Peter S. Kosinski
Co-Chair

Anthony J. Casale
Commissioner

Raymond J. Riley, III
Co-Executive Director



40 NORTH PEARL STREET, SUITE 5
ALBANY, N.Y. 12207-2109
Phone: 518/474-8100 Fax: 518/486-4068
http://www.elections.ny.gov

Henry T. Berger
Co-Chair

Essma Bagnuola
Commissioner

Kristen Zebrowski Stavisky
Co-Executive Director

October 4, 2024

Commissioner Dustin Czarny
Commissioner Michele Sardo
Onondaga County Board of Elections
1000 Erie Blvd W
Syracuse, NY 13204

Dear Commissioners Czarny and Sardo:

As the Co-Executive Directors of the New York State Board of Elections (NYSBOE), we are writing to you to express our grave concern over the ongoing backlog of voter registration applications, absentee/early vote-by-mail requests and other voter list maintenance transactions within the Onondaga County Board of Elections. The severity of this situation not only threatens the integrity of the upcoming election but also undermines the basic rights of all voters, but especially military and overseas voters, whose timely processing is required under federal law.

Unacceptable Backlog and Communication Failures

On September 20, 2024, we were belatedly informed of a significant backlog in your voter registration and absentee ballot processing, with some documents dating back to August 17, 2024. This revelation was deeply troubling, especially given that this issue had not been communicated to the NYSBOE earlier, despite its clear importance. This information was not proactively communicated during a call initiated by Onondaga. Rather, the State Board of Elections contacted Onondaga several times that day to find out why MOVE ballots had not been transmitted as required by state and federal law. During one of those conversations, Commissioner Czarny noted there was a significant backlog. On Saturday, September 21, 2024, we learned that this backlog had swelled to 20,000 unprocessed documents—a figure confirmed by media reports that preceded notification to the State Board of Elections. The failure to notify us promptly of this situation is unacceptable and represents a serious breach in communication.

As reported to us, your office had initially planned to resolve your original August backlog, consisting of thousands of transactions, by Labor Day, but this deadline came and went

with no meaningful improvement. In fact, by September 27 the backlog had grown to a staggering 23,382 unprocessed forms. Although a slight reduction occurred thereafter, with data provided on October 1 indicating that more than 19,000 forms remained unprocessed—an egregious shortfall that threatens the timely enfranchisement of voters in your county remains.

Inadequate Response and Lack of Accountability

Despite our repeated interventions and guidance, your office has not made sufficient progress to address the backlog. On September 24, we were informed by you of steps being taken to mitigate the issue, including the hiring of temporary staff, mandatory overtime, and reorganized workflows. However, your own data shows that these measures have been woefully inadequate. The pace of processing has been wholly insufficient to resolve the backlog in a timely manner.

Additionally, our on-site visit conducted yesterday, October 3rd, by the Director and Deputy Director of our Election Operations Unit—alongside a representative from your voter registration vendor—confirmed our worst fears. We observed significant systemic issues, including:

- **Mismanagement of staff resources:** Your office has failed to utilize available personnel effectively, with key positions left unfilled and overtime inadequately supervised.
- **Breakdowns in communication:** There is a clear lack of communication between leadership and staff, leading to a chaotic work environment and missed opportunities to resolve the backlog.
- **Lack of productivity:** It was apparent during our visit, and is supported by the statistics provided to date, that a significant deficit in productivity exists, with little to no true sense of urgency being exhibited.
- **Insufficient adherence to proper processes:** We have been made aware of several inconsistencies in the application of key procedures necessary for the timely and accurate processing of voter documents. These lapses raise concerns about the overall efficiency and reliability of your operations, and they must be addressed to ensure the integrity of the election process.

Failure to Process Military and Overseas Voter Documents

Of particular concern is the handling of documents for military and overseas voters protected under the UOCAVA and MOVE Acts. Despite repeated assurances from your office that these voters were being prioritized, we were made aware today of the fact that 28

forms from these voters had not been processed as of this morning. While most of these documents were received this week, we have discovered at least one form that was received on September 19, 2024—well within the timeframe for a ballot to have been sent out under both state (9/20) and federal (9/21) deadlines. The fact that this document has not yet been processed is unacceptable and constitutes a violation of state and federal law.

We are mandated to report this directly to the U.S. Department of Justice and will coordinate with them on the necessary next steps for Onondaga County to follow in addressing this issue.

Immediate Action Required

The NYSBOE will not tolerate further delays in addressing this backlog. The timely processing of voter registration applications and mail ballot requests is not optional—it is a legal and moral imperative. All outstanding voter registration applications, mail ballot requests, and UOCAVA/MOVE Act forms **must** be fully processed by **Sunday, October 6, 2024**. This is a firm deadline, and failure to meet it will result in immediate state intervention.

Should your office fail to meet this deadline, the NYSBOE will take all necessary actions to ensure the voters of Onondaga County are not disenfranchised. The NYSBOE is prepared to act swiftly and decisively to resolve this situation.

Next Steps

We expect continued daily updates on your progress, including detailed reports on the number of documents processed and the remaining backlog. Failure to comply with these reporting requirements will also trigger state intervention.

The NYSBOE remains committed to ensuring that every eligible voter in Onondaga County has their voice heard in the upcoming election. We urge you to take the necessary steps to complete this work promptly, efficiently, and in full compliance with state and federal law.

Sincerely,

Kristen Zebrowski Stavisky
Co-Executive Director

Raymond J. Riley III
Co-Executive Director