

LWV of Albany County

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March 2005

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MARCH PROGRAM

TOPIC: "WOMEN'S HISTORY: STILL BEING MADE"

SPEAKER: Helen Desfosses, President of the Albany Common Council and Professor at SUNY Albany

WHEN: Tuesday, March 29th 5:30-7:00 p.m.

WHERE: Fort Orange Club, Washington Avenue Albany
(next to the Alfred E. Smith Building - parking located behind the building)

WHY: The role of women in government is more important than ever! Come hear from someone with direct experience at influencing today's political process and shaping women's history in our times. This topic is relevant to everyone who cares about women and politics (that's you) and we encourage you to bring friends to this event. Plus, LWVAC members who bring friends that join that evening will receive a discount on annual dinner costs.

DETAILS: Light food and a cash bar will be provided . Per person charge is \$10.

RSVP: To Katie Henrikson at khenriks@nycap.rr.com or Tel: (518) 439-4308 by Monday, March 21st.

Valentine's Reception for County Legislators A Huge Success !!!!

On Valentine's Day, many League members attended the League's reception for County Legislators. This event was very well attended by League members, County legislators and the County Executive. League members were able to meet and learn about their legislators position on issues and share their views.

Thanks so much to all those who attended. A very special thanks to MARGGIE SKINNER and PAT MCGOWAN-WEBB who did an excellent job mapping out the new election districts and provided information on all the legislators. Also thanks to Jessica McMullan, Wendy Dury Samson and Aimee Allaud for helping to organize the event.

FROM THE PRESIDENT

I hope you will celebrate Women's History Month by joining the League at our monthly program "Women's History: Still Being Made" featuring Helen Desfosses, President of the Albany Common Council and professor at SUNY Albany. Helen herself made (recent) history when she was the first woman elected President of the Albany Common Council. We are thrilled she will be our speaker this month.

The League's goal for this program is to reinvigorate our membership and remind every member that indeed, "We've come a long way baby" - but we still have a long way to go. To encourage expanding our membership, we are offering a discount off the annual dinner price for League members who bring friends that join the League the evening of the program.

As you know, the League is one of the few organizations with a primary goal of improving citizen participation in

democracy in a non-partisan manner. Ensuring integrity in the elections process, promoting citizen involvement in government, and educating the public about a variety of issues are just a few of the things we do every month by holding candidate forums, providing programs, and monitoring federal, state and local governments.

The right to vote should not be taken lightly - and perhaps the war in Iraq is a good reminder of the sacrifices that are made for the right to vote. It was not that long ago that women in our country made huge sacrifices and fought hard for the right to vote - and so it is our obligation not to take that right for granted. After all, that is why I belong to the League (aside from getting to meet wonderful people with a common interest in promoting good government in a non-partisan manner). So I hope to see you at the March event!

Courtney Burke

"SMART Growth", "Suburban Sprawl", "Open Space Protection", "Town Moratoriums"...These are terms familiar to many concerned about how the Capital District is growing.

In fact, several towns are actively trying to think about and plan for future growth. Home Rule law gives them this responsibility, with Town Supervisors assuming a leadership role in creating and implementing a vision for the town. They are at the front line when it comes to understanding the needs and aspirations of a municipality.

On April 12, from 7 to 9 p.m. at The Crossings of Colonie, the Albany County League of Women Voters is sponsoring an informational program that brings together Town Supervisors from New Scotland, Berne, Colonie, Bethlehem, and Guilderland. Together they will describe and discuss their own efforts to develop either a Comprehensive Plan or a smaller plan focusing on a portion of their town.

This is a rare opportunity to hear from experts what they have done in their own towns, sharing with us their experience. This will be a very informative program and we urge you to come and encourage you to invite others. If you have questions or would like to help in anyway, please call Nancy Heinzen, Natural Resources portfolio and program organizer, 478-9407 or e-mail: nheinzen@nycap.rr.com for a copy of the program flyer. Consider posting these in your office, church, or small business. Thanks!

The flyer is on page 11

The League of Women Voters is a nonpartisan citizen organization that promotes the informed and active participation of citizens in government, and influences public policy through education and advocacy. Any person of voting age, male or female, may become a League member.

This newsletter is published by the League of Women Voters of Albany County, 12 Coventry Road, Glenmont, New York 12077 and mailed to League Members. The frequency of publication is as follows: one mid-summer issue followed by nine monthly issues from September to May.

A brief biography of Helen Desfosses

Helen Desfosses has lived in Albany for over twenty-five years. She is a life-long Democrat, having learned the importance of political involvement from her mother, who chaired the Democratic Women's Club in their town in Maine when Helen was growing up

Helen was elected President of the Albany Common Council in 1997 for a four-year term. She was re-elected in 2001 and is also Associate Dean for Educational Development at the Rockefeller College of Public Affairs and Policy, State University of New York at Albany, where she also serves as Associate Professor of Public Administration and Policy, and Africana Studies.

Helen has a B.A. from Mount Holyoke College, an M.A. from Harvard University, and a Ph.D. in Political Science from Boston University. She is a frequent policy analyst for local television and public radio. She is a regular bi-weekly political commentator on the noon news on WAMC public radio, and is heard from time to time on KPFA public radio in San Francisco. She is also a regular political commentator on "51%", the award-winning public radio show on women, and shared in the EMMA, the Exceptional Merit in Media Award, which the show received twice from the National Women's Political Caucus.

Helen is the author of several books and articles on national and international policy issues. Her research has been supported by the Ford Foundation, the American Association of University Women, the National Academy of Sciences, the US Department of State, and the Hoover Institution at Stanford University. Her most recent book, *Designs for Democratic Stability*, which she co-edited, was published in 1997.

Helen has received many awards. Most recently in June 2000, she received the Women of Excellence Award from the Albany-Colonie Regional Chamber of Commerce. In 2003, she received the Public Service Award from the State Academy of Public Administration.

More information about Helen Desfosses can be found at her web site
(<http://www.helendesfosses.org>)

Human Rights Local Law "B" Amendment

In 2002, the NY State Legislature passed a Human Rights Bill which prohibits discrimination against gay, lesbian and bisexual individuals. At that time the LWVAC and many other good government organizations praised NY State's resolution ensuring that every person in our society will be treated fairly and justly, despite personal beliefs and life styles.

Now we have an opportunity at the Albany County level to include rights for other unprotected people. Current Albany County Human Rights Law does not protect the rights of victims of domestic violence, individuals in active military service and transgendered individuals. These are all people who work hard to support themselves and their families, contribute to society and struggle to gain acceptance from their community. We encourage you to ask your local legislator to support the amendment to the Albany Human Rights Law of 2000 introduced by Albany County Legislators John A. Frederick, George Infante, Paul Collins, Philip Steck, Thomas Monjeau and Lucy McKnight.

A coalition has been formed to support this legislation. The coalition includes the League of Women Voters of Albany County, NYCLU Capital Region Chapter, Empire State Pride Agenda and In Our Own Voices and many others. The League will present testimony in support of the legislation to the Albany County Legislature in the near future.

If you wish to help support this effort or if you have questions, please contact Marggie Skinner 489-5311 or Melanie Trimble 439-8475.

Update on Legislative Action to Implement Help America Vote Act

In January 2005 the Assembly bills to implement HAVA were reintroduced with minor changes. Common Cause, NYPIRG and the League provided a memo of support for these bills which was sent to the Elections Committee. The Assembly passed those bills on January 25 and called on the Senate to introduce and pass their HAVA implementation legislation as early as possible so that the conference committee could be reconvened.

In late January, Majority Leader Joe Bruno announced the appointment of new committee chairs. Senator John Flanagan, Suffolk County, was named to chair the Elections Committee, a new assignment for him (he had not sat on this committee before). League Legislative Director, Barbara Baroletti and I met with Senator Flanagan and his staff on January 30 to inform him of League's concerns on implementation and the urgency to act. See (page 6) our brief statement of position which we presented to him. The statement recommends that the legislature explore all available voting systems in their search for an appropriate replacement for lever voting machines. While we have not endorsed a specific type of system, recent information suggests that optical scan voting systems should also be considered as well as DREs.

The Senate introduced their set of HAVA implementation legislation the first week of February and the bills passed through committee on February 7. They are essentially the same package of bills which the Senate introduced last session. It is expected they will pass the Senate the week of February 14, paving the way for a conference committee to be appointed and meetings to begin in early March. See our joint memo on the bills on the next page.

The Senate bill nos. are:

- S.1809 (Flanagan) – An act to amend the election law, in relation to enacting the “voting machines modernization act of 2005,
- S.1810 (Flanagan) – An act to amend the election law, in relation to verification of voter information,
- S.1811 (Flanagan) – An act to amend the election law, in relation to providing for a Help American Vote Act administrative complaint procedure,
- S. 1812 (Flanagan) – An act to amend the state finance law, in relation to establishing the Help America Vote Act implementation fund,
- S.1813 (Flanagan) – An act to amend the election law, in relation to creating a statewide voter registration list,
- S.1814 (Flanagan) – an act amending the election law relating to initial voter identification.

Missing from the package of bills is legislation to consolidate election operations at the county level which the NYS Election Commissioner's Association supports and the League and the HAVA Statewide Coalition have endorsed. The Assembly has passed their bill on this issue. Consolidation of authority and responsibility to conduct and manage elections in the county boards of elections is essential to any meaningful and effective implementation of HAVA in the state. Although not mandated under HAVA, this step will improve election administration and provide accountability.

Aimee Allaud, Elections/Govt. specialist (518/482-2617)

BRENNAN CENTER FOR JUSTICE
 CITIZENS UNION
 COMMON CAUSE/NY
 LEAGUE OF WOMEN VOTERS/N.Y.S.
 NEW YORK PUBLIC INTEREST RESEARCH GROUP

**STATEMENT OF POSITION on
 STATE SENATE's PROPOSED IMPLEMENTATION of
 HELP AMERICA VOTE ACT (HAVA)
 S.1809, S.1810, S1811, S.1813, S.1814**

SUMMARY OF POSITION:

Our organizations have both positive views and significant reservations about some elements of the package of "HAVA" bills today that will be considered by the State Senate Elections Committee, but urge their quick consideration and passage in order that a conference committee between the Assembly and the Senate take place at the earliest opportunity. Last year, a conference committee appeared to make significant progress in resolving differences between Assembly and Senate bills that would implement the federal law, the Help America Vote Act, (HAVA), though no final consensus was reached. As a result, NYS now lags far behind many other states in the country in addressing changes to the way in which New Yorkers vote that was mandated by the federal government in response to the disasters experienced during the 2000 Presidential election.

Our groups support the 1) creation of a statewide voter database created by the state allowing local access, 2) establishment of a clear, broad, and inclusive list of acceptable forms of identification, and 3) establishment of a single, statewide, voting machine to ensure uniformity that will also repeal the full face ballot requirement and provide for a voter-verified paper audit trail.

Since this package of bills at least restarts a needed a needed discussion on the state's long overdue obligation to implement election reform generally and HAVA specifically and contains some very good provisions, we grade it *one* "thumbs up" out of *three*.

POSITION on SENATE BILLS, S.1809, S.1810, S1811, S.1813, and S.1814:

Our groups find the package of bills somewhat weak, with more pieces missing than present. That said, we are pleased to see:

1. Inclusion of a mandated voter verifiable paper trail to ensure all votes can be counted;
2. A citizen committee to help select voting machines. As always the devil is in the details. We re specifically concerned that the citizen committee, while a positive step includes too many Governor appointees, and while it specifically mentions inclusion of disabled voters, it does not mention including ethnic or language diversity.
3. The bills call for counties to select their own voting machines Our groups have strongly supported a statewide single system to avoid a patchwork system of voting like we have seen in states like Florida.
4. The bills do not assure localities that they will have adequate numbers of machines. Our groups support ensuring that all localities have enough machines to match the number of eligible voters.
5. The audit system called for in this package is not strong enough.
6. The Senate package does not include "optical scan" as an option. Our groups prefer the Assembly package which cite optical scan as an option.
7. On the voter registration database, the Senate Bill appears to only include Department of Motor Vehicles and Social Security. We support sharing the database with a broader list of agencies.
8. The Senate package proposed extending last year's weak law on voter ID and making it permanent. Our groups support a broader, more inclusive definition of acceptable ID.

Brief Statement of position on implementation of the Help America Vote Act in New York State (HAVA)

I. VOTING SYSTEMS

“In order to ensure integrity and voter confidence in elections, the League of Women Voters of the United States supports the implementation of voting systems and procedures that are secure, accurate, recountable, and accessible.”

(approved by members at LWVUS Convention, June, 2004)

In implementing the major requirements of HAVA in New York State, we need to ensure that voting as a fundamental citizen right must be guaranteed.

Additionally, a basic principle of the League is that efficient and economical government requires competent personnel, the clear assignment of responsibility, adequate financing, and coordination among the different agencies and levels of government.

While the League has not endorsed a particular type of voting system, we do support the selection of a voting system for NYS which meets the above criteria and provides for the efficient and economical use of scarce government resources. We encourage the full exploration of all available voting technologies, using these criteria.

II. OTHER HAVA LEGISLATION

- a. Voter ID – legislation must have an “inclusive” list of acceptable ID
- b. Voter Registration Database – legislation must have an expansive list of state agency databases
- c. Poll Worker Training and Compensation – legislation must mandate increased training and minimum statewide compensation for poll workers
- d. Voter Education – the State Board of Election should design and implement a comprehensive voter education plan

January 31, 2005

Aimee Allaud, Elections/Govt. specialist (518/482-2617)

Barbara Bartoletti, Legislative Director (518/469-8905)

NOTICE:

Members attending the December luncheon approved a motion to raise annual membership dues to \$45 for an individual and \$60 for a household (up from \$40 and \$55, respectively). The motion was made as a result of increases in national per member payments (PMP) and state PMP requirements.

The motion was subsequently approved by the board and took effect on January 1st 2005. Annual dues notices are likely to be sent to members this month and will reflect the new amounts.

Albany County League is Named in Settlement of Absentee Ballot Suit

A federal lawsuit alleging election fraud in a special Democratic primary last spring has been partially settled with the Albany Housing Authority. In the Consent Decree of February 3, 2005, the Housing Authority has agreed to prohibit its employees from having anything to do with residents' voting activities. A lawsuit filed by several Albany County legislators and others claimed that a group of Albany County Democrats who were employees of the Housing Authority conspired to gain control of a large number of absentee ballot applications from Housing Authority residents in order that absentee ballots were cast for candidates favored by the defendants. Through manipulation of the absentee ballot process some 130 absentee ballots were diverted to a Democratic Party official rather than to the voters who had requested them. Numerous examples of unlawful behavior in the filling out of the applications and the ballots were uncovered in the investigation. The suit alleges that the defendants used their positions of authority to intimidate voters who live in Housing Authority properties.

The Consent Decree was signed by Judge Norman Mordue of the U.S. District Court and comes after a January 20 settlement conference. The plaintiffs and the Albany Housing Authority agreed to a modification of Authority policies regarding campaign rules, whereby specified activities by employees will be prohibited, and penalties set for violations of the rules, and establishes administrative procedures for implementing the rules.

Additionally, "The League of Women Voters shall be permitted to distribute educational material to residents and provide an educational forum on Albany Housing Authority property, with the assistance of the Albany Housing Authority, each election cycle."

The case against the Albany County Board of Elections has not been settled yet. It alleges that the Board did not conduct proper practices regarding absentee ballot applications and ballots, and allowed non-employees of the board of elections to have unsupervised and uncontrolled access to absentee applications and ballots as well as other illegal practices under the NYS Election Law.

The League had taken previous action on this case on behalf of the voters of Albany County by writing a letter to the editor of the Times Union (March 22, 2004) calling upon the County Legislature and the county executive, the Albany County District Attorney and the NYS Board of Elections to conduct an investigation into the misuse of the absentee ballots in the original case.

In consulting with the attorneys who represented the plaintiffs, we expressed our concern for a solution which would correct certain practices that have been ignored over a long period of time. Consequently, we are very pleased that this Consent Decree recognizes the League in Albany County as an effective and nonpartisan entity which can positively impact elections in Albany.

Unfortunately attempts to limit the number of absentee ballots which an individual can carry by amending the NYS Election Law have failed. Some boards of elections in the state have their own policies which set a number, but they are not required to do so. The New York State League has supported such a restriction and has lobbied for a statutory change.

Aimee Allaud
NYSLWV Elections/Govt. specialist

**League of Women Voters of New York State
35 Maiden Lane, Albany, NY 12207**

**For Immediate Release
January 13, 2005**

**Contact: Ann Brandon
Phone: 518-439-4332
Tom Daniel: 518-465-4162**

NEWS RELEASE

**LEAGUE OF WOMEN VOTERS SAYS NO TO DEATH PENALTY
*League Arrives at Position on Capital Punishment After Extensive Study***

After eighteen months of study, the League of Women Voters of New York State today released its position on capital punishment. In meetings held across the state, members resoundingly rejected this form of punishment as unfair, unworkable, and a waste of taxpayer dollars. Ann Brandon, Chair of the Death Penalty Study Committee said, "The League believes that efforts to revive the death penalty law in New York should now be abandoned."

League members argue that New York, as part of a civilized society in the 21st century, should not be executing its citizens. Most developed countries and 12 states have abolished the death penalty. Today League members join the call for abolition, with the use of life without parole as the primary alternative sentence.

Issues examined by the League include:

1. The unchecked power by county district attorneys to decide who should be tried with a possible death sentence. This power has resulted in a gross imbalance of cases, with three of seven defendants sentenced to death coming from Suffolk County. There are no fixed procedures in arriving at charging decisions, nor are decisions subject to fixed standards or to review.
2. Racial, ethnic and economic factors. These factors influence who is arrested, with a higher proportion of minorities and disadvantaged persons likely to be on death row.
3. Ten years of the law have not shown it to be a deterrent, have cost the state an estimated \$170 million dollars and cannot guarantee that a defendant is truly guilty.
4. Reliability of Evidence. Since the law was adopted in 1995, many changes have taken place in evaluating evidence, especially with the advent of DNA testing. This has proven over 100 death row inmates around the country to be innocent. But new evidence cannot be introduced at the Court of Appeals which is the final court for defendants. Also, research has shown that eyewitness testimony is frequently unreliable, but is often key to conviction.

After examining the many issues engendered by the death penalty, the League today calls on the Legislature to abolish the use of this sentence from New York State law.
The League's Statement of Position is attached.

The League of Women Voters of New York State is a multi-issue, non-partisan, grassroots organization of women and men organized in 60 local Leagues throughout the state. Since its formation in 1919, the League has encouraged the informed and active participation of citizens in government and influenced public policy through education and advocacy at the local, state and national levels.

CAPITAL PUNISHMENT IN NEW YORK STATE

Statement of Position, January 2005

The League of Women Voters of New York State opposes the death penalty. We believe that New York State, as part of a civilized society in the 21st century, should not be executing people. Almost all developed countries have abolished the death penalty. The League joins in the call for abolition of the death penalty, with the use of life without parole as the primary alternative.

Should the legislature consider reestablishment of the death penalty, the League urges the creation of a state commission to study factors including, but not limited to, the following before a decision is made:

Adequate mechanisms for introducing new evidence,
 Powers given to the county District Attorney in seeking the death penalty,
 Racial, ethnic and economic issues of defendants and victims (including data from other states),
 Geographic inequities in New York law,
 Costs of death penalty versus life in prison,
 Equitable justice for all defendants,
 Reliability of evidence in New York criminal convictions, and
 Human rights aspects of state killing.

If the New York State Legislature and Governor reestablish the death penalty statute, the League supports the exclusion of the following categories of people:

Mentally ill,
 Developmentally disabled, and
 Under 18 years of age at the time of the crime.

The League further believes that any death penalty law should require proof of guilt "beyond any doubt," rather than "beyond a reasonable doubt."

Calendar

March 29th: 5:30–7:00 p.m.

"Women's History: Still in the making"

Helen Desfosses speaker

Evening reception at the Fort Orange Club from 5:30–7 p.m.

April 12th: 7:00 p.m.

Meeting at Colonie Town Library or First Presbyterian Church
 Update on building moratoriums (smart growth and regional
 planning in local communities) featuring officials from
 Guilderland, Bethlehem and Colonie

May 25th Annual Meeting

(location and speaker to be determined)

January 13, 2005

Phone: 518-439-4332



For Immediate Release
February 15, 2005

Contact: Anne Marie Couser
Telephone: 518-463-7777
E-mail: couser@moderncourts.org

***** Court Monitors Needed for Albany County Court Project *****

The Fund For Modern Courts, is a nonpartisan, nonprofit, statewide court reform organization dedicated to improving the judicial system in New York State. Citizen court monitoring is the centerpiece of Modern Courts' efforts to involve the public in improving the administration of justice in New York. Our volunteer citizen court monitors observe and evaluate the performance of judges and court personnel, court facilities, and the daily operations of the judiciary from the point of view of those outside the system. Based on their observations and evaluations, monitors recommend improvements to make the courts more efficient, responsive and user-friendly. Court monitoring has encouraged an ongoing and productive dialogue between citizens and their judiciary, and has proven successful at making the courts more accountable to the communities they serve. Our monitors' dedication has also led to tangible reforms such as better maintained court facilities, in-court child care centers and mandatory civility training of non-judicial personnel. These and other reforms benefit all New Yorkers.

Modern Courts is presently seeking citizen monitors for a project in Albany County Court. Volunteers must be at least eighteen years of age, and be available to attend court for a few hours on a weekly or bi-weekly basis. An orientation session to train prospective observers for this project is tentatively scheduled for Thursday, April 7, 2005, at 1:00 PM at the Albany County Courthouse.

At this orientation, County Court Judges Thomas A. Breslin and Stephen Herrick will give a presentation on the operations of the County Court followed by monitoring instructions from the Fund for Modern Courts' Kim Robinson, Director of Court Monitoring, and Anne Marie Couser, Modern Courts Capital District Director. Monitoring will begin the following week and continue for through June.

The County Court is located at 16 Eagle Street, Albany, New York. **For more information, please contact Anne Marie Couser at 518-463-7777.**

Creating Communities We Want To Live In

Inside the planning trenches...

Town Supervisors from Albany County share their experience creating, adopting, and/or implementing a Town-wide or Special Area Plan.

Guest panelists:

- **Kevin Crozier**, Supervisor, Town of Berne
- **Theresa Egan**, Supervisor, Town of Bethlehem
- **Mary Brizzell**, Supervisor, Town of Colonie
- **Ken Runion**, Supervisor, Town of Guilderland
- **Ed Clark**, Supervisor, Town of New Scotland

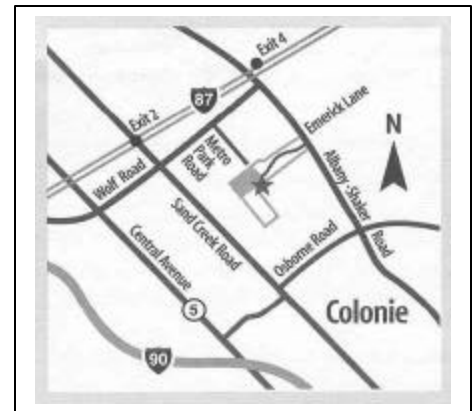
This is a public program sponsored by the Albany County League of Women Voters.

Date: Tuesday, April 12

Time: 7:00 to 9:00 pm

Location: The Crossings of Colonie

The Crossings is accessible to vehicles from 580 Albany-Shaker Road (across from Emerick Lane) & Metro Park Dr. (off of Wolf Road and Maria Drive).



THE LEAGUE
OF WOMEN VOTERS
OF ALBANY COUNTY

For more information, contact Nancy Heinzen 478-9407

Why did your Town decide to develop a plan? Describe your plan. Does the plan give people what they want? What are the limitations of a planning effort? Was it easy to reach consensus? Why? Why not? Do you think planning is worth the effort? What issues do Towns share? Which issues are unique? Were there any surprises during the planning process? These and other questions will be discussed during this informative program. **Everyone is welcome!**

I want to get involved !

Name

Address

Telephone

e-mail

Individual membership \$45/year

Household membership \$60/year

Student membership \$15/year

Contribution in support of my local league

Please send me more information
about the League of Women Voters

Mail to :

League of Women Voters
of Albany County

P.O. Box 611
Slingerlands, NY 12159
Linda McKenna
Tel: 463-1805

Or contact:

The League of Women Voters of Albany County
P.O. Box 611
Slingerlands, NY 12159

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