

Christian Sampson  
Town Clerk of the Town of Ramapo  
237 Route 59  
Suffern, New York 10901

CC: Town Board of the Town of Ramapo

July 30, 2015

**Re: Procedures for canvassing and certification of the Town of Ramapo  
Special Election of September 30, 2014**

Dear Mr. Sampson,

This letter adds to the comments I submitted last night to you via email, dated after midnight 7/29/2015, with suggestions for the validation of the affidavit ballots. As you know, I was not sent the procedures for the canvassing of the ballots until after 5:00 pm yesterday so I am still reviewing and evaluating the procedures and as a resident and tax payer who voted in this election I am very concerned about a number of issues. I already gave you some immediate feedback on some of the procedures; this letter addresses larger issues that are of concern that I request be promptly considered.

I have spent time reviewing EAC.gov where detailed federal guidelines are provided to support local officials like yourself in running a local election; I also spoke with Brian Quail, attorney for the NY State Board of Elections. While the Town of Ramapo does have more latitude than the county board of elections, your responsibility is to still be able to achieve the standard goals associated with processing any vote, so there is an expectation that you will do so by following commonly accepted procedures, deviating from those commonly accepted procedures only when there is a compelling reason to do so]

There is a minimum requirement to account for all of the ballots. I do not see anything in the current procedures that addresses this requirement.

It is my understanding that you should have a Ballot Reconciliation Form for each of the polling locations and I also would assume one for the Town Clerk's office where absentee ballots were issued. Your procedures make no mention of this form or any similar form. Throughout your process of dealing with all the ballots cast, ballots voided, ballots damaged and so on, there should be a way to relate those

ballot numbers to the range of ballots and number of ballots used up at each location. It is imperative that the procedures account for this fundamental need.

Today you started with the processing of the absentee ballots. I reviewed a sampling of the scans of the absentee ballot envelopes that you released under FOIL. I only see the front of the envelopes and there is no ballot # listed. The scan is missing the signature and perhaps an accounting for the ballot #.

How are you accounting for the ballot numbers used in the absentee ballot processing that were issued by your office? Your procedure should answer this question.

I commented in email and in the validation room earlier today on the way in which the affidavit ballots were comingled from the various polling locations. Since it is my understanding that the Board of Elections has been overseeing the ballots and it is my understanding that they would maintain those affidavit ballots by the polling location from which they were sourced, these ballots will come to you organized by polling location; I am asking you to process them by polling location just as you did for absentee ballots. There has been no rational reason provided for not following a similar procedure as you did for the absentee ballots and I request that you do.

Your plans to commingle affidavit ballots into one large group is problematic on multiple levels: you need to account for all the ballots by polling locations, you need to process the challenge reports and those challenge reports, organized by location may relate to affidavit ballots, and – I argue – there is a need to produce affidavit vote counts by polling locations to address concerns regarding an unfair distribution of these ballots to different polling locations.

It seems that you may be several days away from the validating of the affidavit ballots so there is time to amend your procedures to address the need to account for the ballots.

Since the Town of Ramapo has made a statement of commitment to transparency, this level of organization and transparency is justified. Subsorting is a common operational technique to increase efficiency and accuracy; I argue that you will find the overall process of dealing with alphabetization of affidavit ballots to be faster and more reliable if you deal with smaller piles by polling location than with one large mass. And there is no cost to the town to deliver the ballots organized by polling location to the BOE.

Additional suggestions on ballot accounting and processing can be found in Chapter 13 of Election Management Guidelines (p135ff).

Finally, I am formally asking that you please reconsider your decision to only allow one total count of all ballots after being comingled instead of following normal operating procedure for the counting of votes by type and by election district or at least polling location. It is my understanding that the gathering of additional data points for this election at this time is no additional cost to the Town of Ramapo, whereas any requirement to produce that data in the future will result in an extra cost to the Town.

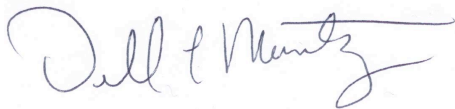
The ability of the town to be able to provide a greater level of detail and transparency will address in advance any claims regarding attempts to purposefully obfuscate the election results and perhaps obviate any interest in litigation challenging the election results.

The public is interested in the results of the election and is naturally curious as to the extent of the participation of residents of their local area, and the leaning of the residents of each given area particularly in light of the nature of the referendum questions themselves. No election process is perfect but in the end it is important to be able to look at the results and be able to ascertain if the results appear to reflect the will of the people; more detail and not less will help answer that question. Since producing the more detailed data requires negligible effort, incurs no more cost, and you've been asked to do so in advance, it will be hard for anyone to interpret a failure to do so as anything other than intentional obfuscation and lack of transparency.

I also want to remind you of my offer to volunteer to work with your office to help plan out operational procedures or to organize any materials to help the Town strengthen its processes at no cost to the Town of Ramapo.

Thank you for addressing the questions and requests raised by this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Deborah Munitz", with a stylized, flowing script.

Deborah Munitz  
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