



New York State Board of Elections Annual Report 2016



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State of New York
STATE BOARD OF ELECTIONS

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

We are pleased to submit to you the New York State Board of Elections' 2016 Annual Report. This report provides a comprehensive review of Board programs and accomplishments during the calendar year 2016.

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

2016 was an extremely busy election year for New York State. For the first time in more than a generation, the presidential nominees for the two major parties were not determined before the New York Presidential Primary held on April 19th. In addition, both major candidates were from New York State. The Congressional Primary was held on June 28th involving 21 separate party primaries in 16 districts. There was a special election for the 11th Congressional District, two special elections in the State Legislature, five elections to fill vacancies in the State Legislature, and elections for State Supreme Court in 11 of the state's 13 Judicial Districts, but no statewide ballot propositions. There were also many local, county, town and municipal primaries and general elections well.

For the General Election, the State Board assisted 48 International Observers from 15 countries, including the Parliaments of Bulgaria, Croatia, France, Ireland, Italy, Poland and Denmark. We hosted Observers from the Organization for Cooperation and Security in Europe / Office of Democratic Institutions and Human Rights representing Armenia, Germany, Denmark, Italy, Romania, Spain, Switzerland and the United Kingdom. Additionally, the State Board hosted an Observer from the Organization for Cooperation and Security in Europe / Organization of American States representing Venezuela. Lastly, the day after the State & Local Primary, we hosted a delegation of elected and party officials from Israel to discuss voting in New York State.

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

Respectfully submitted,

Douglas A. Kellner
Co-Chair, Commissioner

Andrew J. Spano
Commissioner

Peter S. Kosinski
Co-Chair, Commissioner

Gregory P. Peterson
Commissioner



2016 Members of the State Board. L to R, Co-Executive Director Robert A. Brehm, Commissioner Andrew J. Spano, Commissioner and Co-Chair Douglas A. Kellner, Commissioner and Co-Chair Peter S. Kosinski, Commissioner Gregory P. Peterson, Co-Executive Director Todd D. Valentine.

Mission Statement

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



PERSONNEL DIRECTORY

Commissioners

Douglas A. Kellner
Co-Chair

Peter S. Kosinski
Co-Chair

Andrew J. Spano
Commissioner

Gregory P. Peterson
Commissioner

Robert A. Brehm
Co-Executive Director

Donna Mullahey
Secretary

Todd D. Valentine
Co-Executive Director

Maryellen Reda
Secretary

Office of the Counsel

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Brian Quail, *Co-Counsel*

Election Operations & Services

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Brendan Lovullo, *Dep. Dir. of Election Operations*

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

Information Technology

William Cross, *Chief Information Officer*
William Ryan, *Information Security Officer*

Administrative Office

Thomas Jarose, *Administrative Officer*
Jennifer Blanch, *Administrative Assistant*

Compliance

Cheryl Couser, *Compliance Specialist*
Robert Eckels, *Compliance Specialist*

Agency-Based Voter Registration

Gregory Fiozzo, *Coordinator of NVRA Operations*
Patrick Campion, *Coordinator of Special Projects*

Division of Election Law Enforcement

Risa S. Sugarman, *Chief Enforcement Counsel*

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Kim Galvin and Brian Quail argue a presidential ballot access case in Supreme Court.

COUNSEL'S OFFICE

The four attorneys in this unit 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 unit 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.



Deputy Counsel William McCann argues a case in N.Y. Supreme Court

Litigation

2016 was a very busy year for litigation in both state and federal courts. The Counsel's Office managed more than 45 ballot access lawsuits and an additional 13 lawsuits concerning a variety of Election Law and tangential party issues. The Counsel's Office directly participated in many of these matters and also acted as the primary liaison between the Board and the Attorney General's Office when that office defended the agency. Of all the cases that the State Board participated in, the most significant of those were:

Davis v. New York State Board of Elections (U.S. District Court, NY Southern District 1:16-cv-01750). This action challenges the manner in which delegates to a State Constitutional Convention would be elected, specifically challenging the requirements of New York law requiring independent body labels on the ballot. The trial Court dismissed this matter for lack of subject matter jurisdiction. The case is on appeal.

Eason v. New York State Board of Elections and NYSDMV (U.S. District Court, NY Southern District 1:16-cv-0492)-. This action claims NYSBOE and DMV are in violation of Section 504 of the Rehabilitation Act and as a result visually impaired persons are unable to effectively use the voter registration portions of the agency web-sites. This matter is currently in the discovery phase and depositions have started.

Brennan Center for Justice v. New York State Board of Elections (Supreme Court, Albany County). In this matter, Petitioners, comprised of both a not-for-profit, non-partisan public policy and law institute and several former, current and potential candidates who are New York residents representing multiple party lines, commenced a hybrid CPLR Article 78 proceeding/declaratory judgment action to challenge the Commissioners decision regarding the status of LLC's with regard to contribution limits. Ultimately, the court did not disturb the Board's position dating to 1996 (Formal Opinion 1996-01) on LLC's and campaign finance limits. This case is very similar the Brennan Center case of 2015. In February, the Court upheld the Board's retention of the 1996 LLC opinion, owing to a tie vote, on various grounds. These cases are on appeal

Silberberg et al. v. State Board of Elections (U.S. District Court, NY Southern District 1:16-cv-08336). Plaintiffs sought to enjoin the enforcement of Election Law § 17-130 which prohibits a person from showing to another a "ballot after it is prepared for voting[.]" A request for a preliminary injunction was rejected by the Court because it was sought so close to the election (thirteen days before) and the Court found the plaintiffs failed to show a likelihood of success on the merits. The court has not made a final determination on the merits.

Moody v New York State Board of Elections (Supreme Court, New York County). This action challenged the constitutionality of New York's closed primary system. In 2016, the court denied all preliminary injunctive relief. The case is on appeal.

Merced v. New York State Board of Elections (U.S. District Court, NY Eastern District 1:16-cv-03054). This action challenges section 6-140(10)(b) of the Election Law which requires witnesses of Independent Nominating Petitions to be duly qualified voters resident in the State. This matter is currently in the discovery phase.

Sloan v. Shulkin (U.S. District Court, NY Southern District 1:16-cv-01185). Plaintiff alleges the composition of the New York State Board of Elections violates the Equal Protection Clause "one person, one vote" principle. The U.S. Federal District Court, Southern District, dismissed the case primarily on 11th Amendment grounds and res judicata. The court also found that New York's Election Law Article 16 proceedings afford adequate post deprivation remedies to

satisfy due process and the New York State Board of Elections' structure does not violate "one person, one vote" principles. The matter is on appeal.

McGrath v New Yorkers Together (Supreme Court, Nassau County). The Court dismissed a proceeding alleging a violation of Election Law 14-107(a), regarding an alleged illegal contribution by an independent expenditure committee. The court examined whether "the enforcement of the new provisions can be sought by an adversary candidate or by other private party" or whether the state alone could enforce. The court held there was no private right of action. No appeal was taken. Two similar cases in 2016 were dismissed on procedural grounds without reaching the merits.

Merrell v Sliwa (Supreme Court, Albany County). This case involved the quorum requirements of a newly organized party under the interim rules of the party. The Reform Party interim rules required attendance at the organizational meeting reach two-thirds of the committee. Petitioners assert this required attendance by two-thirds of the total committee membership which could have been elected (positions available), as opposed to two-thirds of those actually elected. The court dismissed on procedural grounds but opined that it would have found the committee lawfully constituted because the interim rules did not require a minimum number of committee members actually be elected. The matter is on appeal.

Regulations

The unit drafted and the Board adopted amended regulations:

1. Amendments to Part 6200.10 (Independent Expenditures). These amendments provided for implementation of new laws related to independent expenditure reporting. The Board adopted independent expenditure rules on May 2, 2016. Following further changes by the legislature, the Board made an emergency adoption of rules on September 15, 2016 and a further emergency adoption on December 8, 2016.
2. Amendments to Part 6210.2 (Testing of Voting Equipment). These regulations provided for routine testing of voting equipment that would not be used in an election at least once each year. Pre-election testing of all voting equipment to be used in the election is required (July 12, 2016).

Board Opinions

The Office of Counsel is responsible for preparing responses to requests for formal opinions from the New York State Board of Elections (NYSBOE). These formal opinions serve to further clarify certain sections of the Election Law. The Board issued two formal opinions for 2016.

Opinion 1 of 2016 found, owing to recent court holdings: (1) that the \$150,000 individual aggregate contribution limit provided by Election Law 14-114 (8) is unenforceable, and (2) the \$5,000 corporate limit as relates to contributions from a corporation to an independent expenditure committee, is not enforceable.

Opinion 2 of 2016 found, for purposes of Election Law 14-107 (1) (d) (v), that a candidate website was, based on the facts outlined in the opinion, a “publicly available source”.

Guidance to Boards of Elections on FOIL Requests. The Board adopted guidance to county boards of elections on processing FOIL requests for voter registration related materials, including documents containing voter signatures.

You may obtain copies of individual opinions or a complete set of opinions by visiting the Board’s website (www.elections.ny.gov).



Staff testified before New York State Assembly Standing Committee on Election Law, November 18, 2016.

Legislative Activities

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

The following is a brief summary of legislation proposed by the Board which was enacted or passed by at least one house of the legislature in 2016:

1. Chapter 42, A.4186/S.2580 (SBOE 16-01) - Addresses filing requirements related to the 13th Judicial District, comprised of Richmond County.
2. Chapter 43, A.7597-A/S.6979 (SBOE 16-06) - Repeals the provision of the Election Law which would allow increased costs charged for accessible poll sites. All sites must be accessible.
3. Chapter 44, A.7817/S.6818 (SBOE 16-16) - Removes outdated postal language from the requirement regarding annual mail notifications that must be sent to the voters.
4. Chapter 139, A.10105/S.7090 (SBOE 16-10) - Allows political committees to file electronic copies of their campaign political communications.
5. Chapter 102, A.3330/S.1384 (SBOE 16-04) - Clarifies that absentee ballots should NOT be counted at the poll sites on Election Day.
6. Chapter 485, A.9919/S.6833 (SBOE 16-14) - Permits the use of special ballots by emergency responders when responding to emergency situations.

Another five proposals passed one house:

1. Passed Assembly. A.3218/S.4767 - Removes the requirement to put the party emblem in the candidate square allowing more flexibility in ballot design.
2. Passed Assembly. A.7544/S.4767 - Eliminates the petition requirement for LIPA trustee.
3. Passed Assembly. A.5236/S.7509 - Eliminates the need to publish candidate residence address in certain advertisements.
4. Passed Assembly. A.4189/S.7072 - Allows the increase of Election Districts up to 2,000 voters. On Senate Calendar # 734.
5. Passed Assembly. A.9558-A/S.6886-A - Provides for mandatory training for treasurers of political committees.



Board of Commissioners meeting

COMPLIANCE UNIT

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

The Intake and Processing sub unit is primarily responsible for registrations and terminations of committees, receiving and processing campaign financial disclosure reports, and for operating the call center, where inquiries about the Election Law and filing mandates are handled. At the end of 2016, there were 16,343 active filers with the Board. A total of 22,562 itemized financial disclosure statements were received by the Board in 2016. All filings are available for public viewing on the Board's website.

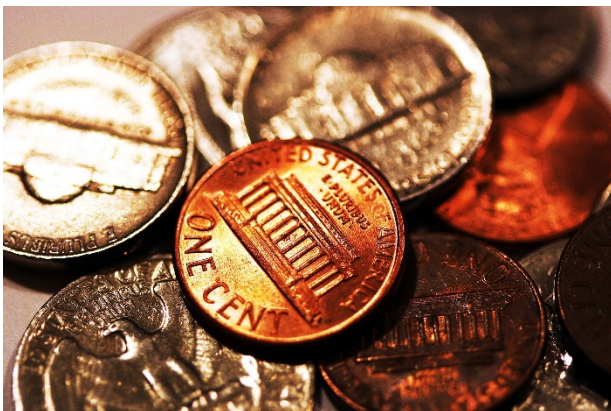
The number of active filers with the Board continues to increase, as is indicated below:

	2010	2011	2012	2013	2014	2015	2016
State Filers	2,549	2,212	2,695	2,244	2,365	3,017	2,996
County Filers	8,458	10,198	9,990	11,817	13,534	13,270	13,347
TOTAL	11,007	12,319	12,595	14,061	15,899	16,287	16,343

Filers include both committees, and candidates without a committee who are making their own filings. In 2016, **1,746** new committees registered with the Board. With each new registration, the Compliance Unit sent a confirmation to the treasurer, providing the committee identification number, a personal identification number that acts as an electronic signature when making filings, and other information relating to filing requirements and obligations. There were 1,347 committee/candidate terminations processed in 2016.

Other duties of this subunit which they accomplished in 2016 include:

- Creation and publication of the campaign financial disclosure filing calendar.
- Calculation of the contribution limits as set forth in Election Law Article 14.
- Providing the public, as well as all filers with the State Board or County Boards of Elections, with information regarding campaign finance Staff also assisted people who visited our public view area.



The Education Outreach and Training sub-unit is staffed by 3 people. The primary area of responsibility is the preparation and dissemination of information and materials relative to the financial disclosure mandates of Article 14 of the New York State Election Law. In 2016, this sub-unit accomplished the annual revision of the Campaign Finance Handbook; revised campaign finance forms, and introduced campaign finance forms that can be filled out electronically at the Board's website

before they are printed, executed, and submitted to the Board; and created the annual Filer Update for distribution to all filers.

Overall in 2016, staff conducted **21** seminars and 6 webinars throughout the State to provide information as to the requirements of campaign financial disclosure and applicable Election Law provisions. Current training topics include: the traditional training campaign finance seminars focused on registration, Compliance specialized trainings, 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 addition, two specialized seminars for political clubs were conducted in Manhattan and Nassau County. A total of 478 people attended our seminars and 73 attendees participated in our webinar offerings. Staff continues to offer a "train the trainer" program for county boards of elections so that the staffs at the boards can better assist filers.

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, in and of itself, is educational for treasurers and their candidates. The Frequently Asked Questions section of the Board's Campaign Finance Webpage is updated to include additional instructions for common questions and modifications have been made to our training seminars and webinars to reflect compliance issues. It is hoped that these ongoing efforts will enable a greater number of treasurers to file correctly in the first instance.

In 2016, **22,562** itemized reports were reviewed. Of the 22,562 reviewed in 2016, 3,842 were deficient 17,299 were compliant and 2,807 had training issues.

Referrals

In 2016, the Compliance Unit referred non-filer and deficient filer items to Enforcement for review and action. This consisted of 4,626 referrals for non-filing. Of these, 3,094 of the outstanding reports have not been filed.

A total of 634 referrals of candidates/committees for failure to come in to compliance after being served with a deficiency notice were made in 2016. For filings due between 2014 and 2016, 1,813¹ filings were referred to Enforcement as deficient. Of that number, 296 reports were amended to successfully address deficiencies, and 707 deficiencies remained unresolved.

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 five hearing officers to manage these proceedings. In 2016, eleven matters were referred by Enforcement to a hearing officer.

Additionally, at the request of Enforcement Counsel the Board approved nine subpoena requests and made five criminal referrals to prosecutorial agencies.

1. Approximately 809 of the referred reports were eventually reclassified as training.



Voter Registration Unit

Agency-Based Voter Registration

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

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

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



Registration Statistics

During 2016, there were 491,422 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 83% (409,450) of the total number of voter registration applications or transactions in the state. The remaining agencies/programs participating in the program accounted for 17% (81,972).

Sources of Voter Registration

Motor Vehicles	409,450
Public Assistance Agencies	72,259
Disability Agencies	8,334
State Designated Agencies	1,340
By Mail	39
Total	491,422

Agency-Based Voter Registration Statistics

<u>Year</u>	<u>New Registrations</u>	<u>Address Changes</u>	<u>Enrollment Changes</u>	<u>Name Changes</u>
2011	170,447	84,282	33,898	11,769
2012	201,401	87,057	33,479	11,089
2013	135,773	56,912	19,312	8,618
2014	127,726	56,966	17,126	8,126
2015	132,230	63,883	20,596	8,653
2016	246,762	99,701	50,214	12,511

Training

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

Agency Oversight

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

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

Distribution of NVRA Program Supplies

Supplies for the agency-based registration program are shipped weekly by NVRA staff as

requested by participating sites. Constant tracking of supply order and shipping dates is made possible by a supply order and inventory system specifically developed for monitoring distribution of NVRA program materials. The system also provides staff with current inventory balances to ensure that supplies, including forms in multiple languages as required by the Voting Rights Act, are reordered as needed. The State Board also distributed voter registration forms to institutions of the State University of New York. The New York State Board of Elections processed 647 individual supply shipments to participating NVRA sites during 2016.

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

Voter Registration Cancellations

When New York State residents relocate to another state or when out-of-state residents move into New York State and subsequently register to vote, a notice of registration cancellation is returned either to a county board of elections or the New York State Board of Elections so that voter registration rolls may be updated. In 2016, staff at the State Board of Elections processed 55,064 New York State and 19,025 out-of-state registration cancellations and forwarded them to the appropriate county board of elections or state election official.

DMV Address Change Requests

The New York State Board of Elections assists the Department of Motor Vehicles with the distribution of customer address change requests resulting from licensing or driver I.D. transactions by counting, sorting and forwarding them monthly to county boards of elections. Also received from the Department of Motor Vehicles and processed by state board staff, are the DMV internet change of address request forms which have been downloaded by customers, completed, and forwarded to DMV. The state board distributed 21,396 address change requests received from the Department of Motor Vehicles to county boards during 2016.

County HAVA Funds Program

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

Poll Site Access Program

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

Poll Worker Training and Voter Education Program

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



NYSVoter County Reviews

In 2007, the State Board of Elections implemented “NYSVoter” (pronounced nice voter), the statewide voter registration database in order to comply with the Help America Vote Act (HAVA) and subsequent amendments to New York State Election Law. NYSVoter was built by integrating a centralized database system with the county voter registration/election management systems (VR/EMS), giving the State Board administrative control over the centralized database and the responsibility for auditing the system to assure that the local election officials are conducting the business of voter registration in a compliant manner. State Board personnel visit the county boards to perform periodic reviews of their NYSVoter procedures, and in 2016, 7 counties were reviewed and found to be in substantial or better compliance with state regulations.





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 62 county Boards of Elections, the facilitation of ballot access efforts by candidates for a variety of public offices and party positions, and oversight and technical assistance of 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

In 2016, ballot access activities dramatically heightened due to Unit responsibilities surrounding races for presidential nominating convention delegates, as conducted at the primary election held on April 24, 2016. The State has yet to synchronize its' primary election in order to meet the requirements of the MOVE Act, which concerns itself with the delivery of timely ballots to and from military and special federal voters, therefore one additional primary was held in 2016. On June 28, a primary was held for US Senate and Congressional offices, to ensure compliance with the MOVE Act, and on September 13, 2016, another primary was held for state and local offices. The general election was held on November 8, 2016.



Even-numbered year contests include those for Member of the State Assembly, State Senator, Member of the United States Senate and the House of Representatives. In addition to filings related to those offices, the State Board of Elections is also the repository for many petitions filed for delegates and alternate delegates to Judicial District Conventions. These persons nominate candidates for the office of Justice of the Supreme Court from each of the thirteen judicial districts in the State. Further, many petitions for those seeking to become State Party Committee Members, representing certain Assembly and Congressional districts, are also filed with the State Board.

Ballot access activity relating to the public, party, and judicial offices described above involve data entry as well as the creation and dissemination of corresponding acknowledgements and the publication of a variety of reports which track all candidate access activities. For the April Presidential Primary, this activity consisted of the filing of the following petitions and nominations:

- 7 statewide petitions for the office of President
29 petitions for the office of delegate to a National Presidential Convention, representing approximately 174 Delegates
- 150 delegate and alternate delegate candidates named on petitions and nominations filed county Boards of Elections, which were certified to the State Board and processed by the Election Operations Unit
- 8 statewide nominations for the office of President
- 8 nominations for the office of delegate and alternate delegate to a National Presidential Convention representing approximately 232 Delegates and 230 Alternate Delegates

The following petitions were filed with respect to the June primary:

- 8 nominations for United States Senate
- 113 petitions for Representative in Congress

Additionally, the following filings relating to petitions were received, posted, and acknowledged:

- 62 acceptances
- 54 authorizations
- 2 declinations
- 1 substitution

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

- 67 general objections
- 26 specifications

The following petitions were filed with respect to the September primary and the subsequent general election:

- 82 petitions for New York State Senate
- 236 petitions for New York State Assembly
- 36 petitions (comprising 325 candidates) for State Committee positions
- 98 petitions (comprising 551 candidates) for Judicial Delegates/Alternates

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

- 152 general objections
- 3 general objections for State Committee
- 1 general objection for Judicial Delegates/Alternates
- 54 specifications

Additionally, the following filings relating to petitions were received, posted, and acknowledged:

- 7 Certificates of Declination
- 7 Certificate of Substitution
- 269 Acceptances
- 240 Certificates of Authorization

Independent nominating petitions may be filed for public office, and they also require acceptance by the candidate being nominated. The 2016 independent nominating petition filing period included the submission, posting, and acknowledgement of the following:

- 3 Petitions for the office of President, in which were named 4 Presidential candidates; 3 Vice-Presidential Candidates; and, 116 Electors
- 1 Petition for United States Senate
- 5 Petitions for Congress
- 2 Petitions for State Senate
- 3 Petitions for State Assembly

Ballot access filings are not validated by the State Board of Elections. However, the validity of a filing may be challenged by persons (objectors) choosing to do so. Challenges require the filing of an initial notice, or general objection, and a subsequent detailed list of specific objections. Staff then reviews each specific objection, notes their findings on a reporting form, and submits what they have found to a hearing officer for review. Hearing officer reports are provided to the Board and determinations are then made by the Commissioners of the State Board. Notices of all determinations are provided to all participants. Objections to designating petitions and corresponding specifications received, posted, and researched, were as follows:

- 24 general objections
- 3 specifications

A total of 31 Supreme Court Nominations were filed from the seven Judicial Districts that had vacancies. A total of 59 candidates were nominated. All information was entered into the candidate management system and all candidates were sent acknowledgement letters. Additionally, with regard to the following:

- 8 general objections were filed
- 2 specifications were filed

In 2016, Governor Andrew Cuomo called for special elections to be held on April 19, at which vacancies for various Assemble and Senate seats were filled. Those special elections were held as follows:

Senate District 9, due to resignation of Dean G. Skelos
Assembly District 59, due to resignation of Roxanne J. Persaud
Assembly District 62, due to resignation of Joseph C.O. Borelli
Assembly District 65, due to felony conviction of Sheldon Silver

Post-election activities include the collection, recording, and validating of all election results corresponding to the offices noted above. Certificates are prepared for signature by the Commissioners of the State Board of Elections in their capacity as the State Board of Canvassers. In

addition, the Unit fielded a multitude of post-election questions on both Primary and General Election issues.

Presidential elections require the production of unique documents which are used in the conduct of the Electoral College, which was held on December 19. Subsequent to the adjournment of the Electoral College, executed documents were prepared and forwarded by the State Board of Elections, as required, to the Archivist of the United States.

Staff scanned and indexed petitions and all related certificates, streamlining and decreasing response time for public access requests, enabling the State Board of Elections to positively impact the turn-around time needed to respond to requestors.



Public Election Services

In 2016 the Unit responded to a high volume of information inquiries from the public, predominantly relating to the Presidential Primary and the General Election. Additionally, a sizeable amount of associated information was distributed, including copies of the 2016 *New York State Election Law*, general information such as election results (current and previous), political calendars, candidate lists, the State Board of Elections' *Running for Office* booklet, as well as other data and information relating to elections and the election process. Further, the Election Operations Unit manages the State Board of Elections' toll-free voter registration application request number (1-800-FOR-VOTE), and fulfills requests submitted via the agency website. In 2016, the following 7,234 requests for registration forms were processed by the Unit, resulting in the mailing of a total of 16,415 forms:

- 38,410 requests via the agency website
- 42,620 forms were sent

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 and 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 previous topics become heightened areas of interest, the Unit strives to communicate timely and appropriate guidance to county Board of Elections personnel.

The State Board of Elections also provides National Change of Address (NCOA) information to all of New York State's county Boards of Elections. NCOA services are a required component of New York State's statutory voter registration list maintenance procedures, and help to ensure that voter addresses are synchronized with information on file with the U.S. Postal Service. This process is further enhanced as data is processed via the statewide database. In 2016, data concerning over 687,407 such changes were provided to county Boards of Elections for their use in updating registration records, voter notifications, and other routine maintenance tasks to reflect voter's change of address information.

The SHOEBOX Program

As New York's HAVA 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.

County boards of elections may make application, after the purchase of such products and services with county funds, for reimbursement of either some or all of those costs, provided that the purchases were reasonable, allowable, and allocable. Substantial evidence must be included with each application, and prior to the award of any reimbursement, all applications are reviewed for the products' and/or services' compliance with the EAC's guidelines and formal opinions for allowable expenses. Reimbursement will be made for 100% of the allowable costs submitted not to exceed the unspent balance of funds allocated to each county.

To receive reimbursement, county boards of elections must have contracts in place, and complete and submit an application packet to the Election Operations Unit. In 2016, twenty-five counties submitted 61 vouchers for SHOEBOX fund reimbursement, amounting in total to \$1,406,610.

Voting System Certification and Support Activities

The rapid pace and high volume of activity relative to supporting and guiding county Boards of Elections in the use of optical scanning devices continued into 2016. Due to the complexity and technical nature of these systems, the provision of ongoing support is essential throughout the year. Key initiatives and services included, but were not limited to, the following:

- Help Desk technical support was provided before, during, and after 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 layout, and related tasks.
- Election Operations staff continued refining all policies and procedures. Feedback from county boards of elections, as well as input received from security vendor NYSTEC, support the goal of sculpting all the policies and procedures.
- Staff continues to collect and review ballots generated by county boards of elections in order to assess the potential for improved usability for voters. Areas of focus were font size, layout, placement of instructions, and overall ballot design.
- Election Operations staff continue to visit county boards of elections to conduct voting machine audits and election monitoring activities. Election monitoring includes gathering and reviewing procedures and processes at the local level to ensure that county boards are creating and executing test desks as prescribed by NYSBOE; look for aberrations in the functioning of voting equipment; and, review operational procedures used by county boards, to ensure consistent delivery of all board of elections services.
- Staff continues to monitor the usage of the asset management system and have been busy working with the vendor (AssetWorks) to update the system with input from the county boards of election.
- The Unit continues to conducted on-site and WebEx training sessions related to the use of certified central count voting systems now available from ES&S and Dominion Voting Systems.
- Staff completed certification testing of ES&S 5.6.0.1 and ES&S 5.6.0.2 submitted for certification to upgrade their EMS System, DS200 precinct based scanner and DS850 central count scanner.
- Staff completed the certification testing of a Dominion utility used in the creation of an election for counties that have the Dominion Central Count system.
- Staff continued working with the Information Technology Unit to build a statewide election night reporting data base, to provide results on the web. This effort included continued training of county boards of elections staff, along with assisting boards before and on election night in the reporting of their results.

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 contributing to the various priorities identified by the Agency.



Commissioner Spano makes a point during a board meeting



CIO Bill Cross testifies before the State Assembly Standing Committee on Election Law.

INFORMATION TECHNOLOGY UNIT

All program units in the Agency rely heavily on technology to perform the Board's collective mission. The Information Technology Unit (ITU) is tasked with providing the most efficient and cost-effective technology solutions to enable program unit staff to perform their responsibilities.

The IT Unit is responsible for all aspects of technology within the Agency including acquisitions, 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 obtain necessary approvals and process procurements in accordance with Agency and NYS requirements.

IT Unit staff, including the Information Security Officer (ISO), work closely with counties, vendors and other state and federal entities to monitor, maintain, and improve the security of state election systems and their data.

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 New York State Board of Elections operates a complex network environment, connecting BOE offices with its primary and backup datacenters, as well as secure connections to local county systems. BOE also maintains an Internet-accessible network, hosting the Agency's website and public applications such as Voter Lookup and Election Night Reporting.



The IT Unit is responsible for the design, installation, maintenance and security of this network infrastructure, providing a stable and secure platform for BOE applications. Various technologies have been utilized to ensure redundancy, fault-tolerance and disaster recovery. In addition, cybersecurity systems have been implemented throughout the network including multiple layers of firewalls, intrusion detection and prevention systems (IDS/IPS), malware protection and system log monitoring. BOE also utilizes multiple third parties to scan, monitor and assess Agency networks for emerging security threats.

In response to this year's heightened attention on election security just prior to the general election, BOE undertook a comprehensive assessment of our cybersecurity posture and made several short-term improvements to bolster the security of key election systems and infrastructure. These actions included adding additional layers of protection for public-facing systems and tightening existing security between BOE and the counties. We also partnered with several third-parties to increase logging, monitoring, and scanning all systems and add protections for potential Distributed Denial of Service (DDoS) attacks. Throughout this process, BOE worked with several state and federal entities to exchange up-to-date information and disseminate this information to county BOE's.

As part of this process, BOE has also identified several longer-term initiatives to improve information security and has begun some of these efforts. This includes partnering with the counties to help increase end-to-end security of all election systems.

IT Unit staff develops, maintains and supports several major applications and systems, described below, which are used at the State Board of Elections, and ensures that all design and coding are 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.

Financial Disclosure Administration System (FIDAS).

The Financial Disclosure Administration System is a relational database, network-based system used by auditing and enforcement staff for the management of the financial disclosure reports for committees and candidates for statewide and local office. The Information Technology unit develops and maintains the databases and applications associated with the administration of campaign finances. The Agency's Electronic Filing Software, which is used by candidates and political committees for filing their reports, was developed by and is maintained by the Agency's IT staff. In 2016, IT continued the reengineering of FIDAS as part of the CAPAS/FIDAS Redesign Project.

IT is responsible for receiving and processing electronic filings from over 18,000 filers and loading them into FIDAS. There were eight major filing periods in 2016. A small, but efficient Help Desk staff performs this work, in addition to delivering telephone support to the financial report filers, county boards of elections and agency staff.

National Change of Address (NCOA) Processing

NCOA processing was coordinated by the State Board as required by the National Voter Registration Act. A file with all the names and addresses is produced and forwarded electronically to an NCOA vendor for matching against the U.S. Post Office's Change-of-Address database. The file resulting from the processing is retrieved electronically by the State Board where it is parsed and redistributed to the individual counties of origin. The NCOA processing for 2016 included nearly 12 million voter records from sixty-two counties. Centralizing this NCOA processing through the State Board, as opposed to the processing by individual counties, provides the counties with a substantial savings in revenue due to the economy of scale that the State Board is able to leverage.

Election Operation Support

The Information Technology unit provides support to the Election Operations unit in the form of the Candidate Petition Administration System (CAPAS), which is used to administer the candidate petition process as well as create correspondence, ballots and reports pertaining to

elections. In 2016, IT continued the reengineering of CAPAS as part of the CAPAS/FIDAS Redesign Project.

Agency-based Voter Registration / Public Information

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

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

NYSVoter Statewide Voter Registration Database

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

During 2016, the IT Unit has continued the NYSVoter Refresh Project to ensure that the complex network of servers and connections to county systems is secure, fault tolerant, and supportable on up-to-date hardware and software.

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



The CIO Bill Cross and Co-Executive Directors Todd Valentine and Robert Brehm testify before the Assembly Standing Committee on Election Law.

PUBLIC INFORMATION OFFICE

Media and Public Relations

The Public Information Officer serves as the board's spokesperson and is responsible for handling all press inquiries. In 2016, the Public Information Office received over 5,200 requests from reporters, interested parties and the general public seeking information on election results, voter registration and enrollment data, 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 & Overseas Voter Empowerment Act, voting machines and board policies. The Public Information Officer also produced press releases and advisories throughout the year which provided information on these topics to the state and national press corps and the general public. This information was also made available via the Internet through the Board's website (www.elections.ny.gov) along with a wide range of election-related data of interest to New York State voters all over the world.

For the General Election, the State Board assisted 48 International Observers from 15 countries, including the Parliaments of Bulgaria, Croatia, France, Ireland, Italy, Poland and Denmark. We hosted Observers from the Organization for Cooperation and Security in Europe / Office of Democratic Institutions and Human Rights representing Armenia, Germany, Denmark, Italy, Romania, Spain, Switzerland and the United Kingdom. Additionally, the State Board hosted an

Observer from the Organization for Cooperation and Security in Europe / Organization of American States representing Venezuela. Lastly, the day after the State & Local Primary, we hosted a delegation of elected and party officials from Israel to discuss elections and voting in New York State.



SBOE Staff meets with a delegation of elected and party officials from Israel in September 2016.

Cybersecurity during 2016 General Election

During the 2016 General Election a unique issue emerged when it was revealed by the Federal Bureau of Investigation that Illinois' and Arizona's voter databases had allegedly been hacked into by foreign actors. The Public Information Office quickly received dozens of inquiries from international, national and local media asking about the possibility of cyberattacks, hacking and the integrity of our voting machines, voter registration database and Election Night Reporting System.

Coordinating with our County Board of Elections colleagues and the Information Technology Unit, the Public Information Office was able to tamp down some of the more extreme concerns expressed by the national and statewide media and explain the strengths of the New York's decentralized voting system. While no system is immune from hacking, the wisdom of voting machines that are not networked to the Internet or each other became profoundly clear in the wake of the cyberattack allegations.

In addition, PIO explained how the Agency undertook a comprehensive assessment of our cybersecurity posture and made several short-term improvements to bolster the security of key

election systems and infrastructure. These actions included adding additional layers of protection for public-facing systems and tightening existing security between SBOE and the counties. We also partnered with several third-parties to increase logging, monitoring, and scanning all systems and add protections for potential Distributed Denial of Service (DDoS) attacks. Throughout this process, BOE worked with several state and federal entities to exchange up-to-date information and disseminate this information to county BOE's.

Election Night Results Reporting

As a result of legislation passed in 2013, the Board now provides unofficial Election results as part of an Election Night Reporting System. In 2016, we reported results for the Presidential Primary on April 19th, the Congressional Primary on June 28th, the State and Local Primary on September 13th and the General Election results on November 8th. Despite concerns in the national press about election websites being hacked and results being manipulated by foreign actors, our reporting system worked smoothly and without complication for the General Election providing unofficial results for 281 federal and state offices.

Freedom of Information Law

The Public Information Officer also serves as the Board's Records Access Officer. He is responsible for processing all FOIL requests (excluding petition copies) received by the agency. In 2016, 838 requests were received by the Records Access Officer. This number represents a 43.5% increase from 2015. This increase is attributed to 2016 being a Presidential-Congressional-State Legislature election year. Most requests were for data and records from NYSBOE's statewide database of registered voters (NYSVoter). Of the requests received, 725 requests were granted, 44 were denied in accordance with the provisions of Section 87 of the Public Officers Law, and in 69 instances no records were found.

Registration Hotlines

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

Legal Notices

Pursuant to Section 4-116 of the Election Law the State Board is required to publish, once in the week preceding any election at which proposed Constitutional Amendments or other propositions or questions are to be submitted to the voters of the state, an abstract prepared by the Attorney General explaining the amendment or question. The amendment, abstract and question are published in at least one general circulation newspaper in every county of the state

and comply with the language requirements of the Voting Rights Act. There were no ballot propositions on 2016 General Election ballot.

Inspector General Investigation

In April 2016, the State Board of Elections was informed by the State Inspector General's office that it would be the subject of an investigation regarding the release of an allegedly confidential document produced by the Division of Election Law Enforcement. The State Board responded to the report and implemented an interim confidentiality policy concerning Division of Election Law Enforcement documents on August 5, 2016, which was replaced with the adoption of a formal policy on March 13, 2017.

Website (www.elections.ny.gov)

Lastly, the Public Information Office works in close concert with the Information Technology Unit to operate and maintain the Agency's website. Our website is an integral part of the Board's effort to provide information for the general public. The homepage received 8,620,597 total visits during 2016. The voter search page received 13,443,537 visits for the year.



AGENCY ADMINISTRATION

The Board's Administrative Office consists of two staff members. The duties of this unit include all personnel administration, purchasing, banking, mail and warehouse operations and all general agency administrative tasks relating to day to day operations. The 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 2016-17 appropriations of \$8,482,000 in the General Fund, \$0 in Federal Funds and \$3 million in Special Revenue Funds.

The State Board of Elections was granted the following re-appropriations for 2016-17:

- \$5,500,000 by the laws of 2011, for the implementation of federal election requirements including HAVA of 2002 and the MOVE Act of 2009.
- \$4,500,000 by the laws of 2010, in federal HAVA funds related to the implementation of the Military and Overseas Voter Empowerment (MOVE) Act of 2009.
- \$2,000,000 by the laws of 2009, for HAVA related expenditures.
- \$1,000,000 by the laws of 2005, for services and expenses (prior to April 1, 2005) related to the Help America Vote Act of 2002.
- \$1,000,000 by the laws of 2005, for services and expenses (on or after April 1, 2005) related to the Help America Vote Act of 2002.
- \$1,000,000 by the laws of 2009, for expenses related to satisfying the matching funds requirements of Section 253 (b) (5) of the Help America Vote Act of 2002.
- \$3,000,000 by the laws of 2014, for Voting Machine Examinations related expenditures.
- \$2,000,000 by the laws of 2006 amended in 2008, for the general fund local assistance services and expenses related to the alteration of poll sites to provide accessibility for disabled voters.
- \$1,000,000 by the laws of 2012, for services and expenses in the federal Health and Human Services account, including prior year liabilities, related to Poll Site Accessibility improvements.

- \$900,000 by the laws of 2011, for services and expenses in the federal Health and Human Services account, including prior year liabilities, related to Poll Site Accessibility improvements.
- \$500,000 by the laws of 2010, for services and expenses in the federal Health and Human Services account, including prior year liabilities, related to Poll Site Accessibility improvements.
- \$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.
- \$1,500,000 by the laws of 2009 amended in 2011, for services and expenses related to the implementation of the Help America Vote Act of 2002, including the purchase of new voting machines and disability accessible ballot marking devices for use by the local boards of elections.
- \$9,300,000 by the laws of 2008 amended in 2011, for services and expenses related to the implementation of the Help America Vote Act of 2002, including the purchase of new voting machines and disability accessible ballot marking devices for use by the local boards of elections.
- \$3,100,000 by the laws of 2005, for services and expenses incurred for the poll worker training and voter education efforts.
- \$10,000,000 by the laws of 2005 amended in 2006, for services and expenses related to the purchase of new voting machines and voting systems.

Personnel Administration

The agency was authorized at a staffing level of 80 full time positions for the 2016/17 Fiscal Year.

Chapter 233 of the Laws of 2016, which implemented the 2015-2016 Agreement between the State of New York and the Public Employees Federation, provided for a retroactive April 2015 salary increase of two percent (2.00%)

Chapter 55 of the Laws of 2015 provided for a Management/Confidential (M/C) salary increase of two percent (2.00%) for April 2016.

Revenue Calendar Year 2016

Judgments	\$96,262.36
Photocopies	\$24.25
Voting Machine Certification	\$130,000

THE DIVISION OF ELECTION LAW ENFORCEMENT

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

On March 31, 2014, Governor Andrew Cuomo signed into law the Public Trust Act, thereby amending the New York State Election Law by creating an independent enforcement division, known as the division of election law enforcement (the “Division”), within the New York State Board of Elections (“SBOE”). Pursuant to the amended Election Law, the Governor chose Risa S. Sugarman as chief enforcement counsel to head the Division. Both the Assembly and Senate confirmed the choice, and Chief Enforcement Counsel Sugarman took office on September 1, 2014.

The Election Law, as amended, confers upon the chief enforcement counsel the power and duty to conduct all investigations necessary to enforce provisions of the Election Law and other statutes governing campaigns, elections and related procedures. The chief enforcement counsel has sole authority within the SBOE to investigate alleged violations of such statutes. The chief enforcement counsel oversees the entire Division with an operating budget of \$1,450,000 and oversees all staff activities.

DIVISION STRUCTURE AND STAFFING

The Division, headed by the chief enforcement counsel, created a structure for independent enforcement activities. The chief enforcement counsel hired an investigative team of experienced attorneys, support staff, investigators and auditors. In total, the staff of the Division, headed by the chief enforcement counsel, includes five additional attorneys, an investigator, three investigative auditors and one support staff. Division attorneys are experienced in investigation and litigation as well as both the prosecution and defense of criminal and civil matters. Investigative and audit staff have extensive investigatory backgrounds in 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,

is designated as the internal controls officer and is responsible for providing the Division with financial, records, and performance auditing.

Further, the Division conducts staff training activities and implements technology advances with investigative tools and data analytics systems.

DIVISION ACTIVITIES

The Division receives complaints about a variety of issues affecting elections and campaign finance in New York State and also generates investigations on its own initiative. Generally speaking, when the Division receives a complaint, the chief enforcement counsel reviews the complaint to determine whether it will be assigned to an attorney, an investigator, an auditor, or an investigative team. A letter is sent to the complainant (if identified) acknowledging receipt of the complaint, and an initial review of the complaint is undertaken. The nature of the complaint determines the nature and extent of the investigation. If necessary, the Division may request additional information from the complainant or other sources.

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

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

whether the Division should close the matter, proceed with civil enforcement action, or seek criminal prosecution.

COMPLAINTS FROM THE PUBLIC

Complaints are received and reviewed by the Division continuously. Complaints are received by email, regular mail, telephone and are self-generated. The Division maintains an email address – enforcement@elections.ny.gov – to enable citizens to file complaints easily. Members of the public have utilized the Division’s email address for the purpose of contacting not only the Division but also the SBOE. Emails that ask questions dealing with SBOE functions, such as operations, registration, and elections calendars, are referred to SBOE Executive Directors for disposition. Remaining complaints are addressed by the Division.

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

- *Failure to File:* Complaints typically received within days of filing deadlines which point to the failures of particular candidates or committees to file required financial disclosure reports in a timely manner. Although some of these complaints expose serial non-filers whose continual nonfeasance may require further legal action by the Division, most complaints point out isolated incidents of a particular candidate or committee missing a filing deadline. Typically, these issues resolve themselves when the candidate or committee files the required report shortly thereafter.
- *Campaigning or Election Day conduct:* Complaints received by the Division about elections include allegations that candidates have used false or misleading information on

their campaign materials electioneered at polling places on Election Day or improperly expended committee or candidate campaign monies. These complaints are assigned to Division staff for investigation.

DIVISION INVESTIGATIONS

POLL DISCLOSURE OF POLL RESULTS IN CONNECTION WITH AN ELECTION –

Pursuant to the Fair Campaign Code, codified in Election Law § 3-106 and 9 NYCRR Part 6201, when a candidate uses the results of a public opinion poll in an election campaign, the public is entitled to know other information that may have affected those results. In enforcing the Fair Campaign Code, the Division seeks to ensure that candidates use poll results in a manner which is not misleading to the public

In furtherance of this effort, in 2016 the chief enforcement counsel conducted a hearing into the conduct of a campaign committee after it disclosed results of a poll in support of a candidate's campaign but filed only a portion of the information required by the Fair Campaign Code. Upon receipt of a complaint alleging a violation of the Fair Campaign Code, as well as a request for disclosure of the complete results of the poll, the chief enforcement counsel demanded the campaign committee file the complete poll. Ultimately, after the Division announced its intention to commence an action in Supreme Court, and the SBOE voted to issue a subpoena to compel filing of the poll, the campaign committee complied with the demand to file the poll with the chief enforcement counsel. The SBOE directed that the contents of the poll remain confidential and directed the chief enforcement counsel to conduct an investigation to determine whether the entire poll should be filed and disclosed to the public. Pursuant to the direction of the SBOE, the chief enforcement counsel conducted a hearing and made a recommendation to the SBOE. Thereafter, the SBOE directed the campaign committee to file additional results of the poll, and the committee complied.

The Division continues its vigilant enforcement of the laws and regulations which prohibit the potentially misleading use of public opinion polls, and remains committed to ensuring transparency in this area.

INSPECTOR GENERAL INVESTIGATION

On April 22, 2016, the chief enforcement counsel was informed that a confidential Division document previously presented to the SBOE at an Executive Session was disclosed to the news media. New York State Inspector General Catherine Leahy Scott conducted an investigation and issued a report dated May 2016 entitled “Investigation of the Dissemination of New York State Board of Election Enforcement Division Documents.” The Inspector General’s report concluded that the SBOE Director of Public Information disseminated confidential documents to the press.

The Inspector General’s report recommended that the SBOE adopt appropriate rules, regulations, policies, and procedures establishing which Division materials are privileged and confidential and how such materials should be handled to ensure the integrity of the Board of Elections’ operations and enforcement matters. SBOE counsel submitted to the SBOE a “Proposed Policy Related to Enforcement Matters.” The Division submitted a response to the SBOE proposed policy as well as a memorandum of law. The memorandum of law detailed the structure of the Division and its relation to the Board and the ethical obligations of attorneys, their employees, and prosecutorial and investigative agencies as they relate to Division documents. In addition, the memorandum of law discussed the applicability of the Open Meetings Law and Freedom of Information Law as it relates to Division documents. Further, the Division proposed amendments to 9 NYCRR Parts 6202 (Examination and Copying of Records) and 6203 (Investigations) to create enforceable confidentiality rules for the SBOE. At year’s end the SBOE had not finalized a policy.

DIVISION STATISTICS

After SBOE action, the chief enforcement counsel received authorization in nine (9) cases to exercise the authority to issue subpoenas. Further, after SBOE action, the chief enforcement counsel referred five (5) investigations for continued investigation and possible prosecution. The Division filed eleven (11) matters before hearing officers pursuant to Election Law section 3-104(5)(a). Division investigations and litigation resulted in collection of penalties totaling \$51,657.02 in 2016. The Division also collected \$56,117.95 in judgments obtained by the former Enforcement Unit.

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

Appendix

NYSVoter Enrollment by County, Party Affiliation and Status Voters Registered as of November 1, 2016

REGION	COUNTY	STATUS	DEM	REP	CON	GRE	WOR	IND	WEP	REF	OTH	BLANK	TOTAL
Outside NYC	Albany	Active	91,658	35,821	2,991	525	608	9,612	49	14	198	41,926	183,402
Outside NYC	Albany	Inactive	11,327	3,304	330	96	124	1,242	4	0	104	5,647	22,178
Outside NYC	Albany	Total	102,985	39,125	3,321	621	732	10,854	53	14	302	47,573	205,580
Outside NYC	Allegany	Active	5,943	12,414	439	80	128	1,275	2	2	14	4,797	25,094
Outside NYC	Allegany	Inactive	486	663	29	10	17	131	0	0	4	492	1,832
Outside NYC	Allegany	Total	6,429	13,077	468	90	145	1,406	2	2	18	5,289	26,926
Outside NYC	Broome	Active	42,748	41,370	1,571	360	587	6,123	25	26	93	22,609	115,512
Outside NYC	Broome	Inactive	6,222	3,904	160	96	146	1,034	5	1	35	4,698	16,301
Outside NYC	Broome	Total	48,970	45,274	1,731	456	733	7,157	30	27	128	27,307	131,813
Outside NYC	Cattaraugus	Active	14,570	17,372	1,106	121	275	2,272	13	10	12	9,145	44,896
Outside NYC	Cattaraugus	Inactive	2,074	1,971	146	27	74	438	1	0	8	1,858	6,597
Outside NYC	Cattaraugus	Total	16,644	19,343	1,252	148	349	2,710	14	10	20	11,003	51,493
Outside NYC	Cayuga	Active	14,857	16,569	1,236	156	228	2,483	4	1	20	9,843	45,397
Outside NYC	Cayuga	Inactive	1,456	1,295	99	18	50	314	0	0	2	1,312	4,546
Outside NYC	Cayuga	Total	16,313	17,864	1,335	174	278	2,797	4	1	22	11,155	49,943
Outside NYC	Chautauqua	Active	25,852	25,248	1,943	185	459	4,757	8	25	79	18,314	76,870
Outside NYC	Chautauqua	Inactive	2,694	2,169	190	32	75	616	0	0	15	2,687	8,478
Outside NYC	Chautauqua	Total	28,546	27,417	2,133	217	534	5,373	8	25	94	21,001	85,348
Outside NYC	Chemung	Active	15,523	20,200	793	111	273	3,097	5	10	20	10,391	50,423
Outside NYC	Chemung	Inactive	1,731	1,727	84	15	39	428	0	0	3	1,493	5,520
Outside NYC	Chemung	Total	17,254	21,927	877	126	312	3,525	5	10	23	11,884	55,943
Outside NYC	Chenango	Active	7,218	12,267	507	139	182	1,682	6	0	14	6,423	28,438
Outside NYC	Chenango	Inactive	735	963	39	20	39	196	1	0	3	940	2,936
Outside NYC	Chenango	Total	7,953	13,230	546	159	221	1,878	7	0	17	7,363	31,374
Outside NYC	Clinton	Active	17,003	14,234	509	94	246	3,244	6	6	0	10,860	46,202
Outside NYC	Clinton	Inactive	1,643	1,115	40	21	35	439	0	0	0	1,544	4,837
Outside NYC	Clinton	Total	18,646	15,349	549	115	281	3,683	6	6	0	12,404	51,039
Outside NYC	Columbia	Active	13,798	12,050	1,098	204	215	2,830	10	1	22	11,302	41,530
Outside NYC	Columbia	Inactive	1,093	654	76	20	29	288	0	0	5	903	3,068
Outside NYC	Columbia	Total	14,891	12,704	1,174	224	244	3,118	10	1	27	12,205	44,598
Outside NYC	Cortland	Active	8,879	9,939	453	100	138	1,591	6	2	5	6,784	27,897
Outside NYC	Cortland	Inactive	1,153	911	51	22	33	257	0	0	1	1,482	3,910
Outside NYC	Cortland	Total	10,032	10,850	504	122	171	1,848	6	2	6	8,266	31,807
Outside NYC	Delaware	Active	7,296	11,629	488	115	110	1,607	3	2	13	5,400	26,663
Outside NYC	Delaware	Inactive	837	872	39	9	25	199	0	0	5	794	2,780
Outside NYC	Delaware	Total	8,133	12,501	527	124	135	1,806	3	2	18	6,194	29,443
Outside NYC	Dutchess	Active	60,383	51,863	3,619	498	760	10,415	36	41	148	48,974	176,737
Outside NYC	Dutchess	Inactive	7,445	4,607	294	86	125	1,241	1	0	20	5,658	19,477
Outside NYC	Dutchess	Total	67,828	56,470	3,913	584	885	11,656	37	41	168	54,632	196,214

REGION	COUNTY	STATUS	DEM	REP	CON	GRE	WOR	IND	WEP	REF	OTH	BLANK	TOTAL
Outside NYC	Erie	Active	287,080	151,406	13,631	1,692	3,002	28,951	86	37	551	108,713	595,149
Outside NYC	Erie	Inactive	20,565	8,546	600	160	332	2,211	0	0	58	9,574	42,046
Outside NYC	Erie	Total	307,645	159,952	14,231	1,852	3,334	31,162	86	37	609	118,287	637,195
Outside NYC	Essex	Active	6,503	10,788	211	85	56	1,773	0	1	10	4,546	23,973
Outside NYC	Essex	Inactive	838	1,123	30	24	21	309	1	0	5	821	3,172
Outside NYC	Essex	Total	7,341	11,911	241	109	77	2,082	1	1	15	5,367	27,145
Outside NYC	Franklin	Active	9,710	8,519	340	66	103	1,640	1	3	2	4,790	25,174
Outside NYC	Franklin	Inactive	931	726	42	17	27	249	0	0	2	818	2,812
Outside NYC	Franklin	Total	10,641	9,245	382	83	130	1,889	1	3	4	5,608	27,986
Outside NYC	Fulton	Active	7,943	15,887	554	76	169	1,735	6	2	9	6,190	32,571
Outside NYC	Fulton	Inactive	384	522	21	10	14	96	0	0	0	402	1,449
Outside NYC	Fulton	Total	8,327	16,409	575	86	183	1,831	6	2	9	6,592	34,020
Outside NYC	Genesee	Active	9,167	15,829	952	102	201	1,931	5	4	78	8,465	36,734
Outside NYC	Genesee	Inactive	544	724	47	11	19	139	0	0	7	575	2,066
Outside NYC	Genesee	Total	9,711	16,553	999	113	220	2,070	5	4	85	9,040	38,800
Outside NYC	Greene	Active	7,075	11,641	816	150	145	1,914	5	1	1	7,568	29,316
Outside NYC	Greene	Inactive	910	1,116	87	25	20	273	0	0	0	1,064	3,495
Outside NYC	Greene	Total	7,985	12,757	903	175	165	2,187	5	1	1	8,632	32,811
Outside NYC	Hamilton	Active	870	2,457	69	9	6	227	0	0	3	561	4,202
Outside NYC	Hamilton	Inactive	134	345	11	0	1	51	0	0	2	106	650
Outside NYC	Hamilton	Total	1,004	2,802	80	9	7	278	0	0	5	667	4,852
Outside NYC	Herkimer	Active	10,218	18,138	696	108	140	2,482	5	27	7	6,691	38,512
Outside NYC	Herkimer	Inactive	792	1,047	40	9	21	241	0	0	3	668	2,821
Outside NYC	Herkimer	Total	11,010	19,185	736	117	161	2,723	5	27	10	7,359	41,333
Outside NYC	Jefferson	Active	15,872	23,427	862	146	219	3,192	8	3	26	12,518	56,273
Outside NYC	Jefferson	Inactive	2,633	2,818	122	25	51	594	0	0	9	2,985	9,237
Outside NYC	Jefferson	Total	18,505	26,245	984	171	270	3,786	8	3	35	15,503	65,510
Outside NYC	Lewis	Active	4,272	8,590	277	32	60	847	1	0	3	2,856	16,938
Outside NYC	Lewis	Inactive	281	454	17	1	3	74	0	0	0	242	1,072
Outside NYC	Lewis	Total	4,553	9,044	294	33	63	921	1	0	3	3,098	18,010
Outside NYC	Livingston	Active	10,423	16,837	924	151	148	1,887	7	2	58	8,637	39,074
Outside NYC	Livingston	Inactive	956	928	57	19	19	199	0	0	6	964	3,148
Outside NYC	Livingston	Total	11,379	17,765	981	170	167	2,086	7	2	64	9,601	42,222
Outside NYC	Madison	Active	11,307	15,939	899	125	231	2,686	4	3	41	9,690	40,925
Outside NYC	Madison	Inactive	1,185	1,164	70	25	23	293	0	0	6	1,081	3,847
Outside NYC	Madison	Total	12,492	17,103	969	150	254	2,979	4	3	47	10,771	44,772
Outside NYC	Monroe	Active	183,861	130,178	8,285	1,332	1,599	21,416	74	17	566	112,680	460,008
Outside NYC	Monroe	Inactive	15,261	7,125	413	130	188	1,659	2	0	63	8,438	33,279
Outside NYC	Monroe	Total	199,122	137,303	8,698	1,462	1,787	23,075	76	17	629	121,118	493,287
Outside NYC	Montgomery	Active	9,103	9,461	663	64	116	1,532	5	8	22	6,286	27,260
Outside NYC	Montgomery	Inactive	903	746	78	10	33	195	0	0	2	921	2,888
Outside NYC	Montgomery	Total	10,006	10,207	741	74	149	1,727	5	8	24	7,207	30,148

REGION	COUNTY	STATUS	DEM	REP	CON	GRE	WOR	IND	WEP	REF	OTH	BLANK	TOTAL
Outside NYC	Nassau	Active	382,740	325,712	10,634	1,655	2,384	36,482	149	94	354	235,292	995,496
Outside NYC	Nassau	Inactive	15,209	11,713	391	89	85	1,545	1	0	9	8,512	37,554
Outside NYC	Nassau	Total	397,949	337,425	11,025	1,744	2,469	38,027	150	94	363	243,804	1,033,050
Outside NYC	Niagara	Active	51,893	42,952	3,138	439	1,180	6,613	25	34	85	23,823	130,182
Outside NYC	Niagara	Inactive	2,674	1,768	120	32	82	346	0	1	8	1,674	6,705
Outside NYC	Niagara	Total	54,567	44,720	3,258	471	1,262	6,959	25	35	93	25,497	136,887
Outside NYC	Oneida	Active	44,818	48,769	2,114	282	520	7,746	21	14	103	25,314	129,701
Outside NYC	Oneida	Inactive	4,571	3,893	188	42	90	1,035	1	0	7	3,287	13,114
Outside NYC	Oneida	Total	49,389	52,662	2,302	324	610	8,781	22	14	110	28,601	142,815
Outside NYC	Onondaga	Active	105,516	83,633	4,888	1,002	1,288	14,842	52	19	311	74,223	285,774
Outside NYC	Onondaga	Inactive	11,761	5,888	376	147	212	1,736	1	0	39	8,375	28,535
Outside NYC	Onondaga	Total	117,277	89,521	5,264	1,149	1,500	16,578	53	19	350	82,598	314,309
Outside NYC	Ontario	Active	20,347	26,890	1,384	238	223	3,986	15	10	23	16,942	70,058
Outside NYC	Ontario	Inactive	829	986	71	11	19	226	0	0	3	929	3,074
Outside NYC	Ontario	Total	21,176	27,876	1,455	249	242	4,212	15	10	26	17,871	73,132
Outside NYC	Orange	Active	79,050	69,701	4,327	624	1,130	11,815	54	28	154	50,646	217,529
Outside NYC	Orange	Inactive	6,970	5,195	296	81	125	1,151	1	1	16	4,876	18,712
Outside NYC	Orange	Total	86,020	74,896	4,623	705	1,255	12,966	55	29	170	55,522	236,241
Outside NYC	Orleans	Active	5,518	10,731	542	64	154	1,113	3	2	35	5,102	23,264
Outside NYC	Orleans	Inactive	474	714	56	9	25	112	0	0	3	556	1,949
Outside NYC	Orleans	Total	5,992	11,445	598	73	179	1,225	3	2	38	5,658	25,213
Outside NYC	Oswego	Active	17,335	31,545	1,669	153	349	3,788	9	3	38	14,912	69,801
Outside NYC	Oswego	Inactive	1,954	2,502	147	22	68	507	0	0	11	2,035	7,246
Outside NYC	Oswego	Total	19,289	34,047	1,816	175	417	4,295	9	3	49	16,947	77,047
Outside NYC	Otsego	Active	10,561	12,995	516	143	140	2,147	7	4	43	7,291	33,847
Outside NYC	Otsego	Inactive	1,172	988	58	14	22	279	1	0	4	1,085	3,623
Outside NYC	Otsego	Total	11,733	13,983	574	157	162	2,426	8	4	47	8,376	37,470
Outside NYC	Putnam	Active	18,504	21,925	1,930	154	217	3,789	9	13	42	16,311	62,894
Outside NYC	Putnam	Inactive	1,599	1,713	167	11	15	341	0	0	6	1,505	5,357
Outside NYC	Putnam	Total	20,103	23,638	2,097	165	232	4,130	9	13	48	17,816	68,251
Outside NYC	Rensselaer	Active	29,025	23,981	4,234	392	1,063	7,655	20	18	35	29,273	95,696
Outside NYC	Rensselaer	Inactive	2,851	1,553	290	32	163	763	0	0	8	2,716	8,376
Outside NYC	Rensselaer	Total	31,876	25,534	4,524	424	1,226	8,418	20	18	43	31,989	104,072
Outside NYC	Rockland	Active	88,484	44,339	3,869	331	924	8,099	32	117	6	44,530	190,731
Outside NYC	Rockland	Inactive	6,227	2,977	221	42	59	683	1	1	0	3,453	13,664
Outside NYC	Rockland	Total	94,711	47,316	4,090	373	983	8,782	33	118	6	47,983	204,395
Outside NYC	Saratoga	Active	40,441	60,732	2,423	406	443	9,276	8	8	50	38,135	151,922
Outside NYC	Saratoga	Inactive	3,898	4,638	232	50	52	1,045	3	0	11	4,075	14,004
Outside NYC	Saratoga	Total	44,339	65,370	2,655	456	495	10,321	11	8	61	42,210	165,926
Outside NYC	Schenectady	Active	36,087	23,789	3,266	271	598	5,541	34	4	72	23,455	93,117
Outside NYC	Schenectady	Inactive	3,468	1,698	195	40	97	565	0	0	9	2,334	8,406
Outside NYC	Schenectady	Total	39,555	25,487	3,461	311	695	6,106	34	4	81	25,789	101,523

REGION	COUNTY	STATUS	DEM	REP	CON	GRE	WOR	IND	WEP	REF	OTH	BLANK	TOTAL
Outside NYC	Schoharie	Active	4,776	7,165	542	62	81	1,215	2	0	19	4,389	18,251
Outside NYC	Schoharie	Inactive	625	778	56	14	21	216	0	0	4	718	2,432
Outside NYC	Schoharie	Total	5,401	7,943	598	76	102	1,431	2	0	23	5,107	20,683
Outside NYC	Schuyler	Active	3,273	4,686	255	64	69	720	1	0	0	2,643	11,711
Outside NYC	Schuyler	Inactive	312	367	17	6	12	109	0	0	0	333	1,156
Outside NYC	Schuyler	Total	3,585	5,053	272	70	81	829	1	0	0	2,976	12,867
Outside NYC	Seneca	Active	5,972	7,473	429	67	113	988	1	0	1	4,074	19,118
Outside NYC	Seneca	Inactive	542	577	31	5	17	138	0	0	0	537	1,847
Outside NYC	Seneca	Total	6,514	8,050	460	72	130	1,126	1	0	1	4,611	20,965
Outside NYC	St.Lawrence	Active	21,744	19,980	896	153	266	3,298	4	0	62	12,238	58,641
Outside NYC	St.Lawrence	Inactive	1,708	1,368	53	30	42	342	0	0	2	1,470	5,015
Outside NYC	St.Lawrence	Total	23,452	21,348	949	183	308	3,640	4	0	64	13,708	63,656
Outside NYC	Steuben	Active	14,186	28,174	969	157	265	3,018	9	3	58	10,365	57,204
Outside NYC	Steuben	Inactive	1,473	2,016	73	32	46	384	0	0	2	1,518	5,544
Outside NYC	Steuben	Total	15,659	30,190	1,042	189	311	3,402	9	3	60	11,883	62,748
Outside NYC	Suffolk	Active	315,662	304,019	22,349	1,944	4,390	44,484	141	66	659	262,847	956,561
Outside NYC	Suffolk	Inactive	25,116	19,257	1,345	167	393	3,454	5	2	56	18,995	68,790
Outside NYC	Suffolk	Total	340,778	323,276	23,694	2,111	4,783	47,938	146	68	715	281,842	1,025,351
Outside NYC	Sullivan	Active	17,324	12,675	1,075	150	234	2,418	13	2	36	11,651	45,578
Outside NYC	Sullivan	Inactive	3,139	1,475	120	29	58	403	0	1	2	1,914	7,141
Outside NYC	Sullivan	Total	20,463	14,150	1,195	179	292	2,821	13	3	38	13,565	52,719
Outside NYC	Tioga	Active	8,038	13,642	442	92	122	1,714	1	0	47	6,382	30,480
Outside NYC	Tioga	Inactive	799	1,101	37	13	25	202	0	0	3	844	3,024
Outside NYC	Tioga	Total	8,837	14,743	479	105	147	1,916	1	0	50	7,226	33,504
Outside NYC	Tompkins	Active	27,518	11,728	411	492	223	2,344	13	2	77	11,853	54,661
Outside NYC	Tompkins	Inactive	3,961	1,455	47	77	42	426	0	0	18	2,557	8,583
Outside NYC	Tompkins	Total	31,479	13,183	458	569	265	2,770	13	2	95	14,410	63,244
Outside NYC	Ulster	Active	41,860	28,257	2,584	687	615	6,012	27	3	92	34,907	115,044
Outside NYC	Ulster	Inactive	4,208	2,178	202	82	83	625	1	1	23	3,841	11,244
Outside NYC	Ulster	Total	46,068	30,435	2,786	769	698	6,637	28	4	115	38,748	126,288
Outside NYC	Warren	Active	10,480	18,949	636	188	129	2,612	4	20	3	8,673	41,694
Outside NYC	Warren	Inactive	1,223	1,554	53	25	25	358	0	0	2	1,262	4,502
Outside NYC	Warren	Total	11,703	20,503	689	213	154	2,970	4	20	5	9,935	46,196
Outside NYC	Washington	Active	8,819	14,721	662	133	190	2,241	3	3	3	7,719	34,494
Outside NYC	Washington	Inactive	868	1,079	59	12	35	312	0	0	0	1,014	3,379
Outside NYC	Washington	Total	9,687	15,800	721	145	225	2,553	3	3	3	8,733	37,873
Outside NYC	Wayne	Active	13,531	22,369	1,562	148	283	2,985	3	4	78	14,385	55,348
Outside NYC	Wayne	Inactive	900	928	64	15	31	232	0	0	10	1,047	3,227
Outside NYC	Wayne	Total	14,431	23,297	1,626	163	314	3,217	3	4	88	15,432	58,575
Outside NYC	Westchester	Active	286,167	134,076	8,356	929	1,489	22,660	95	14	172	144,133	598,091
Outside NYC	Westchester	Inactive	24,772	11,597	656	90	188	2,227	0	0	14	13,457	53,001
Outside NYC	Westchester	Total	310,939	145,673	9,012	1,019	1,677	24,887	95	14	186	157,590	651,092

REGION	COUNTY	STATUS	DEM	REP	CON	GRE	WOR	IND	WEP	REF	OTH	BLANK	TOTAL
Outside NYC	Wyoming	Active	5,478	11,044	560	38	100	1,211	0	0	12	5,342	23,785
Outside NYC	Wyoming	Inactive	421	645	42	2	17	126	0	0	0	531	1,784
Outside NYC	Wyoming	Total	5,899	11,689	602	40	117	1,337	0	0	12	5,873	25,569
Outside NYC	Yates	Active	3,219	6,474	237	49	60	677	12	20	4	2,747	13,499
Outside NYC	Yates	Inactive	258	389	20	4	10	77	0	0	3	355	1,116
Outside NYC	Yates	Total	3,477	6,863	257	53	70	754	12	20	7	3,102	14,615
Outside NYC Grand Tot		Active	2,617,498	2,193,199	132,831	18,333	29,646	344,690	1,147	753	4,689	1,656,556	6,999,342
Outside NYC Grand Tot		Inactive	219,195	144,529	8,895	2,163	3,742	33,371	30	8	641	153,972	566,546
Outside NYC Grand Tot		Total	2,836,693	2,337,728	141,726	20,496	33,388	378,061	1,177	761	5,330	1,810,528	7,565,888
Within NYC	Bronx	Active	533,090	39,637	2,969	673	2,764	13,601	236	19	112	97,741	690,842
Within NYC	Bronx	Inactive	68,118	5,857	438	77	515	2,110	11	0	21	14,416	91,563
Within NYC	Bronx	Total	601,208	45,494	3,407	750	3,279	15,711	247	19	133	112,157	782,405
Within NYC	Kings	Active	990,147	119,597	4,607	2,858	5,374	29,950	299	27	483	247,430	1,400,772
Within NYC	Kings	Inactive	86,479	10,091	437	339	683	3,431	1	1	48	24,232	125,742
Within NYC	Kings	Total	1,076,626	129,688	5,044	3,197	6,057	33,381	300	28	531	271,662	1,526,514
Within NYC	New York	Active	674,501	92,297	1,734	1,947	1,969	28,465	209	37	541	183,401	985,101
Within NYC	New York	Inactive	85,544	17,686	285	320	334	5,917	2	0	114	31,097	141,299
Within NYC	New York	Total	760,045	109,983	2,019	2,267	2,303	34,382	211	37	655	214,498	1,126,400
Within NYC	Queens	Active	724,821	122,888	5,397	1,666	3,475	27,622	290	33	306	232,591	1,119,089
Within NYC	Queens	Inactive	46,637	8,173	402	125	293	2,198	2	0	36	15,574	73,440
Within NYC	Queens	Total	771,458	131,061	5,799	1,791	3,768	29,820	292	33	342	248,165	1,192,529
Within NYC	Richmond	Active	125,048	81,224	4,433	380	1,138	9,678	51	22	124	59,189	281,287
Within NYC	Richmond	Inactive	8,656	4,526	254	32	106	705	0	0	8	3,940	18,227
Within NYC	Richmond	Total	133,704	85,750	4,687	412	1,244	10,383	51	22	132	63,129	299,514
Within NYC Total		Active	3,047,607	455,643	19,140	7,524	14,720	109,316	1,085	138	1,566	820,352	4,477,091
Within NYC Total		Inactive	295,434	46,333	1,816	893	1,931	14,361	16	1	227	89,259	450,271
Within NYC Total		Total	3,343,041	501,976	20,956	8,417	16,651	123,677	1,101	139	1,793	909,611	4,927,362
Statewide Total		Active	5,665,105	2,648,842	151,971	25,857	44,366	454,006	2,232	891	6,255	2,476,908	11,476,433
Statewide Total		Inactive	514,629	190,862	10,711	3,056	5,673	47,732	46	9	868	243,231	1,016,817
Statewide Total		Total	6,179,734	2,839,704	162,682	28,913	50,039	501,738	2,278	900	7,123	2,720,139	12,493,250