



**New York State Board of Elections
Annual Report
2021**

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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.

Commissioners

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Co-Chair, Commissioner

Peter S. Kosinski
Co-Chair, Commissioner

Andrew J. Spano
Commissioner

Anthony J. Casale
Commissioner

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Deputy Director Public Information

John Conklin
Director of Public Information

Brian Quail
Counsel

Kimberly A. Galvin
Counsel

William Cross
Chief Information Officer

Michael Johnson
Chief Enforcement Counsel

COUNSELS' OFFICE

The four attorneys in this office are responsible for handling all legal matters impacting the State Board, including litigation in state and federal courts by or against the State Board of Elections. The office also drafts regulations, formal and advisory opinions, and an annual Election Law Update on developments in election case law and statutes. The attorneys work with all other State Board units to prepare the State Board's legislative agenda and draft legislation for the commissioners to present to the legislature. The Counsels' Office provides oversight and guidance on contracts, compiles responses to subpoenas and certain Freedom of Information Law requests, and prepares and presents 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, constituents, committees, and the State Board's Public Information Office regarding all aspects of the Election Law.

Litigation

In addition to the ballot access cases Counsels' Office managed and resolved, the Office was engaged in the following significant litigation:

League of Women Voters v. State Board of Elections (NY County Supreme Court): Plaintiffs challenge the constitutionality of provisions of the Election Law that require a voter to register to vote at least 25 days before the election in which they seek to vote. Plaintiffs allege that this registration deadline is unnecessarily arbitrary and infringes on their right to vote and right to equal protection in violation of the New York State Constitution. The State Board moved to dismiss this action, but the trial court denied the motion. Plaintiffs moved for a preliminary injunction, but the trial court denied the motion, and the First Department Appellate Division affirmed. The action is still pending.

Upstate Jobs Party v. State Board of Elections (NDNY): In this action, Plaintiffs seek to enjoin the New York State Board of Elections from enforcing certain campaign finance laws that restrict campaign contributions to and from "Independent Bodies" in ways that do not apply to political "Parties." Specifically, Plaintiffs challenge: (1) N.Y. Elec. Law § 14-114(1) and 9 NYCRR § 6214.0, which prohibit individual contributions to Independent Bodies greater than \$44,000 as well as Plaintiff's contributions to its own gubernatorial candidate greater than \$44,000, but which allow individual contributions to Parties up to \$109,600 and Party contributions to their own candidates in unlimited amounts; and (2) N.Y. Elec. Law § 14-124(3), which permits Parties, but not Independent Bodies, to establish "Housekeeping Accounts" for which Parties may raise funds in any amount for "ordinary activities . . . not for the express purpose of promoting the candidacy of specific candidates." Both the District Court and the Second Circuit Court of Appeals denied a preliminary injunction because Plaintiff failed to show that, absent an injunction, it will suffer irreparable harm. After discovery, both parties moved for summary judgment. The trial court granted Plaintiff's summary judgment motion regarding contribution limits in general elections and granting the State Board of Elections' summary judgment motion regarding contribution limits in primary elections and housekeeping accounts. The action is still pending.

Hernandez v. New York State Board of Elections (SDNY): This case was brought by disability advocates to make the absentee ballot process accessible. NYSBOE provided accessible PDFs by email with ballots returned by mail by means of a resolution. A preliminary injunction requiring a different system was denied. At the close of 2021 the litigation was still pending.

SAM Party v. Cuomo (SDNY): This case challenged the Public Financing Commission report requiring the parties to run a candidate for President in addition to running a candidate for Governor in order to maintain party status. Defendants made a motion for summary judgement which was granted by the trial court. Plaintiffs indicate that they may appeal and at the end of 2021, the case was still pending.

Ross v NYSBOE (Niagara County Supreme Court, Appellate Division Fourth Department): Plaintiffs challenge the constitutionality of provisions of the Election Law that authorized voting by absentee ballot where there is a risk of contracting or spreading a disease that may cause illness to the voter or to other members of the public. The trial court and the Appellate Division upheld the constitutionality of the Election Law provisions and dismissed the action.

Village of Portchester v. NYSBOE (Albany County Supreme Court): Plaintiffs commenced a CPLR Article 78 proceeding and declaratory judgment action seeking: (1) a judgment declaring that the New York State Attorney General's 2018 opinion on cumulative voting is correct and that cumulative voting is lawful under the New York State Constitution and applicable state law; (2) a judgment declaring that the village's cumulative voting law is constitutional and lawful; and (3) a judgment declaring that Port Chester is authorized to use any voting machine previously approved by the New York State Board of Elections in its elections if such machine is capable of tabulating cumulative votes. At the end of 2021, the case was still pending.

NAACP v. NYSBOE (SDNY): Section 17-140 of the Election Law prohibits providing meat, drink, tobacco, refreshment, or provision to persons in a polling place. Plaintiffs challenged the constitutionality of section 17-140, alleging that it violates the First Amendment. At the close of 2021 this action was still pending.

HAVA Administrative Complaints

Section 402 of the Help America Vote Act of 2002 ("HAVA") requires the State to create a state-based administrative complaint procedure for voters to lodge complaints concerning the voting process. Specifically, HAVA provides that any state receiving HAVA funds shall establish a procedure where "...any person who believes that there is a violation of any provision of title III (including a violation which has occurred, is occurring, or is about to occur) may file a complaint." Section 3-105 of the New York State Election Law outlines the Complaint procedure. A formal complaint shall be in writing, signed, and notarized; the evidentiary standard shall be a preponderance of the evidence; the final determination shall be published; and appropriate action shall be taken by the state Board of Elections as necessary. Additionally, 9

NYCRR § 6216.2 further outlines the administrative complaint process.

In 2021, the State Board issued one HAVA determination:

In *Roberts v. The New York City Board of Elections*, the New York City Board of Elections was directed to amend the Notice to Voters to comply with Election Law § 8-302 and Title III of HAVA, §§ 302 (a)(5)(A) and (a)(5)(B); (52 USCA § 21082 (a)(5)(A) and (a)(5)(B)).

Regulations and Directives

The Office drafted and the Board adopted the following amended regulations:

1. Amendments to Part 6210 which added new section 6210.21, related to providing voters the opportunity to cure certain absentee ballot deficiencies.
2. Addition of new Part 6220, related to cybersecurity requirements, including the minimum level of security standards in order to protect state and local election systems.

Board Opinions

The Office of Counsel is responsible for preparing responses to requests for opinions from the New York State Board of Elections (NYSBOE). These opinions serve to further clarify certain sections of the Election Law. In 2021, no opinions were requested, and NYSBOE did not issue any opinions.

Legislative Activities

Counsels' 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, Counsels' 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 influence elections in New York.

Below is a summary of the major election-related legislation enacted in 2021:

Chapter 22 reduces the number of signatures required for certain designating petitions and provides for the dates for filing designating petitions for the June 2021 primary election. This chapter expires on December 31, 2021.

Chapter 37 provides for a chapter amendment to Chapter 350 of the laws of 2020 which implemented a system of automatic voter registration ("AVR") within certain designated state and local agencies. The chapter amendment adjusts the effective date for certain agencies, adds

the State University of New York as a designated agency, and makes various technical corrections.

Chapter 38 authorizes County party committees to adopt temporary amendments to their party rules so that members of such county committee elected in an odd year whose terms are expiring in 2021 may remain in office for an additional one-year term. Such county committee members must run for a one-year term in 2022 and in 2023 and thereafter two-year terms.

Chapter 69 eliminates the opportunity to ballot petition for the 2021 primary election. This chapter expires on December 31, 2021.

Chapter 74 provides for a chapter amendment to Chapter 334 of the laws of 2020 which required County Boards of Election to have at least one early polling site in the municipality with the highest population in the County. The chapter amendment authorized Washington County to have at least one early voting site in its county seat instead of the municipality with the highest population.

Chapter 81 provides for a reduction in the number of petition signatures required for village elections and for town office to be filled by all the voters of certain towns. The portions of this chapter related to village elections expires on December 31, 2021, and the provision related to town offices expires at the same time as subdivision 2 of § 6-136 of the election law.

Chapter 90 reduces the number of petition signatures required for independent nominating petitions. This chapter expires on December 31, 2021.

Chapter 103 provides for the restoration of voting rights to certain formerly incarcerated individuals. In addition, this chapter provides that individuals released from State or local facilities are notified that their voting rights will be restored upon release and that they will be provided a voter registration form and further assistance, if necessary, in filling such voter registration form.

Chapter 110 provides that, if there is no primary election in the largest municipality within a county, then the Board of Elections may designate an early voting poll site in the next largest municipality that has a primary election.

Chapter 188 increases the number of Supreme Court Justices in certain Judicial Districts.

Chapter 241 requires the Board of Elections to post at the entrance of the old polling location a yellow notice informing voters that the polling place has been moved and providing the street address of the new location.

Chapter 249 authorizes voters to request an absentee ballot via an electronic application submitted by email or through an electronic transmittal system or web portal established by the State, City, or County Board of Elections. This chapter expires on December 31, 2021.

Chapter 250 eliminates the need to file a separate signed application when applying for

an absentee ballot by written letter and allows absentee ballots with postmark or cancellation mark by the day of election to be considered a timely ballot. The portions of this chapter related to the limitation of the separate signed application expire on December 31, 2021.

Chapter 260 increases the maximum size of an election district to 2,000 registrants and allows county committees to add additional members to adjust for the potential reduction in election districts.

Chapter 273 provides that applications requesting an absentee ballot by mail must be received by the Board of Elections no later than the fifteenth day before the election and that applications delivered in person must be received no later than the day before the election.

Chapter 276 authorizes a person designated as a candidate for two or more party nominations for an office to be filled at the time of a general election who is not nominated at a primary election by one or more such parties to decline the nomination of one or more parties not later than ten days after the primary election.

Chapter 279 provides that the Board of Elections shall not physically deliver ballots to residents of nursing homes and other long-term care facilities. This chapter expires January 1, 2022.

Chapter 310 provides for online and in-person instruction and examination of election inspectors, poll clerks, and election coordinators.

Chapter 320 requires the Governor to call a special election within 10 days of a vacancy in an elective office, shortens the time frame for holding special elections for all offices except Representative in Congress, and provides a deadline after which a special election will not be held for certain offices.

Chapter 480 provides that a write-in ballot cast in a party primary resulting from the filing of a valid opportunity to ballot petition for a candidate not enrolled in such party is void and will not be counted.

Chapter 490 provides that the use of alternate, anglicized, or familiar names or nicknames on election petitions is acceptable provided that such name is demonstrated to be commonly used to identify that person in the person's community and that the use of such name is not intended to mislead voters or petition signers.

Chapter 521 authorizes victims of domestic violence to make their voter registration records confidential by means of a signed and sworn statement to the Board of Elections.

Chapter 727 establishes an online absentee ballot tracking system on the state or local Board of Elections' website that allows a voter who has submitted an absentee ballot application to track the status of the application and the absentee ballot.

Chapter 746 establishes an electronic absentee ballot application transmittal system

through which voters may apply for and submit an absentee ballot application online.

Chapter 763 provides a new process for the canvassing of absentee, military, special, and affidavit ballots.

Chapter 781 requires the Board of Elections to designate the number of early voting polling places based on the number of registered voters in each county and increases the hours polls are open for early voting on Saturdays, Sundays, and legal holidays.

COMPLIANCE UNIT

The Compliance Unit falls under the supervision of the Counsels’ Office. This Unit is comprised of three sub-units: Intake and Processing, Training Group, and Audit & Review. These units are managed on a day-to-day basis by two Compliance Specialists.

The Compliance Unit is 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. At the end of 2021, there were 17,939 active filers with NYSBOE. A total of 28,975 itemized, no-activity, and in-lieu of campaign finance reports were received by NYSBOE in 2021, including 19,551 itemized financial disclosure statements (including amendments). All filings are available for public viewing on NYSBOE’s website.

The number of active filers with NYSBOE increased slightly in 2021, as is indicated below:

Type	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
State	2212	2695	2244	2365	3017	2996	2860	2975	3120	3374	3557
County	10198	9990	11817	13534	13270	13437	13602	13573	14838	13921	14382
TOTAL	12410	12685	14061	15899	16287	16433	16462	16548	17958	17295	17939

Filers include both committees and candidates without a committee who are making their own filings. In 2021, 2043 new candidates and 1265 new committees registered with NYSBOE. With each new registration, the Compliance Unit sent a confirmation to the treasurer or candidate, providing the committee/candidate identification and login information enabling filings through the EFS Web Application. There were a total of 2,675 committee and candidate terminations processed in 2021.

Other tasks the Compliance Unit accomplished in 2021 include:

- Rolling out the new EFS Web Application and internal FIDAS/CAPAS.
- 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 NYSBOE, with information regarding campaign finance laws, rules, and filing information.
- Assisting visitors to NYSBOE’s website in viewing campaign finance disclosure reports online.
- Facilitating registration for filers during the COVID-19 pandemic.

The Training Group sub-unit is staffed by three employees. The primary activities of the sub-unit are the preparation and dissemination of information and training materials relative to

the financial disclosure mandates of Article 14 of New York Election Law. Due to the COVID-19 pandemic, the Training Group shifted to a virtual webinar model in 2020 to ensure that trainings continued despite travel restrictions and health concerns. This model continued throughout 2021.

Overall, in 2021, staff conducted 29 live webinars to provide information and updates relating to campaign finance. Current training topics include: traditional campaign finance seminars focused on campaign finance registration, disclosure, and updates in the rules; using the new EFS Web Application; Continuing Legal Education (CLE) credits for attorneys; Continuing Professional Educational (CPE) credits for accountants; and “Winding Down the Campaign” training for post-election filers requesting resignation or termination. In 2021, there were: 13 live webinars with 926 registered attendees for the Campaign Finance Update (for which 39 attorneys received CLE credits and 16 accountants received CPE credits); 13 live webinars with 1,916 registered attendees for EFS Web Application; and three live webinars with 358 registered attendees for Winding Down the Campaign. A total of 3,200 people registered for virtual webinars in 2021.

In addition to conducting webinars, there was substantial focus within the Training Group sub-unit in 2021 on updating materials, including the Handbook and website, with recent law changes and ensuring website documents became fully accessible and secured.

The Audit & Review sub-unit tracks the most common deficiencies in filed financial reports and revises and updates its training materials to address the most common errors treasurers make. The compliance review process is also educational for treasurers and their candidates, and staff are available to answer questions and conduct outreach, when necessary, during this process. The Frequently Asked Questions section of the Board’s Campaign Finance Webpage is updated to include additional instructions for questions and common compliance issues, and the Unit’s training seminars and webinars were updated to reflect these. It is hoped that these ongoing efforts will enable a greater number of treasurers to file correctly in the first instance.

In 2021, 19,551 itemized reports (including amendments) were received. Of this number, 6,146 were reviewed in 2021, 415 were deficient, 4,830 were compliant and 901 had training issues. These numbers are slightly lower than the year before due to the new filing and internal software rollout; an uptick in processing registrations, resignations, and terminations; and internal training on the new systems requiring more staff time than initially anticipated. As of December 2021, the Unit had completed over 152,000 compliance reviews since the Compliance Unit was established in 2014.

The Compliance Unit continued to implement multiple initiatives, including: the new limited liability contribution limit, attribution, and disclosure requirements; the transition of local county board of election filers to file exclusively with the NYSBOE and the removal of the \$1,000 threshold previously required for NYSBOE filers; and the elimination of duplicate financial disclosure reports for candidates and authorized political committees who file with New York City Campaign Finance Board, including a review and termination of filing requirements for many NYCCFB filers. Staff continues to receive, track and publish lists of all Statements of

Identity received from limited liability companies that have contributed to candidates and committees during the year.

All Compliance Unit staff continued to receive training on document accessibility, with several staff receiving in-depth training. The Compliance Unit continues to edit or re-create many documents for accessibility and subsequent addition to the NYSBOE website.

The Compliance Unit worked with the Information Technology Unit to roll out the State Board's Electronic Filing Software (EFS) from desktop software to a web-based application, meeting the deployment date of January 25, 2021. The new web application allows all candidates and committees to file campaign finance disclosure reports, including amendments, no-activity reports, in-lieu of reports, campaign materials, notices of non-participation, paid internet advertisements, and 24-hour and weekly notices on any web-enabled device. The Compliance Unit also continued, throughout 2021, to work with the Information Technology Unit regarding enhancements, new applications, and continued updates to the new software.

Referrals

In 2021, the Compliance Unit referred non-filer and deficient filer items to Enforcement Counsel for review and action. This consisted of 4439 referrals for non-filing. As of December 2021, 3,246, or approximately 73%, continued to owe reports.

In 2021, there were a total of 147 referrals of candidates/committees for failure to come into compliance after being served with a notice of deficiency. For itemized reports filed between 2014 and 2021, as of the end of 2021, a total of 2,975 filings have been referred to Enforcement as deficient. Of that number, 487 reports have since been amended to successfully address deficiencies; three filings have been deleted; 972 were eventually reclassified as training; and 1,513 deficiencies remained unresolved as of the end of 2021.

The Board of Elections provides a civil enforcement administrative hearing process through which violations of the election law deemed not criminal may be addressed, followed by civil proceeding in court. The Board appointed a total of seven hearing officer positions to manage these proceedings. In 2021, zero matters were referred by Enforcement to a hearing officer.

Additionally, the Enforcement Counsel tendered zero subpoena requests in 2021 and requested zero criminal referrals to prosecutorial agencies.

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 as 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 806 offices that participate in the program.

Registration Statistics

During 2021, there were 489,144 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 97% (472,397) of the total number of voter registration applications or transactions in the state. The remaining agencies participating in the program accounted for 3% (16,747) of registrations.

Sources of Voter Registration

Motor Vehicles	472,397
Public Assistance Agencies	16,015
Disability Agencies	607
State Designated Agencies	125
<u>By Mail</u>	<u>67</u>
Total	489,211

Agency-Based Voter Registration Statistics

<u>Year</u>	<u>New Registrations</u>	<u>Address Changes</u>	<u>Enrollment Changes</u>	<u>Name Changes</u>
2014	127,726	56,966	17,126	8,126
2015	132,230	63,883	20,596	8,653
2016	246,762	99,701	50,214	12,511
2017	144,730	88,644	36,200	11,502
2018	257,977	176,530	81,395	17,380
2019	300,458	197,570	100,823	23,897
2020	296,335	112,766	92,985	18,945
2021	160,955	81,589	49,570	10,444

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 2021, staff at the State Board of Elections processed 9,490 New York State and 8,000 out-of-state registration cancellations and forwarded them to the appropriate County Board of Elections or State election official.

NYSVoter County Reviews

In 2007, the State Board of Elections implemented “NYSVoter” (pronounced “nice voter”), the statewide voter registration database, to comply with the Help America Vote Act and subsequent amendments to New York 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 2021, seven counties were reviewed and found to be in substantial or better compliance with state regulations.

GRANTS

County Boards of Elections have access to funding from federal and state grants managed by the New York State Board of Elections. Funds are authorized annually through the state budget and then administered through a reimbursement process. Each grant has a contract between the County Board of Elections, State Board of Elections, State Comptroller, and Office of General Services. Counties must make their purchases and submit a claim for payment to be reimbursed for eligible expenses. All claims are reviewed by the State Board of Elections to ensure that expenses included in claims are eligible. In 2021, new state grant funds were made available to Counties for the purchase of new voting systems and equipment to replace aging technology.

State Grants

Early Voting Expansion (EVE) Grant - \$2 Million

Appropriated 2021

Funds were intended to assist County Boards in expanding early voting following the policy's initial implementation in 2019. Eligible expenses cover a wide range of early-voting-related expenses including equipment, temporary employees, fees for transporting equipment, etc.

Early Voting Aid to Localities Grant - \$10 Million

Appropriated 2019

Funds were intended to support the initial implementation of early voting in 2019. Allowable expenses included costs related to early voting such as temporary staff for poll sites, rental fees for poll sites, supplies for poll sites, new voting equipment, equipment transportation fees, and other expenses related to hosting early voting poll sites.

E-Poll Book Capital Grant - \$14.7 Million

Appropriated 2019

Funds were intended to support the initial implementation of electronic poll books in 2019. Allowable expenses included the purchase of electronic poll books and associated software, ballot on demand printers, connectivity devices such as routers and network switches, memory devices, security containers, and training for election day workers and Board of Elections staff.

Technology Innovation & Election Resource (TIER) Grant - \$20 Million

Appropriated 2021

Funds were intended to allow County Boards to purchase new equipment to replace current aging technologies. Allowable expenses included voting systems and equipment, absentee ballot scanners, absentee ballot processing and tracking software and equipment, mail processing software and equipment, infrastructure to protect the connectivity and security of county elections software and equipment, assistance for areas with lack of broadband service, software, equipment, and infrastructure, electronic poll book systems and associated software, etc.

Elections Cybersecurity Remediation Grant Extension - \$9 million

Appropriated 2021

Funds were intended to address vulnerabilities identified in County Board of Elections risk assessments conducted by the State Board of Elections and NYSTEC. All expenses must be compliant with recommendations made by the State Board.

HAVA Grants

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 for, as well as the disbursement of, federal and state funds in order 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 public on the proper use of new voting systems.

HAVA Voter Education & Poll Worker Training Grant

Can be used for voter education concerning voting procedures, voting rights, and voting technology (i.e. county telephone hotlines, media advertising, website design, mailing programs, voter and media outreach), as well as poll worker training.

Shoebox (Submission of HAVA Operations Expenses by CBOEs)

As New York's Help America Vote Act fund distribution program does not provide for the direct release of federal funds to counties, in the overall scope of compliance with HAVA, a separate program was created to enable the reimbursement of county funds that were expended in the name of either implementing HAVA or furthering the goals and objectives of HAVA. For the purchase of products and services related to the overall HAVA project which were not part of the vendor contracts themselves, this program was created and came to be known as the SHOEBOX Program (Submission of HAVA Operations Expenses by Boards of Elections). Shoebox can be used for any purpose supporting a federal election.

ELECTION OPERATIONS UNIT

The major responsibilities of the Election Operations Unit of the New York State Board of Elections include the oversight and support of New York State's 58 County Boards of Elections, the facilitation of ballot access efforts by candidates for a variety of public offices and party positions, and oversight of and technical assistance for the statewide deployment of voting systems. The Election Operations Unit actively engages in ongoing daily communications with County Boards of Elections and the general public on a multitude of topics.

Candidate Ballot Access

This year, the State Primary Election was held on June 22, 2021, followed by the General Election on November 2, 2021. A Special Election was also held on November 2, 2021, for Senate District 30 and Assembly District 86.

The state-level ballot access activity focused on petition filings for the Primary Election for the offices of State Senator, Supreme Court Justice, Judicial Delegates, and Alternate Delegates.

The following petitions were filed with respect to State Offices:

- 75 Designating Petitions for Judicial Delegates/Alternates
- 0 Independent Nominating Petitions for Supreme Court Justice
- 25 Certificates of Nomination for Supreme Court Justice

Objections and corresponding specifications received, posted, and researched, were as follows:

- 0 General Objections (Designating) for Judicial Delegates/Alternates
- 0 Specific Objections for Judicial Delegates/Alternates

The following filings made in relation to petitions were received by the Unit:

- 0 Certificates of Declination (Designating) for Judicial Delegates/Alternate Delegates
- 0 Certificates of Substitution for Judicial Delegates/Alternate Delegates

A total of 25 Certificates of Nomination were filed from the seven Judicial Districts that had vacancies. As a result, 32 candidates were nominated for Supreme Court Justice. All information was entered into the candidate management system and all candidates were sent acknowledgement letters. Additionally, the following documents pertaining to filings made for Supreme Court were received:

- 117 Acceptances for Supreme Court Justice
- 5 Authorizations for Supreme Court Justice

- 0 General Objections for Supreme Court Justice
- 0 Specific Objections (Designating) for Supreme Court Justice
- 0 Certificates of Declination for Supreme Court Justice
- 0 Certificates of Substitution for Supreme Court Justice

Ballot access filings are not validated by NYSBOE; they are presumptively valid when filed. However, the validity of a filing may be challenged by persons choosing to do so. Challenges require the filing of an initial general objection within three days of the filing, followed by specific objections within six days. If specific objections are filed – the itemization of objections – staff reviews each specific itemized objection, notes their findings, and submits a summary of findings report to a hearing officer for review.

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, certificates were prepared for candidates and delivered to the appropriate legislative clerks and secretaries of the respective governmental entities.

Impact of COIVD on Petition Collection

On January 28, 2021, as the COVID-19 pandemic continued to impact New York State, the Governor signed Chapter 22 of the Laws of 2021 that amended filing deadlines for designating petitions and reduced signature requirements. For party nominations, the threshold of active and enrolled voters of a political party in a political unit was reduced from 5% to 1.5%, and for independent nominating petitions from 5% of total voters to 2.5%. The total signature requirements were reduced for all political subdivisions to lessen the need for candidates and their campaigns to collect signatures in person during the ongoing pandemic. The Election Operations Unit worked to assist candidates in interpreting the new signature requirements.

Voting Technology and Support Activities

The Election Operations Unit continues its oversight of the use of voting technology by County Boards of Elections throughout New York. With respect to voting systems in 2021, Unit activities and support included, but were not limited to, the following:

- Help Desk technical support was provided before, during, and after each Primary and the General Election, with dedicated staff assigned to assist County Board of Elections personnel in building ballots, running test decks, conducting 3% post-election audits, defining ballot layouts, and related tasks.
- Election Operations staff continued to refine all policies and procedures. Feedback from County Boards of Elections, as well as input received from security vendor NYSTEC, supported the goal of sculpting all the policies and procedures.

- Staff continued 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.

Cybersecurity of Elections

The Election Operations Unit continues to work collaboratively with other units within the agency toward improving the cybersecurity of the election infrastructure at both the state and county levels. This work has included staff involvement in conversations and activities with various state, federal, and otherwise relevant partners, such as the US Department of Homeland Security, the Center for Internet Security, the Governor's Cybersecurity Advisory Board, and others.

The Unit has participated in the agency's efforts in developing and implementing a plan for improving the cybersecurity posture at both the state and local levels, enhancing incident response planning, and coordinating local, state, and federal resources and communications. Staff has presented at conferences for both Election Commissioners and County Information Technology (IT) Directors to ensure that election administrators and the IT staff who support them are properly communicating and coordinating their actions toward improving the cybersecurity around the election infrastructure.

The Unit has three dedicated staff who focus on cybersecurity matters and develop resources for County Boards. They have prepared guidance for County Boards on the secure usage of removable media, reviewed existing procedures for any necessary updates, and participated in other agency efforts around cybersecurity. The Unit continues to educate and position itself to best serve the County Boards of Elections on the topics of cybersecurity and incident response.

Voting Systems and Equipment Upgrades

During 2021, existing voting machine vendors submitted updates to hardware, software, and firmware to improve current technology used by County Boards of Elections. Dominion Voting Systems and ES&S submitted requested updates for their respective voting machines and election systems. Updates were also submitted for approval for electronic poll book hardware and software by the three certified vendors: KNOWiNK, Robis, and Tenex Software Solutions, Inc. Submitted updates were reviewed by staff for compliance with existing state laws and regulations and approved by the Board of Elections Commissioners.

Additional election technology enhancements were proposed following the passage of Ranked Choice Voting (RCV) for local elections in the City of New York. New machine enhancements needed to be made to allow for the selection of multiple candidates on a single candidate race. Ranked Choice Voting Universal Tabulator software was tested and reviewed to allow the New York City Board of Elections to implement the change. Testing was conducted by the Board of Elections' independent testing labs, New York State Technology Enterprise Corporation (NYSTEC) and SLI Compliance (SLI), over the course of the year, and the tabulator

software was approved at the Board's May meeting.

Throughout the year, several new voting system vendors contacted the Election Operations Unit to gather information on having their systems certified for use in New York State. Democracy Live, Clear Ballot, HART and Dominion expressed their interest in being certified. At the year's end, only one new voter registration system was approved for use in New York. After requisite testing and evaluation, NextVote was approved to be used by County Boards of Elections for local voter registration and list maintenance.

Public Hearing on ExpressVote XL

In January of 2021, the Board of Elections held a public hearing on the certification of the ES&S ExpressVote XL. Prior to the hearing, testing was conducted by the Board of Elections' independent testing labs, New York State Technology Enterprise Corporation (NYSTEC) and SLI Compliance (SLI). The labs tested the equipment and software to ascertain compliance with the provisions of the U.S. Election Assistance Commission's 2005 Voluntary Voting System Guidelines, the State Board's Regulations, 9 N.Y.C.R.R. Part 6209, and the applicable sections of New York State Election Law.

A public hearing was held to seek feedback from parties interested in the machine's certification. Oral and written comments were received and reviewed by Board of Elections staff.

Based on the reports produced by NYSTEC and SLI, it was determined that the ExpressVote XL did not comply with certain regulations in New York State law. While existing ES&S hardware enhancements were approved, the ExpressVote XL was not certified for use.

Throughout the remainder of the year, the Board corresponded with ES&S to address noted issues and discrepancies identified in the testing reports. An additional public demonstration of the machine was conducted at the State Board office in August.

Statewide County Boards of Elections Operational Support

In addition to election assistance, support to County Boards of Elections in the area of daily operations remains a key focus of the Unit. County Boards of Elections are provided with oversight and support in innumerable ways, including phone calls, conference calls, e-mails, customized workshops, site visits tailored to individual counties, informative conference presentations, participation in and appearances at Election Commissioners Association regional meetings, topical memorandums, and the provision of extensive procedural documents and forms for implementation at the local level. As new regulations emerge or existing topics become heightened areas of interest, the Unit strives to communicate timely and appropriate guidance to County Boards of Elections' personnel.

Expanded Early Voting

Following the initial 2019 implementation of early voting, the State Legislature passed new laws expanding the availability of early voting sites in all counties. In addition to changing the ratio of poll sites to registered voters, the Legislature implemented reforms to expand the hours of operations of poll sites and designate at least one poll site in the largest city or municipality within a given county. The Operations Unit continued to support County Boards in determining poll site locations and necessary changes resulting from the amended legislation.

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 personnel assist other Units in the agency through active participation in workgroups and projects, support of other Board missions affected by staffing shortages, and contributions to various priorities identified by the Agency.

INFORMATION TECHNOLOGY UNIT

The New York State Board of Elections relies heavily on technology to support its mission, and the Information Technology (IT) Unit is responsible for providing the most efficient, cost-effective, and secure technology solutions to meet this need.

The IT Unit maintains a highly complex technology infrastructure of systems and networks to facilitate elections within the state, as well as the business operations of the agency. The IT Unit is responsible for all infrastructure management, applications development, systems support, cybersecurity, and end-user support. IT management is also responsible for developing an IT budget and working with various internal and external units to process procurements in accordance with agency and NYS requirements.

As director of the IT Unit, the Chief Information Officer (CIO) participates in strategic planning for the agency and provides recommendations regarding emerging technologies and best-fit solutions to support business functions. Additionally, the CIO is the primary liaison for the Board of Elections to the NYS Office of Information Technology Services.

Computing Environment and Infrastructure

The State Board operates a complex network environment, connecting BOE offices with its primary and backup datacenters, as well as secure connections to local county systems. The IT Unit is responsible for the design, operation, maintenance, and security of this network infrastructure, providing a stable and secure platform for BOE applications. The Board also maintains an Internet-accessible network, hosting the Agency's website and public applications such as Public Reporting, Voter Lookup, and Election Night Reporting.

The IT Unit develops, maintains, and supports several in-house applications, described below, and ensures that all design and coding is performed with attention to best industry standards and practices. All new applications are designed to meet accessibility standards and utilize responsive design to ensure a consistent user experience across multiple device types including desktop computers, tablets, and mobile phones.

Internal applications supported and maintained by the IT Unit include:

- **NYSVoter** - The statewide voter registration database developed and implemented in 2007.
- **NYSBallot** - The statewide electronic ballot transmittal system implemented in 2012 to assist military and civilian voters who live overseas to receive their absentee ballots via email.
- **FIDAS (Financial Disclosure Administration System)** - A database system used by State Board Compliance and Division of Election Law Enforcement (DELE) staff for the management of the financial disclosure reports for committees and candidates for statewide and local office.

- **CAPAS (Candidate Management System)** - A database system used by State Board Operations staff which is used to administer the candidate petition process, as well as create correspondence, ballots, and reports pertaining to elections.
- **National Voter Registration Act Application** - The database applications used by the Voter Registration Unit to manage the registration sites and transactions.
- **Public Reporting** - The public system that logs and tracks the disclosure reports of candidates, ballot access documents including petitions, certificates of nomination, and related documents, and their status.
- **Voter Look Up** - The public-facing poll site search and voter registration lookup.
- **Absentee Ballot Request Portal** - The public-facing portal that voters can utilize to request an absentee ballot online.

CAPAS-FIDAS and EFS Redesign

The new Candidate Management System and Financial Disclosure Administration System (CAPAS-FIDAS) and Electronic Filing System (EFS) was launched on January 25, 2021. This was a multiyear project seeking to enhance the state’s outdated system for tracking candidate and committee filings and ballot access documents. The project included both public-facing and internal agency components, with many new upgrades and features aimed at making information more readily available to the public.

Following the launch of the new system, additional improvements were made after the Board received recommendations from outside groups and entities. Trainings were provided to candidates and treasurers, and additional demonstrations were recorded and made available to the public through the Board’s website. The Board worked with the New York State Open Data platform to ensure that all existing and future data could also be accessed through its website.

Partnership with Center for Technology in Government (CTG)

In 2021, the Board of Elections partnered with the Center for Technology in Government at the University at Albany (CTG UAlbany) to lead a review of management, technology, and legal environments influencing voter registration, in both New York State and across the United States, in order to inform future statewide investments.

CTG UAlbany brought together a multi-sector and interdisciplinary team, consisting of the Government Law Center (GLC) at Albany Law School, International Data Corporation (IDC), and the Nelson A. Rockefeller College of Public Affairs and Policy, to conduct the project.

The team conducted six parallel investigations into:

- Clarifying Voter Registration Designations and Identifying Voter Registration Components and Alternatives
- Examining How Federal and State Laws Shape Voter Registration in NYS
- Understanding Voter Registration Practices Across the US

- Modeling Voter Registration Processes in NYS Counties
- Testing the Security and Resiliency of Voter Registration Alternatives
- Understanding the Security and Resiliency of Voter Registration in NYS Counties

Through the investigations, the team identified 10 findings that provide insights into the technical, legal, policy, and management aspects of voter registration in the United States. The findings included the need to establish a clearer understanding of the factors that influence a state's voter registration approach, such as software, hosting, and where data management practices are carried out. Other findings included insights into how the dynamic vendor community impacts long term sustainability and support.

The multi-sector team also produced two recommendations for the State Board to consider:

1. Build election leaders' awareness and understanding of the emerging technology environment, and
2. Establish and convene a formal state-local elections information technology advisory body to inform a range of investments.

The recommendations are based on the findings from the investigations, as well as insights from the many election experts interviewed in this project. The year ended with the State Board of Elections renewing its partnership with CTG to work on the recommendations in 2022.

Online and Automatic Voter Registration

In 2020, the Governor signed into law statewide Automatic Voter Registration (AVR), beginning with the Department of Motor Vehicles (DMV) and eventually adding additional state agencies, such as the Department of Health and the State University of New York (SUNY). Unfortunately, due to the ongoing pandemic, progress on the technical side of the project was slow, as IT resources needed to be focused on immediate projects, including the creation of an online absentee request portal. The Board was also delayed in implementing Online Voter Registration (OVR), which was signed into law in 2019 and is scheduled to go into effect in 2023.

At the start of 2021, the Board of Elections worked with the Office of General Services to issue a Request for Proposal (RFP) to receive potential bids on the project. During February, three bids were received and evaluated. Unfortunately, the bids were found to be insufficient, as all bidders were seeking to rely on external software. The bid was re-issued in the summer and responses were received in September. A vendor was selected at the close of 2021 and the two projects are currently ongoing.

SECURE ELECTIONS CENTER

In response to reports of possible foreign interference in US elections, the designation of “Elections” as Critical Infrastructure by the US Department of Homeland Security (DHS), and an overall heightened awareness of election security issues, the Board adopted a comprehensive plan to improve the security of elections within the state.

An integral part of this plan was the formation of the Secure Elections Center (SEC) in late 2017. The Center is comprised of dedicated staff from the Information Technology, Election Operations, and Public Information Units, and is led by the newly established Chief Information Security Officer (CISO).

The Center has also established numerous state, local, federal, private, educational, and nonprofit partnerships to facilitate its efforts and promote information exchange. The State Board is also a member of the Multi-State Information Sharing and Analysis Center (MS-ISAC) and the Elections Infrastructure Information Sharing and Analysis Center (EI-ISAC).

Incident Response

The SEC has established an Incident Response procedure for all County Boards of Elections that requires a two-part notification to the NYS Division of Homeland Security and Emergency Services (DHSES) and the State Board, carried out through a toll-free number and email address established for this purpose.

The SEC has worked with several NYS counties on security incidents that have had a direct or indirect effect on County BOE systems or operations. The SEC, working with DHSES Critical Incident Response Team (CIRT), has provided guidance to counties on improving their information security posture and, in some cases, has required improvements to protect state election infrastructure.

Education and Outreach

The State Board has mandated basic Cybersecurity Awareness Training for all State and County Board of Elections staff and made this training available free of charge to counties through a purchase of online end-user training from an industry-standard provider.

In its outreach efforts, the Board has provided presentations to several groups on the SEC’s cybersecurity initiatives and offerings, as well as to share general cyber and election security guidance. These groups include New York State Local Government Information Technology Directors’ Association (NYSLGITDA), New York State Association of Counties (NYSAC), New York State Election Commissioners Association (NYECA), and others.

Intrusion Detection and Managed Security Services

Based on an initial risk survey of New York State County Boards of Elections (CBOE) and the recommendations of Federal and State security partners, the Board initiated several programs to immediately improve the security posture of the CBOEs.

The cornerstone of this effort has been the implementation of Intrusion Detection Services (IDS) for all NYS County Boards of Elections. Devices have been purchased and installed for all CBOEs that currently do not have an IDS capability, which will provide a centralized monitoring and alerting capability directly to the Counties.

The Board has also implemented an optional third-party Managed Security Services (MSS) program, providing log collection and 24 x 7 monitoring and alerting for 34 counties.

Risk Assessments

In 2018, the State Board contracted for a comprehensive, uniform, and verified Risk Assessment of all County Boards of Elections. This on-site assessment is based on the 88 Best Practices as defined in the Center for Internet Security's (CIS's) "A Handbook for Elections Infrastructure Security" and covers both technology and governance. After completion of on-site visits, Assessment Reports were finalized for all counties. In addition to the individual reports, an overall Trends Report was created to inform the "next steps" for the Board's actions in securing the end-to-end of NY State's election infrastructure.

In 2020, the State Board contracted with a separate company to create individualized Risk Mitigation Plans. Working with County Boards of Elections and with County IT staff, these Risk Mitigation Plans were created and approved by the State Board. Grants established to assist CBOEs in implementing these plans, including both short- and long-term security goals, continue to be disbursed.

Cybersecurity Regulation

Committed to a culture of cyber hygiene and building upon the 2020 Emergency Directive, the Secure Elections Center completed a permanent comprehensive cybersecurity regulation. Developed collaboratively with federal, state, and county partners, Part 6220 seeks to raise the bar on cybersecurity for each CBOE among the following domains:

- Data Classification
- Asset Inventory
- Patch Management
- Vulnerability Scanning
- Backup and Restoration of Election Data
- Network Segmentation
- Remote Access
- Logging
- Incident Response
- Continuity of Operations

- Multi-Factor Authentication
- Removable Media
- Security Awareness Training
- Continuous Monitoring and Reporting
- Credential Management and Access
- Email and Web Protection
- Third Party Risk Management

The regulation was approved by the State Board on March 15, 2021, filed with the Department of State, and duly published in the New York State Register. The regulations were posted for public comment, and two comments were received and considered. Minor, non-substantive amendments to the document were completed and the final regulations were adopted by the State Board on July 28, 2021. Counties submitted their initial compliance reports on October 1, 2021.

State Board Security Enhancements

During the past year, the Secure Elections Center has continued to make significant improvements to increase the State Board's overall cybersecurity posture and bolster the security of key election systems and end-to-end infrastructure. These actions include improving asset management, automating vulnerability management, modernizing backup and recovery practices, and centralizing log management and analysis. Various technologies have been utilized to implement multiple layers of firewalls, intrusion detection and prevention systems (IDS/IPS), enhanced malware protection, and numerous levels of internal and third-party monitoring.

Utilizing one of several key strategic partnerships, the NYS Board of Elections engaged the federal Department of Homeland Security (DHS) to conduct a comprehensive Risk and Vulnerability Assessment in 2019 of the State's elections infrastructure. This one-on-one engagement combined national-level threat and vulnerability information with data collected and discovered through the assessment. From this, DHS provided the Board with specific risk analysis reports and strategic remediation recommendations prioritized by risk, which continued to inform security response and enhancements in 2021.

PUBLIC INFORMATION OFFICE

Media and Public Relations

The Public Information Officer serves as the board's spokesperson and is responsible for handling all public and press inquiries. The Public Information Office receives requests from reporters, interested parties, and the general public seeking information on election results, voter registration and enrollment data, petition filings, campaign finance filings, enforcement matters, N.Y. Election Law, implementation of the Help America Vote Act, the National Voter Registration Act, absentee voting, the Military and Overseas Voter Empowerment Act, voting machines, cybersecurity, and board policies related to the coronavirus. The Public Information Officer produced press releases and advisories throughout the year, which provided information on these topics to the state and national press corps and the public.

This information was also made available via the Internet, primarily through the Board's website (www.elections.ny.gov), Twitter (@NYSBOE) and Facebook accounts, and YouTube channel (www.youtube.com/user/NYSBOE), along with a wide range of election-related data of interest to New York State voters all over the world.

Election Night Results Reporting

The State Board of Elections provides unofficial Election results as part of an Election Night Reporting System. In 2021, the State Board reported results for the November 2nd General Election, which included five statewide ballot proposals and the offices of Supreme Court Justice. This election also included Special Elections for Senate District 30 and Assembly District 86. Election night results were available for these offices.

Freedom of Information Law

The Public Information Officer also serves as the Board's Records Access Officer. They are responsible for processing all FOIL requests received by the Agency. In 2021, 1,323 requests were received by the Records Access Officer. Most requests were for data and records from NYSBOE's statewide database of registered voters (NYSVoter). Of the requests received, 1,161 were fulfilled, 42 were denied in accordance with the provisions of Section 87 of the Public Officers Law, and in 120 instances no records were found.

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 are written to comply with the language requirements of the Voting Rights Act. There were five ballot proposals on the 2021 General Election ballot.

New York State Public Campaign Finance Board (PCFB)

Background on the Establishment of the New York State Public Campaign Finance Board

On December 1, 2019, the Campaign Finance Reform Commission established by Part XXX of Chapter 59 of the Laws of 2019 sent recommendations to the Governor and Legislative Leaders outlining the parameters of a public campaign finance system to be created within the New York State Board of Elections. As provided by Chapter 59, the recommendations of the Commission “have the full effect of law” unless “modified or abrogated by statute” on or before December 22, 2019. The Commission’s report and recommendations were not modified or abrogated by statute, and the recommendations became law on January 1, 2020. However, as a result of a March 12, 2020 Supreme Court Decision & Order, the Commission’s recommendations were struck down (*Hurley, et al v. The Public Campaign Financing and Election Commission, et al*, No. E169547/2019).

Subsequently, the Governor proposed the Commission’s recommendations as part ZZZ of the 2021 Budget Bill (S7508B/A9508B), which were ultimately passed by the legislature and signed by the Governor on April 3, 2020 (Chapter 58 of the Laws of 2020). The public campaign financing provisions, including the new Title II Public Financing provisions, are now law.²

The NYS Public Campaign Finance Board did not have a budget appropriation in 2020. The program effective date was set as November 9, 2022.

¹ The Commission adopted the recommendations at a public meeting held on November 25, 2019.

² The legislation provides: “This act shall take effect immediately; provided, however that sections one, two, three and four of this act shall take effect on November 9, 2022 and shall apply to participants in the primary and general elections to be held in 2024; and provided further, that the terms and appointments of the members of the public campaign finance board as established by section four of this act, and the final date for regulations to be promulgated by such board, shall take place in accordance with dates as prescribed in section four of this act.” See Chapter 58 of the Laws of 2020 (Part ZZZ at §12).

The New York State Public Campaign Finance program is overseen by the New York State Public Campaign Finance Board, which is a board within the New York State Board of Elections. The PCFB is comprised of the four existing Commissioners of the State Board and three additional Commissioners dedicated solely to administering the program.

Commissioners:

Ekow Yankah, Chair
Brian Kolb, Vice Chair
Vacant
Anthony Casale
Douglas Kellner
Peter Kosinski
Andrew Spano

Senior Staff:

Cheryl Couser	- Co-Director, appointed May 25, 2021
William J. McCann, Jr.	- Co-Director, appointed May 25, 2021
Robert Eckels	- Deputy Director, appointed May 25, 2021
Katheryn Orsino	- Deputy Director, appointed July 28, 2021
Nicholas Cartagena	- Counsel, appointed May 25, 2021
Logan Smith	- Counsel, appointed July 28, 2021

2021 Meeting Dates:

January 14, 2021
February 10, 201
March 15, 2021
April 22, 2021
May 25, 2021
July 28, 2021
August 30, 2021
October 4, 2021
December 14, 2021

Resolutions Approved by the Board:

21-01 - Personnel
21-02 - Regulation
21-03 - Personnel
21-04 - Regulation
21-05 - Regulation
21-06 - Budget

Following a budgetary appropriation in April 2021, the New York State Board of Elections hired senior staff to administer the Public Campaign Finance program. Twenty-four positions were approved through Civil Service to allocated for program staff. The 24 staff were hired in the following sub-units: audit (intake, investigative, payment), training, candidate liaison, enforcement, and ITU. The staff was tasked with implementing the new public

campaign finance program for the launch date of November 9, 2022.

Upon appointment, the senior staff identified six concurrent program implementation projects:

1. Organizational Structure and Project Management

The PCFB hired NYSTEC to provide project management services for the implementation of the program. The team executed a Statement of Work and hired a project manager and business analyst. Immediate tasks for this team were: analysis of existing software systems, including commercial/off-the-shelf, those used by existing jurisdictions, and what the market must provide for public campaign finance. In addition, they were tasked with managing the development of business rules and high level workflows for software needs.

The PCFB issued a Request for Information (RFI) to obtain input from potential vendors to implement a web-based platform. The PCFB received a total of 29 submissions.

2. Program Regulations

Staff developed and promulgated regulations on the program itself, its enforcement, and debate procedures. The regulations were promulgated on July 1, 2021, and went through the State Administrative Procedure Act to be publicly posted and receive public comment. The Board worked diligently with interested parties for feedback. The Board issued a report on the comments received.

3. Space Planning

PCFB staff worked with the State Board of Elections Co-Executive Directors and the Office of General Services to advocate for space for the new program. The SBOE and PCFB advocated for future program planning to plan for space at one time. It is a priority that the PCFB be provided space within the State Board of Elections floor plan. In 2021, there was not space allocated for the PCFB, and staff were situated in vacant spaces throughout the SBOE.

4. Budget planning

The PCFB worked diligently to prepare a budget request for the 2021/2022 fiscal year that would propose an increase in program staff and an increase in non-personal service to cover anticipated software and buildout needs.

5. Software and comparative research

This project consisted of conducting comparative analyses of preexisting public financing programs, including but not limited to the NYC Campaign Finance Board and programs in the states of CT, MA, MD, NJ, MN, FL, and MI. The project reviewed auditing, payment, regulatory, and best practices implemented by other jurisdictions. It also reviewed existing software utilized by each jurisdiction. The PCFB drafted a report on its findings.

6. Staffing

The Public Campaign Finance Board developed a two-year staff onboarding plan, which would first onboard staff needed for program development, and then incrementally add program staff as program functionality initiated. Initial hirings included auditors to develop audit process and procedure, counsel to develop regulations and enforcement mechanism, and ITU staff to plan for software needs.

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 Board has a "Host Agency" agreement with the Office of General Services for activities related to budgeting, contracts, purchasing, voucher payments, and transactional Human Resource functions.

Fiscal Operations

The State Board of Elections received fiscal year 2021-22 appropriations of \$16,896,000 in the General Fund (State Operations), \$2,000,000 in the General Fund (Aid to Localities – Early Voting), and \$25,000,000 in Capital Projects Funds (TIER Grant Program).

The State Board of Elections was granted the following **re-appropriations** for 2021-22:

State Operations

- \$389,000 by the laws of 2020 for the purchase of software and/or the development of technology related to compliance and enforcement.
- \$38,000 by the laws of 2019 for the purchase of software and/or the development of technology related to compliance and enforcement.
- \$3,929,000 by the laws of 2018 for services and expenses related to campaign finance compliance training and compliance reviews, National Voter Registration Act training and compliance reviews, election technology systems operations, and securing election systems infrastructure and operations from cyber-related threats including, but not limited to, the creation of an election support center, the development of an elections cybersecurity support toolkit, and providing cyber risk vulnerability assessments and support for local Boards of Elections.
- \$21,227,000 by the laws of 2020 to disburse federal grants in support of improvements to the administration of elections, including enhanced election technology and election security improvements.
- \$11,335,000 by the laws of 2018 to disburse federal grants in support of improvements to the administration of elections, including enhanced election technology and election security improvements.
- \$3,150,000 by the laws of 2011 for services and expenses related to the implementation of federal election requirements, including the Help America Vote Act of 2002 and the Military and Overseas Voter Empowerment Act of 2009.
- \$1,068,000 by the laws of 2010 for services and expenses related to the implementation of the Military and Overseas Voter Empowerment Act of 2009.
- \$1,119,000 by the laws of 2009 for HAVA-related expenditures.
- \$919,000 by the laws of 2005 for services and expenses related to the Help America Vote Act of 2002 for services and expenses incurred prior to April 1, 2005.

- \$919,000 by the laws of 2005 for services and expenses related to the Help America Vote Act of 2002 for services and expenses incurred on or after April 1, 2005.
- \$839,000 by the laws of 2018 for expenses including prior year liabilities related to satisfying the matching fund requirements of section 253(b)(5) of the Help America Vote Act of 2002.
- \$646,000 by the laws of 2009 for expenses including prior year liabilities related to satisfying the matching fund requirements of section 253(b)(5) of the Help America Vote Act of 2002.
- \$2,647,000 by the laws of 2017 for the voting machine examinations account.

Aid to Localities

- \$2,777,000 by the laws of 2019 for reimbursement of costs related to the implementation of early voting for eligible expenses.
- \$1,138,000 by the laws of 2006 for services and expenses related to the alteration of poll sites to provide accessibility for disabled voters.
- \$480,000 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 pursuant to the Help America Vote Act of 2002. Such moneys shall be allocated to the local Boards of Elections in proportion to the percentage of the state's registered voters residing in each local Board's jurisdiction on December 31, 2004.
- \$1,500,000 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 pursuant to the Help America Vote Act of 2002. Such moneys shall be allocated to local Boards of Elections in proportion to the percentage of the state's registered voters residing in each local Board's jurisdiction on December 31, 2004.
- \$8,974,000 by the laws of 2008 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 pursuant to the Help America Vote Act of 2002. Such moneys shall be allocated to local Boards of Elections in proportion to the percentage of the state's registered voters residing in each local Board's jurisdiction on December 31, 2004.
- \$591,000 by the laws of 2005 for services and expenses incurred for poll worker training and voter education efforts pursuant to a chapter of the laws of 2005.
- \$4,971,000 by the laws of 2005 for services and expenses related to the purchase of new voting machines and voting systems for use by local boards of elections pursuant to the Help America Vote Act of 2002.

Capital Projects

- \$16,000,000 by the laws of 2020 for services and expenses related to the acquisition and development of technology, including, but not limited to, equipment, software, and services, which will support the implementation of the Voter Enfranchisement Modernization Act of 2019, including costs incurred prior to April 1, 2020. A portion of these funds shall be used, as allowable, to satisfy the state match requirement of the 2020 federal HAVA funding.
- \$2,721,000 by the laws of 2019 for initial technology costs of electronic poll books as authorized in 2019 voter reform legislation. The State Board of Elections shall develop a plan for the distribution of such funds which may include amounts needed for State Board of Elections implementation costs. The remaining funds shall be made available to local Boards of Elections for reimbursement of eligible costs, including, but not limited to, electronic poll books and associated software, on-demand ballot printers, and cybersecurity software required to implement early voting, provided that such reimbursement shall be apportioned based on the number of registered voters in a county. The plan shall include a listing of allowable costs and details of the reimbursement claims process and timeframes, provided that local Boards of Elections' claims shall include such information as necessary to support State financing mechanisms.

DIVISION OF ELECTION LAW ENFORCEMENT

On March 31, 2014, former Governor Andrew Cuomo signed the Public Trust Act into law. The Public Trust Act amended the New York State Election Law to create an interdependent law enforcement unit within the New York State Board of Elections (NYSBOE) known as the Division of Election Law Enforcement (DELE). Pursuant to the new law, former Governor Cuomo chose Risa S. Sugarman as the first Chief Enforcement Counsel (CEC) to head the DELE. The NYS Assembly and Senate unanimously confirmed the choice, and CEC Sugarman took office on September 1, 2014.

In June 2021, after the retirement of Risa S. Sugarman, former Governor Cuomo chose Michael L. Johnson as the second CEC to head the DELE. Again, the NYS Assembly and Senate unanimously confirmed the choice, and Chief Enforcement Counsel Johnson took office on July 16, 2021.

The law confers upon the CEC the power and duty to conduct all investigations necessary to enforce provisions of the NYS Election Law and other statutes governing campaigns, elections, and related procedures. The CEC has sole authority within NYSBOE to investigate alleged violations of such statutes. The CEC also oversees the entire DELE, including all staff activities, with an operating budget of \$1,450,000.

DELE Structure and Staffing

The DELE created a structure for independent enforcement activities. The CEC employs an investigative team of experienced attorneys, investigators, auditors, and support staff. When Chief Enforcement Counsel Johnson first took office in July 2021, the staff of the DELE included two Associate Counsels, a Special Investigator, an Investigative Auditor, and two support staff. By the end of 2021, an additional Investigative Auditor and an Election Enforcement Technical Analyst were hired. Additionally, at the end of 2021, CEC Johnson began the process of hiring another Associate Counsel and a second Special Investigator.

DELE attorneys are experienced in investigation, litigation, and prosecution and defense of criminal and civil matters. Investigative and audit staff have extensive investigatory backgrounds within and outside law enforcement and have been members of state and local police departments and state investigative agencies. A member of the audit staff with internal audit experience and certification is designated as the internal controls officer and is responsible for providing the DELE with financial, record, and performance auditing.

To ensure the DELE is equipped with the latest technological investigative tools and data analytics systems, the CEC hired a full-time Elections Enforcement Technical Analyst in November 2021, who acts as the DELE liaison with the NYSBOE's Information Technology Unit. The analyst assists the DELE in all areas that encompass maintaining and monitoring the unit's technical infrastructure and the acquisition of software and hardware. The Elections Enforcement Technical Analyst has also been charged with the strategic plan for the DELE's

system integrity and continuity in maintaining the security and accessibility of the DELE's software and hardware inventory. Furthermore, the analyst has been assigned the responsibility of the procurement, development, and implementation of a stand-alone/independent DELE website. The DELE trains staff on newly acquired and updated investigative tools and data analytics systems.

Division Complaint Processes

The DELE receives complaints about various elections and campaign finance issues in New York State. Generally speaking, when a complaint is received, the CEC sends a letter acknowledging receipt of the complaint, as long as the complainant is identified. Then, the CEC reviews it to determine whether it will be assigned to an attorney, an investigator, an auditor, or an investigative team, and an initial review of the complaint is undertaken. The nature of the complaint determines the nature and extent of the investigation. The DELE staff may request additional information from the complainant or other sources if necessary.

If the CEC determines that an allegation, if true, would not constitute a violation of the NYS Election Law or that an allegation is not supported by credible evidence, a letter is issued to the complainant dismissing the complaint. In those situations, notice is given to the NYSBOE.

DELE staff, working as a team, investigate the allegations and gather evidence necessary to determine the proper disposition of the case. In some instances, the CEC may request that the NYSBOE delegate its authority to the CEC 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 relevant or material to the investigation. Based on the evidence obtained, the CEC will determine whether the DELE should close the matter, proceed with civil enforcement action, or seek criminal prosecution.

The evidence and the law guide decisions to proceed with civil enforcement actions. The NYS Election Law gives the CEC discretion whether to initiate civil enforcement matters before a hearing officer upon his initiative or based upon a referral from the NYSBOE Compliance Unit. All referrals from the Compliance Unit are reviewed to determine whether they meet the statutory requirements for filing a hearing officer proceeding. The CEC must be able to allege in a written report that substantial reason exists to believe a violation of the NYS Election Law exists. In addition, to avoid dismissal of the proceeding, the DELE must prove that the violation is not *de minimis* and that the subject of the complaint did not make a good-faith effort to correct the current violation, as well as any previous violations by the subject of the complaint.

DELE Email Address (enforcement@elections.ny.gov)

The DELE maintains a dedicated email address – enforcement@elections.ny.gov – to enable citizens to file complaints easily. However, members of the public have utilized the DELE's email address to contact not only the DELE but also NYSBOE. Emails that ask questions involving NYSBOE functions, such as counsel, operations, registration, and elections

calendars, are referred to NYSBOE Executive Directors for disposition. The DELE addresses the remaining complaints.

DELE Operational Activities

Since the appointment of CEC Johnson in July 2021, the DELE has focused on several projects to assist the unit in more effectively completing its mission and streamlining its processes. These projects focus on developing a new case management system, moving staff to an updated, larger, secure work location, and developing a new website for DELE.

Since his arrival, CEC Johnson has been fastidiously reviewing and clearing inquiries from the DELE's outdated case management system. This has occurred simultaneously while DELE staff members have been exploring options for a new, modern case management system. Currently, the DELE is in the process of developing an updated case management system and new procedures.

From its inception, the DELE has been located in a small, separate section on the same floor as the NYSBOE. While the space is secure and accessible only by DELE employees, the office area provides little storage space for files and does not have the benefit of a conference room. In the fall of 2021, the CEC proceeded with the long-awaited plan to move the DELE to the 10th floor in a more prominent secure location. The location on the 10th floor will provide a storage room to house the mailing equipment used by DELE staff to send out the non-filer notices by certified mail, as required by statute. It will also provide added file storage space, a conference room, and a modest employee breakroom.

In an effort to be transparent and provide the public with information and detail about the DELE and its activities, CEC Johnson and his staff made significant strides in developing a website, and plan to have a site available to the public by the 2022 General Election.

Common Complaints from the Public

Complaints are continuously received and reviewed by DELE. These complaints are received by email, regular mail, and telephone. All complaints received by the DELE are confidential. The DELE holds the identities of complainants and the existence of particular investigations in the strictest confidence. Complaints DELE receives are sometimes unique, but often fall into familiar and repeating categories. A few of these categories include:

- *Failure to File:* These are complaints typically received within days of filing deadlines which point to the failures of particular candidates or committees to file required campaign financial disclosure statements in a timely manner. Although some of these complaints expose serial non-filers whose continual nonfeasance may require further legal action by the DELE, most complaints point out isolated incidents of a particular candidate or committee missing a filing deadline. Typically, these issues are resolved when the candidate or committee files the required report before DELE takes action.

- *Campaigning or Election Day Conduct*: Complaints received by the DELE about elections include allegations that candidates have used false or misleading information on their campaign materials, electioneered at polling places on Election Days, or improperly expended committee or candidate campaign monies. These complaints are assigned to DELE staff for investigation.

DELE Statistics

NYS Election Law clearly states that the CEC is the only individual with authority to open an investigation into an alleged election law violation. Because there was no CEC appointed to the position from January 1 through July 15, 2021, when CEC Johnson took over the position on July 16, 2021, there was a backlog of complaints the DELE had received. After his appointment, CEC Johnson's first order of business was to review those complaints and determine if any warranted investigation.

Between July 16, 2021 and December 31, 2021, the DELE received 339 email questions and/or complaints. Of those, 100 were complaints, with which the CEC conducted the initial review process described above. During this time period, the CEC formally opened 106 cases for investigation, of which 62 were resolved by the end of 2021.

During that same timeframe, DELE settlement agreements resulted in the collection of \$15,466. The DELE also collected \$21,640 in judgments that had been obtained before CEC Johnson was appointed to his current position.

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

NYSVoter Enrollment by County, Party Affiliation and Status
Voters Registered as of November 01, 2021

REGION	COUNTY	STATUS	DEM	REP	CON	WOR	OTH	BLANK	TOTAL
Outside NYC	Albany	Active	99,177	35,211	3,406	869	8,619	48,493	195,775
Outside NYC	Albany	Inactive	7,724	2,604	234	83	941	4,224	15,810
Outside NYC	Albany	Total	106,901	37,815	3,640	952	9,560	52,717	211,585
Outside NYC	Allegany	Active	5,623	13,349	469	130	1,291	5,481	26,343
Outside NYC	Allegany	Inactive	232	389	19	5	76	278	999
Outside NYC	Allegany	Total	5,855	13,738	488	135	1,367	5,759	27,342
Outside NYC	Broome	Active	43,485	41,521	1,664	599	6,641	26,230	120,140
Outside NYC	Broome	Inactive	6,578	4,272	171	154	1,049	4,318	16,542
Outside NYC	Broome	Total	50,063	45,793	1,835	753	7,690	30,548	136,682
Outside NYC	Cattaraugus	Active	13,420	19,097	1,146	221	2,412	10,332	46,628
Outside NYC	Cattaraugus	Inactive	650	871	56	15	128	687	2,407
Outside NYC	Cattaraugus	Total	14,070	19,968	1,202	236	2,540	11,019	49,035
Outside NYC	Cayuga	Active	15,017	17,523	1,379	285	2,092	11,479	47,775
Outside NYC	Cayuga	Inactive	597	689	46	16	176	635	2,159
Outside NYC	Cayuga	Total	15,614	18,212	1,425	301	2,268	12,114	49,934
Outside NYC	Chautauqua	Active	24,363	27,519	2,021	463	4,564	19,976	78,906
Outside NYC	Chautauqua	Inactive	1,263	1,176	97	32	359	1,315	4,242

Outside NYC	Chautauqua	Total	25,626	28,695	2,118	495	4,923	21,291	83,148
Outside NYC	Chemung	Active	15,175	20,938	871	229	2,989	11,519	51,721
Outside NYC	Chemung	Inactive	1,172	1,122	46	23	287	937	3,587
Outside NYC	Chemung	Total	16,347	22,060	917	252	3,276	12,456	55,308
Outside NYC	Chenango	Active	7,209	13,273	530	147	1,696	7,061	29,916
Outside NYC	Chenango	Inactive	289	384	23	6	103	336	1,141
Outside NYC	Chenango	Total	7,498	13,657	553	153	1,799	7,397	31,057
Outside NYC	Clinton	Active	17,402	15,029	534	244	3,154	11,984	48,347
Outside NYC	Clinton	Inactive	978	694	23	10	216	830	2,751
Outside NYC	Clinton	Total	18,380	15,723	557	254	3,370	12,814	51,098
Outside NYC	Columbia	Active	19,033	12,803	1,089	259	2,586	12,355	48,125
Outside NYC	Columbia	Inactive	476	227	20	3	47	189	962
Outside NYC	Columbia	Total	19,509	13,030	1,109	262	2,633	12,544	49,087
Outside NYC	Cortland	Active	8,866	10,202	468	120	1,614	6,942	28,212
Outside NYC	Cortland	Inactive	643	601	31	12	114	742	2,143
Outside NYC	Cortland	Total	9,509	10,803	499	132	1,728	7,684	30,355
Outside NYC	Delaware	Active	8,449	12,350	522	119	1,636	6,433	29,509
Outside NYC	Delaware	Inactive	272	417	21	3	79	295	1,087
Outside NYC	Delaware	Total	8,721	12,767	543	122	1,715	6,728	30,596
Outside NYC	Dutchess	Active	72,945	53,920	3,776	845	10,874	54,092	196,452

Outside NYC	Dutchess	Inactive	5,367	2,906	207	57	761	3,497	12,795
Outside NYC	Dutchess	Total	78,312	56,826	3,983	902	11,635	57,589	209,247
Outside NYC	Erie	Active	291,344	156,040	15,173	3,383	23,633	129,341	618,914
Outside NYC	Erie	Inactive	14,659	6,398	482	165	1,704	8,004	31,412
Outside NYC	Erie	Total	306,003	162,438	15,655	3,548	25,337	137,345	650,326
Outside NYC	Essex	Active	7,557	10,521	257	82	1,552	5,180	25,149
Outside NYC	Essex	Inactive	615	743	21	8	171	524	2,082
Outside NYC	Essex	Total	8,172	11,264	278	90	1,723	5,704	27,231
Outside NYC	Franklin	Active	9,898	9,010	359	99	1,530	5,727	26,623
Outside NYC	Franklin	Inactive	439	355	12	5	109	325	1,245
Outside NYC	Franklin	Total	10,337	9,365	371	104	1,639	6,052	27,868
Outside NYC	Fulton	Active	7,415	16,044	652	151	1,726	7,029	33,017
Outside NYC	Fulton	Inactive	390	598	29	12	124	461	1,614
Outside NYC	Fulton	Total	7,805	16,642	681	163	1,850	7,490	34,631
Outside NYC	Genesee	Active	8,705	16,677	1,015	161	1,961	8,965	37,484
Outside NYC	Genesee	Inactive	532	774	43	15	168	662	2,194
Outside NYC	Genesee	Total	9,237	17,451	1,058	176	2,129	9,627	39,678
Outside NYC	Greene	Active	8,875	12,209	827	140	1,852	8,432	32,335
Outside NYC	Greene	Inactive	581	646	40	5	155	569	1,996
Outside NYC	Greene	Total	9,456	12,855	867	145	2,007	9,001	34,331

Outside NYC	Hamilton	Active	901	2,474	65	5	168	674	4,287
Outside NYC	Hamilton	Inactive	54	180	9	0	33	61	337
Outside NYC	Hamilton	Total	955	2,654	74	5	201	735	4,624
Outside NYC	Herkimer	Active	9,559	18,764	719	115	2,626	7,621	39,404
Outside NYC	Herkimer	Inactive	844	1,169	50	19	279	821	3,182
Outside NYC	Herkimer	Total	10,403	19,933	769	134	2,905	8,442	42,586
Outside NYC	Jefferson	Active	16,062	24,912	1,001	216	2,775	14,549	59,515
Outside NYC	Jefferson	Inactive	1,177	1,303	54	16	278	1,691	4,519
Outside NYC	Jefferson	Total	17,239	26,215	1,055	232	3,053	16,240	64,034
Outside NYC	Lewis	Active	3,825	9,023	312	33	828	3,238	17,259
Outside NYC	Lewis	Inactive	379	669	29	5	132	394	1,608
Outside NYC	Lewis	Total	4,204	9,692	341	38	960	3,632	18,867
Outside NYC	Livingston	Active	10,247	17,153	919	121	1,979	9,122	39,541
Outside NYC	Livingston	Inactive	481	531	32	5	116	519	1,684
Outside NYC	Livingston	Total	10,728	17,684	951	126	2,095	9,641	41,225
Outside NYC	Madison	Active	11,829	16,671	893	197	2,809	10,817	43,216
Outside NYC	Madison	Inactive	608	550	26	11	118	560	1,873
Outside NYC	Madison	Total	12,437	17,221	919	208	2,927	11,377	45,089
Outside NYC	Monroe	Active	205,037	125,802	8,098	1,753	21,361	122,538	484,589
Outside NYC	Monroe	Inactive	11,252	5,907	379	108	1,219	6,803	25,668

Outside NYC	Monroe	Total	216,289	131,709	8,477	1,861	22,580	129,341	510,257
Outside NYC	Montgomery	Active	8,969	10,260	727	112	1,624	7,225	28,917
Outside NYC	Montgomery	Inactive	437	387	41	9	106	403	1,383
Outside NYC	Montgomery	Total	9,406	10,647	768	121	1,730	7,628	30,300
Outside NYC	Nassau	Active	388,039	297,315	9,621	2,082	31,826	251,094	979,977
Outside NYC	Nassau	Inactive	28,360	21,020	660	190	2,648	17,872	70,750
Outside NYC	Nassau	Total	416,399	318,335	10,281	2,272	34,474	268,966	1,050,727
Outside NYC	Niagara	Active	50,961	46,889	3,688	1,338	7,228	28,357	138,461
Outside NYC	Niagara	Inactive	2,289	1,692	129	69	388	1,620	6,187
Outside NYC	Niagara	Total	53,250	48,581	3,817	1,407	7,616	29,977	144,648
Outside NYC	Oneida	Active	43,286	50,622	2,140	497	8,263	28,842	133,650
Outside NYC	Oneida	Inactive	2,631	1,894	96	43	478	1,837	6,979
Outside NYC	Oneida	Total	45,917	52,516	2,236	540	8,741	30,679	140,629
Outside NYC	Onondaga	Active	116,614	82,773	5,016	1,198	15,069	82,717	303,387
Outside NYC	Onondaga	Inactive	8,192	4,207	242	99	1,134	5,489	19,363
Outside NYC	Onondaga	Total	124,806	86,980	5,258	1,297	16,203	88,206	322,750
Outside NYC	Ontario	Active	23,190	28,295	1,537	227	4,068	19,886	77,203
Outside NYC	Ontario	Inactive	1,030	1,060	54	16	234	883	3,277
Outside NYC	Ontario	Total	24,220	29,355	1,591	243	4,302	20,769	80,480
Outside NYC	Orange	Active	91,443	72,171	4,622	1,108	12,460	60,001	241,805

Outside NYC	Orange	Inactive	5,073	3,970	236	54	822	3,694	13,849
Outside NYC	Orange	Total	96,516	76,141	4,858	1,162	13,282	63,695	255,654
Outside NYC	Orleans	Active	5,313	11,660	622	129	1,067	5,624	24,415
Outside NYC	Orleans	Inactive	121	211	15	5	58	140	550
Outside NYC	Orleans	Total	5,434	11,871	637	134	1,125	5,764	24,965
Outside NYC	Oswego	Active	17,562	33,897	1,780	322	3,615	17,286	74,462
Outside NYC	Oswego	Inactive	597	914	60	15	167	662	2,415
Outside NYC	Oswego	Total	18,159	34,811	1,840	337	3,782	17,948	76,877
Outside NYC	Otsego	Active	11,123	13,523	545	130	2,089	8,102	35,512
Outside NYC	Otsego	Inactive	667	555	25	6	160	542	1,955
Outside NYC	Otsego	Total	11,790	14,078	570	136	2,249	8,644	37,467
Outside NYC	Putnam	Active	21,990	23,272	1,775	201	3,713	18,758	69,709
Outside NYC	Putnam	Inactive	1,278	1,247	91	7	233	1,028	3,884
Outside NYC	Putnam	Total	23,268	24,519	1,866	208	3,946	19,786	73,593
Outside NYC	Rensselaer	Active	32,995	25,433	4,497	2,137	7,074	31,782	103,918
Outside NYC	Rensselaer	Inactive	1,635	747	83	53	303	1,227	4,048
Outside NYC	Rensselaer	Total	34,630	26,180	4,580	2,190	7,377	33,009	107,966
Outside NYC	Rockland	Active	94,789	47,536	4,705	823	7,415	49,565	204,833
Outside NYC	Rockland	Inactive	4,959	2,695	177	44	565	2,992	11,432
Outside NYC	Rockland	Total	99,748	50,231	4,882	867	7,980	52,557	216,265

Outside NYC	Saratoga	Active	50,389	61,829	2,850	557	9,060	45,071	169,756
Outside NYC	Saratoga	Inactive	2,105	2,302	88	26	477	1,973	6,971
Outside NYC	Saratoga	Total	52,494	64,131	2,938	583	9,537	47,044	176,727
Outside NYC	Schenectady	Active	39,989	23,336	3,271	770	4,684	26,986	99,036
Outside NYC	Schenectady	Inactive	2,125	1,067	109	56	343	1,736	5,436
Outside NYC	Schenectady	Total	42,114	24,403	3,380	826	5,027	28,722	104,472
Outside NYC	Schoharie	Active	5,027	7,939	557	90	1,302	4,983	19,898
Outside NYC	Schoharie	Inactive	408	437	39	11	128	420	1,443
Outside NYC	Schoharie	Total	5,435	8,376	596	101	1,430	5,403	21,341
Outside NYC	Schuyler	Active	3,401	5,194	242	59	736	2,821	12,453
Outside NYC	Schuyler	Inactive	190	190	10	4	36	149	579
Outside NYC	Schuyler	Total	3,591	5,384	252	63	772	2,970	13,032
Outside NYC	Seneca	Active	6,219	7,982	442	113	1,110	4,717	20,583
Outside NYC	Seneca	Inactive	159	182	14	6	40	199	600
Outside NYC	Seneca	Total	6,378	8,164	456	119	1,150	4,916	21,183
Outside NYC	St. Lawrence	Active	21,000	21,521	999	256	3,655	13,615	61,046
Outside NYC	St. Lawrence	Inactive	1,040	857	51	13	179	827	2,967
Outside NYC	St. Lawrence	Total	22,040	22,378	1,050	269	3,834	14,442	64,013
Outside NYC	Steuben	Active	14,369	29,659	1,060	234	2,721	12,314	60,357
Outside NYC	Steuben	Inactive	761	1,076	44	12	186	687	2,766

Outside NYC	Steuben	Total	15,130	30,735	1,104	246	2,907	13,001	63,123
Outside NYC	Suffolk	Active	357,130	317,938	20,677	3,905	45,085	290,673	1,035,408
Outside NYC	Suffolk	Inactive	16,993	14,791	995	193	2,460	13,847	49,279
Outside NYC	Suffolk	Total	374,123	332,729	21,672	4,098	47,545	304,520	1,084,687
Outside NYC	Sullivan	Active	17,322	15,093	1,157	234	2,100	12,314	48,220
Outside NYC	Sullivan	Inactive	1,960	1,243	81	36	272	1,349	4,941
Outside NYC	Sullivan	Total	19,282	16,336	1,238	270	2,372	13,663	53,161
Outside NYC	Tioga	Active	8,272	14,338	507	103	1,826	7,155	32,201
Outside NYC	Tioga	Inactive	413	660	15	8	125	462	1,683
Outside NYC	Tioga	Total	8,685	14,998	522	111	1,951	7,617	33,884
Outside NYC	Tompkins	Active	31,398	10,595	397	247	2,349	12,204	57,190
Outside NYC	Tompkins	Inactive	3,048	766	19	18	239	1,360	5,450
Outside NYC	Tompkins	Total	34,446	11,361	416	265	2,588	13,564	62,640
Outside NYC	Ulster	Active	51,782	28,440	2,492	650	5,801	35,181	124,346
Outside NYC	Ulster	Inactive	3,180	1,634	118	59	537	2,210	7,738
Outside NYC	Ulster	Total	54,962	30,074	2,610	709	6,338	37,391	132,084
Outside NYC	Warren	Active	12,573	19,220	747	142	2,667	10,482	45,831
Outside NYC	Warren	Inactive	615	802	28	8	206	590	2,249
Outside NYC	Warren	Total	13,188	20,022	775	150	2,873	11,072	48,080
Outside NYC	Washington	Active	9,383	15,498	706	161	2,225	9,395	37,368

Outside NYC	Washington	Inactive	419	505	28	9	124	429	1,514
Outside NYC	Washington	Total	9,802	16,003	734	170	2,349	9,824	38,882
Outside NYC	Wayne	Active	14,183	23,879	1,649	275	2,838	15,661	58,485
Outside NYC	Wayne	Inactive	428	470	40	6	115	537	1,596
Outside NYC	Wayne	Total	14,611	24,349	1,689	281	2,953	16,198	60,081
Outside NYC	Westchester	Active	313,511	123,076	7,393	1,463	22,064	155,320	622,827
Outside NYC	Westchester	Inactive	15,875	6,745	328	75	1,335	8,406	32,764
Outside NYC	Westchester	Total	329,386	129,821	7,721	1,538	23,399	163,726	655,591
Outside NYC	Wyoming	Active	5,087	11,935	628	95	1,033	5,919	24,697
Outside NYC	Wyoming	Inactive	366	629	40	7	133	538	1,713
Outside NYC	Wyoming	Total	5,453	12,564	668	102	1,166	6,457	26,410
Outside NYC	Yates	Active	3,340	6,430	244	55	741	3,018	13,828
Outside NYC	Yates	Inactive	151	204	8	1	43	147	554
Outside NYC	Yates	Total	3,491	6,634	252	56	784	3,165	14,382
Outside NYC Grand Total		Active	2,812,067	2,215,583	135,458	30,699	332,476	1,842,678	7,368,961
Outside NYC Grand Total		Inactive	165,757	111,334	6,164	1,951	23,216	113,932	422,354
Outside NYC Grand Total		Total	2,977,824	2,326,917	141,622	32,650	355,692	1,956,610	7,791,315

Within NYC	Bronx	Active	574,062	44,532	3,026	2,958	14,869	129,212	768,659
Within NYC	Bronx	Inactive	77,503	6,894	484	542	2,555	17,272	105,250
Within NYC	Bronx	Total	651,565	51,426	3,510	3,500	17,424	146,484	873,909
Within NYC	Kings	Active	1,100,217	133,193	4,548	5,491	28,895	279,236	1,551,580
Within NYC	Kings	Inactive	131,281	15,223	604	863	5,611	37,014	190,596
Within NYC	Kings	Total	1,231,498	148,416	5,152	6,354	34,506	316,250	1,742,176
Within NYC	New York	Active	751,029	78,774	1,835	2,185	23,988	193,181	1,050,992
Within NYC	New York	Inactive	126,548	27,226	449	404	8,587	48,031	211,245
Within NYC	New York	Total	877,577	106,000	2,284	2,589	32,575	241,212	1,262,237
Within NYC	Queens	Active	804,939	137,764	5,419	3,532	27,727	280,452	1,259,833
Within NYC	Queens	Inactive	69,485	12,275	536	378	3,340	24,028	110,042
Within NYC	Queens	Total	874,424	150,039	5,955	3,910	31,067	304,480	1,369,875
Within NYC	Richmond	Active	131,246	99,198	4,388	1,056	10,055	72,379	318,322
Within NYC	Richmond	Inactive	14,068	9,401	514	151	1,295	6,935	32,364
Within NYC	Richmond	Total	145,314	108,599	4,902	1,207	11,350	79,314	350,686
Within NYC Total		Active	3,361,493	493,461	19,216	15,222	105,534	954,460	4,949,386
Within NYC Total		Inactive	418,885	71,019	2,587	2,338	21,388	133,280	649,497
Within NYC Total		Total	3,780,378	564,480	21,803	17,560	126,922	1,087,740	5,598,883
Statewide Total		Active	6,173,560	2,709,044	154,674	45,921	438,010	2,797,138	12,318,347
Statewide Total		Inactive	584,642	182,353	8,751	4,289	44,604	247,212	1,071,851

Statewide
Total

Total	6,758,202	2,891,397	163,425	50,210	482,614	3,044,350	13,390,198
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