



September 8, 2021

To the Honorable Gov. Kathleen C. Hochul:

We, the co-chairs of the Green and Libertarian Parties of New York, write to you on the occasion of your assuming the office of Governor with a matter decisive for the future of democratic government in New York State. It is within your power to overturn actions made by your predecessor that were made to aggrandize himself and hinder his opponents. These actions have crippled the possibility of democratic competition and good governance in New York. By moving swiftly you can wipe away his tarnished legacy and renew democracy in New York State.

We refer specifically to changes made to ballot access law that were made at the behest of the former Governor in the 2020 Executive Budget. These changes, made at the height of a global pandemic, were aimed specifically at smaller parties such as the Greens and Libertarians. Andrew Cuomo's feud with the Working Families Party became so vindictive that he first moved to create a commission in 2019, ostensibly to enact a system of public campaign finance, but quickly moved to issues of ballot-line fusion and ballot-access. Commission members were directed how to vote by the Governor, at times changing their votes in public after receiving text messages so blatant the press questioned their timing. After a judge struck down the Commission and its findings, the former Governor used the 2020 pandemic budget to ram through significant ballot access law changes with no debate or discussion.

Competitive elections are a cornerstone of democracy, and ballot access laws are a crucial component in electoral competitiveness. New York State went from having moderately restrictive laws to one of the strictest ballot access requirements in the nation, all to satisfy Andrew Cuomo's petty feuds. In a 42-day period, during which few large gatherings occur, independent petitioners must collect 45,000 valid signatures with a minimum of 500 each from 13 Congressional Districts; the reality of petition challenges means that count is closer to 90,000. Party candidates for Governor and President must each receive 130,000 votes or 2% of the vote for a party to acquire and maintain ballot status. Andrew Cuomo admitted that these numbers were specifically chosen to eliminate almost all electoral competition in New York, as only 3 non-Democratic or Republican candidates in the past century would have passed this threshold. Couple this with the enactment of the law mid-election cycle, and it eliminated both

the Green and Libertarian Parties as Gov. Cuomo had intended to, to the detriment of choice and democracy in New York.

As incoming Governor, you have a chance to Restore New York Democracy by expunging Gov. Cuomo's vindictive laws. The right to vote must be protected, but the right to choice of parties and candidates is as important to voting rights as being able to cast a ballot. By overturning Andrew Cuomo's machinations, you will help rebuild trust in government and voter choice at the polls. We have suggestions for how to improve the previous ballot-access law and would be happy to engage in productive dialogue with you and your office after the current law is repealed.

Sincerely,

Gloria Mattera & Peter A. LaVenja, Jr.  
Co-Chairs, Green Party of New York

W. Cody Anderson  
Chair, Libertarian Party of New York