



Legislation Details (With Text)

File #: Res 1230-2008 **Version:** * **Name:** Protect the voting rights of the people of New York. (S.3930, S.3931, S.3932 and S.3933)

Type: Resolution **Status:** Filed

In control: Committee on Governmental Operations

On agenda: 1/30/2008

Enactment date: **Enactment #:**

Title: Resolution urging the New York State Senate to pass S. 3930, S. 3931, S. 3932 and S. 3933, which would protect the voting rights of the people of New York.

Sponsors:

Indexes:

Attachments:

Date	Ver.	Action By	Action	Result
1/30/2008	*	City Council	Introduced by Council	
1/30/2008	*	City Council	Referred to Comm by Council	
12/31/2009	*	City Council	Filed (End of Session)	

Res. No. 1230

Resolution urging the New York State Senate to pass S. 3930, S. 3931, S. 3932 and S. 3933, which would protect the voting rights of the people of New York.

By Council Members Mealy, Fidler, Gentile, James and Seabrook

Whereas, All too often, minorities and other populations still face discrimination and intimidation tactics when attempting to vote; and

Whereas, In the rare cases where violations of the electoral franchise are investigated or criminal charges are brought against people who have attempted to obstruct the will of the voter, the local district attorney is constrained by the lax penalties set forth in the election law; and

Whereas, S. 3930 would amend the election law to both clarify the charges that can be brought in such cases and increase the penalties for those who are found to have repeatedly violated the election law, giving law enforcement more power in prosecuting these matters; and

Whereas, “Push polling” is a kind of campaign technique that is designed to move the support of voters

away from one candidate and toward another, because such polls often do not involve data collection or analysis, they have been labeled “psuedo polls” by polling and survey research industries; and

Whereas, S. 3931, among other things, would require full disclosure in connection with a push poll, including: (i) the true identity of the caller; (ii) the identity of person or entity who commissioned the poll, is conducting the poll, and is paying for the poll; and (iii) whether the poll was paid for or sponsored by, one or more candidates or political committees supporting one or more candidates; and

Whereas, In a recent New York State election, documented efforts to suppress minority voting included an armed man with police shield escorting alleged poll watchers throughout various polling sites during voting hours, repeated blanket challenges at a particular polling location, the gluing down the lever for a candidate on a voting machine, people blocking the entryways to select polling sites and a widespread challenge to nearly 6,000 Democratic voters who allegedly did not live where their voter registration information claimed they did; and

Whereas, S. 3932 amends the election law to directly address and hold people accountable for intentionally suppressing a person’s vote; and

Whereas, Currently, although voter registration challenges require the police to conduct a full blown investigation, the person making the challenge is not required to affirm their knowledge under penalty of perjury and any voter who may have their registration cancelled pursuant to a challenge is not entitled to a hearing; and

Whereas, S. 3933 would eliminate the use of the police, and instead provide for a board of elections employee to conduct the research in such cases, including any field investigation; and

Whereas, In addition, S. 3933 would require any person who challenges a voter’s registration to swear to the truth of their allegations under penalty of perjury, and provide that no person’s right to vote could be affected without a complete investigation and the opportunity to answer the findings of the board; and

Whereas, the passage of S. 3930, S.3931, S.3932 and S. 3933 would further protect voters from

harassment or intimidation in days leading up to an election and upon casting his or her vote; now therefore, be
it

Resolved, that the Council of the City of New York urges the New York State Senate to pass S. 3930, S.
3931, S. 3932 and S. 3933, which would protect the voting rights of the people of New York.

LS # 3582

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10/18/07