office of Information Technology Services' General Government Cluster.

## Computing Environment and Infrastructure

The New York State Board of Elections operates two network environments: an internal agency network and the “NYSVoter” network that allows for communication between the Board and local county systems. The Information Technology Unit is responsible for the design, installation, configuration and maintenance of the networks. This responsibility includes servers, switches, and routers, security devices, wiring plant, workstations and all of the ancillary devices required for operating a stable, secure network. Information Technology staff is also responsible for the design and maintenance of the Agency databases, Intranet and Internet infrastructures and applications. ITU staff assures that backup, disaster recovery and network security are performed with attention to best industry standards and practices. The main ITU datacenter was moved in 2012 to a location hosted by the NYS Office of Information Technology Services.

Information Technology management is responsible for developing an IT budget. IT Management is also responsible for obtaining purchase approval for all technology purchases by submitting justified “Plan to Purchase” documentation and submitting requisitions for purchase to the finance/ procurement officer.

ITU staff develops, maintains and supports the major applications and systems, described below, which are used at the State Board of Elections.

### Financial Disclosure Administration System (FIDAS).

The Financial Disclosure System is a relational database, network-based system used by auditing and enforcement staff for the management of the financial disclosure reports for committees and candidates for statewide office. The Information Technology Unit develops and maintains the databases and applications associated with the administration of campaign finances. The Agency’s Electronic Filing Software, which is used by candidates and political committees for filing their reports, was developed by and is maintained by the Agency’s IT staff. In 2014, the ITU commenced the reengineering of FIDAS as part of the CAPAS/FIDAS Redesign Project.

ITU is responsible for receiving and processing electronic filings from approximately 15,000 filers and loading them into FIDAS. 2014 was a federal and



state election year so there were eight major filing periods. A small, but efficient help desk staff performs this work in addition to delivering telephone support to the financial report filers, county boards of elections and agency staff.

## National Change of Address (NCOA) Processing

NCOA processing was coordinated by the State Board as required by the National Voter Registration Act. A file with all the names and addresses is produced and forwarded electronically to an NCOA vendor for matching against the U.S. Post Office's Change-of-Address database. The file resulting from the processing is retrieved electronically by the State Board where it is parsed and redistributed to the individual counties of origin. The NCOA processing for 2014 included nearly 12 million voter records from sixty-two counties. Centralizing this NCOA processing through the State Board, as opposed to the processing by individual counties, provides the counties with a substantial savings in revenue due to the economy of scale that the State Board is able to leverage.

## Election Operation Support

The Information Technology Unit provides support to the Election Operations Unit in the form of the Candidate Petition Administration System (CAPAS), which is used to administer the candidate petition process, as well as, create correspondence, ballots and reports pertaining to elections. In 2014, ITU commenced the reengineering of CAPAS as part of the CAPAS/FIDAS Redesign Project.

## Agency-Based Voter Registration/Public Information

The Information Technology Unit supports the database applications used by the Voter Registration Unit to manage the registration sites and transactions. There is also a supplies inventory system created and maintained by the Agency's IT staff.

The Public Information Officer has oversight of the content on the Agency's web site. The Agency has adopted a policy of making as much information as possible available electronically thus cutting the cost of printing and reproduction through the FOIL process. The Information Technology staff works closely with the Public Information Office to oversee the technology, design and application development associated with the Agency's web site.

## NYSVoter Statewide Voter Registration Database

As part of the Federal Help America Vote Act (HAVA), legislation that was passed in 2002, as well as New York State Election Law changes, the State Board of Elections created a statewide voter registration database. The database, known as NYSVoter, was developed and implemented in 2007. Since then the system has become mature and stable.

NYSVoter is a complex architecture of over 60 servers and multiple networks including a Wide Area Network consisting of Virtual Private Networks that requires a great deal of monitoring and maintenance activity on a daily basis. The NYSVoter staff not only maintains the production system that resides at the datacenter, but also a remote disaster recovery site. In 2014, ITU staff commenced upgrades to the NYSVoter environment as part of the NYSVoter Refresh Project.

The Information Technology Unit worked with the Federal Voting Assistance Program to implement the Military & Overseas Voter Empowerment Act (MOVE) to assist military and civilian voters who live overseas to vote absentee ballots. The MOVE system was integrated with NYSVoter and the county voter registration systems for the 2012 election and continues to operate for the benefit of MOVE voters.



# THE DIVISION OF ELECTION LAW ENFORCEMENT

*(Submitted by Enforcement Counsel pursuant to N.Y. Election Law § 3-104(7))*

On March 31, 2014, Governor Andrew Cuomo signed into law the Public Trust Act, which amended the New York State Election Law to create within the State Board of Elections (“SBOE”) a new independent enforcement division known as the Division of Election Law Enforcement (the “Division”). Pursuant to Election Law, the Governor appointed, and both the Assembly and Senate confirmed, Risa S. Sugarman as chief enforcement counsel to head the Division effective September 1, 2014, when Ms. Sugarman took office.

The Election Law confers upon the Chief Enforcement Counsel the power and duty to conduct all investigations necessary to enforce provisions of the Election Law. The Chief Enforcement Counsel has sole authority within the State Board of Elections to investigate on her or his own initiative or upon complaint alleged violations of such statutes, and all complaints alleging violations must be forwarded to the Division. The Chief Enforcement Counsel oversees the entire Division with an operating budget of \$1,450,000 and oversees all staff activities.

## DIVISION STRUCTURE AND STAFFING

Since its creation, the Division has been engaged in creating a structure for independent enforcement activities. The first task for the Division to accomplish was the hiring of an investigative team of experienced attorneys, support staff, investigators and auditors. In addition, an investigative analyst-strategic planner, a person with internal auditing experience, was necessary to assure quality control, integrity of investigations and proper record maintenance. In total the staff of the Division, headed by the Chief Enforcement Counsel, includes the investigative analyst-strategic planner, three additional attorneys, three investigators, two investigative auditors and one support staff. Division attorneys are experienced in investigation and litigation, both in the prosecution and defense, of criminal and civil matters. Investigators and auditors have extensive investigatory backgrounds in law enforcement and have been members of federal investigatory agencies, state and local police departments, and state investigative agencies. The strategic planner is an experienced director of internal audit, providing the Division with financial, records, and performance auditing.

Further, the Division began staff training activities, development of policies and procedures, creation of necessary forms, and a program to implement technology advances for the Division with the use of case management and data analytic systems.

## DIVISION ACTIVITIES

The Division receives complaints via mail, email, and telephone about a variety of issues affecting elections and campaign finance in New York State. Generally speaking, when the Division receives a complaint, the Chief Enforcement Counsel reviews the complaint to determine whether it will be assigned to an attorney, an investigator, an auditor, or an investigative team. A letter is sent to the complainant (if identified) acknowledging receipt of the complaint, and an initial review of the complaint is undertaken. The nature of the complaint determines the nature and extent of the investigation. If necessary, the Division may request additional information from the complainant or other sources.

If the Chief Counsel determines that the allegations, if true, would not constitute a violation of the Election Law or that the allegations are not supported by credible evidence, a letter is issued to the complainant dismissing the complaint and notice is given to the Board.

The Chief Enforcement Counsel must determine whether to proceed civilly or criminally on complaints that are supported by credible evidence. Division staff, working as a team, investigate the allegations and gather evidence necessary to make a determination as to the proper disposition of the case. In some instances, the Chief Enforcement Counsel may request authorization from the SBOE to administer oaths and affirmations, subpoena witnesses, compel their attendance, examine them under oath or affirmation, and require the production of any documents or other evidence she may deem relevant or material to the investigation. Based on the evidence obtained, the Chief Enforcement Counsel makes a determination whether the Division should close the matter, proceed with civil enforcement action, or seek criminal prosecution.

## COMPLAINTS FROM THE PUBLIC

The Division created an email address – [enforcement@elections.ny.gov](mailto:enforcement@elections.ny.gov) – to

enable citizens to file complaints easily. Members of the public have utilized the Division's email address for the purpose of contacting not only the Division but also the SBOE. Emails that ask questions dealing with SBOE functions, such as operations, registration, and elections calendars, are referred to SBOE Executive Directors for disposition. Remaining complaints are addressed by the Division. Complaints are also received by regular mail, and other investigative initiatives are generated by Division staff.

Complaints received by the Division are sometimes unique but more often fall into familiar and repeating categories. All complaints received by the Division are confidential. The identities of complainants and the existence of particular investigations is held in the strictest confidence. A few of the categories include:

- - *Failure-to-File*: Complaints received by the Division often are received within days of the filing deadlines and point to the failures of particular candidates or committees to make timely required filings. Although some of these complaints lead to serial non-filers and further investigations, most complaints resolve themselves when the candidate or committee files the required report, often within days of the deadline, and has no prior history of violations of the filing requirements.
- - *Campaigning or Election Day conduct*: Complaints received by the Division about elections include allegations that candidates have used false or misleading information on their campaign materials, electioneered at polling places on Election Day, or improperly expended committee or candidate campaign monies. These complaints are assigned by the Chief Counsel for investigation.

## DIVISION-INITIATED INVESTIGATIONS

The Division is conducting reviews and investigations into several matters on its own initiative. These investigations have state-wide impact on aspects of the election law that have been ignored in years past.

- - *Campaign Finance Reports - Expenditures - Itemized Reports*: The public is entitled to know how campaign contributions are spent by candidates and their campaigns. Whenever a campaign expenditure or payment equals or exceeds \$50.00, the report of that transaction must be itemized on a schedule

as provided by the SBOE. This requirement applies to reimbursements as well as credit card payments. The first entry reported is the payment made, then it is required that all transactions be itemized. The itemized transactions must add up to the dollar amount paid to the reimbursement or credit card payment. Detailed information such as the date, name and address of payee, amount, and purpose of the expenditure is also required. The Division is reviewing state and local filers from committees across the state to determine the level of compliance.

- - *County-level and local elected officials:* The Division's jurisdiction covers candidates and committees for elected positions for state-wide office (Governor, Attorney General and Comptroller), members of the New York State Senate and Assembly, and also elected officials holding county and local offices. While many candidates for locally elected positions file with the SBOE, little attention has been paid to their campaign filings. Members of the public are very interested in local candidate and committee filings. The Division has begun a review of the filings of County level elected officials to determine the types of issues that arise with this category of candidate and committee. Issues of inquiry will include cash contributions, unitemized reports, and personal use of campaign receipts. In addition, the Division is compiling election cycle information from County Boards of Elections
- - *Housekeeping Committees:* Contribution and receipt limits do not apply to monies received and expenditures made by a party committee or constituted committee "to maintain a permanent headquarters and staff and carry on ordinary activities which are not for the express purpose of promoting the candidacy of specific candidates" (Election Law § 14-124 (3)). The Division is reviewing campaign finance disclosure reports to determine whether so called "housekeeping" committees are being used to evade contribution and receipt limits and whether committees that are not party committees or constituted committees have created "housekeeping" committees in violation of the Election Law.

## DIVISION CASE LOAD

In this 2014 Annual Report the statistics reflected represents the caseload as of December 31, 2014. Complaints are received and reviewed by the Division

continuously and the numbers stated here do not reflect the current number of matters under review.

Between September 1 and December 31, 2014, the Division received 144 telephonic and email complaints. The Division conducted the initial review process described above which allowed referral of 54 of the complaints to the SBOE for matters under their jurisdiction. Some of the complaints were resolved as filers voluntarily completed missing filings, as noted above. The Division formally opened 73 cases from these complaints for investigation and later closed eight of them. The evidence obtained during the investigation of the closed cases determined that the allegations did not constitute violations of the election law or were not supported by the credible evidence. The complainant was issued a letter dismissing the complaint, with notice to the board. After board action, the chief enforcement counsel referred two investigations for continued investigation and possible prosecution.

The Division encourages the public to continue to report violations of the Election Law. All allegations are treated as serious matters.

# PUBLIC INFORMATION OFFICE

## Media Relations

The Public Information Officer serves as the board's spokesperson and is responsible for handling all press inquiries. In 2014, the Public Information Office received over 6,500 requests from reporters, interested parties and the general public seeking information on election results, voter registration data, campaign finance filings, enforcement matters, Election Law, implementation of the Help America Vote Act, the National Voter Registration Act, absentee voting, the Military & Overseas Voter Empowerment Act, voting machines and board policies. The Public Information Officer also produced press releases and advisories throughout the year which provided information on these topics to the state and national press corps and the general public. This information was also made available via the Internet through the Board's website ([www.elections.ny.gov](http://www.elections.ny.gov)) along with a wide range of election-related data of interest to New York State voters all over the world.

## Election Night Results Reporting

As a result of legislation passed in 2013, and a limited test run with only 6 constitutional amendments in 2013, the Board fully implemented an Election Night Reporting System showing unofficial results for the 2014 Federal Primary, State & Local Primary and the General Election. The Public Information Office, Election Operations Unit, Information Technology Unit and 58 local boards of elections worked in concert to coordinate a reporting system that allowed results to electronically flow to the state board for each election. For the first time, voters were able to see unofficial results in a single location on election night. At the General Election, results for all state and federal-level offices (170) plus 2 constitutional amendments and a bond act were reported on our website beginning around 9:30 pm and continuing through the course of the evening.

## Freedom of Information Law

The Public Information Officer also serves as the Board's Records Access Officer. He is responsible for processing all FOIL requests (excluding petition copies) received by the agency. In 2014, 627 requests were received by the Records Access Officer. This number represents a 21% increase from 2013. This increase is attributed



to 2014 being a federal and state election year. Most requests were for data and records from NYSBOE's statewide database of registered voters (NYSVoter). Of the requests received, 541 requests were granted, 37 were denied in accordance with the provisions of Section 87 of the Public Officers Law, and in 49 instances no records were found.

## Registration Hotlines

The Board's automated hotline (1-800-FOR-VOTE) and the Board's webpage online voter registration form ([www.elections.ny.gov](http://www.elections.ny.gov)) provide a dependable, efficient and convenient way in which citizens may request voter registration application forms. The hotline remains a positive component of the board's outreach program and the webpage continues to capture a larger share of the program as more of the population comes online.

## Legal Notices

Pursuant to Section 4-116 of the Election Law the State Board is required to publish, once in the week preceding any election at which proposed Constitutional Amendments or other propositions or questions are to be submitted to the voters of the state, an abstract prepared by the Attorney General explaining the amendment or question. The amendment, abstract and question are published in at least one general circulation newspaper in every county of the state and comply with the language requirements of the Voting Rights Act. There were three ballot propositions in 2014 which were translated into Spanish, Chinese, Korean and Bengali. The cost of publishing the amendments in advance of the 2014 General Election was \$286,921.95.

## Website ([www.elections.ny.gov](http://www.elections.ny.gov))

Lastly, the Public Information Office works in close concert with the Information Technology Unit to operate and maintain the agency's website. Our website is an integral part of the Board's effort to provide information for the general public. The homepage received 623,031 total visits during 2014. The voter search page received 489,251 visits for the year.



## AGENCY ADMINISTRATION

The Board's Administrative Office consists of two staff members. The duties of this unit include all personnel administration, purchasing, banking, mail and warehouse operations and all general agency administrative tasks relating to day to day operations. The agency has a Host Agency agreement with the Office of General Services for activities related to budgeting, contracts, purchasing and voucher payments.

### Fiscal Operations

The State Board of Elections received fiscal year 2014-15 appropriations of \$8,140,000 in the General Fund, \$0 in Federal Funds and \$33 million in Special Revenue Funds.

The State Board of Elections was granted the following re-appropriations for 2014-15:

- \$6,500,000 by the laws of 2011, for the implementation of federal election requirements including HAVA of 2002 and the MOVE Act of 2009.
- \$4,500,000 by the laws of 2010, in federal HAVA funds related to the implementation of the Military and Overseas Voter Empowerment (MOVE) Act of 2009.
- \$4,000,000 by the laws of 2009, for HAVA related expenditures.
- \$1,000,000 by the laws of 2005, for services and expenses (prior to April 1, 2005) related to the Help America Vote Act of 2002.
- \$1,400,000 by the laws of 2005, for services and expenses (on or after April 1, 2005) related to the Help America Vote Act of 2002.

- \$1,000,000 by the laws of 2009, for expenses related to satisfying the matching funds requirements of Section 253 (b) (5) of the Help America Vote Act of 2002.
- \$2,600,000 by the laws of 2006 amended in 2008, for the general fund local assistance services and expenses related to the alteration of poll sites to provide accessibility for disabled voters.
- \$1,000,000 by the laws of 2012, for services and expenses in the federal Health and Human Services account, including prior year liabilities, related to Poll Site Accessibility improvements.
- \$1,000,000 by the laws of 2011, for services and expenses in the federal Health and Human Services account, including prior year liabilities, related to Poll Site Accessibility improvements.
- \$500,000 by the laws of 2010, for services and expenses in the federal Health and Human Services account, including prior year liabilities, related to Poll Site Accessibility improvements.
- \$ 1,000,000 by the laws of 2009, for services and expenses related to the implementation of the Help America Vote Act of 2002, including the purchase of new voting machines and disability accessible ballot marking devices for use by the local boards of elections.
- \$1,500,000 by the laws of 2009 amended in 2011, for services and expenses related to the implementation of the Help America Vote Act of 2002, including the purchase of new voting machines and disability accessible ballot marking devices for use by the local boards of elections.
- \$9,300,000 by the laws of 2008 amended in 2011, for services and expenses related to the implementation of the Help America Vote Act of 2002, including the purchase of new voting machines and disability accessible ballot marking devices for use by the local boards of elections.
- \$3,500,000 by the laws of 2005, for services and expenses incurred for the poll worker training and voter education efforts.
- \$10,000,000 by the laws of 2005 amended in 2006, for services and - expenses related to the purchase of new voting machines and voting - systems. -

## Personnel Administration

The agency was authorized a staffing level of 80 full time positions for the 2014/15 Fiscal Year.

As a result of the 2011-2015/16 negotiated agreements with NYS Bargaining Units, staff members represented by the Civil Service Employees Association, Inc. (CSEA) and the Public Employees Federation, AFL-CIO (PEF) received a two percent (2.00%) annual statewide salary increase. Management and Confidential (M/C) staff members also received a two percent (2.00%) statewide salary increase.

#### Revenue Calendar Year 2014

Judgments	\$68,888.19
Election Operations Photocopies	\$434.75
Voting Machine Certification	\$50,000.00

## Appendix

### NYSVoter Enrollment by County, Party Affiliation and Status Voters Registered as of November 01, 2014

REGION	COUNTY	STATUS	DEM	REP	CON	WOR	IND	GRE	OTH	NO PARTY	TOTAL
Outside NYC	Albany	Active	86,657	35,298	2,869	606	9,243	498	218	38,772	174,161
Outside NYC	Albany	Inactive	13,205	4,094	340	147	1,521	115	92	6,374	25,888
Outside NYC	Albany	Total	99,862	39,392	3,209	753	10,764	613	310	45,146	200,049
Outside NYC	Allegany	Active	5,865	12,127	414	125	1,184	62	17	4,188	23,982
Outside NYC	Allegany	Inactive	653	875	35	18	160	11	4	636	2,392
Outside NYC	Allegany	Total	6,518	13,002	449	143	1,344	73	21	4,824	26,374
Outside NYC	Broome	Active	39,637	40,719	1,514	577	6,032	339	90	20,750	109,658
Outside NYC	Broome	Inactive	6,156	3,867	157	141	1,030	91	19	4,186	15,647
Outside NYC	Broome	Total	45,793	44,586	1,671	718	7,062	430	109	24,936	125,305
Outside NYC	Cattaraugus	Active	14,695	17,084	1,058	286	2,231	97	20	8,730	44,201
Outside NYC	Cattaraugus	Inactive	1,650	1,561	98	59	347	17	10	1,418	5,160
Outside NYC	Cattaraugus	Total	16,345	18,645	1,156	345	2,578	114	30	10,148	49,361
Outside NYC	Cayuga	Active	14,996	16,474	1,224	229	2,471	149	13	9,270	44,826
Outside NYC	Cayuga	Inactive	2,151	2,033	119	58	481	25	4	1,855	6,726
Outside NYC	Cayuga	Total	17,147	18,507	1,343	287	2,952	174	17	11,125	51,552
Outside NYC	Chautauqua	Active	26,009	25,085	1,931	446	4,708	154	62	17,844	76,239
Outside NYC	Chautauqua	Inactive	3,241	2,461	197	77	766	32	11	2,845	9,630
Outside NYC	Chautauqua	Total	29,250	27,546	2,128	523	5,474	186	73	20,689	85,869
Outside NYC	Chemung	Active	15,582	20,049	740	257	3,089	108	21	9,775	49,621
Outside NYC	Chemung	Inactive	1,858	1,784	66	39	387	14	5	1,401	5,554
Outside NYC	Chemung	Total	17,440	21,833	806	296	3,476	122	26	11,176	55,175
Outside NYC	Chenango	Active	7,170	12,173	464	179	1,639	129	17	6,110	27,881
Outside NYC	Chenango	Inactive	857	1,023	35	37	226	14	4	902	3,098
Outside NYC	Chenango	Total	8,027	13,196	499	216	1,865	143	21	7,012	30,979
Outside NYC	Clinton	Active	16,219	14,147	472	241	3,150	101	0	10,417	44,747
Outside NYC	Clinton	Inactive	2,062	1,416	48	39	527	24	0	1,742	5,858
Outside NYC	Clinton	Total	18,281	15,563	520	280	3,677	125	0	12,159	50,605
Outside NYC	Columbia	Active	12,874	11,967	1,086	217	2,823	190	18	10,980	40,155
Outside NYC	Columbia	Inactive	1,190	755	87	34	317	29	3	996	3,411
Outside NYC	Columbia	Total	14,064	12,722	1,173	251	3,140	219	21	11,976	43,566
Outside NYC	Cortland	Active	8,261	9,736	446	132	1,499	93	4	6,521	26,692
Outside NYC	Cortland	Inactive	1,482	1,056	48	36	337	26	0	1,760	4,745
Outside NYC	Cortland	Total	9,743	10,792	494	168	1,836	119	4	8,281	31,437
Outside NYC	Delaware	Active	7,097	11,510	455	112	1,584	102	12	5,094	25,966
Outside NYC	Delaware	Inactive	922	977	35	21	208	15	3	759	2,940
Outside NYC	Delaware	Total	8,019	12,487	490	133	1,792	117	15	5,853	28,906
Outside NYC	Dutchess	Active	56,001	50,683	3,502	763	9,977	449	118	45,880	167,373

Outside NYC	Dutchess	Inactive	7,988	4,751	274	134	1,288	73	22	5,853	20,383
Outside NYC	Dutchess	Total	63,989	55,434	3,776	897	11,265	522	140	51,733	187,756
Outside NYC	Erie	Active	282,548	148,879	12,982	2,966	27,907	1,490	454	98,472	575,698
Outside NYC	Erie	Inactive	20,763	8,365	556	313	2,020	157	44	8,924	41,142
Outside NYC	Erie	Total	303,311	157,244	13,538	3,279	29,927	1,647	498	107,396	616,840
Outside NYC	Essex	Active	6,269	11,228	196	54	1,821	86	15	4,401	24,070
Outside NYC	Essex	Inactive	750	1,034	23	23	250	21	5	716	2,822
Outside NYC	Essex	Total	7,019	12,262	219	77	2,071	107	20	5,117	26,892
Outside NYC	Franklin	Active	9,415	8,605	336	102	1,571	57	4	4,689	24,779
Outside NYC	Franklin	Inactive	955	756	32	23	239	16	1	750	2,772
Outside NYC	Franklin	Total	10,370	9,361	368	125	1,810	73	5	5,439	27,551
Outside NYC	Fulton	Active	7,654	15,478	516	163	1,621	56	0	5,469	30,957
Outside NYC	Fulton	Inactive	297	405	20	12	80	7	0	321	1,142
Outside NYC	Fulton	Total	7,951	15,883	536	175	1,701	63	0	5,790	32,099
Outside NYC	Genesee	Active	9,006	15,345	900	198	1,831	83	60	7,785	35,208
Outside NYC	Genesee	Inactive	614	759	43	18	157	10	4	596	2,201
Outside NYC	Genesee	Total	9,620	16,104	943	216	1,988	93	64	8,381	37,409
Outside NYC	Greene	Active	6,771	11,651	817	133	1,845	94	0	7,356	28,667
Outside NYC	Greene	Inactive	884	1,005	70	23	247	20	1	949	3,199
Outside NYC	Greene	Total	7,655	12,656	887	156	2,092	114	1	8,305	31,866
Outside NYC	Hamilton	Active	903	2,495	64	6	236	8	2	540	4,254
Outside NYC	Hamilton	Inactive	140	345	7	1	37	0	2	98	630
Outside NYC	Hamilton	Total	1,043	2,840	71	7	273	8	4	638	4,884
Outside NYC	Herkimer	Active	10,091	17,693	607	133	2,314	82	2	6,228	37,150
Outside NYC	Herkimer	Inactive	991	1,234	49	18	260	10	0	759	3,321
Outside NYC	Herkimer	Total	11,082	18,927	656	151	2,574	92	2	6,987	40,471
Outside NYC	Jefferson	Active	15,755	23,379	819	212	3,163	124	26	11,843	55,321
Outside NYC	Jefferson	Inactive	2,786	2,854	95	50	561	22	7	2,712	9,087
Outside NYC	Jefferson	Total	18,541	26,233	914	262	3,724	146	33	14,555	64,408
Outside NYC	Lewis	Active	4,320	8,643	275	60	833	32	1	2,678	16,842
Outside NYC	Lewis	Inactive	114	138	3	1	24	1	1	91	373
Outside NYC	Lewis	Total	4,434	8,781	278	61	857	33	2	2,769	17,215
Outside NYC	Livingston	Active	9,420	16,298	822	146	1,777	118	39	7,800	36,420
Outside NYC	Livingston	Inactive	1,126	1,078	61	19	235	18	7	1,118	3,662
Outside NYC	Livingston	Total	10,546	17,376	883	165	2,012	136	46	8,918	40,082
Outside NYC	Madison	Active	10,866	15,571	852	227	2,610	128	7	9,196	39,457
Outside NYC	Madison	Inactive	1,317	1,306	72	28	377	22	2	1,054	4,178
Outside NYC	Madison	Total	12,183	16,877	924	255	2,987	150	9	10,250	43,635

Outside NYC	Monroe	Active	174,971	128,501	8,060	1,524	20,490	1,187	470	104,359	439,562
Outside NYC	Monroe	Inactive	12,838	5,972	356	161	1,389	90	37	7,179	28,022
Outside NYC	Monroe	Total	187,809	134,473	8,416	1,685	21,879	1,277	507	111,538	467,584
Outside NYC	Montgomery	Active	9,264	9,446	634	124	1,520	59	15	5,874	26,936
Outside NYC	Montgomery	Inactive	1,086	952	70	32	202	12	1	919	3,274
Outside NYC	Montgomery	Total	10,350	10,398	704	156	1,722	71	16	6,793	30,210
Outside NYC	Nassau	Active	362,331	319,710	10,395	2,315	34,781	1,370	280	213,975	945,157
Outside NYC	Nassau	Inactive	11,355	8,375	272	65	1,128	64	6	5,989	27,254
Outside NYC	Nassau	Total	373,686	328,085	10,667	2,380	35,909	1,434	286	219,964	972,411
Outside NYC	Niagara	Active	52,103	41,885	2,933	1,064	6,234	275	18	21,793	126,305
Outside NYC	Niagara	Inactive	5,469	3,625	232	160	804	49	5	3,031	13,375
Outside NYC	Niagara	Total	57,572	45,510	3,165	1,224	7,038	324	23	24,824	139,680
Outside NYC	Oneida	Active	42,808	47,432	1,977	481	7,194	227	0	23,263	123,382
Outside NYC	Oneida	Inactive	4,446	3,500	164	81	913	37	0	2,941	12,082
Outside NYC	Oneida	Total	47,254	50,932	2,141	562	8,107	264	0	26,204	135,464
Outside NYC	Onondaga	Active	101,359	82,932	4,728	1,303	14,402	897	228	70,154	276,003
Outside NYC	Onondaga	Inactive	11,421	6,177	359	204	1,595	127	34	7,723	27,640
Outside NYC	Onondaga	Total	112,780	89,109	5,087	1,507	15,997	1,024	262	77,877	303,643
Outside NYC	Ontario	Active	19,127	25,890	1,320	201	3,788	198	11	15,704	66,239
Outside NYC	Ontario	Inactive	1,580	1,638	86	30	385	21	1	1,420	5,161
Outside NYC	Ontario	Total	20,707	27,528	1,406	231	4,173	219	12	17,124	71,400
Outside NYC	Orange	Active	74,140	67,853	3,974	1,016	11,072	463	100	46,351	204,969
Outside NYC	Orange	Inactive	7,254	5,046	268	110	1,134	72	8	4,629	18,521
Outside NYC	Orange	Total	81,394	72,899	4,242	1,126	12,206	535	108	50,980	223,490
Outside NYC	Orleans	Active	5,449	10,186	536	160	1,080	51	28	4,790	22,280
Outside NYC	Orleans	Inactive	526	737	49	19	136	2	3	628	2,100
Outside NYC	Orleans	Total	5,975	10,923	585	179	1,216	53	31	5,418	24,380
Outside NYC	Oswego	Active	17,195	31,427	1,598	371	3,774	131	48	14,165	68,709
Outside NYC	Oswego	Inactive	2,003	2,175	120	54	455	13	2	1,871	6,693
Outside NYC	Oswego	Total	19,198	33,602	1,718	425	4,229	144	50	16,036	75,402
Outside NYC	Otsego	Active	10,034	12,753	500	133	2,065	132	27	6,858	32,502
Outside NYC	Otsego	Inactive	1,257	1,055	54	18	322	13	3	1,179	3,901
Outside NYC	Otsego	Total	11,291	13,808	554	151	2,387	145	30	8,037	36,403
Outside NYC	Putnam	Active	17,407	21,212	1,957	209	3,580	125	44	15,180	59,714
Outside NYC	Putnam	Inactive	1,494	1,573	135	19	308	18	3	1,309	4,859
Outside NYC	Putnam	Total	18,901	22,785	2,092	228	3,888	143	47	16,489	64,573
Outside NYC	Rensselaer	Active	27,650	23,885	4,408	1,152	7,514	298	38	28,880	93,825
Outside NYC	Rensselaer	Inactive	3,114	1,884	304	162	800	37	13	2,826	9,140

Outside NYC	Rensselaer	Total	30,764	25,769	4,712	1,314	8,314	335	51	31,706	102,965
Outside NYC	Rockland	Active	83,004	42,054	3,826	845	7,701	273	6	40,663	178,372
Outside NYC	Rockland	Inactive	6,464	2,963	195	66	692	45	0	3,555	13,980
Outside NYC	Rockland	Total	89,468	45,017	4,021	911	8,393	318	6	44,218	192,352
Outside NYC	Saratoga	Active	36,830	59,424	2,269	419	8,871	344	61	34,540	142,758
Outside NYC	Saratoga	Inactive	5,923	6,868	298	101	1,375	88	20	5,994	20,667
Outside NYC	Saratoga	Total	42,753	66,292	2,567	520	10,246	432	81	40,534	163,425
Outside NYC	Schenectady	Active	34,482	23,738	3,174	593	5,404	229	67	21,867	89,554
Outside NYC	Schenectady	Inactive	3,815	1,920	233	103	599	34	4	2,468	9,176
Outside NYC	Schenectady	Total	38,297	25,658	3,407	696	6,003	263	71	24,335	98,730
Outside NYC	Schoharie	Active	4,637	7,027	505	76	1,193	65	16	4,135	17,654
Outside NYC	Schoharie	Inactive	738	899	41	31	250	15	2	746	2,722
Outside NYC	Schoharie	Total	5,375	7,926	546	107	1,443	80	18	4,881	20,376
Outside NYC	Schuyler	Active	3,176	4,661	235	80	706	67	2	2,489	11,416
Outside NYC	Schuyler	Inactive	386	402	18	14	103	6	1	339	1,269
Outside NYC	Schuyler	Total	3,562	5,063	253	94	809	73	3	2,828	12,685
Outside NYC	Seneca	Active	6,004	7,419	419	109	960	57	2	3,862	18,832
Outside NYC	Seneca	Inactive	397	430	10	12	84	7	1	341	1,282
Outside NYC	Seneca	Total	6,401	7,849	429	121	1,044	64	3	4,203	20,114
Outside NYC	St.Lawrence	Active	21,156	20,037	857	279	3,187	150	0	11,534	57,200
Outside NYC	St.Lawrence	Inactive	2,016	1,498	59	43	380	27	0	1,616	5,639
Outside NYC	St.Lawrence	Total	23,172	21,535	916	322	3,567	177	0	13,150	62,839
Outside NYC	Steuben	Active	14,033	28,133	910	254	2,990	152	6	9,445	55,923
Outside NYC	Steuben	Inactive	1,241	1,580	53	48	302	25	0	1,140	4,389
Outside NYC	Steuben	Total	15,274	29,713	963	302	3,292	177	6	10,585	60,312
Outside NYC	Suffolk	Active	297,426	294,024	21,528	4,235	42,183	1,700	526	241,478	903,100
Outside NYC	Suffolk	Inactive	25,875	19,319	1,197	386	3,523	181	52	18,792	69,325
Outside NYC	Suffolk	Total	323,301	313,343	22,725	4,621	45,706	1,881	578	260,270	972,425
Outside NYC	Sullivan	Active	17,495	12,500	1,039	227	2,347	144	0	11,208	44,960
Outside NYC	Sullivan	Inactive	2,589	1,315	94	35	319	24	0	1,642	6,018
Outside NYC	Sullivan	Total	20,084	13,815	1,133	262	2,666	168	0	12,850	50,978
Outside NYC	Tioga	Active	7,940	13,506	426	119	1,685	88	37	6,014	29,815
Outside NYC	Tioga	Inactive	867	1,119	31	30	222	20	6	804	3,099
Outside NYC	Tioga	Total	8,807	14,625	457	149	1,907	108	43	6,818	32,914
Outside NYC	Tompkins	Active	23,275	11,927	372	248	2,231	512	31	11,107	49,703
Outside NYC	Tompkins	Inactive	4,821	1,629	48	47	533	95	13	3,002	10,188
Outside NYC	Tompkins	Total	28,096	13,556	420	295	2,764	607	44	14,109	59,891
Outside NYC	Ulster	Active	37,380	27,639	2,573	618	5,669	659	93	33,725	108,356



Outside NYC	Ulster	Inactive	2,867	1,480	123	68	425	60	7	2,513	7,543
Outside NYC	Ulster	Total	40,247	29,119	2,696	686	6,094	719	100	36,238	115,899
Outside NYC	Warren	Active	9,858	18,756	606	137	2,462	132	3	7,994	39,948
Outside NYC	Warren	Inactive	1,491	1,821	59	32	425	36	1	1,458	5,323
Outside NYC	Warren	Total	11,349	20,577	665	169	2,887	168	4	9,452	45,271
Outside NYC	Washington	Active	8,353	14,608	623	199	2,209	113	0	7,170	33,275
Outside NYC	Washington	Inactive	976	1,126	53	37	342	13	0	998	3,545
Outside NYC	Washington	Total	9,329	15,734	676	236	2,551	126	0	8,168	36,820
Outside NYC	Wayne	Active	13,274	21,912	1,486	265	2,789	132	54	13,438	53,350
Outside NYC	Wayne	Inactive	1,059	1,125	87	31	293	12	6	1,122	3,735
Outside NYC	Wayne	Total	14,333	23,037	1,573	296	3,082	144	60	14,560	57,085
Outside NYC	Westchester	Active	258,698	128,898	8,350	1,427	20,375	805	126	128,073	546,752
Outside NYC	Westchester	Inactive	24,308	11,430	632	190	2,202	82	7	13,071	51,922
Outside NYC	Westchester	Total	283,006	140,328	8,982	1,617	22,577	887	133	141,144	598,674
Outside NYC	Wyoming	Active	5,515	10,881	511	100	1,180	36	0	4,961	23,184 -
Outside NYC	Wyoming	Inactive	442	598	33	18	108	5	0	531	1,735 -
Outside NYC	Wyoming	Total	5,957	11,479	544	118	1,288	41	0	5,492	24,919 -
Outside NYC	Yates	Active	3,254	6,477	242	57	678	45	8	2,613	13,374
Outside NYC	Yates	Inactive	310	403	16	13	85	3	3	303	1,136
Outside NYC	Yates	Total	3,564	6,880	258	70	763	48	11	2,916	14,510
Outside NYC	Grand Total	Active	2,483,709	2,149,050	128,332	28,910	329,473	15,945	3,565	1,528,450	6,667,434
Outside NYC	Grand Total	Inactive	224,580	146,566	8,319	3,789	33,915	2,123	490	150,894	570,676
Outside NYC	Grand Total	Total	2,708,289	2,295,616	136,651	32,699	363,388	18,068	4,055	1,679,344	7,238,110
Within NYC	Bronx	Active	498,090	38,308	2,927	2,643	12,884	435	94	85,995	641,376
Within NYC	Bronx	Inactive	61,871	5,504	382	448	1,868	57	19	13,051	83,200
Within NYC	Bronx	Total	559,961	43,812	3,309	3,091	14,752	492	113	99,046	724,576
Within NYC	Kings	Active	929,222	113,818	4,599	5,291	28,619	2,501	367	216,662	1,301,079
Within NYC	Kings	Inactive	76,652	9,227	364	601	3,099	348	40	21,949	112,280
Within NYC	Kings	Total	1,005,874	123,045	4,963	5,892	31,718	2,849	407	238,611	1,413,359
Within NYC	New York	Active	636,635	88,920	1,733	2,043	28,523	1,791	408	160,434	920,487
Within NYC	New York	Inactive	78,981	15,737	217	258	5,101	255	94	28,375	129,018
Within NYC	New York	Total	715,616	104,657	1,950	2,301	33,624	2,046	502	188,809	1,049,505
Within NYC	Queens	Active	677,943	118,052	5,404	3,260	26,294	1,311	227	199,358	1,031,849
Within NYC	Queens	Inactive	43,248	7,841	336	259	2,028	107	26	14,510	68,355
Within NYC	Queens	Total	721,191	125,893	5,740	3,519	28,322	1,418	253	213,868	1,100,204
Within NYC	Richmond	Active	121,062	76,257	4,237	1,088	9,203	324	93	52,945	265,209
Within NYC	Richmond	Inactive	7,266	3,930	223	88	605	15	6	3,376	15,509
Within NYC	Richmond	Total	128,328	80,187	4,460	1,176	9,808	339	99	56,321	280,718

Within NYC Total	Active	2,862,952	435,355	18,900	14,325	105,523	6,362	1,189	715,394	4,160,000
Within NYC Total	Inactive	268,018	42,239	1,522	1,654	12,701	782	185	81,261	408,362
Within NYC Total	Total	3,130,970	477,594	20,422	15,979	118,224	7,144	1,374	796,655	4,568,362
Statewide Total	Active	5,346,661	2,584,405	147,232	43,235	434,996	22,307	4,754	2,243,844	10,827,434
Statewide Total	Inactive	492,598	188,805	9,841	5,443	46,616	2,905	675	232,155	979,038
Statewide Total	Total	5,839,259	2,773,210	157,073	48,678	481,612	25,212	5,429	2,475,999	11,806,472