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October 23, 2024

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

Dear Commissioners Czarny and Sardo:

We are writing to follow up on the New York State Board of Elections' (NYSBOE) recent efforts to assist the Onondaga County Board of Elections in addressing the significant backlog of voter registration and absentee ballot processing. While your daily reporting to us of transactions processed since our on-site presence has not indicated a recurrence of a significant backlog, this letter provides a comprehensive account of our observations during the intervention, the data-driven analysis conducted on staff productivity, and the recommendations for improvement going forward.

### **Background and Initial Concerns**

As you know, on September 20, 2024, the NYSBOE became aware of a substantial backlog in voter registration and absentee ballot processing at the Onondaga County Board of Elections. This backlog included transactions dating back to early August and had grown to over 23,000 unprocessed forms by late September. Despite commitments to address the backlog in a timely manner, progress was deemed insufficient, necessitating state intervention.

As stated in our earlier communications to you, our primary concerns were:

- The potential disenfranchisement of voters due to delays in processing of registration and absentee applications, particularly for military and overseas voters covered under the UOCAVA and MOVE Acts.

- Persistent management and organizational issues within the office that hampered productivity.
- A lack of sufficient adherence to proper processes, leading to inconsistent handling of tasks and backlogs.

### **State Intervention and Analysis of Productivity**

Nine staff members from the NYSBOE, including the Director and Deputy Director of the State Board's Election Operations Unit, along with seven other members of the State Board's staff, visited your office on October 8, 2024. Once initial technical challenges were resolved, they began their work mid-day and completed their work by the afternoon of October 10th.

During the visit, the team focused largely on processing handwritten voter registration applications, which are more time-consuming than electronic transactions and which, at the time, made up a large majority of the remaining backlog. Additionally, State Board staff worked on clearing out unprocessed list maintenance tasks in the State's NYSVoter system as well as processing any outstanding mail ballot applications.

Based on the log data provided to us (with your permission) by your voter registration vendor, our analysis of productivity over the nine weeks starting from Monday, August 12, 2024 and leading up to and including our recent visit reveals several important insights:

1. **Inconsistent Productivity Among County Staff:** While some staff members regularly produced higher transaction counts, this could be attributed to the nature of the tasks they were assigned. For instance, processing electronic applications from the Department of Motor Vehicles (DMV) or the State's Online Voter Registration (OVR) portal is typically quicker than manually entering handwritten data. The data suggests that productivity varied significantly depending on the type of transaction handled.
2. **Comparative Performance of State and County Staff:** When comparing the weekly average productivity, Onondaga's full-time staff, part-time staff, and temporary workers collectively averaged approximately 3,866 transactions per week over the nine-week period. By contrast, the state board's nine staff members, working over approximately two days (mid-day Tuesday to mid-day Thursday), achieved a pace that would equate to a weekly average of approximately 4,350 transactions if extrapolated. This higher productivity level was achieved despite focusing on the more labor-intensive handwritten applications. If the county's full-

time staff had operated at a similar pace, the backlog could have been resolved well before Labor Day, potentially eliminating the need for state intervention.

3. **Impact of State Intervention:** Week 8 saw a marked improvement in processing, largely driven by the on-site visit from the state's Director and Deputy of Election Operations. Approximately 7,000 transactions were cleared during this period, setting a new high for the period examined. However, without continued oversight, Week 9 showed a decline in productivity, with the level of work completed by county staff alone falling below the pace achieved during Week 6. When taking into consideration the additional work completed by the State Board staff, the productivity level, although down from the Week 8 high, did stay above all other weeks.
4. **Leadership and Management Issues:** The productivity data indicated that both commissioners and their deputies consistently had among the lowest transaction counts, with some weeks showing no work attributed to them. In an environment where staff morale and motivation are critical, leadership must set a strong example. The apparent lack of direct involvement by office management may have contributed to low staff engagement.

## **Observations and Recommendations**

Based on our findings from the data analysis performed, and observations made during our visits, we make the following recommendations:

1. **Direct Supervision and Management Improvements:** The continuation of management issues necessitates more direct supervision of staff. We recommend utilizing productivity reports generated by your voter registration software to monitor performance and adjust task assignments as needed.
2. **Set an Example for Staff:** It is critical that the commissioners and their deputies lead by example during this critical period. Given the demonstrated need for increased productivity, it is expected that all members of leadership actively contribute to the workload, particularly in areas where bottlenecks have been identified.
3. **Ensure Bipartisan Participation:** While our initial concerns highlighted the need for consistent bipartisan practices, our observations suggest insufficient adherence to key procedures. We recommend cross-training staff to reduce bottlenecks, developing contingency plans, and assigning tasks in a manner that ensures bipartisan participation without overloading one party.

4. **Address Workflow Imbalances:** Certain tasks were consistently handled by only one or two individuals, creating potential bottlenecks. We advise developing a comprehensive list of staff skills, identifying strengths and weaknesses, and making a plan to build skills across multiple task areas. In addition, leveraging poll workers, even for shorter shifts, could help fill gaps in staffing and alleviate the workload.
5. **Timely Document Processing:** We observed a significant number of documents in "problem" folders that were not timely processed, often without clarity regarding responsibility for their resolution. All documents should be processed within 24 hours, with escalations handled as soon as practicable but no later than 48 hours.
6. **Systematic List Maintenance and Audits:** List maintenance had been paused since at least early July. During our visit, state staff helped resolve the backlog, but county staff must resume daily or weekly list maintenance activities to avoid further accumulation. Similarly, address standardization and linking addresses to Election Districts should be prioritized to prevent delays in processing.
7. **Resolve Missing Signatures:** Many records flagged as missing a signature actually have documents appended to them from which a signature can be cropped and used for the voter record. Reviewing these records and taking the necessary steps to resolve the omission will help to reduce the number of voters unnecessarily forced to vote by affidavit ballot.
8. **Enhanced Personal Protective Equipment and Mail Handling Procedures:** We noted that personal protective equipment used by staff opening mail was inadequate. The guidance circulated by the State Board on safe mail handling should be reviewed with staff assigned to this task and should be strictly adhered to.

### **Data Analysis Assumptions and Caveats**

It is important to note that the data analysis presented above is based on recorded transactions showing interactions by staff with unique voter records, excluding certain automated batch processes (geocoding of addresses, bulk assignment of districts to addresses, election event eligibility, etc.) or rechecks performed by the opposite party (which are not captured in the log data provided).

Additionally, differences in task difficulty and processing time (e.g., processing electronic vs. handwritten applications) should be considered when evaluating the discrepancies in staff productivity metrics.

### **Conclusion and Next Steps**

While significant progress has been made since August, especially during the time of NYSBOE's involvement, there is still much work to be done to ensure a sustainable and effective election administration process in Onondaga County. The delays and deficiencies observed through both on-site observation and analysis of county data reveal significant problems that have impeded the timely administration of election processes in Onondaga County. We urge you to take the recommendations outlined above seriously and to implement changes without delay. Failure to do so risks further state intervention to ensure that the voters of Onondaga County are not disenfranchised.

In addition to continuing the provision of statistics on what your office has processed/left to process on a daily basis, we are further directing you to provide the State Board with a comprehensive report on the backlog itself, including its origins and the efforts made to mitigate it, along with your board's plans to address the concerns cited above and previously regarding the need for cross-training of staff, overall staff productivity and management oversight issues. Such report should be completed and submitted to the State Board not later than December 31, 2024.

The NYSBOE remains ready to provide continued support as you work to rectify these issues. However, sustained improvement will depend on your office's willingness to take the necessary actions.

Sincerely,



Kristen Zebrowski Stavisky  
Co-Executive Director



Raymond J. Riley III  
Co-Executive Director