



April 9, 2021

Commissioner Edward G. McDonough  
Commissioner Jason Schofield  
Rensselaer County Board of Elections  
1600 7<sup>th</sup> Avenue  
Troy, New York 12180

Dear Commissioners McDonough and Schofield,

We write to urge the Board of Elections to adopt a plan that offers equitable access to early voting for all voters in Rensselaer County and remediates the failure of prior early voting plans to provide equitable access to early voting to Black and Latinx voters. To that end, we provide here several options for early voting polling locations that would each offer a significant improvement over prior early voting plans in terms of meeting the requirements for equitable access defined in Election Law § 8-600(2)(b).

Election Law 8-600(2)(b) provides that early voting sites “shall be located so that voters in the county have adequate and equitable access.” Determining whether early voting sites offer adequate and equitable access requires the Board of Elections to take into consideration “population density, travel time to the polling place, proximity to other voting poll sites, public transportation routes, commuter traffic patterns” among other unenumerated factors. To date, the Board of Elections’ early voting site plans have included early voting locations at Brunswick Town Office, Schodack Town Office, and Holy Cross Armenian Church (the “Existing Sites”)—all sites either outside the City of Troy or on the far outskirts of the city. As we previously wrote on several occasions,<sup>1</sup> prior early voting plans did not meet the criteria of Election Law and failed to provide “adequate and equitable access for many Rensselaer County residents, especially minority and low-income voters living in the City of Troy.” We write now to propose several potential early voting sites in the City of Troy (the “Proposed Sites”), each of which would present a significant improvement in terms of equitable access over any of the existing sites.

1. Unity House, 2431 Sixth Avenue, Troy, New York 12180.
2. Troy School #2, 470 10th Street, Troy, New York 12180
3. Johnstone Supply, 2600 6<sup>th</sup> Avenue, Troy, New York, 12180
4. Bethel Baptist Church, 2165 5th Avenue, Troy, New York 12180

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<sup>1</sup> We have previously written concerning the Rensselaer County Board of Elections’ early voting plan in letters dated July 22, 2019; September 11, 2019; and July 28, 2020.

The management of each of the Proposed Sites have expressed willingness to cooperate with the Board of Elections and to make these locations available for the full early voting periods for the 2021 election cycle. Each of the Proposed Sites offers the substantial floor space necessary to accommodate robust early voting. Each of the Proposed Sites complies with the published guidance from the Civil Rights Division of the United States Department of Justice on compliance with the accessibility standards for polling places required by the Americans with Disabilities Act.<sup>2</sup> Each of the Proposed Sites are hosted by well-established and inclusive community institutions. Most critically, each of these Proposed Sites would offer a more favorable early voting location for all residents of Rensselaer County and especially for Troy residents based on the criteria provided by Election Law § 8-600.

1. **Population density:** As you can see from the map attached as Exhibit 1, the most densely populated areas of the County are situated in neighborhoods located on the west side of the City of Troy. As you can see from the map attached as Exhibit 2, each of the proposed sites is located in or near these most densely populated areas of Rensselaer County. This area includes the neighborhoods of Lansingburgh, North Central, Hillside, Downtown, and South Troy. These neighborhoods are home to the vast majority of the County's Black and Latinx residents. The map attached as Exhibit 3 also shows that the proposed sites are located in the most racially and ethnically diverse parts of Rensselaer County. By contrast, Exhibits 1-3 each also show that the existing early voting sites are located in low-density, predominantly white neighborhoods.

Table 1 shows the population density and percentage of minority residents for the Census Tracts around the Proposed Sites compared to the Existing Sites based on the most recent available data from the U.S. Census Bureau's American Community Survey (ACS):

Location	Proposed/Existing	Population Density (per sq. mile)	Percentage of Minority Residents
Unity House	Proposed	6,343	66.8%
Troy School #2	Proposed	6,316	56.5%
Johnstone Supply	Proposed	6,343	66.8%
Bethel	Proposed	7,579	42.9%
Holy Cross	Existing	2,994	13.5%
Brunswick	Existing	537	5%
Schodack	Existing	192	6.1%

2. **Commuter traffic patterns:** Rensselaer County residents typically commute into Troy or across the Hudson River to Albany County or Schenectady County. Each of the proposed early voting sites are located near several of the most popular car commuter routes. The proposed sites are no less convenient to Rensselaer County voters living outside of Troy than the existing polling sites. However, the proposed sites are much more convenient for Troy residents because the existing early voting sites generally require Troy voters to travel east, against prevailing commuter patterns. The proposed sites also each offer convenient parking. For example, Unity House has ample parking available, including 40 spaces on site and four dedicated for the handicapped, which exceeds the 32 total spaces at Holy Armenian Church with only two for the

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<sup>2</sup> U.S. Dep't of Justice, Civil Rights Division, Disability Rights Section, ADA Checklist for Polling Places, <https://www.ada.gov/votingchecklist.htm>.

handicapped). Unity House also has access to a public parking lot across the street, and many parking spaces available on the streets close by. Both Troy School #2, Johnstone Supply, and Bethel Baptist Church also have sizeable dedicated parking lots, as well as convenient street parking. Johnstone Supply has been an election day polling site in recent elections.

3. **Travel Time to Polling Place and Public Transportation:** The proposed early voting sites are each located near multiple public lines. For example, travel time to Unity House is centrally located at 6<sup>th</sup> Avenue and Hoosick St., along prevailing commuter traffic patterns and close to bus stops for buses 80, 85, 87, 96 as well as express bus 522. Unity House is one bus stop away from Rensselaer Polytechnic Institute, the second largest employer in Rensselaer County and home to approximately 7,900 students, and 10 minutes by public transportation from Russell Sage College, home to approximately 950 students. All of the other proposed early voting sites are similarly situated near multiple public transportation options, most within a 10 minute walk of Unity House. By contrast, to travel to Schodack Town Hall via public transportation, voters living in Troy would have to travel to Albany and back on a 60-90 minute bus ride, on a bus that only runs twice a day. Similarly, to travel to Brunswick Town Office, Troy voters would have to walk for over 2 miles from the last bus stop, on a highway with no sidewalks. Finally, by bus from Lansingburgh in the north, it takes nearly an hour (one-way) to travel to the Holy Cross Armenian Church with one transfer and from South Troy, 30 minutes.

The accessibility of early voting sites by public transportation matters because County voters living in the Census tracts near the Proposed Sites are substantially more likely to commute by public transportation than those living near the Existing Sites. Similarly, voters living near the Proposed Sites are much less likely to commute alone by car—and therefore less likely to have transportation flexibility—than voters living near the Existing Sites.

Table 2 shows the percentage of households commuting alone by car and commuting by public transportation for the Census Tracts around the Proposed Sites compared to the Existing Sites based on the most recent ACS data:

Location	Proposed/Existing	Percentage commuting by car, alone	Percentage commuting by public transport
Unity House	Proposed	67.4	10.1
Troy School #2	Proposed	56.8	12.9
Johnstone Supply	Proposed	67.4	10.1
Bethel	Proposed	48.5	13
Holy Cross	Existing	83.3	0.5
Brunswick	Existing	90.5	0.4
Schodack	Existing	88.8	0.9

4. **Other Considerations Relevant to Equitable Access.** The proposed sites would substantially improve access for low-income voters as well as voters of color, without reducing access for all other voters in the County.

- a. *Income*: The Proposed Sites would improve access for low-income voters compared to the existing sites.

Table 3 compares the Median Household Income and Poverty Rates for the Census Tracts around the Proposed Sites compared to the Existing Sites based on the most recent available ACS data:

Location	Proposed/Existing	Median Household Income (\$)	Poverty Rate
Unity House	Proposed	\$33,380	48.1%
Troy School #2	Proposed	\$27,204	41.9%
Johnstone Supply	Proposed	\$33,380	48.1%
Bethel	Proposed	\$30,469	32%
Holy Cross	Existing	\$76,618	12.4%
Brunswick	Existing	\$95,339	4.6%
Schodack	Existing	\$79,266	2.8%

- b. *Mobility*: The Proposed Sites would improve access for people who lack access to cars, as well as people with disabilities compared to the existing sites

Table 4 compares the percentage of households without vehicle access for the Census Tracts around the Proposed Sites compared to the Existing Sites based on the most recent available ACS data:

Location	Proposed/Existing	Percentage of Households Without Vehicles	Percentage of People with a Disability
Unity House	Proposed	26.9%	19.4%
Troy School #2	Proposed	38.4%	16.7%
Johnstone Supply	Proposed	26.9%	19.4%
Bethel	Proposed	39.7%	17.8%
Holy Cross	Existing	1.2%	10.1%
Brunswick	Existing	4%	12.9%
Schodack	Existing	0.5%	10.8%

- c. *Turnout*: The Proposed Sites would expand opportunities to vote in neighborhoods where voter turnout has been lower compared to the Existing Sites. According to the United States Elections Project, the statewide turnout rate for New York's voter-eligible population in the November 2020 general election was 63.4%.<sup>3</sup> The Existing Sites are located in areas that exhibited turnout levels substantially above the statewide rate. By contrast, the areas around the Proposed Sites exhibited substantially lower turnout than the statewide rate.

Table 5 compares voter turnout rates for the November 2020 general election in Census Tracts around the Proposed Sites compared to the Existing Sites based on the recent voter file data.

<sup>3</sup> United States Elections Project, 2020 November General Election Turnout Rates, <http://www.electproject.org/2020g>.

Location	Proposed/Existing	2020 Election Turnout Rate
Unity House	Proposed	46.8%
Troy School #2	Proposed	57.9%
Johnstone Supply	Proposed	46.8%
Bethel	Proposed	63.8%
Holy Cross	Existing	76.3%
Brunswick	Existing	81.9%
Schodack	Existing	81.3%

In conclusion, the Proposed Sites comport with all of the criteria for early voting sites set by Election Law § 8-600 significantly better than the Existing Sites. The Board of Elections should designate at least one of the Proposed Sites as an early voting location. One of the proposed sites could be adopted in lieu of either the Brunswick Town Hall site or the Holy Cross Armenian Church site. Or, consistent with other counties in the region, the Board of Elections could designate one of the Proposed Sites in addition to the Existing Sites. The neighboring counties of Albany and Schenectady each offer two more sites than the minimum currently required by Election Law § 8-600.

We encourage the Commissioners and staff of the Board of Elections to visit the proposed sites and to inspect the premises at their earliest convenience.

Sincerely,

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*Melanie Trimble*

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Melanie Trimble, Chapter Director  
NYCLU Capital Region Chapter



Perry Grossman, Senior Staff Attorney  
Voting Rights Project  
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Judy Meyer and Shirley Buel, Co-Presidents  
League of Women Voters of Rensselaer County

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Chris Burke, Chief Executive Officer  
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cc:

Office of the Attorney General, Civil Rights Bureau  
Governor Andrew M. Cuomo  
Assemblymember Latrice Walker, Chair, Standing Committee on Election Law  
Senator Zellnor Myrie, Chair, Committee on Elections  
Assemblymember John McDonald  
Assemblymember Jake Ashby  
Senator Daphne Jordan  
Senator Neil Breslin  
Mayor Patrick Madden  
Troy City Council Members  
County Executive, Steve McLaughlin  
County Legislature Majority Leader, Kenneth Herrington  
County Legislature Minority Leader, Peter Grimm