

VIA ELECTRONIC MAIL AND USPS

April 1, 2021

Commissioner Erik J. Haight
Commissioner Hannah Black
Dutchess County Board of Elections
47 Cannon Street
Poughkeepsie, New York 12601

Re: Supplement to March 12, 2021 Letter to BOE

Dear Commissioner Haight and Commissioner Black:

I am writing a follow up note to my letter of March 12th now that the March 15 deadline for designating polling locations has passed without any explicit designation by the Board of Elections of which we are aware.

In my letter of March 12, 2021 (page 3), I wrote that Judge Rosa's October 30, 2020 Order that the Bertelsmann Campus Center "be made available by the Dutchess County Board of Elections as an additional polling location" is the last legal designation of polling locations in District 5. As I said in that letter, "[i]f there is a 'default' position [i.e., in the absence of an agreement between the two Commissioners], it is that both the Church and the Campus Center be re-designated."

To ensure that the Board understands Bard's position, I am attaching a copy of that October 30, 2020 Order. Please note the relevant language:

ORDERED that the Bertelsmann Campus Center at Bard College...be made available by the Dutchess County Board of Elections...as an additional polling location of the Town of Red Hook Voting District 5, along with the St. John's Episcopal Church....;

ORDERED that Dutchess County Board of Elections update its website to indicate that Bertelsmann Campus Center has been designated as an additional polling location for the Town of Red Hook Election District 5 as soon as possible....

Neither these nor any other paragraphs of the Order limit the designation of the Bertelsmann Campus Center to the election of November 3, 2020. Neither that Election Day nor any other is referenced in the Order. I note that, consistent with this Order, the Board of Elections' website continues to (correctly) identify both the Bertelsmann Campus Center and the Church as polling locations for District 5 after the March 15 deadline

The explicit language of the October 30, 2020 Order refutes Commissioner Haight's unsupported, erroneous contention at the February 25 meeting that absent an agreement between the Commissioners the default position reverts to the Church as the sole 2021 polling location in District 5. Failing to recognize the Bertelsmann Campus Center as a polling location—after Judge Rosa's *two* orders designating it and after the Center successfully hosted voting on November 3, 2020--would be further to evidence of discrimination against students, minorities, and disabled voters of District 5.

Thank you for your consideration on this important matter.

Yours sincerely,



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Director, Bard Center for Civic Engagement
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cc: Honorable Marcus J. Molinaro, County Executive – Dutchess County
Honorable Kevin A. Cahill, Assembly Member, Assembly District 103
Honorable Sue Serino, State Senator, Senate District 41
Honorable Robert McKeon, Supervisor, Town of Red Hook
New York State Board of Elections, Co-Chairs Peter S. Kosinski and Douglas A. Kellner
Commissioner Andrew J Spano
Commissioner Anthony J. Casale
Michael Volpe, Esq., Venable LLP
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