

# New York Prohibitionist



*Think NY Vote Dry*

*November and December 2022*

*Volume 5 #9*

## A Vision for the Future

In these trying times, the Prohibition Party of New York continues its work to advocate for positive policies and advance social reform. We offer a vision for a better future for New York. A vision for a new approach to governance focused on moral principle, public service, and advancing the public wellbeing. A vision of a state filled with healthy, prospering communities, and greater opportunity for all New Yorkers. If you are interested in helping to make a positive impact on your state and your community, consider joining the Prohibition Party of New York.

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"We can't just hope for a brighter day, we have to work for a brighter day. Love too often gets buried in a world of hurt and fear. And we have to work to dig it out so we can share it with our family, our friends, and our neighbors." Dolly Parton

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## State and National Party News

The Prohibition Party continues to move forward on the state and national level. On the national level, the Prohibition Party's national committee held a conference call on November 21<sup>st</sup>, to discuss various aspects of party businesses. This included the selection of a new national treasurer, filling a vacancy on the executive committee, discussing plans for developing the party's social media efforts, and discussing planning for the party's 2024 convention.

On the State level, the New York Prohibition Party spent the earlier part of the month focusing on efforts to help educate voters about the upcoming election, the records of elected officials, and the positions of various candidates on important issues facing our state. With the 2022 elections concluded and a new state legislative session beginning next year, we face the important work of looking to find opportunities to convince state legislators to support the

advancement of positive legislation in the next session and to reject proposals that would be detrimental to the wellbeing of New Yorkers.

## National Committee Conference Call

On November 21<sup>st</sup>, the Prohibition Party's national committee held a conference call to discuss various issues and take care of several aspects of party business. In this meeting, we are able to make progress on multiple things and lay some groundwork for our future efforts.

Here is an outline of the main things that occurred in the meeting:

The meeting made note of the results of the latest round of votes for accepting new members to the national committee earlier that month; in which, three applicants were accepted.

The national committee voted to select Zach Kusnir as the new national treasurer to replace outgoing treasurer James Coleman. There will be a transition, to transfer Coleman's responsibilities over to Kusnir.

The national committee voted to select Michael Wood to fill a vacancy in the party's executive committee.

A discussion was had on whether to adopt a new planned logo for the Prohibition Party. This logo includes a new version of the camel design that was produced by hired designers. The committee voted to accept the new design and authorize payment to the designers.

There was a discussion on working to develop the party's social media efforts. A social media committee was formed to handle the development of the party's social media team and plans for social media strategies.



There were state reports from the Prohibition Party's state branches in Georgia, New York, and Pennsylvania. The Georgia branch's recent work has included messaging efforts, outreach to state legislators, and encouraging voters to vote against alcohol sales in county referendums. The Pennsylvania Prohibition Party's recent efforts have included working to develop a state-level website, working with other anti-alcohol groups in the county, and looking to find potential dry candidates to support in local elections. The New York Prohibition Party's recent efforts have included our messaging efforts, legislative activism, and working to run candidates for local elections.

There were discussions regarding various aspects of the party's finances. Party leadership will work in the coming months to develop an outline of planned expenses for the next two years and prepare our official financial request to the Prohibition Trust Fund Association, ahead of its next meeting in February.

There was some discussion of preparations for the 2024 election and considering potential candidates for our presidential ticket. Michael Wood, Zach Kusnir, and Scott Baiar have stated that they are interested in being considered for the presidential nomination. Jon Pietrowski has stated their interest in being considered for the vice-presidential nomination. As we move forward, there will be some time for those who are interested in seeking nominations to talk

with party members and for us to look into those who are interested in the nominations, before we make a selection in the party's national convention. As we go through the process, those who are seeking nominations should aim to be civil to one another and to party members, to be good representatives of the party, to be accountable, and to be open to differing opinions and constructive criticism. Likewise, members should aim to be civil and respectful towards one another as we have our discussions regarding our possible nominees.

As to the national convention, we had discussed plans for the timing and location of the convention. From our discussions, it was decided that we would look to hold the national convention sometime in May of 2023. We will look to hold the convention in Buffalo, New York. We will work on making plans for finding a hotel to hold the convention and on other details of the convention.

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"Activism is my rent for living on the planet" Alice Walker

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## Notes on the Results of New York's November 2022 Elections

In November, voters across New York cast their ballots in elections for various offices and referendums. The results of these elections have affected who will serve in office for the coming years and may have various implications on how national, state, and local governments will address key issues. In order to help spread awareness, we have made note of some of the results of November's elections.

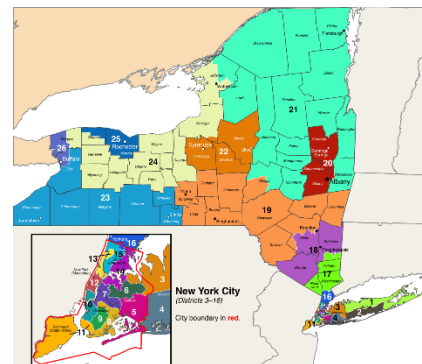
In the statewide elections, Governor Kathy Hochul was elected to her first full term as governor. She won with a 6.4% lead against Lee Zeldin; making it the state's closest Gubernatorial election in decades. Governor Hochul will likely continue her misguided and regressive efforts to weaken state restrictions on alcohol sales and misuse state resources to promote the alcohol industry. As such, sensible New Yorkers will need to continue to oppose such efforts and encourage members of the state legislature to reject those efforts.

There was a statewide referendum on whether to pass the Clean Water, Clean

Air, And Green Jobs Environmental Bond Act of 2022. This proposal authorizes the state government to sell up to 4.2 billion dollars in state bonds to finance certain capital projects "for the purpose of making environmental improvements that preserve, enhance, and restore New York's natural resources and reduce the impact of climate change". This includes \$1.1 billion for restoration and flood risk protection, \$650 million for open space land conservation and recreation, \$1.5 billion for climate mitigation, and 650 million for water quality improvement and resilient infrastructure. The bill was passed overwhelmingly, with 67.6% of voters in favor of it.

State Attorney General Letitia James, State Comptroller Thomas DiNapoli, and U.S. Senator Chuck Schumer were each reelected for another term in their respective positions. Senator Schumer may continue to misuse his position to attempt to legalize recreational marijuana. Though, hopefully, his efforts will continue to be rejected by the Senate.

There have been several changes to New York's list of Congressmembers in the House of Representatives. New York's total number of representatives has decreased from 27 to 26, as a result of a decreased share of the nation's population in the latest U.S. Census. Congressmen Lee Zeldin (District 1) and Tom Suozzi (District 3) both retired in order to run for Governor. Representatives Kathleen Rice (District 4) and John Katko (District 24) retired. Congressman Tom Reed (District 23) had previously resigned from office and Joe Sempolinski, who was elected to fill the remainder of Reed's term, wasn't nominated to run for the next term. Congressman Chris Jacobs' district was eliminated in redistricting and he declined to run in another district. Representative Carolyn Maloney (District 12) and Mondaire Jones (District 17) attempted to run for reelection but lost primaries. Congressman Sean Patrick Maloney (District 18) ran in New York's new 17<sup>th</sup> District and lost to Mike Lawler. Several of these outgoing Congressmembers had a history of supporting pro-alcohol/pro-drug policies.



The state's new members of Congress include Nicholas LaLota (District 1), George Santos (District 3), Anthony D'Esposito (District 4), Daniel Goldman (District 10), Mike Lawler (District 17), Marc Molinaro (District 19), Brandon Williams (District 22), and Nick Langworthy (District 23). Among them, Molinaro and Lawler have stated positions in favor of taking stronger actions against alcohol/other drugs. Goldman and Molinaro have stated positions in favor of other policies to promote public health. Goldman and Lawler have stated positions in favor of protecting the environment in the state and Molinaro has stated positions in favor of establishing stronger anti-corruption policies.

In previous issues, we had noted four non-incumbent congressional candidates with known pro-alcohol positions and three others known to have other pro-drug positions. All seven of those candidates were defeated. Additionally, incumbent Congressman Sean Patrick Maloney (who also held pro-alcohol and pro-drug positions) had lost reelection. Thus, there were at least 8 pro-alcohol/pro-drug congressional candidates that were defeated.

There have been changes in the New York State Senate. There were 9 incumbent state senators who retired from the state senate or who left to run for other elected offices. There were 5 incumbent state senators who lost reelection. This included Senators John Brooks (District 8; now District 5), Anna Kaplan (District 7), Elijah Reichlin-Melnick (District 38), Sue Serino (District 41), and Edward Rath III (District 61). Two State Senators who had voted to legalize recreational marijuana in the state (Brooks and Reichlin-Melnick) were voted out of office and three other Senators who made the same poor decision had

retired from the State Senate. State Senator Leroy Comrie (District 14), who had sponsored the Addiction Recovery Act, was reelected. State Senator John Liu (District 11, now District 16), who had previously sponsored a bill to strengthen laws against drunk driving, was reelected. State Senator Phil Boyle (District 4) retired from the State Senate. Senator Boyle had been the sponsor for Bill A08683 (a bill that would largely repeal the anti-democratic changes to state ballot access laws made in 2020) in the Senate. This could present a setback on the effort to advance ballot access reform, unless another Senator willing to reintroduce the bill is found.

The State Assembly has seen a number of changes in its membership. There were 16 Assemblymembers who retired or left the Assembly to run for other offices. There were 3 members of the Assembly who lost in primary elections and 2 who were unable to make it on the primary ballot. There were three members of the Assembly who lost reelection. Those were Steven Englebright (District 4), Mathylde Frontus (District 46), and Peter Abbate Jr. (District 49). Three state assembly members who made the poor decision to vote to legalize recreational marijuana in the state were voted out of office and eight others had retired, lost primary elections, or didn't make it on the ballot.

Looking at Assemblymembers who had previously supported positive legislation: 22 out of 25 Assembly members who had previously cosponsored the Addiction Recovery Act were reelected to a new term. There were 8 out of 10 members who had previously supported a bill to low the BAC limit for drunk driving that were reelected. Of the Assembly members that had supported Bill A08683 (which would largely repeal the anti-democratic changes to state ballot access laws made in 2020), the bill's main sponsor had retired, but the bill's five other co-sponsors were reelected. These Assembly members who were reelected present prime opportunities for trying to find Assembly members for reintroducing these bills in the new legislative session.

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“Start where you are. Use what you have. Do what you can” Arthur Ashe



## Legislative Activism

With the completion of the November elections and the beginning of 2023, the New York State legislature will begin a new legislative session. With the beginning of a new legislative session, there will be opportunities for us to encourage members of the State Senate and State Assembly to support the passage of positive legislation and to encourage them to oppose policies that would be detrimental to the wellbeing of New Yorkers.

### Addictions Prevention and Recovery Act

One important area of focus would be working to reinvigorate the effort to advance the Addiction Prevention and Recovery Act. The Addiction Prevention and Recovery Act, designed by then-Assemblyman Michael DenDekker in 2019, would have significantly increased funding for addiction prevention and recovery programs for alcohol and other drugs. The bill had managed to gain a significant amount of support in the State Assembly in 2019 and 2020. After DenDekker left the Assembly at the end of 2020, the bill was left without a sponsor in the State Assembly. Though the bill's sponsor in the State Senate, Leroy Comrie, continued to reintroduce and support the bill in the State Senate in 2021 and 2022.

We will need to find a member of the State Assembly who would be willing to reintroduce the bill in the new legislative session in order to try to advance the bill in the State Assembly. We might have some luck in trying to convince one of the Assembly members who had previously cosponsored the bill. Previous cosponsors

of the bill that are still in the Assembly include:

Fred Thiele (District 1), Joe DeStefano (District 3), Michaelle Solages (District 22), Andrew Hevesi (District 28), Alicia Hyndman (District 29), Vivian Cook (District 32), Jeffrion Aubry (District 35), Catalina Cruz (District 39), Jo Anne Simon (District 52), Charles Fall (District 61), Deborah Glick (District 66), Harvey Epstein (District 74), Rebecca Seawright (District 76), Jeffrey Dinowitz (District 81), Michael Benedetto (District 82), Nadar Sayegh (District 90), Chris Tague (District 102), Jonathan Jacobson (District 104), John McDonald III (District 108), Patricia Fahy (District 109), Phil Steck (District 110), Mary Beth Walsh (District 112).

Beyond these members of the assembly, it may also be useful for us to reach out to new members of the State Assembly and for party members to reach out to their own State Assembly member.

### Ballot Access

In the previous legislative session, Assemblyman John Salka had introduced Bill A08683. The bill, if passed, would repeal most of the anti-democratic changes to state ballot access laws passed in 2020. The bill was not passed in last year's legislative session, so it would need to be reintroduced in this year's legislative session. But, both Assemblyman Salka and State Senator Phil Boyle (who was the sponsor for the bill in the State Senate) did not seek reelection. So, we will need to find other representatives to reintroduce the bill in the two legislative chambers. For the state assembly, a good place to look may be to look at convincing one of the assembly members who cosponsored the bill in last year's session to take on the task of being the bill's main sponsor.

The members who cosponsored the bill in last year's session include Joe DeStefano (District 3), Chris Tague (District 102), Ken Blankenbush (117), Joe Angelino (District 121), Brian Miller (District 122).

If we cannot find a new sponsor among them, we may have to broaden our search to any members of the Assembly who may potentially be receptive to the issue.

As for the State Senate, there aren't any known cosponsors of the bill. So, we will need to look for any state senator who may be potentially receptive and see if one is willing to take up the cause.

## Methods

In order to work to convince members of the state legislature to pass positive legislation, we will need people to reach out to representatives. A member of the party in our state, Mr. Kusnir, has provided some tips on ways to approach outreach to state legislators. He had stated that he had luck with getting responses from state legislators with an email/call/email strategy.

Email 1: Short and to the point. Cc assistants, relative admin etc.

Call: Voicemail or discussion referencing Email 1.

Email 2: Reply to first email, do not start a new thread. Now you have a chain of communication. Reference your call here, too.

## Contacting Legislators

Contact information for State Assemblymembers can be found on the New York State Assembly Website: <https://nyassembly.gov/mem/>

Contact information for State Senators can be found on the New York State Senate website: <https://www.nysenate.gov/senators-committees>

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## Study Shows Rising Use of Marijuana Among Youths in States that Have Legalized Recreational Marijuana Sales

In November, researchers from Temple University released a comprehensive study on marijuana use, risk perceptions, and addiction among adolescents and young adults. The study found that states that legalize the sale of marijuana saw increased rates of monthly marijuana use among adolescents and young adults. They found that adolescents and young adults who had a lower perception of the risks of marijuana were more likely to become heavy users of marijuana and develop CUD (Cannabis Use Disorder). And they found that adolescents and young adults who used marijuana heavily were becoming less likely to seek addiction treatment for CUD. The study concluded that the legalization of recreational marijuana sales in states is likely to drive increased marijuana use among adolescents and young adults who perceive marijuana use as less harmful, while at the same time reducing the likelihood of them pursuing addiction treatment for marijuana use.

This study is notable for making use of two large national data sets (the NSDUH and TEDS-A datasets) to gain a more comprehensive sense of marijuana use among youths in different states and how rates of use have changed in states that legalized recreational marijuana sales. Various previous studies into youth marijuana use in states that legalized marijuana have tended to be limited by factors, such as looking only at one state or using state data sets where localities with high rates of drug use could opt out of reporting, and thus could be inconsistent with their findings. But by the NSDUH and TEDS-A datasets and looking at all states that legalized marijuana, the Temple University study is able to provide a more reliable measure for looking at youth marijuana use.

In response to the study, Dr. Kevin Sabat had stated that,

"Marijuana use was on a decades-long decline thanks to the concerted work of prevention efforts, but the legalization and commercialization of marijuana is threatening to erase those public health

gains... This study shows that in reality, legalization normalizes use and creates heavy users who are less likely to seek help."

"The goal of good drug policy should be to decrease access to addictive substances and increase access to treatment. Studies like this one show that legalizing drugs makes matters worse, especially for kids."

This study adds to the vast body of research and scholarship that shows that allowing recreational drugs to be commercially sold undermines public health, allows drug selling businesses to profit off the exploitation and harm of others, promotes increased drug use among youths, and promoted increased rates of addiction.

Sources: <https://www.sciencedirect.com/science/article/abs/pii/S0306460322003185>  
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## Winger Further Exposes Erroneous Nature of Second Circuit's Decision on New York Ballot Access Case

On October 19<sup>th</sup>, the Second Circuit Court issued a ruling on the case *Libertarian Party of New York v New York State Board of Elections*, 22-44, upholding the anti-democratic changes made to New York state's ballot access laws in 2020. As we had reported in last month's issue, the Second Circuit Court had stated U.S. District Court did not commit any error when it upheld the ballot access law changes earlier this year, but they did not provide any explanation as to the reasoning behind this ruling. In reality, the U.S. District Court's decision was very much erroneous, contained numerous factual errors, and its reasoning went against precedents that had been set by the Second Circuit Court itself. Ballot access expert Richard Winger has put out publications that have served to expose the erroneous nature of the Second Circuit Court's ruling.

Regarding the District Court's ruling, Richard Winger had explained,

"There is much wrong with the U.S. District Court decision. It said that New York is justified in keeping minor parties off the ballot because otherwise the state would need to waste money on public funding for minor party candidates. This was fallacious because the Second Circuit had already ruled



*in a Connecticut case that if a state has public funding, it can restrict it to the major parties. Also, the U.S. District Court made errors of fact when it compared New York's ballot access rules to the laws of other states. The U.S. District Court ignored all of the evidence that the minor parties had presented about the failure of New York to even have a procedure for a group to transform itself into a qualified party in advance of any election. The U.S. District Court didn't discuss why the petitioning period should be squeezed into a six-week period, when a majority of states allow unlimited petitioning period."*

In the November Issue of Ballot Access News, Richard Winger provided a deeper look into the details of the case and the flaws in the Second Circuit's decision.

Winger points out the 2020 Ballot Access Law changes makes it vastly more difficult for alternative parties to be able to run candidates for statewide office or to gain/retain statewide ballot access as a party. The 2020 changes triple the number of signatures needed to petition to get on ballot for statewide office from 15,000 to 45,000, while still only giving six weeks to collect signatures and not letting citizen sign more than one petition for a candidate seeking to run for that office. The requirement for a party to gain/retain statewide ballot access was changed from receiving at least 50,000 votes for governor every four years to receiving at least 2% of the vote for governor or president every two years. In 2020, 2% of the state's presidential vote was 172,337 votes. Unlike most states, New York State ballot access laws do not include a process for political parties to acquire qualified party status in advance of an election.

Without the judges providing an official explanation of their reasoning, Winger looked at the judges' comments during oral arguments to get a sense of their reasoning. He found that one of the three justices had a misguided focus on trying to find a numerical litmus test for the ballot access changes. Winger explained that,

*"During the part of the oral argument at which the attorney for the Libertarian and Green Parties was speaking, one judge repeatedly demanded that the attorney express an objective numerical test which should be considered unconstitutionally difficult.*

*Over and over, the attorney for the parties tried to explain that this is the wrong way to adjudicate ballot access barriers. He was correct. The U.S. Supreme Court said in Storer v Brown in 1974, and also in Mandel v Bradley in 1977, that courts should not apply a "litmus test", i.e., they should not say that one number of signatures, or percentage of signatures, is necessarily valid or invalid.*

*Instead, courts should examine how many times the challenged law has been successfully used.*

*The attorney for the parties repeatedly pointed out that no statewide gubernatorial petitions succeeded in New York this year. He did not say, but he could have, that in 2020, the first year the petition requirement was in effect, no one succeeded either.*

*The judges also addressed the issue of whether the U.S. District Court should have held a trial. The U.S. District Court did not hold a trial, and ruled for the state one day after the oral argument. The U.S. District Court said that the law is constitutional because New York "is in the middle of the pack" when the laws of all states are compared. This was factually wrong and was factually disputed. The U.S. District Court should have held a trial to resolve the factual disputes."*

Winger pointed out that the evidence that the U.S. district judge had based their ruling on was filled with numerous factual errors and that the judge failed to recognize those errors, even after they were pointed out to them. The evidence provided by the state repeatedly misstated the number of petition signatures required by other states, to make it look like the signature requirements were much higher than they actually were. They also repeatedly misrepresented the amount of time that petitioners had in other states, to make it look like the amount of time petitioners had in those states was shorter than it actually is. The judge failed to understand that in many states, new parties seeking qualified status were able to start collecting signatures as early as they wished. That based on false information and a lack of understanding of context, the District Court Judge incorrectly concluded that New York's 2% requirement was "in the middle of the pack". But, "the judge paid no attention to the evidence in front of him that vote

tests cannot be compared without looking at which office the vote test applies to".

Winger explains that,

*"the most realistic way to compare state definitions of political party is to examine the number of minor parties that attain qualified status. The attorney for the minor parties made this as clear as he could, when he told the Second Circuit panel that the Libertarian Party had attained qualified status in 42 states before it ever qualified in New York, and that was under the old, easier definition of "party." It should be obvious that if the old, easier definition had been met in 42 other states before the Libertarian Party met it in New York, then even the old, easier law was tougher than the laws of most states.*

*But the judges seem to pay no attention to that fact.*

*The attorney for the state reinforced the erroneous idea that ballot access laws should be evaluated with a litmus test. He cited all the cases in which courts in other states had upheld vote tests that were higher than 2%. But, he did not say, nor did the judges seem to grasp, that in all the other precedents, the state in question had a procedure by which a group could transform itself into a qualified party in advance of any election. So even though courts had upheld Oklahoma's prior 10% vote test, and Arkansas' 3% vote test, and North Carolina's prior 10% vote test, those three states all had a procedure whereby a group could become a qualified party without meeting the vote test.*

*The attorney for the state did not tell the judges, nor did they seem to know, that in all of the U.S. Supreme Court precedents upholding difficult petition requirements, the Court depended on the fact that such petition requirements had recently been used successfully."*

Winger additionally pointed out that the attorney for the state said that New York tried to justify more than tripling the vote test from 50,000 to 172,337 votes, because the state's population had quadrupled since 1935, when the previous 50,000 vote requirement had been established. But the state's attorney did not say, nor did the judges acknowledge, that the increase in voters was far smaller. The total number of voters in the 2020 presidential election was only 53.6% higher than it was in the 1936 presidential election. The change in the number of

votes is more directly relevant to this matter than changes in total population.

And Winger further stated that,

*“Worst of all, the judges seem to pay no attention to the fact that the U.S. District Court had upheld the new laws as justified so the state wouldn’t need to give public funding to minor party candidates. Yet the Second Circuit had already ruled in a Connecticut case that if the state gives public funding to parties that polled 20% of the vote, it doesn’t need to give public funding to smaller parties.*

*As a result of this decision, New York is one of only five states that holds a gubernatorial election this year and that has only two gubernatorial candidates on the ballot.”*

Overall, Winger’s analysis helps to shed light on how erroneous the decisions of the Second Circuit Court and U.S. District Court are. These decisions were built on a foundation of factually incorrect information, misrepresentations of how New York’s ballot access laws compare to other states, faulty reasoning, a failure to follow apply both Supreme Court precedents and the Second Circuit Court’s own precedents, and the failure of judges to acknowledge or correct flaws, despite having them pointed out to them.

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“Every action, no matter how small, is like drips on a rock—over time, they can carve a canyon through even the thickest, most immovable layer of rock.” Shannon Watts

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## The Campaign for Fixing State Ballot Access Laws Continues

The campaign by minor parties and activists to fix New York state’s ballot access laws continues. On October 19<sup>th</sup>, the Second Circuit Court issued a questionable ruling upholding the anti-democratic changes made to New York state’s ballot access laws in 2020. In early November, the Libertarian and Green Parties filed a request for the Second Circuit’s decision to be reconsidered. On December 12, the Second Circuit Court declined to rehear the case. While this is unfortunate, it appears that minor parties will continue to attempt to challenge the 2020 ballot access law changes in court, as much as they are able.

There are ongoing legislative efforts to try to secure the passage of a bill to undo the anti-democratic 2020 ballot access law changes. During the most recent legislative session, the Prohibition Party of New York worked to promote the passage of Bill A08683: a bill that would repeal most aspects of the 2020 ballot access law changes. Hopefully, the bill will be reintroduced in the coming legislative session, or a similarly beneficial new bill be introduced. Either way, we will continue to encourage legislators to pass a bill to undo the anti-democratic 2020 ballot access law changes and return to having more reasonable ballot access standards in the state.

We may be gaining some additional help in these efforts for the next legislative session. As it has been reported the New York branch of the Forward Party has announced that Forward NY will be working on election reform efforts in New York State. While there are many issues that need fixing, our primary focus for the next year will be ballot access.” Hopefully, this additional support will help in convincing more legislators to take action on ballot access reform.

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## State Moves Forward on 2024 State Assembly Redistricting

The state government has been moving forward on drawing a new set of state assembly districts ahead of the 2024 elections. In December, the state’s Independent Redistricting Commission released a draft plan for the proposed new assembly districts. The plan for the proposed districts can be viewed on the New York Independent Redistricting Commission website:

<https://www.nyirc.gov/assembly-plan>

This current drawing of new assembly districts came in the aftermath of legal contentions over the state’s drawing of districts for congressional and state legislative offices. Earlier in 2022, members of the state legislature tried to bypass the state’s Independent Redistricting Commission and pass their own plans for new Congressional, State

Senate, and State Assembly districts. The districts drawn by state legislature were criticized for partisan gerrymandering and not following provisions of the state constitution.

A lawsuit was made, which challenged the Congressional and State Senate maps. The New York State Court of Appeals struck down the Congressional and State Senate maps for not following the state constitution’s provisions for the process of designing maps and violating the state constitution’s provisions against partisan gerrymandering. Following this ruling, acting State Supreme Court Justice Patrick F. McAllister was tasked with overseeing the creation of a new set of Congressional and State Senate district maps designed by a court-selected election expert. Following this ruling, others sued to have the State Assembly district plan overturned as well, due to it containing the same issues with its creation that the Congressional and State Senate maps had. Due to concerns over timing, the courts had decided that there wasn’t enough time to redraw the State Assembly districts before the 2022 elections. They allowed the state legislature’s Assembly Districts to be used in the 2022 elections, but ruled that new Assembly districts would need to be created before the 2024 elections.

In September, a Manhattan Supreme Court Judge ruled that the state’s Independent Redistricting Commission would be tasked with designing a plan for the new Assembly district map. In December, the Independent Redistricting Commission voted unanimously to submit its draft for the new Assembly districts.

The Independent Redistricting Commission will hold a series of public hearings across the state from January 9<sup>th</sup> to March 1<sup>st</sup>, for members of the public to hear about and provide feedback on the proposed district map. The Commission will then have to produce the final version of their proposed district map and present it to the state legislature by April 28<sup>th</sup>, 2023.

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