



DUTCHESS COUNTY
BOARD OF ELECTIONS

47 Cannon Street
Poughkeepsie, New York 12601 - 3270
(914) 486-2473 Fax (914) 486-2483

COMMISSIONERS

William L. Paroli, Sr.

William J. Egan

April 19, 1999

Chameides, Michael A.
Bard College
Annandale-on-Hudson, NY 12504

Dear Registration Applicant:

Thank you for taking the time to complete the Supplemental Questionnaire regarding your residence qualifications in Dutchess County.

Enclosed find a copy of Article 5 Section 104 of the State of New York Election Law which guides us in determining the term "residence" which shall be deemed to mean that place where a person maintains a fixed, permanent and principal home and to which he/she, wherever temporarily located, always intends to return.

The completed questionnaire indicates that according to New York State Election Law you are not a permanent resident of Dutchess County. We are enclosing an instruction booklet with a registration form to be completed by you to be mailed to the state and/or county of your permanent residence. You may request a registration form and an absentee ballot from that state and/or county of your principal home and residence, so that you would be able to vote in the state and/or county elections of your permanent residence.

If you have any questions in regard to the above, please feel free to contact our office at 486-2473.

Very truly yours,

WILLIAM L. PAROLI, SR.
Commissioner of Elections.



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1st letter sent

Dear Registration Applicant:

Please be advised that your request to become a registered voter in Dutchess County has been received by this Board.

However, the information contained on your application leaves this Board to believe that you may not be entitled to registration and enrollment.

We must, therefore under the mandates of the New York State Election Law, further inquire into the status of your residence address for voting purposes.

Enclosed you will find a Supplemental Questionnaire to your request for registration. Please complete the questionnaire in its entirety and return it to the Dutchess County Board of Elections at the above address within 10 days.

Your failure to comply with this letter will be evidence of the fact that you do not wish to register and vote in Dutchess County.

Very Truly Yours.

WILLIAM L. PAROLI, SR.
Commissioner of Elections

Sept. 20, 1996

Questionnaire Incites Controversy

By Mimi Citrin

In order to register to vote locally, college students in Dutchess County are expected to fill out a supplemental questionnaire, in addition to the New York State voter registration form, and then await the Dutchess county election commissioners' ruling on their eligibility.

Many community members, including Allen Josey, residential director at Bard and Joe Ruggiero, the Dutchess County Democratic Candidate for the state assembly, doubt the legality of this questionnaire.

The suggested function of the questionnaire, which is sent to Vassar, Marist and Bard College students, is to provide the Dutchess County election commissioners, Democrat Bill Egan, and Republican Bill Paroli, with information they can use to determine whether the college students are permanent residents of the county.

"We are not trying to bar students from voting, we just have to determine whether they are transient students, or permanent residents," said Bill Paroli.

This process of determination risks being discriminatory to college students, according to Allen Josey.

"They don't send it to other people, only students," Josey said.

Legal questions

At stake are varying interpretations of an imprecise New York State Election Law.

"The law mandates that you can neither gain, nor lose residency by being a college student," said Paroli, "and the questions in the survey are based on the content of the election law."

Yet, Section 96 of the NY State Election Law raises questions concerning the validity of the particular survey in use.

The section states: "it is perfectly proper to deny students the right to vote in their college communities if, by applying the same indicia to determine residency to them as are applied to others seeking to vote, it is determined that such students are not bona fide residents of their college communities."

According to the election commissioners, the survey is used only for college students, and not for other potential voters in the Dutchess county area.

In response to this section of the law, Bill Paroli said that the survey "might not be precisely the same" as the means used to ascertain the eligibility of other possible voters, "but that is because you are relating this to a student applicant."

His Democratic counterpart, Bill Egan, acknowledged, "there can be inquiries put forth as to whether the questions on the survey are the right questions to be asked."

Joe Ruggiero, candidate for Dutchess County State Assembly, sees students as victims of "age discrimination." He said "they [the election commissioners] are disenfranchising young people, it is unconstitutional."

What to do

Allen Josey has asked students who receive the survey to put their name on it and send it to the Dean of Students Office. "I think we will find some inconsistencies," he said.

Ruggiero suggested a more direct approach, "I'm hoping that a bunch of....."

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SUPPLEMENTAL QUESTIONNAIRE—REGISTRATION

Name of Applicant _____
Address D.____ E.D.____

1. Is your present residence claimed as a student or as an institution of learning? Yes () No() Other (describe) _____

2. What year are you in college? _____
How long do you expect to live at present residence? _____

3. What is your parents' home address? _____

4. To what extent do your parents contribute to your support:
All or nearly all() More than half() Less than half() None()

5. Where did you live during the past summer vacation? _____

6. Where do you expect to be during:
Next winter vacation _____
Next summer vacation _____

7. Do you keep some of your possessions at an address other than your present residence? _____ If so, give address _____

8. If you have a bank account:
Give name and address of bank _____
Give address you use on bank account _____

9. If you have paid income tax:
Address on last return _____ Year _____

10. Address on driver's license or motor vehicle registration: _____

11. Any additional information to substantiate your claimed voting residence: _____

I, the undersigned, do hereby solemnly swear (or affirm) that the answers to the questions above were given by me and that they are true answers to such questions.

Date _____ Signature of Applicant _____

Questionnaire

cont'd from page 7

college students come together and defeat this."

According to Ruggiero, a lawsuit in Ulster County, initiated by a group of SUNY New Paltz students, determined that the use of similar questionnaires by the Ulster County election commissioner was unconstitutional. The decision does not directly affect Dutchess County.

Bill Paroli invites questions about the Dutchess County student registration policy, and can be contacted at (914) 486-2473. "We are not trying to preclude students from voting, but if they are not Dutchess County residents by law, they cannot vote."