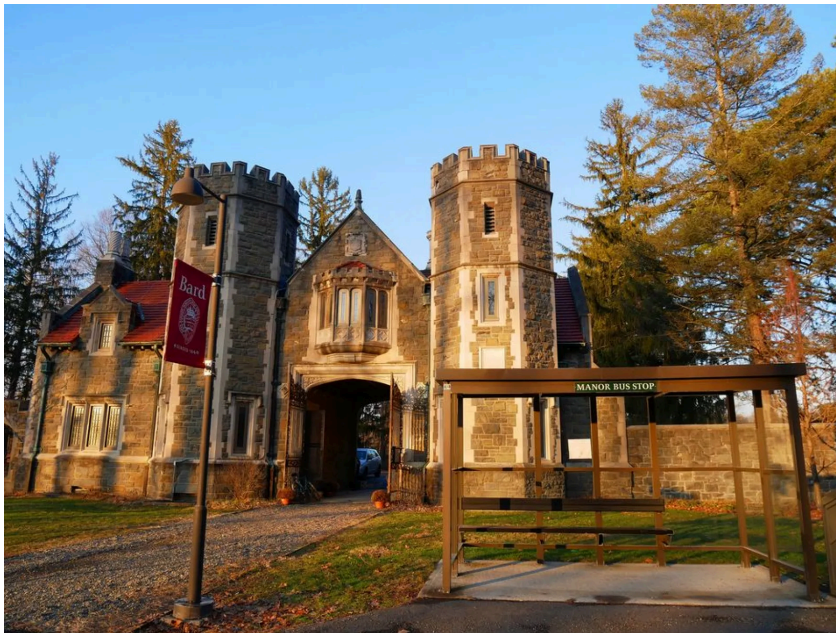


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Judge Rules Against Moving Polling Site To Bard College

WAMC Northeast Public Radio | By Allison Dunne

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A New York state Supreme Court judge has denied a petition from Bard College to move an off-campus polling site to its Annandale-on-Hudson campus. Bard had filed suit against the Dutchess County Board of Elections in September, alleging unsafe

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The lawsuit filed by Bard College and the Andrew Goodman Foundation, which supports student voting across the country, claimed the Dutchess County Board of Elections allegedly violated students' voting rights, and wanted to move the District 5 polling site in Red Hook to the Bard campus. Jonathan Becker is Bard's Executive Vice President and Vice President for Academic Affairs.

"Well, the judge found merit in our arguments, and even conceded that a polling place at Bard is likely to be better and safer, but ruled against us on process," Becker says.

He says the polling site at St. John's Episcopal Church, about a mile-and-a-half from campus, is not compliant with the Americans with Disabilities Act and related state law. In her decision, the judge says the petitioners did not raise ADA issues in a February letter to the county election commissioners, nor did they provide any evidence that voters have been disenfranchised because of accessibility issues. The judge writes that while petitioners stated good cause for consideration to be given to moving the polling place, they offered no explanation for not starting their action earlier, and now it is too close to the election to continue with legal action and consider moving the polling place.

Democratic Dutchess County Board of Elections Commissioner Elizabeth Soto submitted a letter saying she agrees with Bard that the polling site should be moved on campus. Republican Dutchess County Elections Commissioner Erik Haight, in an emailed statement, says, "The rule of law has prevailed and I'm gratified the Court reached the obvious decision. I think this is a good teaching lesson for the students that if you don't get what you want, you shouldn't just run off to court and waste everyone's time and taxpayer's money."

Becker, who also is director of Bard College's Center for Civic Engagement, says they are reviewing all options to challenge the decision.

"One of the main bases of the ruling was that the judge agreed with Commissioner Haight's claim that it is too late to move the polling site, that moving a polling site would be unfair to voters," Becker says. "However, in an act of total cynicism, literally the day after the judge made the decision, two other polling sites in Red Hook were moved from town hall."

Becker, who votes in District 7, says he learned of the polling site changes after asking the Red Hook town supervisor. Red Hook Town Hall, which had served as the polling sites for these Districts 7 and 8, remains closed to the public because of COVID-19. The two districts will now vote at the middle school. Haight did not respond to a question on these polling site changes in time for this broadcast.

“We believe that the Board of Elections, Commissioner Haight, deceived the judge in their claims that it was impossible to move the polling site at this late date, and we’ll continue to push for what we think is right, which is a safer, more appropriate handicap-accessible polling site on Bard campus,” Becker says.

For previous elections, Bard has provided shuttles to the polling site, which follows a windy, country road, inaccessible by public transit. Becker says the college will find a safe, socially distanced way to transport students to the site.

“We are encouraging students to do absentee ballots, but all the data show that young people do not fill out absentee ballots the same as other people,” says Becker.

Becker says generations of student leaders have worked to bring a polling site to campus dating back to the early 2000s.

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