

Jonathan Becker

6 Bard College: Jim Crow in Dutchess County

The challenges to student voting rights that have occurred at Bard College, located in a blue state often associated with progressive politics, demonstrate that threats to those rights can occur anywhere. Bard's history involves students, faculty, and the institution acting as engaged citizens, and reveals that a sustained effort is needed to defend those rights when determined actors seek to deny or suppress the student vote.

This chapter explores the history of student voting rights in the period following the passage of the 26th Amendment, which guaranteed the right to vote at age 18 and was ratified July 1, 1971. After an introduction to the college, the first part will focus on the period from the mid-1970s until 2013, when students sought the right to vote freely in Dutchess County. The second part will concentrate on the fight for a polling place on the Bard campus, which began in 2005 but took place primarily from 2014 to 2022. The chapter will delve into details of the process to illustrate the role of the key constituencies, faculty, students, and the college, and the methods of collective action used to promote and defend voting rights. As an introduction, it will contextualize Bard as a higher education institution.

1 Background: Bard College

Bard College was founded in 1860 as St. Stephens College, an Episcopalian institution preparing students for a future in the ministry. It became an undergraduate school of Columbia University in 1928, then was renamed Bard College in 1934, and subsequently separated from Columbia when it began admitting women in 1944.

Bard is an unusual institution. On the one hand, it is a traditional 2,000-student residential liberal arts college, situated in the hamlet of Annandale-on-Hudson within the Town of Red Hook, two hours north of New York City along the Hudson River in a rural, predominantly white area. On the other hand, in fulfilling its mission as a "private institution in the public interest," it "acts at the intersection of education and civil society, extending liberal arts and sciences education to communities in which it has been underdeveloped, inaccessible, or

absent.”¹ It has established a footprint of more than 10,000 students enrolled in programs spread across the United States and the globe. Though its main campus in Annandale-on-Hudson is predominantly white, Bard educates a diverse student body. This is achieved through: the Bard Early Colleges—public institutions which are situated in ten locations across six cities in the US, and which allow students to complete their high school education and earn up to two years of college credit; the Bard Prison Initiative (BPI), a rigorous, liberal arts-in-prison program located in seven prisons in New York State; the Bard Microcolleges, which offer tuition-free community-based education in partnership with local institutions, like the Brooklyn Public Library; and partnerships with higher education institutions in places like Germany, Kyrgyzstan, Myanmar, and Palestine.

These programs have had significant public policy impacts. BPI, for example, played a central role in the reintroduction of government-subsidized Pell grants for incarcerated students in the US and in extending the Tuition Assistance Program and Merit Time sentence reduction for incarcerated students in New York State. Bard Early College in Manhattan was the nation’s first public, degree-granting early college high school. In 2001, Bard was directly involved in creating a federal definition of early college programs and Bard’s model has since been replicated over 400 times across the US.

Bard’s institutional engagement with student voting is consistent with its civic and public interest missions and purposefully is rooted in links between higher education, citizenship, and democracy.² Bard’s work in the voting sphere has provided a best-practice model of student voter engagement, legal defense and advocacy, and has been shared in meetings, workshops, and communities of practice with organizations such as ALL IN Campus Democracy Challenge, Campus Compact, and Partners for Campus—Community Engagement.

1 “Mission Statement,” Bard College Mission Statement, Bard College, <https://www.bard.edu/about/mission/>.

2 Jonathan Becker, “Colleges Should Promote and Defend Student Voting,” *Huffington Post*, August 12, 2016, https://www.huffpost.com/entry/american-colleges-should-promote-and-defend-student_b_57ae185fe4b0ae60ff026711.

2 Bard College: The Fight for the Right to Vote Locally

2.1 Student Organizing, Questionnaires, and the Battle over Residency (1976–2000)

In the fall of 1976, Bard students Noel Sturgeon and Sara Caffrey, energized by a tutorial on student voting rights facilitated by political studies professor Robert Koblitz, mobilized other students to register to vote.³ Their efforts to register were stymied. Republican election commissioner Laura Hodos told them, “students will not be registered,” regardless of their specific circumstances, and declared, “We can’t have Bard students running the Town of Red Hook.”⁴ The students sought to fight the decision and through Koblitz were able to obtain representation through the Mid-Hudson Chapter of the New York Civil Liberties Union (NYCLU).

In a lawsuit filed on behalf of the students, which was heard on the eve of the 1976 federal election, State Supreme Court Justice Joseph P. Galliardi sided with Bard student-plaintiffs Robin Carroll, Jan Howell, and Judy R. Robinson, declaring that “they have borne their burden” in establishing residency in the county and were thus “entitled to register.”⁵

Unfortunately, the decision did not change the essential dynamic of student voters at Bard or in Dutchess County at large. The decision applied only to the three student litigants and did not address student voters as a class.⁶ Although

³ In a letter to the editor of the *Poughkeepsie Journal*, Sturgeon and Caffrey explained, “These students fulfill the time requirement for residency and they consider Bard their home. Some students are financially independent from their parents, and do not live with their parents. Therefore, their parents’ home is not their legal residence. Some students have not registered in their home towns and cannot register by mail. Some students simply do not have a legal residence. All these students are being denied their right to vote”; Noel Sturgeon and Sara Caffrey, “To the Editor,” *Poughkeepsie Journal*, October 8, 1976.

⁴ *Robin Carroll, Jan Howell, and Judy R. Robinson v. Dutchess County Board of Elections*, 3920 (Dutchess County 1976).

⁵ *Robin Carroll, Jan Howell, and Judy R. Robinson v. Dutchess County Board of Elections*, 3920 (Dutchess County 1976). Galliardi invoked the 1965 *Carrington v. Rash* Supreme Court decision that “‘Fencing out’ from the franchise a sector of the population because of the way they may vote is constitutionally impermissible”; *Carrington v. Rash*, 380 U.S. 89 (1965).

⁶ Marilyn Stone, “3 Bard Students Register as a Result of Court Ruling,” *Poughkeepsie Journal*, October 28, 1976, 23. Justice Galliardi dismissed the portion of the petition seeking declaratory relief but did so without prejudice, meaning that it could be addressed in another court action.

Bard was a small institution, with fewer than 1,000 students at the time, the lack of continuity among student groups and the absence of engagement by the administration meant that other students could not capitalize on the 1976 success. A year later, Bard students were explicitly excluded from participating in a Red Hook town referendum on nuclear power. Then in 1978, in the run-up to the next federal elections, registrations by a group of more than 100 Bard students were rejected.⁷

There were episodic efforts to allow students to register to vote, but things did not change until the new millennium.⁸ Student Activists for Voting Equality (SAVE) was founded by Bard students Marina Smerling and Michael Chameides after hundreds of Bard students had their voter registrations rejected before the 1998 election, when Bard professor Joel Kovel ran as a Green party candidate for the US Senate.⁹ That same year, Vassar students had attempted a lawsuit in New York State Supreme Court to gain the right to vote, but their efforts failed because they did not have proper documentation of student registration efforts.¹⁰ Together with a SAVE chapter at Vassar, the Bard students proceeded to press the county on the issue of voting rights.

At the time, Bard students were systematically denied the right to register and vote locally. Dutchess County officials sent Bard and other students in Dutchess County a highly suggestive questionnaire, posing questions such as: “Is your present residence claimed as a student?”; “What year are you in college?”; “How long do you expect to live at present residence?”; “What is your parents’ home address?”; and “To what extent do your parents contribute to your support?”¹¹ The questionnaire was then used as a basis to deny registration due to residency.

The distribution of the questionnaires, which was overseen by Republican election commissioner William Paroli Sr., who also served as the chairman of the Dutchess County Republican Party, ignored the landmark 1979 Supreme

According to the *Poughkeepsie Journal* account, the attorney for the plaintiffs, Stephen M. Lipton, indicated that “further action in this respect will depend on future action of the Board of Elections and the interest of the students.”

7 Steven Colatrella 1982 interview by Jonathan Becker, November 1, 2024.

8 The attitude of the Board of Elections varied and was unpredictable. In 1996, some student registrations succeeded, and more after the intervention of students and Bard Director of Student Activities Allen Josey. In 1998 nearly all Vassar and Bard applications were rejected. In 2000, of the 228 students who tried to register, all were sent a questionnaire and nearly all were rejected. See Rafi Rom, “Voting Campaign Heats Up,” *Bard Observer*, February 28, 2000, 3.

9 Susannah E. David, “Analyzing Kovel’s Defeat in Senate Elections 1998,” *Bard Observer*, November 18, 1998, 13–14.

10 Ben Silverbush, “Students Preparing Class Action Lawsuit,” *The Miscellany News*, February 18, 2000, 1.

11 Muni Citrin, “Questionnaire Incites Controversy,” *Bard Observer*, September 20, 1996.

Court decision in *Symm v. United States* which upheld a ruling finding that the selective and targeted registration practices imposed on students at Prairie View A&M University violated the 26th Amendment. As described in further detail in Chapters one and four, the Symm decision barred the distribution of a questionnaire that asked remarkably similar questions to those posed in Dutchess County, and were used in the same way as a pretext to deny students the right to vote locally.¹²

Paroli's approach also flagrantly ignored a 1984 federal judge's decision in a New York State case, *Auerbach v. Kinley*, a class action suit brought by students from SUNY New Paltz and SUNY Albany with the support of the New York Public Interest Research Group (NYPIRG) and the NYCLU. In this case, Judge Neal P. McCurn ruled that parts of the state constitution which placed added burdens of residency on students (and others, such as seminarians and prisoners) violated the equal protection clause of the 14th Amendment.¹³ His decision called on Boards of Election to avoid "requiring any additional documentation from any student beyond that required of all other applicants" and "from adopting or pursuing any registration policy or practice that directly or indirectly discriminates against students or that requires students to do anything more than is required of other applicants."¹⁴ Fifteen years later, Paroli flouted Judge McCurn's admonition that "A student's right to vote should not be contingent upon the whims of the local election officials,"¹⁵ and Dutchess was evidently the only county in New York to distribute a questionnaire targeting students.¹⁶

SAVE's work picked up steam in the 1999–2000 academic year as the 2000 presidential election was approaching, with Chameides working alongside first-year student Monica Elkinton. SAVE built a coalition consisting of students from Bard and Vassar, several local politicians, and legal defense and advocacy groups including the NYCLU, NYPIRG, and the League of Women Voters. Together, they formed what Chameides called a "grassroots campaign" that "mobilized local ac-

12 The Waller County questionnaire asked, for example, "Are you a college student?" "How long have you been a student at such school?" "Where do you live while in college?" "Do you intend to reside in Waller County indefinitely?" "How long have you considered yourself to be a bona fide resident of Waller County?" "What do you plan to do when you finish your college education?" See *Symm v. U.S.*, 439 US 1105 (1979).

13 "After Judge Rules for Students Election Board Changes Tune," *The Journal*, Ogdensburg, New York, October 10, 1984, 2; *Auerbach v. Kinley*, 594 F. Supp. 1503 (N.D.N.Y. 1984).

14 *Auerbach v. Kinley*, 594 F. Supp. 1503 (N.D.N.Y. 1984).

15 "State Limit on Voting By Students Overturned," *New York Times*, October 11, 1984, B2.

16 "Good Progress on Student Vote," *Poughkeepsie Journal*, June 30, 2000, 10 A.

tivists and pressured local officials to follow state and national laws.” Students “held protests, press conferences, phone bombs, threatened a lawsuit, and generally pressured Dutchess County officials to stop their discrimination against students.”¹⁷ Their efforts were endorsed by both the College Democrats of America and the College Republicans of America.¹⁸

The Bard students were supported locally by political studies professor Joseph Luders, who gave them advice and focused on the issue in his American government class, and Alan Sussman, a visiting professor with deep links to the NYCLU who taught constitutional law and whose work focused on civil rights issues. Additionally, I published editorials and commentaries in local newspapers, spoke on regional public radio, wrote to local legislators, and lobbied the Bard Board of Trustees in my faculty role as a political studies professor and my institutional role as dean of studies.¹⁹

The students were also supported by the most senior institutional leadership. Bard President Leon Botstein, together with his Vassar counterpart Frances Ferguson, publicly endorsed the students’ efforts.²⁰ In January, 2000, the Bard College Board of Trustees weighed in, passing this resolution:

The Board of Trustees of Bard College supports the rights of students at Bard and other colleges in the county to register to vote in Dutchess County where they live, work, and study. The Board of Trustees calls upon the County Board of Elections (BOE) to change any of its practices that impinge upon the rights of students to vote in Dutchess County.²¹

The county legislature,²² particularly legislators in districts that included Bard and Vassar students, felt pressure and feared litigation. The Dutchess County legislative chair formed a committee to explore the issue. The committee was headed

17 “SAVE,” *Bard Free Press*, October 4, 2000, 3, <https://digitalcommons.bard.edu/cgi/viewcontent.cgi?article=1006&context=bardfreepress>.

18 Silverbush, “Students Preparing Class Action Lawsuit,” 2.

19 See, for example, Jonathan Becker, “College Students Deserve to Vote Where They Live,” *Poughkeepsie Journal*, December 24, 1999. The opinion piece stated: “To welcome them into core community institutions but at the same time to exclude them from exercising their rights as citizens of the same community reeks of hypocrisy. It educates them to be apathetic toward, and cynical about, the political process. This is clearly the wrong message for this community to send to young adults.”

20 Silverbush, “Students Preparing Class Action Lawsuit,” 2.

21 Bard College Board of Trustees meeting minutes, January 19, 2000.

22 In the New York State system, counties are vested with tremendous power and serve as the interface for many public activities; New York State Department of State Division of Local Government Services, *Local Government Handbook* (Albany, 2018), https://dos.ny.gov/system/files/documents/2023/06/localgovernmenthandbook_2023.pdf.

by Woody Klose, a Republican who represented Bard's Red Hook district; Democrat Kristen Jemiolo, whose Poughkeepsie district included Vassar; and Republican Marcus Molinaro, who was simultaneously a legislator and the mayor of Bard's 'college town' in the village of Tivoli, a position he had held since he was elected at the age of 18.

The committee held public meetings at Bard and Vassar in early 2000. At the Bard meeting, they were faced by well-prepared students and faculty, as well as Arthur Eisenberg from the NYCLU, who had helped litigate the seminal 1984 *Auerbach* case that established residency eligibility for New York State college students. The message to the committee was clear: either support the students or face a lawsuit that they were likely to lose while earning the enmity of a group of previously disenfranchised and soon-to-be-empowered student voters.²³

The committee's final report was sympathetic to the students' arguments. It recognized that voting is "one of the unique distinguishing marks of an American citizen. ... [It is] the Constitutionally guaranteed right to vote ... [and] ... the single most important cornerstone of our democracy." The committee rejected the need for a questionnaire, and concluded that the county should not create barriers to student voters but should instead "encourage the use of the voting franchise by students."²⁴

The opinion of the committee, however, did not settle the issue because the county legislature was not the decision-making body. The ultimate decision on voter registrations fell to the election commissioners, one Democrat and one Republican, appointed by county party committees, conforming to the precedent that both commissioners needed to agree in order to change policy. While Democratic Commissioner William Egan had made his support for student voting clear for some time, there was little indication that Paroli would relent, short of successful litigation. Fortuitously for the students, on the eve of the release of the committee's conclusions, Paroli was convicted in federal court of conspiracy to commit extortion, and was forced to step down.²⁵ Nevertheless, even then, the issue

²³ Klose said, "I never felt threatened but I do know that we will lose if they sue"; Anthony Farmer, "Task Force, Let Collegians Vote," *Poughkeepsie Journal*, March 19, 2000, 1 A.

²⁴ Dutchess County Legislator Committee, *Report on Student Voting Questions*, March 13, 2000, <https://cce.bard.edu/get-involved/election/files/report-on-student-voting.pdf>.

²⁵ Paroli pleaded guilty to one count for activities related to shakedowns of contractors on town projects; John Davis and Emily Stewart, "Disgraced Republican Giant William Paroli Sr. Dies at 86," *Poughkeepsie Journal*, March 22, 2014, downloaded December 17, 2024, <https://www.poughkeepsiejournal.com/story/news/2014/03/22/william-paroli-sr-controversial-former-gop-leader-has-died/6730283/>.

was not settled. Paroli's immediate successor, Dave Gamache, hinted that he would support student registrations. However, he proceeded cautiously and the BOE continued to segregate student registrations and slow-rolled many that were submitted in the spring of 2000. It was only in June of 2000, with the threat of litigation lingering, that Gamache and the BOE committed to registering students without discriminatory barriers, ending a critical chapter in Bard's fight for student voting.²⁶

2.2 Implementation is Everything: Residency and Judicial Threats to Student Voters

The 2000 victory of students was not the end of the story. When the Bard and Vas-sar students were victorious, Elkinton said, "I am thankful a lawsuit was not necessary," but added presciently, "Students need to keep constant watch over the Board of Elections to protect our right to vote."²⁷ While the right to vote locally had been achieved, there would be several challenges to it in the coming years.

Fresh off the 2000 victory, Bard began aggressively registering students to vote. Institutionally, Bard went beyond the minimum expected in the Higher Education Reauthorization Act of 1998, which mandated that colleges make "good faith" efforts to register students to vote, whether on campus or at their parents' residences. Voter registration became a mandatory stop on the first day of new student orientation. Bard arranged shuttles to a poll site where registered voters residing on campus cast their ballots, which was situated a mile and a half away from campus at St. John the Evangelist Church in the hamlet of Barrytown (although this led to complaints about 'bussing' students to the polls).

While Bard students generally registered and voted without rancor, there were typical episodic difficulties of America's registration and voting process. These ranged from mistakes with registrations, to spelling mistakes in data input, to voters who had studied away being listed as inactive. Occasionally there were questions over what appropriate forms of identification were acceptable for those who did not provide a social security number while registering. To assist students facing such challenges, Bard began sending its own poll watchers to the poll site,

²⁶ Of 150 registrations submitted by students in April and May, only 21 had been approved as of June 1; Jane Berber Smith and Linda Greenblatt, "Progress in Student Voting Questionable," *Poughkeepsie Journal*, July 6, 2000, 6 A.

²⁷ Michael Chameides, "Verdict is In: Dutchess County Students Win Right to Vote," *Bard Free Press* 2, no. 1 (September 2000): 1–2, <https://digitalcommons.bard.edu/cgi/viewcontent.cgi?article=1005&context=bardfreepress>.

armed with copies of New York State election law, to observe and try to resolve whatever issues emerged, and to explain to students their rights should they be challenged or told that they were in the wrong location.²⁸

Tensions grew significantly in 2007. In May of that year, the Town of Red Hook approved a Community Preservation Fund (CPF), which taxed sales of higher-valued homes to preserve open space and farmland, in a special election by 31 votes. The participation of Bard students in the election caused great consternation among some opponents of the CPF and might well have influenced the outcome. It was viewed as an indicator of deeper changes taking place in the town and county, which had been traditional Republican strongholds.²⁹

In November of 2007, the once impregnable Republican control of the county legislature was pierced and Democrats won a slim majority for the first time in 30 years. That same election, Micki Strawinski, an employee in Bard's health and counseling center, won a seat on the Red Hook Town Board. In October 2008, for the first time in history, the number of registered Democrats in the county surpassed registered Republicans.³⁰ In November 2008, after a special election due to the retirement of a town board member, the Town of Red Hook gained a Democratic majority on the town board for the first time in living memory.

The electoral campaign in 2009 was particularly heated. It was the first regular election since the US chose its first Black president, Barack Obama. A March 2009 special election to replace Bard's congresswoman Kirsten Gillibrand, who was appointed to the US Senate after Hillary Clinton became secretary of state, was seen as a referendum on Obama. In that race, Democrat Scott Murphy won a narrow, 401-vote victory that was secured after a month of hard-fought battles over the counting of paper ballots—affidavit and absentee. Such was the level of contention that even Gillibrand's absentee ballot was challenged.³¹ These develop-

²⁸ On at least one occasion the police were called to the poll site over a vigorous discussion concerning addresses, though it remained unclear who phoned the Dutchess County Sheriff's Office and the sheriff who came seemed perplexed as to why he was there; Jonathan Becker, letter to Dutchess County Sheriff's Department, November 11, 2005. Another time, a local official threatened to call the police because Bard had purchased "I voted" stickers, after student complaints that there were none, and was making them available to voters, whether or not they were college students, at the local poll site.

²⁹ Rasheed Oluwa, "Preservation Tax Squeaks By," *Poughkeepsie Journal*, May 2, 2007.

³⁰ Patricia Doxsey, "Dem Enrollment Tops Republican in Dutchess," *Daily Freeman*, October 10, 2008, downloaded December 12, 2024, <https://www.dailyfreeman.com/2008/10/10/dem-enrollment-tops-republican-in-dutchess/>.

³¹ Andrew Bernstein, "Tedisco Team Challenges Gillibrand Ballot," *Troy Record*, April 25, 2009, downloaded December 9, 2024, <https://www.troyrecord.com/2009/04/15/tedisco-team-challenges-gillibrands-ballot/>.

ments set the stage for more systematic efforts by officials to deprive Bard students of their right to vote, demonstrating both the vulnerability of student voters and the importance of institutional engagement.

On election day in November, 2009, a dubious legal decision created chaos at Bard students' then-off-campus polling place at St. John the Evangelist Church in the neighboring hamlet of Barrytown. Partisan poll watchers descended upon the church to aggressively challenge students on the basis of residency. Again and again, every five or so voters, the Republican poll watchers raised objections. When John Pelosi, a lawyer and Democratic poll watcher who for several years was present at the church to protect student voting rights, pressed for the basis of the challenge, he was told, "I'm challenging for residency, that's all I'm going to tell you."³²

While under normal circumstances the poll workers overseeing an election would, barring the clear determination of a disqualifying issue, allow a 'challenged voter' to proceed after taking an oath,³³ an extremely problematic judicial decision made earlier that day meant that any Bard student who was challenged on the basis of residency was forced to vote via a paper or 'affidavit' (sometimes called 'provisional') ballot instead of on a machine. This created difficulties, both because Bard students, often voting for the first time, felt intimidated, and because studies have shown that provisional ballots are rejected at a relatively high rate for a variety of technical reasons.³⁴

The case emerged out of a complaint centering on Vassar College, located 30 minutes south of Bard in the Town of Poughkeepsie. Vassar drew scrutiny because its campus had been gerrymandered into multiple voting districts (then two, and later three), a tactic which was itself used to suppress student voting, the consequence of which was that some of the students who had changed dormitories

32 Patricia Doxsey, "Bard Students Unhappy with Voting Hassle," *Daily Freeman*, November 20, 2009, downloaded December 12, 2024, <https://www.dailyfreeman.com/2009/11/20/bard-students-unhappy-with-voting-hassle-with-video/>; "Barrytown (District 5) on Election Night," video recording, November 3, 2009, posted November 16, 2009 by BGIAProgram, YouTube, 1:48, <https://www.youtube.com/watch?v=ng4QF9lnPds>.

33 According to the established procedures, when there was a challenge, the four poll workers would interview the prospective voter and if two of the four thought the voter was eligible, the voter would recite a short oath and proceed to vote on a machine.

34 Yael Bromberg, "Youth Voting Rights and the Unfulfilled Promise of the Twenty-Sixth Amendment," *University of Pennsylvania Journal of Constitutional Law* 21, no. 5 (2019): 1146, <https://scholarship.law.upenn.edu/jcl/vol21/iss5/1/>. A Florida federal court noted that "In Florida, voters 18–21 had provisional ballots rejected at a rate *four times* higher than the rejection rate of provisional ballots cast by voters ... between the ages of 45 and 64"; *League of Women Voters of Florida, Inc. v. Detzner*, 314, F Supp. 3d 1205, 1219 (N.D. Fla 2018).

would also have been obliged to re-register to vote from their new address and vote at a different polling place because in changing dormitories they had also changed districts.³⁵ The suit claimed that students were voting in the wrong districts and accused Vassar of encouraging this.³⁶

The judge in the case, Poughkeepsie-based Supreme Court Justice James Brands, issued an expansive order that required *any* voters in Dutchess County “who are challenged on the basis of residency” to “cast their ballots as affidavit ballots” or appear before a judge in Poughkeepsie.³⁷ As a result, a matter that was only relevant to Vassar cascaded to Bard, with Bard students being targeted and deprived of the right to vote on a regular voting machine.

Brands’ ruling was procedurally and substantively vexing. Procedurally, the decision was an ‘ex parte order,’ meaning that not all parties that were impacted were given the opportunity to be represented to argue the case prior to the decision. Indeed, the only people known to be present for the hearing were Justice Brands and attorney John Ciampoli, representing the chair of the Town of Poughkeepsie Republican Committee, Thomas Martinelli. Neither voters nor Democratic election commissioner Fran Knapp were present.³⁸ Substantively, it ignored the established procedure for addressing challenged voters. It subjected young voters in particular—poll watchers weaponized the decision only at Bard and Vassar—to aggressive tactics by partisan poll watchers. It also took a complaint specific to one location (Vassar was the only college in Dutchess County with more than one voting district) that was filed by a group that had standing in one specific locale (the Town of Poughkeepsie), and applied it to the entire county.

35 Kristen Jemiolo, who was part of the county committee that endorsed student voting in 2000, viewed the division of Vassar into multiple legislative districts as clear “party politics;” Patricia Doxsey, “Dutchess Legislature will Shrink in 2004,” *Daily Freeman*, November 13, 2002, downloaded December 17, 2024, <https://www.dailyfreeman.com/2002/11/13/dutchess-legislature-will-shrink-in-2004/>.

36 In his claim, Ciampoli cited communications from the Vassar administration that stated, “Where you vote depends upon the residence you lived in when you registered to vote, not necessarily where you live now”; *Martinelli v. Dutchess County Board of Elections* (N.Y. Sup. Ct. 2009). No Index Number was provided or ever supplied, which was a point of contention as the case was adjudicated and sanctions were later sought against attorney John Ciampoli for “frivolous conduct.”

37 Justice James Brands’ order, *Martinelli v. Dutchess County Board of Elections* (N.Y. Sup. Ct. 2009).

38 Given the relationships involved, it is certainly possible that Republican commissioner David Gamache was aware of the impending filing. Later that afternoon, attorney Kathleen O’Keefe found Ciampoli in Gamache’s office when she went to appeal Judge Dillon’s decision. Kathleen O’Keefe, email message to Jonathan Becker, December 2, 2024.

The decision reeked of politics. Democratic election commissioner Knapp described it as an “orchestrated attempt by the Republican Party ... to intimidate college students and suppress voter turnout.”³⁹ There is good reason to think this is correct. Kathleen O’Keefe, attorney for the New York Democratic Assembly Campaign Committee and select Democratic candidates, who would later defend the students, indicated that Judge Brands was known among Republican officials as the judge of choice. It is, moreover, clear that Judge Brands was well aware that there were problems with forcing citizens to vote via an affidavit ballot, having overseen a number of cases where the counting of paper ballots, absentee and affidavit, was vigorously contested, including an extremely close special congressional election earlier in 2009.⁴⁰ A few years earlier he had gained a reputation for throwing out paper ballots in tight elections, earning the sobriquet ‘pizza stain judge’ for disqualifying an absentee ballot due to the presence of an identifying fingerprint that was seemingly from tomato sauce in a Town of Poughkeepsie race that ultimately favored a Republican candidate by two votes.⁴¹

O’Keefe had been informed of the situation by Knapp and immediately filed an appeal against Brands’ decision. The appeal was heard during a conference call with Appellate Division Justice Marc Dillon late in the afternoon on election day. At 7:30 p.m. Judge Dillon issued a handwritten order altering key parts of Brands’ decision by restricting the order to the Town of Poughkeepsie, thus removing Bard from its scope, and reinstituting the normal course for challenges to voters, which usually allowed them to vote on machines.⁴² Unfortunately, by the time the order came down and was distributed, most students had already attempted to vote. In all, 60 Vassar students and a dozen Bard students were forced to vote via affidavit ballot. Presumably others, having heard or witnessed the intimidation that took place at the polls, chose not to vote.

There remained the question of what to do with the affidavit ballots. As stated above, affidavit ballots could be challenged for minor irregularities, especially when elections were highly competitive, as was the case in 2009 with the Town of Red Hook and county legislative majorities at stake. To ensure student votes were counted, Bard, on behalf of the affected students, formally retained and paid O’Keefe, who had previously been working at the behest of Knapp. Institu-

39 Doxsey, “Bard Students Unhappy.”

40 Bernstein, “Tedisco Team Challenges Gillibrand Ballot.”

41 Hudson, “NY20: Beware of the Pizza Stain Judge,” *Daily Kos*, April 15, 2009, downloaded December 9, 2024, <https://www.dailykos.com/storyonly/2009/4/14/720054/-NY20:-Beware-the-Pizza-Stain-Judge>.

42 Appellate Division Justice Mark Dillon, Order, *Martinelli v Dutchess County Board of Elections* (N.Y. Sup. Ct. 2009).

tionally, the College viewed it as a critical moment due to the obvious abuse of the justice system and the egregious intimidation tactics deployed by poll watchers. As I wrote in a letter to the *Poughkeepsie Journal*, “Denying legally qualified citizens the most sacred of rights is reprehensible. The public leaders who have chosen to take this path have failed their communities and the most basic test of leadership.”⁴³

O’Keefe took testimony from students and filed a motion in State Supreme Court demanding that all Bard students forced to vote via affidavit ballot have their votes counted ‘unchallenged,’ meaning that they were exempt from the court battles that had taken place in the county over the previous several years during the counting process.⁴⁴ In a judgment that further underlined the absurdity of Brands’ original ruling, Supreme Court Justice James D. Pagonos ordered that all ballots cast by Bard students residing in the district in which they voted be counted by the Dutchess County BOE “without being subject to an objection.” Pagonos went further, seeking to avoid a repeat event, by permanently enjoining “the Dutchess County BOE from subjecting Bard students who are registered to vote from procedures more rigorous than an average voter when they attempt to vote in a machine.”⁴⁵

Coupled with the 1984 *Auerbach* federal court decision, this was the second time a court, this time a state court, had to repeat the basic premise reached by the US Supreme Court in *Symm* in 1979—that students cannot be targeted or subjected to electoral procedures different from the rest of the voter public.

2.3 New Forms of Voter Suppression: Challenging Registration Addresses (2012–2013)

Like the situation at Prairie View A&M University, Dutchess County officials would return to the issue of student voting time and time again. Three years later it was a

⁴³ Jonathan Becker, “To the Editor,” *Poughkeepsie Journal*, November 20, 2009, 12.

⁴⁴ *Conti v. Dutchess County Board of Elections*, 9054 (N.Y. Sup. Ct. 2009). Student litigants included Olivia Conti, Sara Kangas, Tanya Sorenson, Casey Asprooth-Jackson, Sarah Bessel, and Iris S.B. Larsen.

⁴⁵ Hon. James D. Pagonos, Order, *Conti v. Dutchess County Board of Elections*, 9054 (N.Y. Sup. Ct. 2009).

new Republican election commissioner, Erik Haight, who targeted student voters.⁴⁶

In 2012, there were federal elections and, as in 2009, races remained close. Two congressional districts situated in the county were tightly fought, as was a critical state Senate seat. In the run-up to the election, Haight, who replaced Gamache in 2011, rejected more than 100 registrations from students from Bard, Marist College, and the Culinary Institute of America due to the failure of the student registrants to provide dorm names and room numbers on their registration forms.⁴⁷ The decision appeared to discriminate against college students: such demands were not made of residents of other group quarters, such as at elder-care facilities.⁴⁸

Attention to the issue was brought by Marist College student Daniel Torres. Torres, a communications major who had been registering students in Poughkeepsie, brought registrations to the BOE on the final day of the registration period, only to be told that they did not comply with requirements due to the absence of dorm names and room numbers. He held a press conference to draw attention to the issue, framing it as “a Jim Crow moment in Dutchess County.”⁴⁹

Like his predecessor William Paroli, Haight proved obdurate. He was unmoved by a letter jointly authored by the NYCLU and the Brennan Center for Justice, which pointed out that his actions were incompatible with New York State election law, because the registrations in question contained “substantially all of the required information” necessary to determine if someone was an eligible voter.⁵⁰ More importantly, he ignored a rare unanimous advisory opinion of the

46 Haight himself had been the beneficiary of decisions by Judge Brands in 2005 to disqualify absentee ballots from the Poughkeepsie-based River Valley Care Nursing Home, contributing to Haight’s five-vote victory in a seat for the town’s city council; Hudson, “NY20: Beware.”

47 Because Vassar was gerrymandered into three districts, its students needed a further identification.

48 Patricia Doxsey, “In Dutchess County, Battle Brews Over Dorm Dwellers’ Voting Rights,” *Daily Freeman*, October 19, 2012, downloaded December 12, 2024, <https://www.dailyfreeman.com/2012/10/19/in-dutchess-county-battle-brews-over-dorm-dwellers-voting-rights>.

49 Doxsey, “Dorm Dwellers’ Voting Rights.” Torres was instructed by representatives at the BOE not to submit the forms, but chose to anyhow, which was critical because the rejection of the forms gave the students standing to pursue a case; Daniel Torres, interviewed by Jonathan Becker, December 10, 2024.

50 The letter from the NYCLU and Brenner Center also raised procedural questions, suggesting that voters should only be denied registration when such a determination is made “by a majority vote of the commissioners”; Arthur Eisenberg and Lee Rowland, New York Civil Liberties Union, letter to Commissioner Erik J. Haight, October 11, 2012, https://www.nyclu.org/uploads/2012/11/Commissioner_Haight_letter_10.11.12.pdf. Haight claimed that the decision was consistent with a 2003 manual of the Board of Elections while Knapp asserted that it was a ‘draft’ policy and only

New York State BOE that echoed the NYCLU and Brennan Center letter, stressing that “if the registration is from a student where the address is all within a single election district [as was the case for Bard, Marist, and the Culinary Institute] and the address is sufficient for communicating with the voter, that should be deemed substantially complete and the registration should be processed.”⁵¹

Bard became involved as an institution after Democratic Commissioner Knapp reached out to Erin Cannan (author of chapter 8), Bard’s vice president for student affairs and deputy director of Bard’s Center for Civic Engagement (CCE), which had been founded in 2011 and which coordinated Bard’s election efforts. Cannan, who had helped organize student voter registration with a student group, Election@Bard, formed in the late 2000s, identified students whose registrations had been rejected, including some who were willing to serve as litigants. She then arranged for the students to meet with the NYCLU, which was represented by Arthur Eisenberg, a participant in Bard’s fight for a poll site in 2000 as well as the *Aurbach* case. The NYCLU staff interviewed the students, and in the end two of the four named litigants selected were from Bard: seniors Alexis Roe and Daniel Roscoe Kern, who joined with the other litigants from Marist and the Culinary Institute.⁵²

On October 31, 2012, days before the election, the NYCLU, together with lawyers from Lowenstein Sandler, filed a class action lawsuit with the US District Court for the Southern District seeking injunctive relief because “Commissioner Haight’s decision to reject their applications deprives Plaintiffs of their fundamental right to vote.”⁵³ They asked for a declaration that the practice of the Dutchess County BOE was unconstitutional and for preliminary relief to allow students to vote in the upcoming election. On November 5, the day before the election, US District Court Judge Kenneth Karas issued a preliminary injunction, allowing the students to vote and demanding that supplemental poll lists containing the names of student voters be distributed to the appropriate poll sites.

relevant for Vassar students because of the division of the campus into different voting districts; Doxsey, “Dorm Dwellers Voting Rights.”

51 “06/12/2012 Meeting Transcript,” New York State Board of Elections, <https://elections.ny.gov/system/files/documents/2023/10/cctranscriptions06122012.pdf>.

52 Roe had twice tried to register and both times was sent rejection letters citing “omitted” or “not readable” birth information, only to later be told by phone, after the deadline, that it was due to a missing dorm address. Kern was never informed his registration had been rejected until after the deadline. Naomi Lachance, “Student Votes Challenged,” *Bard Free Press* 14, no. 5 (November 2012): 6–7, <https://digitalcommons.bard.edu/cgi/viewcontent.cgi?article=1101&context=bardfreepress>.

53 Stipulation of Settlement and Consent Decree, *Pitcher v. Dutchess County Board of Elections*, Civil Action No. 12 CV 8017 (S.D.N.Y. 2013).

The following May, a consent decree was signed under the oversight of Judge Karas which “permanently enjoined and prohibited” the Dutchess County BOE from “rejecting an application for registration from a student of Bard College, Marist College or the Culinary Institute of America,” if the student met other registration requirements and provided a campus address but did not list a dorm room. The order also required the BOE to pay attorney fees, which amounted to nearly \$60,000. It was subsequently decided that all on-campus registrants would use Bard’s main address, 30 Campus Road, to register. But in spite of the fact that Haight lost, his opposition to student voting would continue.

3 The Battle for On-Campus Poll Sites (2005 – 2022)

With the question of student voting rights and residency largely settled, the next phase of Bard’s fight for student voting rights centered on a different election administration mechanism: an accessible on-campus polling site. Ever since Bard students had earned the right to vote in 2000 they had voted at St. John the Evangelist Church in the hamlet of Barrytown, situated a little less than a mile and a half from main campus. St. John’s was known for its hospitality, and for many years on election day the church had held a fundraiser that featured the sale of clam chowder and apple turnovers where locals and the political class of the Town of Red Hook came for lunch.

However, it was not an ideal place for voters, especially Bard students. The voting area was cramped, and those waiting in line at peak times had to wait outside in the dark and sometimes in inclement weather. It was not handicap-accessible or compliant with the Americans with Disabilities Act (ADA). Voters had to climb a stair at the main entry to the polling place and the accessibility ramp for the physically impaired on the other side of the church was replete with problems. There was neither an accessible bathroom nor designated accessible parking. The church’s location had other issues that made it dangerous for those without cars: it was on a country road which had no lighting, no sidewalk, and did not even have a verge, making it inaccessible by foot. There was no public transportation that could drop off a voter within half a mile of the site, an expectation articulated in New York State election law.

Bard, on the other hand, offered a myriad of benefits. First, a significant majority of voters in the electoral district lived on the Bard campus, including students, faculty, and staff, and an on-campus poll site would be within walking distance for all of them, including many who did not have their own transportation.



Figure 1: Bard student voters near bus stop, Election Day, November, 2017. Photo by Sarah Wallock '19, courtesy of Bard College.

Second, Bard offered excellent facilities—certainly superior to those at St. John’s—including large spaces with ample parking and shelter for those waiting to vote, and all of which were handicap-accessible and compliant with the ADA. Third, an on-campus site would encourage students and young people in general to vote: voting rates for youth are generally low and people who vote when they are young tend to vote throughout their lives. Studies show that the lack of access to poll sites is one of the major barriers to political participation.⁵⁴ Finally, Bard was a welcoming place to host non-students. Bard had an open campus and was known as a cultural hub, hosting more than 50,000 visitors per year for numerous public events, including talks, concerts and plays, matches between local high school sport teams, and even the after-prom party for Red Hook High

⁵⁴ “Why Youth Don’t Vote: Differences by Race and Education,” Center for Information & Research on Civic Learning and Engagement (CIRCLE), August 21, 2018, <https://circle.tufts.edu/latest-research/why-youth-dont-vote-differences-race-and-education>.

School. It also hosted a Lifetime Learning Institute for several hundred non-traditional and often elderly students in the community.

Efforts to move a poll site to Bard began as early as 2005, when, before local elections, my office (I was then the dean of studies) sent a letter to town officials and candidates seeking a polling place on the Bard campus.⁵⁵ This was followed by a 2007 petition prepared by my office that was from students, faculty, and staff.⁵⁶ Both documents were sensitive to the tradition associated with St. John's and thus only sought an on-campus poll site: St. John's could be kept if a new site was added or if other sites in town were realigned. The Republican majority on the Town Board demurred, but in 2009, when Democrats won a majority, the Town Board passed a resolution for the first time supporting a poll site on campus in a partisan 3–2 vote.⁵⁷ This was repeated in 2016, with four in favor and one not present.

Though the 2009 and 2016 Town Board resolutions underlined local support for a polling place on campus, there was a problem for Bard advocates: a change in poll sites demanded agreement by both commissioners at the bi-partisan BOE, and Erik Haight, who was the Republican election commissioner throughout most of this period, was implacably hostile to a poll site on the Bard campus. Over the years, he invoked numerous arguments about why there should not be a poll site at Bard. He suggested that off-campus voters assigned to a poll site on campus might be hesitant to come to campus (though it should be noted that there were enough registered voters to host a single site at Bard). He suggested that students were unruly, stating: “[c]ollege students are often vocal about political issues,” as if this were problematic.⁵⁸ His main argument, however, depicted stu-

55 Letter from Jonathan Becker to candidates Erin Cannan, Harry Colgen, Sue Crane, Richard Griffiths, Linda Keeling, Sue McCann, Marc Molinaro, Laurie Nash, Vicky Perry, James Ross, and Jonah Triebwasser; November 1, 2005.

56 As a 2007 petition said, “Bard is an open and welcoming community which hosts numerous events that attract people from across Red Hook, be it summer camps, concerts, or high school soccer matches. Bard has handicap accessible facilities suitable for voting”; Bard College Dean of Studies Office, “Petition to Open a Polling Station at Bard College,” October 9, 2007.

57 The 2009 resolution echoed the points in the petition, noting, among other things, that “the polling station at St. John’s Church in Barrytown is not adequate for the voting needs ... due to the size and location of the site,” that “the majority of the voters (in the district) reside in or near Annandale,” and there was an absence of “space to shelter resident electors during inclement weather;” Town of Red Hook, *Revision of Polling Stations for the General Elections*, Resolution No. 15, March 10, 2009.

58 Jonathan Becker, “NY State Can Help Overcome Voter Suppression of College Students,” *WAMC Northeast Public Radio*, January 27, 2022, 5:30, <https://www.wamc.org/commentary-opinion/2022-01-27/ny-state-can-help-overcome-voter-suppression-of-college-students>.

dents as second-class citizens. He regularly juxtaposed the terms ‘student voters’ and ‘taxpaying, permanent residents,’ implying that the latter were more deserving.⁵⁹ He even went so far as to suggest that making it easier for student voters would privilege them in unfair and undemocratic ways: “We don’t want a situation where we have a group of voters that are super-enfranchised and a different group of voters in the same election district who are disenfranchised.”⁶⁰

Haight’s intransigence meant that advocates of a polling place on campus had little hope. The NYCLU, which had been essential to students’ victories in 2000 and 2012–2013, was sympathetic to the complaint, and even issued a letter to the BOE in 2016. But given judicial deference to election administrators, it thought the odds of a successful lawsuit unlikely, so its engagement ended there.⁶¹ However, the emergence of Bard’s partnership with The Andrew Goodman Foundation (AGF) brought renewed focus. From 2014, the student group Election@Bard became populated by AGF ‘Vote Anywhere’ ambassadors. It was the Vote Anywhere ambassadors Eva-Marie Quinones and Jonian Rafti who led the appeal to the Town Board in 2016 for a poll site on the Bard campus, making presentations together with Bard administrators from the CCE. Quinones summed up students’ assessment of the situation and their commitment to making change thus: “Democracy is based on the concept of one vote, one voice. Right now in the Hudson Valley, one party wants to increase its electoral competitiveness in one of the last swing districts in the nation by disenfranchising an entire demographic. They’re fighting dirty. We have one thing to say in response to this: *We’ll fight back.*”⁶²

A more concerted effort to focus on the poll site issue emerged as the 2020 election approached. From March 2019, AGF Chief Legal Counsel Yael Bromberg,

59 Erik Haight, “Commissioner Haight: Set Record Straight with Facts” *Poughkeepsie Journal*, May 28, 2016, downloaded December 10, 2024, <https://www.poughkeepsiejournal.com/story/opinion/valley-views/2016/05/28/commissioner-haight-set-record-straight-facts/84920538/>.

60 “Dutchess County Board of Elections, Public Meeting of Dutchess County Board of Elections,” virtual meeting, February 25, 2021, posted August 9, 2021, by Bard Center for Civic Engagement, YouTube, 30:32, <https://www.youtube.com/watch?v=v8lZDH1Yg1k&t=2s>. Dutchess County GOP Committee Chairman Michael McCormack was even more blunt in his assessment: “Bard College is the number one liberal college in all of America—number one, not two, 10, or 15, but number one. Having a polling place on a private institution’s campus is stupid”; quoted in Hank Gross, “Agreement Reached on Bard Voting Location,” *Mid Hudson News*, October 29, 2020, <https://midhudsonnews.com/2020/10/29/agreement-reached-on-bard-voting-location/>.

61 Shannon Wong, NYCLU letter to Election Commissioner Erik Haight, April 11, 2016; *Andrew Goodman Foundation v. Dutchess County Board of Elections*, 52737/20 (N.Y. Sup. Ct. 2020).

62 Eva-Marie Quinones, “The Battle for the Ballot: Inside the Voting Rights Struggle in New York,” *Buzzfeed*, May 13, 2016, <https://www.buzzfeed.com/evamariequinones/the-battle-for-the-ballot-in-side-the-voting-right2crpl>.

a leading 26th Amendment scholar and litigator, met approximately every two weeks with the Election@Bard team, which included Goodman Vote Anywhere ambassadors and staff ‘co-champion’ Sarah deVeer, the outreach coordinator of CCE. This added systematic engagement, and critical legal focus created a new environment in which they could collectively be more responsive to what proved to be a fast-changing situation. With an eye towards potential litigation, Bromberg recruited Doug Mishkin, who had a long association with the Goodman family and was a senior litigator with decades of experience. He in turn brought in a pro-bono team from his former firm, Venable LLC, headed by Michael Volpe, who also had experience serving in New York local government. They sent a letter to the Dutchess County BOE in early March, prior to the formal assignation of poll sites, outlining the flaws of the St. John’s poll site and the benefits of a Bard location, offering to maintain both sites or switching exclusively to one at Bard. Democratic election commissioner Beth Soto responded, saying she supported the move, but pointing out that her counterpart Haight opposed it, meaning that the status quo would remain.⁶³

The COVID pandemic which was sweeping the globe brought new impetus to efforts and new opportunities to address the longstanding poll site challenge. While the church poll site posed safety concerns at the best of times, during the pandemic voting in such a small venue was actually dangerous. This spurred a different approach. During the summer of 2020 two changes took place in the way that Bard and AGF/Venable approached the issue of a poll site on campus: first, the focus moved from persuasion to litigation, and, second, the Bard side in meetings with AGF/Venable was expanded beyond the involvement of students and junior administrators to regularly include representatives of the senior administration, including Vice President Cannan, whose work on voting continued; and me, in my capacity as director of CCE and Bard executive vice president/vice president for academic affairs.

The litigation that materialized in August and September 2020, which ultimately became *The Andrew Goodman Foundation v. Dutchess County Board of Elections*, was distinguished by its plaintiffs, who represented cooperation and coordination among students, the institutional leadership, and external advocacy groups: the AGF; the student-led group Election@Bard; its leader and Goodman Vote Everywhere ambassador Sadia Saba; Vice President Cannan, who regularly served as a poll worker at the church; and Bard’s long-serving President Leon Botstein, who resided on campus and thus was a district voter. The content covered all

63 Elizabeth Soto, Brief, *Andrew Goodman Foundation v. Dutchess County Board of Elections*, 52737/20 (N.Y. Sup. Ct. 2020), <https://tools.bard.edu/wwwmedia/files/8850342/71/SotoBrief.pdf>.

the complaints over the years about the problems with the church and underlined the advantages of the proposed Bard site—the Multipurpose Room (MPR) of the Bertelsmann Campus Center, and particularly its close proximity to the majority of district voters. However, it zeroed in on two issues that could provide greater legal traction, given the general judicial deference to the decisions of election administrators: disability access and the dangers posed by the pandemic.

While there had long been accusations that the poll site was neither handicapped-accessible nor ADA-compliant, the BOE regularly denied this and claimed that its detailed surveys demonstrated that the site was compliant. However, with preparations for a lawsuit taking shape, the Bard team was able to do more research into the issue. CCE requested a copy of the latest accessibility survey, as well as past surveys, through a state public records law ('FOIL') request. The results were astonishing: 17 of 37 questions on the survey were left blank, with "N/A" notations. Among other things, the surveyors failed to answer the entire ramp compliance section, in spite of the fact that the ramp was the only means of entering the building for those with mobility issues. Other questions were answered incorrectly. CCE representatives then visited the site with the head of Bard's Buildings and Grounds, who was responsible for implementing ADA mandates on the Bard campus, and I prepared a report that also incorporated issues raised in the US Department of Justice Civil Rights Division's *ADA Checklist for Polling Places*.⁶⁴ The report was then reviewed by Bard's director of accessibility and disability. It was used not only for the purpose of legal filings but was shared publicly, with additional photographic and video documentation of the site's shortcomings.⁶⁵ A local disabilities rights organization, Caring Majority Rising, then mobilized, communicating with local politicians and holding a press conference to highlight the challenges the site presented to disabled voters and to underline the BOE's failures.⁶⁶

⁶⁴ US Department of Justice, Civil Rights Division, *ADA Checklist for Polling Places* (June 2016), <https://www.ada.gov/votingchecklist.pdf>.

⁶⁵ Jonathan Becker, "Report on Visit to Barrytown Polling Site: Red Hook D5," *Andrew Goodman Foundation v. Dutchess County Board of Elections*, 52737/20 (N.Y. Sup. Ct. 2020), <https://tools.bard.edu/wwwmedia/files/8850342/78/ADARreport.pdf>. For CCE's video on compliance at the poll site, see "ADA Compliance in D5 Red Hook," August 25, 2020, posted April 28, 2021, by Bard Center for Civic Engagement, YouTube, 1:53, <https://www.youtube.com/watch?v=jbp69ILmCG8>.

⁶⁶ The press conference, which was well attended and moving, featured presenters who spoke passionately, highlighting the poll site issue from a disability perspective. See "The Fight for a Polling Place at Bard College," virtual press conference, October 22, 2020, posted October 22, 2020, by Bard Center for Civic Engagement, YouTube, 47:00, <https://www.youtube.com/watch?v=ZFp2C8bU7S0>.

COVID was an even more salient issue. All of the problems with the church as a polling site were magnified by the pandemic. The idea of cramming six (usually elderly) poll workers into a cramped space was suboptimal at the best of times but frightening during COVID. This was stressed in another presentation before the Red Hook Town Board in August, in which student leaders, backed up by members of CCE, pressed the Board to weigh in. The Town again passed a resolution supporting moving the poll site, underlining both handicap accessibility issues and “an additional and urgent need to provide a polling location with adequate social distancing measures and enhanced safety precautions.”⁶⁷

The CCE team also turned to the Bard faculty, asking Professor Felicia Keesing, a world-renowned researcher in infectious diseases, to review the relative safety of the church vs. the proposed space at the campus center. She prepared a report that argued that “the risk of a community member contracting the virus while voting at Bard is at least as low as it is anywhere else in Dutchess County that uses a room of comparable size” and that the risk of COVID transmission at the church was “at least four times higher than at the Bard MPR.”⁶⁸ CCE representatives who served on Bard’s COVID Response Team also worked to incorporate a potential poll site into Bard’s robust COVID action plan.

CCE leaders separately approached the church leadership, including a retired professor of biology, to seek their intervention. While they initially demurred, citing the tradition of the church hosting voting and the need to be neutral, Keesing’s study helped convince them to take a stand. On September 15, they wrote to the county BOE begging off hosting the poll site and stating, “Our concerns revolve around the current pandemic of COVID-19, and our inability to provide an adequately safe environment for the poll workers as well as the voters. Simply put, our space is too small to support much-needed COVID social distancing, and other sites within District 5 are much larger.”⁶⁹

None of this moved Haight. He was not obliged to listen to the college, disability advocates, or scientists. He could even ignore church officials because the

⁶⁷ The presentation featured Student Council president Adrian Costa, Goodman ambassador Sadia Sabia, deVeer, and me; Town of Red Hook, *Resolution Regarding Election District No. 5*, Resolution No. 40, August 26, 2020. For the complete hearing, see “Red Hook Town Council Meeting 08/26/2020 7:30 PM,” August 26, 2020, posted August 26, 2020, by Public Access Northern Dutchess (PANDANOW), YouTube, 1:30:05, https://www.youtube.com/watch?v=_BBi9aNJPs#action=share.

⁶⁸ She stressed Bard’s strong safety record and stringent testing regime; *Andrew Goodman Foundation v. Dutchess County Board of Elections*, 52737/20 (N.Y. Sup. Ct. 2020).

⁶⁹ Mary Grace Williams, Vicar, and John Ferguson, Treasurer, The Church of St. John the Evangelist, letter to Dutchess County Board of Elections, September 15, 2020.

BOE was empowered to require non-profits to host election sites. The commitment to political advantage and hostility to student voters outweighed all arguments about disability compliance and the safety of voters and poll workers. He attempted to refute some specific issues but primarily argued on the basis of procedure and process. He asserted that the objection to disability access should have been filed prior to March, when poll sites are selected. His central argument, however, was that moving the poll site at the late date risked disenfranchising voters who would go to the wrong location.

In the end, Supreme Court Justice Maria Rosa sided with Haight. While she was sympathetic to the substance of the arguments made by AGF and Bard, she indicated that the formal ADA complaints procedurally appeared too late and that, while the use of St. John's as a polling place was "not ideal ... it is not the function of this court to substitute its judgment for that of an administrative agency" barring "arbitrary and capricious actions." She concluded by citing Haight's claim that it would be "too close in time (to the election) to change the polling site" and that doing so would not "be fair" to voters of the district.⁷⁰

The case seemed to be over; however, within two days of the decision, two of the seven other election districts in Red Hook were moved from the Town Hall to a local school in response to COVID concerns. Frustrated by the hypocrisy but sensing an opportunity, the legal team and the plaintiffs regrouped and decided to appeal immediately. Rosa, clearly stung by what she viewed as Haight's deception, reversed herself and ruled in favor of moving the poll site to Bard, stating: "The basis for this court's decision and order has now been eliminated since the primary factor identified by Commissioner Haight and relied upon by this court was simply untrue. Apparently there was, and is, time to move the polling place for District 5 in Red Hook."⁷¹

Haight in turn appealed to the State Appellate Court, which, after its October 28 hearing, prevailed upon the parties to reach an agreement by which two poll sites would be opened in Red Hook District 5, one in Barrytown and one at Bard. Nearly two decades after the fight for a poll place on the Bard campus had begun, there would be one in time for the 2020 election.

As one might expect, this did not settle the issue. In 2021, there again was litigation over the poll site. Haight asserted that the 2020 agreement for two poll sites in the district did not constitute a precedent and that it was instituted

⁷⁰ Justice Maria G. Rosa, Decision and Order, *Andrew Goodman Foundation v. Dutchess County Board of Elections*, 52737/20 (N.Y. Sup. Ct. 2020), <https://tools.bard.edu/wwwmedia/files/8850342/65/Judges%20Decisioon%20September%202020.pdf>.

⁷¹ Justice Maria G. Rosa, Decision, Order on Motion for Leave to Reargue and Renew, *Andrew Goodman Foundation v. Dutchess County Board of Elections*, 52737/20 (N.Y. Sup. Ct. 2020).



Figure 2: Voters line up early at Bertelsmann Campus Center at Bard College, Election Day, November 2020. Photo courtesy of Jonathan Becker with thanks to Barry Cawston.

only as a one-off measure in response to COVID. Thus, if the two commissioners could not agree on a new poll site, voting would revert to pre-2020 conditions and take place again only at the church. He offered an alternate site on campus, a former restaurant that serves as the alumni center. However, Bard representatives vigorously objected, noting that the location was genuinely dangerous to access since it was situated at a distant point from the main campus across a high-speed rural road with no pedestrian crossings and no access via public transportation.⁷² Haight also raised the possibility of using Bard's Fisher Center for Performing Arts, but again Bard representatives objected due to issues of accessibility (the arts center was located at one extreme of the 1,000 acre campus) and the fact that the lobby where Haight proposed to situate the poll site was used for social but never administrative purposes. With a stalemate at the BOE, Bard sued again,

⁷² "Second Public Hearing on District 5 Polling Place," virtual hearing, September 3, 2021, posted September 6, 2021, by Bard College, YouTube, 42:33, <https://www.youtube.com/watch?v=HdNYErw1Xu0>.

receiving pro-bono support from Bromberg and Mishkin, as well as attorney Mike Donofrio, who had previously worked with Bromberg on voting issues and policy analysis related to the 26th Amendment.⁷³ Once again, Election@Bard, Botstein, and Cannan served as litigants, this time joined by four students and a staff member.⁷⁴ In this round, Judge Rosa sided with Bard from the start, as did the New York Appellate Division. Henceforth, a polling site would remain at the Bard Bertelsmann Campus Center unless both commissioners agreed to move it.⁷⁵

3.1 Legislative Solutions

While a polling place at Bard seemed set for the foreseeable future, the work was not done. In keeping with its motto of “a private institution in the public interest,” Bard pursued the strategy of arriving at a long-term legislative solution to prevent abuses by county Boards of Election, as had occurred in Dutchess County. Bard joined a coalition of voting-rights groups—including Let New York Vote, GenVote, the NYPIRG, the Citizens Union, Common Cause, and the AGF—to advocate for polling places on college campuses across the state. In op-eds and public communications, they used Haight’s egregious conduct as a vivid example of the need for a legislative solution.⁷⁶ The coalition supported a new law, folded into the state’s April 2022 budget, that mandated that county election boards situate polling places on college campuses that had at least 300 registered voters, or at a location mutually agreeable to the board and the college adjacent to the campus. Importantly, the law also said the polling district must be contiguous with the property

73 Bromberg worked via her law firm Bromberg Law LLC while Donofrio worked for Stris & Maher LLP. David Vance, “SCOTUS Challenge to Texas COVID-19 Vote by Mail Age Discrimination Draws Amicus from The Andrew Goodman Foundation, Equal Citizens, and Common Cause,” *Common Cause*, October 22, 2020, <https://www.commoncause.org/press/scotus-challenge-to-texas-covid-19-vote-by-mail-age-discrimination-draws-amicus-from-the-andrew-goodman-foundation-equal-citizens-and-common-cause/>.

74 The full case was *Bard College, Election@Bard, Leon Botstein, Erin Cannan, Cynthia Deann Austin Cunningham, Maria Alejandra Rodriguez Ortiz, Sarina Jaqueline Culaj, and Tomas S. Forman v. Dutchess County Board of Elections, Erik J. Haight, and Hannah Black*, 198 A.D.3d 1014 (N.Y. App. Div. 2021) (No. 52777/21).

75 Even after Bard won the second lawsuit over poll sites, it still faced resistance from the County Board of Elections in terms of being supplied fewer poll workers than any other poll site in the county and given one instead of two voting machines. This was explained in the following letter: Jonathan Becker, letter to New York State Board of Elections Enforcement Counsel, August 15, 2022, <https://tools.bard.edu/wwwmedia/files/8850342/99/Complaint%20to%20State%20BOE%20August%2015,%202022.pdf>.

76 Jonathan Becker, “NY State Can Help.”



Figure 3: Bard College President Leon Botstein at Bertelsmann Campus Center poll site, November, 2024. Photo by Robin Kaiküll '26, courtesy of Bard College.

of the campus, thus avoiding situations of gerrymandered campuses like Vassar. Indeed, with the support of Bard and Bromberg, Vassar became the first institution to gain a poll site under the new law, after a faculty member, a student, and the League of Women Voters, represented by Elias Law Group LLP, successfully sued to force a recalcitrant Haight to honor the new law.⁷⁷

These various efforts also informed in part development of the Youth Voting Rights Act, a first-of-its-kind federal proposal designed by Bromberg with the support of American Civil Liberties Union National to cure a variety of impediments to students' voting rights and expand their related access. The measure was introduced to Congress by Senator Elizabeth Warren and US Representative Nikema

⁷⁷ Clara Alger, "Fighting for the Youth Vote in the Hudson Valley," *The River*, November 2, 2023, <https://www.chronogram.com/river-newsroom/fighting-for-the-youth-vote-in-the-hudson-valley-19347760>.

Williams and, while it has not been passed, it serves as an inspiration for student organizers and is helping to model legislation in different states.

4 Reflections

The Bard case illustrates that the suppression of student votes can happen anywhere and that young people can be targets of voter suppression even in a predominantly white area in a blue state. Despite the 26th Amendment, despite the 1979 Supreme Court ruling in *Symm*, despite the 1984 *Aurbach* decision in New York State, and despite New York State election law, students of Bard and other colleges in Dutchess County were targeted by successive public officials who acted with impunity. They ignored legal precedent and advisory opinions of the State BOE, created discriminatory rules targeted at college students, wielded obviously flawed accessibility surveys to obtain desired conclusions, ignored science, and made false representations at public hearings and even before judges. They were willing to literally risk the health and well-being of elderly poll workers and (primarily student) voters to gain political advantage.



Figure 4: Election@Bard Get Out the Vote Effort, November, 2023. Photo by Jonathan Asiedu '24, courtesy of Bard College.

The Bard case demonstrates that, in order to combat such an approach, there are tremendous benefits to getting student, faculty, and institutional stakeholders to work collaboratively towards a collective goal and to seek, where needed, support

from external actors. Bard has created an ‘ecosystem of engagement,’ which it hopes will serve as an educational model, in which different actors can interact and cooperate, and both respond to fast-changing circumstances and maintain continuity of engagement over long periods of time.⁷⁸

A key distinguishing feature of Bard is that the institution views much of the work related to student voting as a part of its broad educational mission, underlining the link between education, engaged citizenship, and democracy. As Erin Cannan and I argue in our *Rutgers University Law Review* article “Institution as Citizen: Colleges and Universities as Actors in Defense of Student Voting Rights,” the institution, from its Board of Trustees on down, has supported students, faculty, and administrators, and used its resources—human, organizational, financial, reputational, and intellectual—to defend students’ constitutional rights.⁷⁹

Bard has viewed engagement with voting as part of the educational process. The tools used to promote and defend these rights—letter-writing, petitions, protests, press conferences, state open public records requests, appearances before government bodies, op-eds, research, and litigation—all became lessons for students in engaged citizenship, reaffirming the words of former Congressman and federal Judge Abner Mikva that “democracy is a verb.”⁸⁰ It has also done so to avoid the pervasive situation in higher education where deeds so often fall short of words. Soaring rhetoric by university leaders and graduation speakers about the virtues of ‘making a difference’ seem hollow when the institution itself ignores injustice that compromises its broad educational mission.

The role of the institution should not obscure the critical contributions of dedicated students and faculty. Bard students have consistently acted like participatory and justice-oriented citizens as outlined in chapter two, participating in the civic life of the community and calling out and addressing injustice. At the turn of the millennium, justice-oriented students with SAVE mobilized, found allies in the faculty, administration, and local advocacy and legal defense organizations, and were able to win the right of Bard students to vote. Future generations of students under the banner of Election@Bard, many of whom served as Andrew Goodman ambassadors, actively promoted registration, kept the issue of a polling place on campus on the agenda, and served as litigants when their rights were violated. One of the litigants in the 2012–2013 federal case related to residential addresses, Daniel Roscoe Kern, summed up the stakes, stating, “I will either become

78 Jonathan Becker, “Bard College: An Ecosystem of Engagement,” *Journal of Community Engagement in Higher Education* 11, no. 1 (2019): 38–52.

79 Jonathan Becker and Erin Cannan, “Institution as Citizen: Colleges and Universities as Actors in Defense of Student Voting Rights,” *Rutgers University Law Review* 74, no. 5 (2022): 865–909.

80 Abner Mikva, “About Us,” The Mikvan Challenge, <https://mikvachallenge.org/about-us/>.

completely disheartened and disillusioned with the system or I will say you can actually ... make a bit of a difference.”⁸¹

Bard students who invested in these efforts during their college education went on to achieve great success as active and engaged justice-oriented citizens. For example, Michael Chameides, who founded and led SAVE, serves on the Columbia County Board of Supervisors, due north of Dutchess County, and has served as a community and labor organizer since graduation. Monica Elkinson, who co-led SAVE in 1999, went on to become a state court judge in Alaska. Jonian Rafti, who with Eva-Marie Quinones re-launched efforts to ensure an on-campus polling location, went on to become a national board member of The Andrew Goodman Foundation and a litigator, and Quinones went on to obtain a law degree, works as a litigator, and is also a PhD candidate in political science, where her primary research focuses on voting behavior and disenfranchisement. In other words, their education at Bard College, and their applied focuses in civics and voter engagement, readied them and set them on a professional path for active citizenry.

Faculty also acted as participatory and justice-oriented citizens. Robert Kolblitz devoted a tutorial to student voting rights in 1976 in an effort to help students register voters, and his advice and introduction of student organizers to NYCLU representatives helped three students win a lawsuit and vote in Dutchess County. Joseph Luders brought SAVE’s work into the classroom. Biologist Felicia Keesing used her scientific expertise to make a case for a polling place at Bard. Bard political studies professor Simon Gilhooley regularly serves as a poll worker at the on-campus poll site. Art professors assign projects with get-out-the-vote themes that adorn campus. Later, the voting rights class taught by me and Gilhooley from which this book emerged created assignments that ultimately formed the basis of a CCE report on the implementation of the new state law mandating polling places on college campuses with 300 or more registered voters. This initiative, at the time of writing, is helping to shape further legislation.⁸²

The Bard case also underlines the importance of partnerships. Partnerships with the AGF and ALL IN help register students to vote. Partnerships with the NYCLU and the AGF were critical to obtaining the pro-bono legal representation necessary to establish and defend the right to vote and to gain a polling site on campus. Partnerships with non-profit organizations and networks like GenVote

⁸¹ Lachance, “Student Votes Challenged,” 6.

⁸² “Bard Center for Civic Engagement Prepares Report on Poll Sites on College Campuses,” Bard Center for Civic Engagement, posted February 16, 2024, <https://cce.bard.edu/news/bard-center-for-civic-engagement-prepares-report-on-poll-sites-on-college-campuses-2024-01-06>.

and NYPIRG proved essential to passing legislation in New York that will promote polling sites on all New York campuses into the future.

Ultimately, Bard's success was a product of its educational philosophy summed up by President Botstein in his affidavit for the 2020 poll site lawsuit: "Bard College's academic mission is to function in the public interest, and ensure that young voters are civically engaged in the practice of democracy." By not simply rhetorically supporting the link between education and democracy, but serving as a civic actor in its own right, the institution both created an ecosystem in which engagement with voting rights issues was welcome and taught its students important lessons about engaged citizenship in a democracy.

Bibliography

- "ADA Compliance in D5 Red Hook." August 25, 2020. Posted April 28, 2021, by Bard Center for Civic Engagement. YouTube, 1:53. <https://www.youtube.com/watch?v=jbp69lMCG8>.
- "After Judge Rules for Students Election Board Changes Tune." *The Journal*, Ogdensburg, New York, October 10, 1984.
- Alger, Clara. "Fighting for the Youth Vote in the Hudson Valley." *The River*, November 2, 2023. <https://www.chronogram.com/river-newsroom/fighting-for-the-youth-vote-in-the-hudson-valley-19347760>.
- Bard Center for Civic Engagement. "Bard Center for Civic Engagement Prepares Report on Poll Sites on College Campuses." Posted February 16, 2024. <https://cce.bard.edu/news/bard-center-for-civic-engagement-prepares-report-on-poll-sites-on-college-campuses-2024-01-06>.
- Bard College. "Mission Statement." <https://www.bard.edu/about/mission/>.
- "Barrytown (District 5) on Election Night." Live footage, November 3, 2009. Posted November 16, 2009 by BGIAProgram. YouTube, 1:48. <https://www.youtube.com/watch?v=ng4QF9lnPds>.
- Becker, Jonathan. "College Students Deserve to Vote Where They Live." *Poughkeepsie Journal*, December 24, 1999.
- Becker, Jonathan. "To the Editor." *Poughkeepsie Journal*, November 20, 2009.
- Becker, Jonathan. "Colleges Should Promote and Defend Student Voting." *Huffington Post*, August 12, 2016. https://www.huffpost.com/entry/american-colleges-should-promote-and-defend-student_b_57ae185fe4b0ae60ff026711.
- Becker, Jonathan. "Bard College: An Ecosystem of Engagement." *Journal of Community Engagement in Higher Education* 11, no. 1 (2019): 38–52.
- Becker, Jonathan. "NY State Can Help Overcome Voter Suppression of College Students." *WAMC Northeast Public Radio*, January 27, 2022. 5:30. <https://www.wamc.org/commentary-opinion/2022-01-27/ny-state-can-help-overcome-voter-suppression-of-college-students>.
- Becker, Jonathan, and Erin Cannan, "Institution as Citizen: Colleges and Universities as Actors in Defense of Student Voting Rights," *Rutgers University Law Review* 74, no. 5 (2022): 865–909. https://rutgerslawreview.com/wp-content/uploads/2023/02/07_Becker_Cannan.pdf
- Berber Smith, Jane, and Greenblatt, Linda. "Progress in Student Voting Questionable." *Poughkeepsie Journal*, July 6, 2000.

- Bernstein, Andrew. "Tedisco Team Challenges Gillibrand Ballot." *Troy Record*, April 25, 2009, downloaded December 9, 2024. <https://www.troyrecord.com/2009/04/15/tedisco-team-challenges-gillibrands-ballot/>.
- Bromberg, Yael. "Youth Voting Rights and the Unfulfilled Promise of the Twenty-Sixth Amendment." *University of Pennsylvania Journal of Constitutional Law* 21, no. 5 (2019): 1105–1166. <https://scholarship.law.upenn.edu/jcl/vol21/iss5/1/>.
- Center for Information & Research on Civic Learning and Engagement. "Why Youth Don't Vote: Differences by Race and Education." August 21, 2018. <https://circle.tufts.edu/latest-research/why-youth-dont-vote-differences-race-and-education>.
- Chameides, Michael. "Verdict is In: Dutchess County Students Win Right to Vote." *Bard Free Press* 2, no. 1 (September 2000): 1–2. <https://digitalcommons.bard.edu/cgi/viewcontent.cgi?article=1005&context=bardfreepres>.
- Citrin, Muni. "Questionnaire Incites Controversy." *Bard Observer*, September 20, 1996.
- David, Susannah E. "Analyzing Kovel's Defeat in Senate Elections 1998." *Bard Observer*, November 18, 1998.
- Davis John, and Stewart, Emily. "Disgraced Republican Giant William Paroli Sr. Dies at 86." *Poughkeepsie Journal*, March 22, 2014, downloaded December 17, 2024. <https://www.poughkeepsiejournal.com/story/news/2014/03/22/william-paroli-sr-controversial-former-gop-leader-has-died/6730283/>.
- Doxsey, Patricia. "Dutchess Legislature will Shrink in 2004." *Daily Freeman*, November 13, 2002, downloaded December 17, 2024. <https://www.dailyfreeman.com/2002/11/13/dutchess-legislature-will-shrink-in-2004/>.
- Doxsey, Patricia. "Dem Enrollment Tops Republican in Dutchess." *Daily Freeman*, October 10, 2008, downloaded December 12, 2024. <https://www.dailyfreeman.com/2008/10/10/dem-enrollment-tops-republican-in-dutchess/>.
- Doxsey, Patricia. "Bard Students Unhappy with Voting Hassle." *Daily Freeman*, November 20, 2009, downloaded December 12, 2024. <https://www.dailyfreeman.com/2009/11/20/bard-students-unhappy-with-voting-hassle-with-video/>.
- Doxey, Patricia. "In Dutchess County, Battle Brews Over Dorm Dwellers' Voting Rights." *Daily Freeman*, October 19, 2012, downloaded December 12, 2024. <https://www.dailyfreeman.com/2012/10/19/in-dutchess-county-battle-brews-over-dorm-dwellers-voting-rights>.
- "Dutchess County Board of Elections, Public Meeting of Dutchess County Board of Elections." Virtual meeting, February 25, 2021. Posted August 9, 2021, by Bard Center for Civic Engagement. YouTube, 30:32. <https://www.youtube.com/watch?v=v8IZDH1Yg1k&t=2s>.
- Dutchess County Legislator Committee. *Report on Student Voting Questions*. March 13, 2000. <https://cce.bard.edu/get-involved/election/files/report-on-student-voting.pdf>.
- Election@Bard. *Bard College's ALL-IN Campus Democracy Challenge Action Plan*. Created December 15, 2021, revised December 10, 2023. <https://allinchallenge.org/wp-content/uploads/Bard-College-2024-Action-Plan.pdf>.
- Farmer, Anthony. "Task Force, Let Collegians Vote." *Poughkeepsie Journal*, March 19, 2000.
- "Good Progress on Student Vote." *Poughkeepsie Journal*, June 20, 2000.
- Gross, Hank. "Agreement Reached on Bard Voting Location." *Mid Hudson News*, October 29, 2020. <https://midhudsonnews.com/2020/10/29/agreement-reached-on-bard-voting-location/>.
- Haight, Erik. "Commissioner Haight: Set Record Straight with Facts." *Poughkeepsie Journal*, May 28, 2016, downloaded December 10, 2024. <https://www.poughkeepsiejournal.com/story/opinion/valley-views/2016/05/28/commissioner-haight-set-record-straight-facts/84920538/>.

- Hudson. "NY-20: Beware of the Pizza Stain Judge." *Daily Kos*, April 15, 2009, downloaded December 9, 2024. <https://www.dailykos.com/storyonly/2009/4/14/720054/-NY-20:-Beware-the-Pizza-Stain-Judge>.
- Lachance, Naomi. "Student Votes Challenged." *Bard Free Press* 14, no. 5 (November 2012): 6–7. <https://digitalcommons.bard.edu/cgi/viewcontent.cgi?article=1101&context=bardfreepress>.
- Mikva, Abner. "About Us." The Mikvan Challenge. <https://mikvachallenge.org/about-us/>.
- New York State Board of Elections. "06/12/2012 Meeting Transcript." <https://elections.ny.gov/system/files/documents/2023/10/cctranscriptions06122012.pdf>.
- New York State Department of State Division of Local Government Services. *Local Government Handbook*. Albany, 2018. https://dos.ny.gov/system/files/documents/2023/06/localgovernmenthandbook_2023.pdf.5186103850.
- Oluwa, Rasheed. "Preservation Tax Squeaks By." *Poughkeepsie Journal*, May 2, 2007.
- Quinones, Eva-Marie. "The Battle for the Ballot: Inside the Voting Rights Struggle in New York." *Buzzfeed*, May 13, 2016. <https://www.buzzfeed.com/evamariequinones/the-battle-for-the-ballot-inside-the-voting-right-2crpl>.
- "Red Hook Town Council Meeting 08/26/2020 7:30 PM." August 26, 2020. Posted August 26, 2020, by Public Access Northern Dutchess (PANDANOW). YouTube, 1:30:05. https://www.youtube.com/watch?v=_BBi9aNPds#action=share.
- Rom, Rafi. "Voting Campaign Heats Up." *Bard Observer*, February 28, 2000.
- "SAVE." *Bard Free Press*, October 4, 2000. <https://digitalcommons.bard.edu/cgi/viewcontent.cgi?article=1006&context=bardfreepress>.
- "Second Public Hearing on District 5 Polling Place." Virtual hearing, September 3, 2021. Posted September 6, 2021, by Bard College. YouTube, 42:33. <https://www.youtube.com/watch?v=HdNYErw1Xu0>.
- Silverbush, Ben. "Students Preparing Class Action Lawsuit." *The Miscellany News*, February 18, 2000.
- "State Limit on Voting By Students Overturned." *New York Times*, October 11, 1984.
- Stone, Marylin. "3 Bard Student Register as a Result of Court Ruling." *Poughkeepsie Journal*, October 28, 1976.
- Sturgeon, Noel, and Caffrey, Sara. "To the Editor." *Poughkeepsie Journal*, October 8, 1976.
- "The Fight for a Polling Place at Bard College." Virtual press conference, October 22, 2020. Posted October 22, 2020, by Bard Center for Civic Engagement. YouTube, 47:00. <https://www.youtube.com/watch?v=ZFp2C8bU7S0>.
- U.S. Department of Justice, Civil Rights Division. *ADA Checklist for Polling Places*, June 2016. <https://www.ada.gov/votingchecklist.pdf>.
- Vance, David. "SCOTUS Challenge to Texas COVID-19 Vote By Mail Age Discrimination Draws Amicus from The Andrew Goodman Foundation, Equal Citizens, and Common Cause." *Common Cause*, October 22, 2020. <https://www.commoncause.org/press/scotus-challenge-to-texas-covid-19-vote-by-mail-age-discrimination-draws-amicus-from-the-andrew-goodman-foundation-equal-citizens-and-common-cause/>.