

BOARD OF ELECTIONS
IN THE CITY OF NEW YORK

COMMISSIONERS' COVER SHEET REVIEW MEETING

42 Broadway - 6th floor
Commissioners' Hearing Room

New York, NY 10004

October 28, 2020

3:30 - 3:45 p.m.

October 28, 2020

PRESENT:

Secretary Frederic Umane

Commissioner Jose Araujo

Rafael Savino, Deputy General Counsel

Unidentified Female

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2 (The meeting commenced at 3:34 p.m.)

3 MR. RAFAEL SAVINO: Good afternoon. It
4 is June 28, 2020 and we are here for a cover
5 sheet review with Commissioner Umame and
6 Commissioner Araujo. The first item I'd like to
7 present is one of those where the party is too
8 similar to a second party. One is Uptown Unity
9 and the other one is Justice and Unity. So again,
10 it's up to you. Oh, alright, Justice Unity was
11 filed first. So the one that would have to change
12 their party would be Uptown --

13 COMMISSIONER ARAUJO: Uptown Unity
14 Party.

15 SECRETARY UMANE: I mean what do you
16 think, Jose? It doesn't see that they're that
17 similar. Justice and Unity and Uptown Unity, it's
18 two different --

19 COMMISSIONER ARAUJO: Yeah. Yeah, I mean
20 I'm with you right that. It's not -- I don't
21 think it leads to confusion. We have Justice and
22 Unity. It would be different if Unity was the
23 first in that part of the name.

24 SECRETARY UMANE: I, that's it, I agree.

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2 That's, that was my thought.

3 COMMISSIONER ARAUJO: So I mean I think
4 they're fine.

5 MR. SAVINO: Thank you, commissioners.
6 Item two is Ms. Pamela A. Harris -- oh, Hamilton-
7 Johnson, I apologize. This is also Justice for,
8 Justice for All. The name is too similar to
9 Justice and Unity.

10 COMMISSIONER ARAUJO: So which one -- I
11 think one's distinguishable because it is the
12 first one so --

13 SECRETARY UMANE: I agree.

14 COMMISSIONER ARAUJO: -- I think it's
15 worse.

16 SECRETARY UMANE: I agree. They should
17 be asked to get a new name.

18 COMMISSIONER ARAUJO: Yeah.

19 MR. SAVINO: Okay.

20 COMMISSIONER ARAUJO: Whoever came
21 second should be asked.

22 UNIDENTIFIED FEMALE: Okay.

23 COMMISSIONER ARAUJO: Now, who came
24 second here? Justice for All or Justice and

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2 Unity?

3 UNIDENTIFIED FEMALE: Justice for All
4 came First.

5 COMMISSIONER ARAUJO: Came first, so
6 that means Justice and Unity --

7 UNIDENTIFIED FEMALE: I'm sorry, Justice
8 --

9 COMMISSIONER ARAUJO: -- is going to
10 have to change their name.

11 SECRETARY UMANE: Right.

12 COMMISSIONER ARAUJO: Yeah, Justice and
13 Unity is going to have to change their name, that
14 may affect our other ruling now?

15 SECRETARY UMANE: Yeah, but the other
16 one wasn't going to be changed, so it would just
17 be Justice and Unity is going to have to change
18 their name.

19 COMMISSIONER ARAUJO: Okay. Alright.

20 UNIDENTIFIED FEMALE: I'm sorry,
21 commissioners, it's Justice for All came second.

22 SECRETARY UMANE: Okay.

23 COMMISSIONER ARAUJO: So then they have
24 -- okay.

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2 SECRETARY UMANE: So then Justice for
3 All then has to change.

4 UNIDENTIFIED FEMALE: Yes.

5 COMMISSIONER ARAUJO: Right.

6 UNIDENTIFIED FEMALE: It's too
7 confusing.

8 COMMISSIONER ARAUJO: I'm in agreement.

9 MR. SAVINO: Alright.

10 UNIDENTIFIED FEMALE: Thank you. Great.

11 MR. SAVINO: Moving on to item number
12 three. Again, this is, oh, this one's in excess
13 of 15 characters, and as I'm sure you're well
14 aware of at this point, commissioners, written
15 right into the election law, that's forbidden. So
16 we would give them an opportunity to change their
17 name. If they don't choose to take advantage of
18 that opportunity, then it would be up to the
19 commissioners to change the name for them.

20 SECRETARY UMANE: Right, it's too long,
21 so that's a no brainer. You usually give them a
22 week or five days, something like that?

23 MR. SAVINO: I believe it's seven, yeah,
24 it's seven days.

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2 SECRETARY UMANE: Okay.

3 COMMISSIONER ARAUJO: And just so I'm
4 clear, it's Building Community Together, right?

5 MR. SAVINO: Right, that's correct.
6 Yeah, Building Community Together.

7 COMMISSIONER ARAUJO: Alright.

8 MR. SAVINO: Excess of 15. They probably
9 should have highlighted it, but there we go,
10 we'll figure the [unintelligible] [00:07:57] out
11 later.

12 COMMISSIONER ARAUJO: Does the
13 candidate's name also exceed the character limit?
14 No, I'm sorry, I'm looking at the contact person.

15 UNIDENTIFIED FEMALE: Yeah. It's
16 Building Community Together, so that's in excess
17 of 15 characters.

18 COMMISSIONER ARAUJO: No, wait --

19 MR. SAVINO: And the contact person --

20 COMMISSIONER ARAUJO: I'm looking at the
21 name, the candidate's name, or the contact
22 person's name, which appears to be the same
23 person. Is their name going to exceed, so that
24 way you give them one cure letter?

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2 UNIDENTIFIED FEMALE: That, yeah, that
3 doesn't fall under the rule, commissioner. The
4 only thing that falls under the excess character
5 rule is the actual party name, which is Building
6 Community Together and that's over 15 characters.

7 SECRETARY UMANE: Yeah, but there's a
8 limit to the number of characters that fit in the
9 box on the ballot.

10 UNIDENTIFIED FEMALE: Oh, you're saying
11 the candidate's name?

12 MR. SAVINO: Right.

13 SECRETARY UMANE: So you need to check
14 with, you need to check with people in the tech
15 room to see if the number of characters in the
16 guy's name is too big for the space on the
17 ballot.

18 MR. SAVINO: We will check --

19 UNIDENTIFIED FEMALE: We will check.

20 MR. SAVINO: -- to, to be sure.

21 SECRETARY UMANE: Okay. If that's the
22 case, could you include that in the letter?

23 MR. SAVINO: Yes.

24 SECRETARY UMANE: If it's not an issue,

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2 just don't, then.

3 MR. SAVINO: Not a problem.

4 SECRETARY UMANE: Jose, you okay with
5 that?

6 COMMISSIONER ARAUJO: Yes.

7 SECRETARY UMANE: It's a good catch.
8 That was a good catch.

9 MR. SAVINO: Okay. Item number four, we
10 have what has been reviewed by staff and
11 recommended as an invalid cure. The ID on the
12 petition does not match the cover sheet, and
13 that's basically it. They, they've had an
14 opportunity to file a new cover sheet, and they
15 still put the wrong numbers down, 664 -- is this
16 the amended? Yeah. 664, the petition ends in and
17 the other one is 663. The petition numbers end in
18 666 and 665.

19 SECRETARY UMANE: So, also, I think they
20 didn't put the legend at the bottom for the
21 amended cure, on the amended cover sheet.

22 MR. SAVINO: Correct. That is correct.
23 So we'll send them a defect notice on that should
24 you make that determination.

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2 COMMISSIONER ARAUJO: I'm fine with it.

3 SECRETARY UMANE: Yeah.

4 MR. SAVINO: Oh, this is correct? No, I
5 think, I think -- I'll take a look at it and give
6 it some thought, but that might --

7 SECRETARY UMANE: There's like a thing
8 that says this is an amended cover sheet and
9 they're supposed to attach --

10 MR. SAVINO: Right.

11 SECRETARY UMANE: -- something, it
12 doesn't say that at the bottom.

13 UNIDENTIFIED FEMALE: Yeah, I separated
14 them so you could see the different --

15 MR. SAVINO: Right, they do not have
16 that, that section. But, the cure --

17 SECRETARY UMANE: Well, they're out
18 anyway. But I wouldn't [unintelligible]
19 [00:11:13] --

20 MR. SAVINO: Yeah, the cure's invalid
21 anyway, but that would give them another three
22 days to cure when they already had an opportunity
23 to cure and I don't, you know, the petition
24 numbers are different on, on the two petitions,

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2 on the cover sheet and the amended cover sheet.

3 SECRETARY UMANE: Right.

4 MR. SAVINO: So, but thank you for
5 noticing that. I do appreciate that. Alright.
6 Michael Earl Brown. He, we believe this one to
7 be, oh, here's the stamps. Some people love to
8 use them. Alright, this one, commissioners, the
9 bipartisan staff has reviewed and they feel that
10 it is a valid cure. What was the, here it is,
11 yeah. The amended cover sheet fixes the problem
12 of incorrect petition IDs. Again, Michael Earl
13 Brown, ending 645 and he has submitted the new
14 cover sheet, which does match the number on his
15 petition, which is also 645, so we would be
16 recommending that this be a valid cure.

17 SECRETARY UMANE: I'm just saying you
18 didn't send it to us.

19 MR. SAVINO: Oh, this is one that you --

20 SECRETARY UMANE: It just says Michael
21 Brown valid cure.

22 UNIDENTIFIED FEMALE: Yeah. That's the
23 one you should have.

24 SECRETARY UMANE: There was no --

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2 UNIDENTIFIED FEMALE: That's the same
3 one. Wherever it says Michael Brown is the one
4 that is the correct one.

5 MR. SAVINO: Okay. So there is the cover
6 sheet.

7 UNIDENTIFIED FEMALE: Can you see?

8 MR. SAVINO: Oh, yeah, they can see.

9 SECRETARY UMANE: Yeah.

10 MR. SAVINO: And, forgive me for playing
11 Vanna White for a moment. And the number on the
12 bottom of the cover sheet, fortunately it's not
13 upside down.

14 SECRETARY UMANE: Okay. Alright. It
15 looks okay.

16 MR. SAVINO: Alright. I apologize for
17 not getting it to you, but we, staff is
18 recommending a valid cure, obviously, within your
19 discretion.

20 COMMISSIONER ARAUJO: I agree.

21 SECRETARY UMANE: Okay.

22 MR. SAVINO: I'm sorry, oh, you agree?
23 Okay. Well then, much to your, I'm sure, yeah, I
24 would say satisfaction, yeah, much to your

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2 satisfaction, that is the last thing to present
3 today. Thank you so much for making it --

4 SECRETARY UMANE: I move -- I move we
5 adjourn.

6 COMMISSIONER ARAUJO: Second.

7 MR. SAVINO: It's unanimous. Thank you,
8 gentlemen, I appreciate your help.

9 SECRETARY UMANE: Thanks, Jose.

10 UNIDENTIFIED FEMALE: Thank you so much,
11 commissioners.

12 MR. SAVINO: Oh, commissioners, are we
13 authorized to fill out these defect sheets and
14 put the Xs where they're supposed to go and our
15 initials?

16 COMMISSIONER ARAUJO: Yes.

17 SECRETARY UMANE: Yes.

18 MR. SAVINO: Or, you could send me back,
19 up to you.

20 SECRETARY UMANE: No, you're authorized.

21 MR. SAVINO: Alright.

22 SECRETARY UMANE: Put the FU in the
23 right place.

24 COMMISSIONER ARAUJO: Once you get a

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yes, you're supposed to end the conversation.

UNIDENTIFIED FEMALE: Thank you so much
commissioners.

SECRETARY UMANE: Okay.

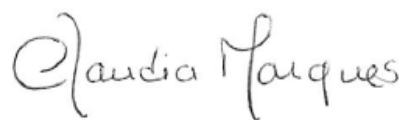
COMMISSIONER ARAUJO: Thank you.

(The meeting concluded at 3:45 p.m.)

CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of the Board of Elections in The City of New York on October 28, 2020 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



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