



October 28, 2016

Via email and first-class mail

The Honorable Andrew M. Cuomo
Governor of New York State
NYS State Capitol Building
Albany, NY 12224
gov.cuomo@chamber.state.ny.us

Dear Governor Cuomo,

I am writing to you out of concern that some New York voters will stay away from the polls or experience problems at the polls, because certain candidate statements and news stories have created an atmosphere of intimidation and violence. The Washington Post recently reported on a poll that found half of all likely voters are at least somewhat fearful that there will be violence on or after Election Day. Nearly one in five likely voters are very concerned about violence on or after Election Day.

The poll does not provide a demographic breakdown of its respondents, but it is reasonable to assume that fear of Election Day violence is higher in communities that have been historically targeted by voter suppression efforts and rhetorically targeted by the campaign of Mr. Trump: Black, Muslim, and Latino Americans, and Americans who are non-native English speakers.

The words of Trump supporter and Ohio resident Steve Webb provide a disturbing insight into how some Trump supporters are interpreting Mr. Trump's statements. "I'll look for...well, it's called racial profiling." Mr. Webb told the Boston Globe. "Mexicans. Syrians. People who can't speak American. I'm going to go right up behind them. I'll do everything legally. I want to see if they are accountable. I'm not going to do anything illegal. I'm going to make them a little bit nervous."

As you know, targeting voters for surveillance and intimidation on account of their religion, race, nationality, or language is illegal under federal law. For that matter, federal law prohibits intimidating or threatening any citizen who is lawfully entitled to vote from doing so during federal elections.

Moreover, New York, like most states, carefully regulates poll monitoring and voter challenges. The process by which the public can access a polling place for any purpose other than voting or assisting another person (who needs assistance) with voting is regulated, as is the process for bring challenges. As you may know, in New York, besides

election workers, only poll watchers appointed by party, committee or independent body whose candidates are on the ballot are permitted to observe inside the polls on Election Day. N.Y. Election Law § 8-500. N.Y. Election Law § 8-500. Further, voters can only be challenged by an election inspector, a watcher, or a qualified voter who is properly in the polling place on the basis of a reason that would make the person unqualified to vote. N.Y. Election Law § 8-504.

As a president of a nonpartisan organization dedicated to ensuring the voting rights of every eligible citizen, I ask that you take steps to reassure New York voters that they can expect a safe voting environment where they will be able to cast their ballot and have it counted, including speaking out against efforts to intimidate or threaten any citizens trying to exercise their right to vote and any efforts to establish a presence in polling place in violation of New York state law. I also ask that you work with Attorney General Eric Schneiderman and Board of Election Chairs, Peter Kosinski and Douglas Kellner to develop protocols to respond to the concerns of election officials or voters who encounter acts of intimidation at the polls.

By most accounts, this election year has fallen far outside the norms of American political behavior. One norm we do not want to see fall by the wayside is our history of nonviolent political succession. Please act to ensure that New York voters can cast their ballots free of fear and intimidation so that this election year will serve as an example for future generations of Americans and also to those abroad who look upon us as a model for the peaceful, democratic transfer of political power.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Slater", with a long horizontal flourish extending to the right.

Michael Slater
President